

Gazette officielle du Québec

Part 2 Laws and Regulations

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PROVINCE OF QUÉBEC

1st SESSION

36th LEGISLATURE

QUÉBEC, 7 JUNE 2000

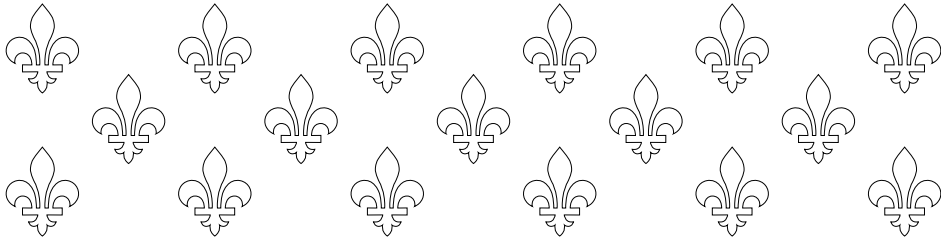
OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 7 June 2000

This day, at thirty-nine minutes past eleven o'clock in the morning, His Excellency the Lieutenant-Governor was pleased to sanction the following bill:

127 An Act to amend the Tourist Establishments Act

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 6
(2000, chapter 7)

**An Act to amend the Act respecting the
Société de la Place des Arts de Montréal
and the Act respecting the Société du
Grand Théâtre de Québec**

**Introduced 13 April 1999
Passage in principle 6 May 1999
Passage 17 May 2000
Assented to 30 May 2000**

**Québec Official Publisher
2000**

EXPLANATORY NOTES

This bill amends the Act respecting the Société de la Place des Arts de Montréal and the Act respecting the Société du Grand Théâtre de Québec. The same amendments are made to both Acts.

Under the bill, the mode of appointment of the members of the boards of directors of the two corporations is changed to provide for prior consultation with the Montréal and Québec urban communities and with socio-economic and cultural bodies.

The bill confers on each corporation the mandate to operate a business for the diffusion of the performing arts and to administer the establishment under its control and any other establishment whose management is entrusted to it by the Government. The activities of each corporation shall be conducted, more specifically, so as to provide a residence for major artistic organizations, improve access to the various types of performing arts, and promote arts and culture in Québec.

The bill authorizes each corporation to produce, co-produce or host artistic works originating in Québec or elsewhere, and to organize activities designed to develop public awareness and increase attendance. Each corporation may also offer particular services to artistic organizations and producers, establish an operating policy in this regard, and acquire specialized technical equipment to meet the specific needs of artistic organizations and producers.

Under the bill, each corporation will be required to seek the Minister's approval for its three-year activity plan, which must take into account the guidelines and objectives indicated by the Minister.

Lastly, the bill contains a transitional provision.

Bill 6

AN ACT TO AMEND THE ACT RESPECTING THE SOCIÉTÉ DE LA PLACE DES ARTS DE MONTRÉAL AND THE ACT RESPECTING THE SOCIÉTÉ DU GRAND THÉÂTRE DE QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 4 of the Act respecting the Société de la Place des Arts de Montréal (R.S.Q., chapter S-11.03) is amended by replacing “appointed by the Government ; three of the members, excluding the chairman, are appointed upon the recommendation of the Communauté urbaine de Montréal” in the second, third and fourth lines by “, including a chairman, appointed by the Government after consultation with the Communauté urbaine de Montréal and with socio-economic and cultural bodies active throughout Québec or at a regional level”.

2. Section 5 of the said Act is replaced by the following :

“5. The members of the board of the Corporation shall receive no remuneration, except in such cases, on such conditions and to such extent as may be determined by the Government. They shall, however, be entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.”

3. Section 19 of the said Act is amended

(1) by replacing “of the Corporation or by the secretary” in the second and third lines of the first paragraph by “or by any other person so authorized by the Corporation” ;

(2) by replacing “the secretary” in the second line of the second paragraph by “such a person”.

4. Section 20 of the said Act is replaced by the following :

“20. The objects of the Corporation are to operate a business for the diffusion of the performing arts, and to administer the Place des Arts de Montréal and any other establishment whose management is entrusted to it by the Government.

The activities of the Corporation shall be conducted, more specifically, so as to provide a residence for major artistic organizations, improve access to the various types of performing arts, and promote arts and culture in Québec.

“20.1. The Corporation may, in particular, in pursuing its objects,

(1) produce, co-produce or host artistic works originating in Québec or elsewhere;

(2) organize activities designed to develop public awareness and increase attendance;

(3) offer particular services to artistic organizations and producers, and establish an operating policy in this regard;

(4) acquire specialized technical equipment to meet the specific needs of artistic organizations and producers;

(5) enter into agreements and take part in joint projects with any other person or body;

(6) enter into agreements according to law with a government other than the Government of Québec, a department of such a government, an international organization or an agency of such a government or organization;

(7) receive gifts, bequests, grants and other contributions, provided that any conditions attaching thereto are compatible with the pursuit of its objects;

(8) establish an advisory committee made up of resident artistic organizations and any other advisory committee it considers necessary.

The members of a committee established under subparagraph 8 of the first paragraph shall receive no remuneration, except in such cases, on such conditions and to such extent as may be determined by the Government. They shall, however, be entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.”

5. Section 21 of the said Act is amended

(1) by replacing paragraph 3 by the following:

“(3) acquire or dispose of shares, stock or assets of a legal person;”;

(2) by striking out paragraph 6.

6. Section 22 of the said Act is repealed.

7. Section 26 of the said Act is replaced by the following:

“26. The Corporation must, on the date fixed by the Minister, file a three-year activity plan. The plan must take into account the guidelines and objectives indicated by the Minister.

The plan must be drawn up in the form determined by the Minister, and contain the information required by the Minister.

The plan requires the approval of the Minister.”

8. Section 27 of the said Act is amended by replacing “three” in the first line of the first paragraph by “four”.

9. Section 32 of the said Act is replaced by the following:

“32. The Corporation shall finance its activities out of the amounts it receives and the appropriations granted to it annually for that purpose by Parliament. Any surplus amount shall remain with the Corporation, unless the Government decides otherwise.”

10. Section 4 of the Act respecting the Société du Grand Théâtre de Québec (R.S.Q., chapter S-14.01) is amended by replacing “appointed by the Government; three of the members, excluding the chairman, are appointed upon the recommendation of the Communauté urbaine de Québec” in the second, third and fourth lines by “, including a chairman, appointed by the Government after consultation with the Communauté urbaine de Québec and with socio-economic and cultural bodies active throughout Québec or at a regional level”.

11. Section 5 of the said Act is replaced by the following:

“5. The members of the board of the Corporation shall receive no remuneration, except in such cases, on such conditions and to such extent as may be determined by the Government. They shall, however, be entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.”

12. Section 19 of the said Act is amended

(1) by replacing “of the Corporation or by the secretary” in the second line of the first paragraph by “or by any other person so authorized by the Corporation”;

(2) by replacing “the secretary” in the second line of the second paragraph by “such a person”.

13. Section 20 of the said Act is replaced by the following:

“20. The objects of the Corporation are to operate a business for the diffusion of the performing arts, and to administer the Grand Théâtre de Québec and any other establishment whose management is entrusted to it by the Government.

The activities of the Corporation shall be conducted, more specifically, so as to provide a residence for major artistic organizations, improve access to the various types of performing arts, and promote arts and culture in Québec.

“20.1. The Corporation may, in particular, in pursuing its objects,

(1) produce, co-produce or host artistic works originating in Québec or elsewhere ;

(2) organize activities designed to develop public awareness and increase attendance ;

(3) offer particular services to artistic organizations and producers, and establish an operating policy in this regard ;

(4) acquire specialized technical equipment to meet the specific needs of artistic organizations and producers ;

(5) enter into agreements and take part in joint projects with any other person or body ;

(6) enter into agreements according to law with a government other than the Government of Québec, a department of such a government, an international organization or an agency of such a government or organization ;

(7) receive gifts, bequests, grants and other contributions, provided that any conditions attaching thereto are compatible with the pursuit of its objects ;

(8) establish an advisory committee made up of resident artistic organizations and any other advisory committee it considers necessary.

The members of a committee established under subparagraph 8 of the first paragraph shall receive no remuneration, except in such cases, on such conditions and to such extent as may be determined by the Government. They shall, however, be entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.”

14. Section 21 of the said Act is amended

(1) by replacing paragraph 3 by the following :

“(3) acquire or dispose of shares, stock or assets of a legal person ;” ;

(2) by striking out paragraph 6.

15. Section 22 of the said Act is repealed.

16. Section 26 of the said Act is replaced by the following :

“26. The Corporation must, on the date fixed by the Minister, file a three-year activity plan. The plan must take into account the guidelines and objectives indicated by the Minister.

The plan must be drawn up in the form determined by the Minister, and contain the information required by the Minister.

The plan requires the approval of the Minister.”

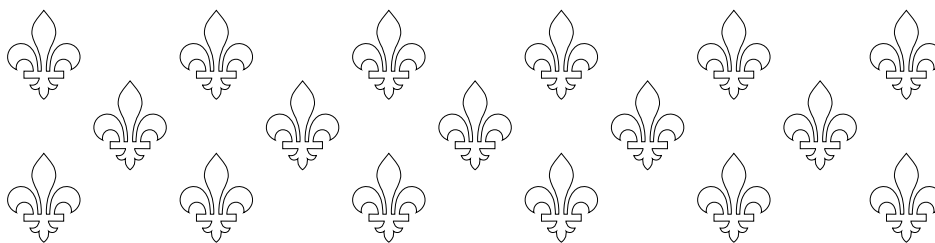
17. Section 27 of the said Act is amended by replacing “three” in the first line of the first paragraph by “four”.

18. Section 32 of the said Act is replaced by the following:

“32. The Corporation shall finance its activities out of the amounts it receives and the appropriations granted to it annually for that purpose by Parliament. Any surplus amount shall remain with the Corporation, unless the Government decides otherwise.”

19. The members of the boards of directors of the Société de la Place des Arts de Montréal and the Société du Grand Théâtre de Québec in office on 29 May 2000 are deemed to have been appointed in accordance with the new provisions introduced by sections 1 and 10 of this Act.

20. This Act comes into force on 30 May 2000.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 82
(2000, chapter 8)

Public Administration Act

Introduced 9 November 1999
Passage in principle 23 November 1999
Passage 25 May 2000
Assented to 30 May 2000

Québec Official Publisher
2000

EXPLANATORY NOTES

This bill establishes a new results-based management framework in the Administration, centred on transparency and enhanced accountability to the National Assembly so as to affirm the priority given to the quality of the services provided to the public.

New responsibilities are conferred on the Administration. For instance, government departments and bodies that provide services to the public will be required to make a declaration setting forth their objectives as to the level and quality of their services. Moreover, each department or body will be required to prepare a strategic plan that will guide its actions over several years. Each department or body will also be required to report the results it has achieved in an annual management report.

Under a performance and accountability agreement, a more flexible management framework will be adapted to the particular situation of an administrative unit within a department or body and the administrative unit will be held accountable for the specific results targeted in the agreement. Performance and accountability agreements will be concluded between the Minister responsible and the director of the administrative unit, and will in certain cases include a management agreement with the Conseil du trésor.

All such documents emanating from the Administration will be public and will be tabled in the National Assembly.

This bill also replaces or revises and simplifies the management rules applicable to the human, financial, physical and information resources of the Administration which were contained until now in the Financial Administration Act and the Public Service Act.

The Conseil du trésor is continued under this bill, with new functions adapted to the characteristics of the new management framework.

Lastly, this bill contains amending and transitional provisions.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);
- Act respecting the accreditation and financing of students' associations (R.S.Q., chapter A-3.01);
- Financial Administration Act (R.S.Q., chapter A-6);
- Act respecting the Agence métropolitaine de transport (R.S.Q., chapter A-7.02);
- Act respecting assistance for victims of crime (R.S.Q., chapter A-13.2);
- Legal Aid Act (R.S.Q., chapter A-14);
- Archives Act (R.S.Q., chapter A-21.1);
- Act respecting the National Assembly (R.S.Q., chapter A-23.1);
- Hospital Insurance Act (R.S.Q., chapter A-28);
- Health Insurance Act (R.S.Q., chapter A-29);
- Building Act (R.S.Q., chapter B-1.1);
- Act respecting the Bibliothèque nationale du Québec (R.S.Q., chapter B-2.1);
- Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2);
- Charter of human rights and freedoms (R.S.Q., chapter C-12);
- Cities and Towns Act (R.S.Q., chapter C-19);
- Code of Penal Procedure (R.S.Q., chapter C-25.1);
- Labour Code (R.S.Q., chapter C-27);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- General and Vocational Colleges Act (R.S.Q., chapter C-29);
- Act respecting the Commission de développement de la Métropole (R.S.Q., chapter C-33.01);

- Act respecting the national capital commission (R.S.Q., chapter C-33.1);
- Act respecting the Conseil des arts et des lettres du Québec (R.S.Q., chapter C-57.02);
- Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);
- Act respecting the Conservatoire de musique et d’art dramatique du Québec (R.S.Q., chapter C-62.1);
- Real Estate Brokerage Act (R.S.Q., chapter C-73.1);
- Act respecting the distribution of financial products and services (R.S.Q., chapter D-9.2);
- Election Act (R.S.Q., chapter E-3.3);
- Public Officers Act (R.S.Q., chapter E-6);
- Pay Equity Act (R.S.Q., chapter E-12.001);
- Public Service Act (R.S.Q., chapter F-3.1.1);
- Act to establish a fund to combat poverty through reintegration into the labour market (R.S.Q., chapter F-3.2.0.3);
- Act to establish the special local activities financing fund (R.S.Q., chapter F-4.01);
- Forest Act (R.S.Q., chapter F-4.1);
- Act to establish the Grande bibliothèque du Québec (R.S.Q., chapter G-3);
- Act respecting Héma-Québec and the haemovigilance committee (R.S.Q., chapter H-1.1);
- Taxation Act (R.S.Q., chapter I-3);
- Act respecting Institut national de santé publique du Québec (R.S.Q., chapter I-13.1.1);
- Education Act (R.S.Q., chapter I-13.3);

- Act respecting Investissement-Québec and Garantie-Québec (R.S.Q., chapter I-16.1);
- Stationary Enginemen Act (R.S.Q., chapter M-6);
- Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (R.S.Q., chapter M-14);
- Act respecting the Ministère de l’Éducation (R.S.Q., chapter M-15);
- Act respecting the Ministère de l’Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (R.S.Q., chapter M-15.001);
- Act respecting the Ministère de l’Industrie et du Commerce (R.S.Q., chapter M-17);
- Act respecting the Ministère de la Justice (R.S.Q., chapter M-19);
- Act respecting the Ministère de la Sécurité publique (R.S.Q., chapter M-19.3);
- Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001);
- Act respecting the Ministère des Relations avec les citoyens et de l’Immigration (R.S.Q., chapter M-25.01);
- Act respecting the Ministère des Relations internationales (R.S.Q., chapter M-25.1.1);
- Act respecting the Ministère des Ressources naturelles (R.S.Q., chapter M-25.2);
- Act respecting the Ministère des Transports (R.S.Q., chapter M-28);
- Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30);
- Act respecting the Ministère du Revenu (R.S.Q., chapter M-31);
- National Museums Act (R.S.Q., chapter M-44);
- Act respecting labour standards (R.S.Q., chapter N-1.1);

- Act respecting police organization (R.S.Q., chapter O-8.1);
- Act to facilitate the payment of support (R.S.Q., chapter P-2.2);
- Public Protector Act (R.S.Q., chapter P-32);
- Act to promote the reform of the cadastre in Québec (R.S.Q., chapter R-3.1);
- Act respecting the Régie de l'assurance maladie du Québec (R.S.Q., chapter R-5);
- Act respecting the Régie de l'énergie (R.S.Q., chapter R-6.01);
- Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20);
- Act respecting the salaries of officers of justice (R.S.Q., chapter S-2);
- Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (R.S.Q., chapter S-3.2);
- Act respecting correctional services (R.S.Q., chapter S-4.01);
- Act respecting health services and social services (R.S.Q., chapter S-4.2);
- Act respecting health services and social services for Cree Native persons (R.S.Q., chapter S-5);
- Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1);
- Act respecting the Société d'habitation du Québec (R.S.Q., chapter S-8);
- Act respecting the Société de développement des entreprises culturelles (R.S.Q., chapter S-10.002);
- Act respecting the Société de la Place des Arts de Montréal (R.S.Q., chapter S-11.03);
- Act respecting the Société de télédiffusion du Québec (R.S.Q., chapter S-12.01);

- Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13);
- Act respecting the Société des établissements de plein air du Québec (R.S.Q., chapter S-13.01);
- Act respecting the Société des loteries du Québec (R.S.Q., chapter S-13.1);
- Act respecting the Société des Traversiers du Québec (R.S.Q., chapter S-14);
- Act respecting the Société du Centre des congrès de Québec (R.S.Q., chapter S-14.001);
- Act respecting the Société du Grand Théâtre de Québec (R.S.Q., chapter S-14.01);
- Act respecting the Société du Palais des congrès de Montréal (R.S.Q., chapter S-14.1);
- Act respecting the Société du parc industriel et portuaire de Bécancour (R.S.Q., chapter S-16.001);
- Act respecting the Société immobilière du Québec (R.S.Q., chapter S-17.1);
- Act respecting Société Innovatech du Grand Montréal (R.S.Q., chapter S-17.2.0.1);
- Act respecting Société Innovatech du sud du Québec (R.S.Q., chapter S-17.2.2);
- Act respecting Société Innovatech Québec et Chaudière-Appalaches (R.S.Q., chapter S-17.4);
- Act respecting Société Innovatech Régions ressources (R.S.Q., chapter S-17.5);
- Act respecting the Société québécoise d'assainissement des eaux (R.S.Q., chapter S-18.2.1);
- Act respecting the Société québécoise d'information juridique (R.S.Q., chapter S-20);
- Act respecting the Société québécoise de récupération et de recyclage (R.S.Q., chapter S-22.01);

- Act respecting income support, employment assistance and social solidarity (R.S.Q., chapter S-32.001);
- Act respecting the professional status and conditions of engagement of performing, recording and film artists (R.S.Q., chapter S-32.1);
- Courts of Justice Act (R.S.Q., chapter T-16);
- Securities Act (R.S.Q., chapter V-1.1);
- Auditor General Act (R.S.Q., chapter V-5.01);
- Act respecting assistance and compensation for victims of crime (1993, chapter 54);
- Act respecting the Société de tourisme du Québec (1994, chapter 27);
- Act to establish a disaster assistance fund for certain areas affected by the torrential rains of 19 and 20 July 1996 (1996, chapter 45);
- Act to establish a fund in respect of the ice storm of 5 to 9 January 1998 (1998, chapter 9);
- Act respecting the Ministère de la Recherche, de la Science et de la Technologie (1999, chapter 8);
- Act respecting Financement-Québec (1999, chapter 11);
- Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (1999, chapter 32);
- Act respecting the Corporation d'hébergement du Québec (1999, chapter 34);
- Act respecting the Société de développement de la Zone de commerce international de Montréal à Mirabel (1999, chapter 41);
- Act respecting international financial centres (1999, chapter 86).

LEGISLATION REPEALED BY THIS BILL :

- Act respecting the accountability of deputy ministers and chief executive officers of public bodies (R.S.Q., chapter I-4.1).

Bill 82

PUBLIC ADMINISTRATION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

CHAPTER I

OBJECT AND APPLICATION

1. This Act affirms the priority given by the Administration, in developing and implementing the rules of public administration, to the quality of the services provided to the public ; thus, it establishes a results-based management framework centred on transparency.

This Act reaffirms the role played by parliamentarians with respect to government action and their contribution to the improvement of the services provided to the public by enhancing the accountability of the Administration to the National Assembly.

2. The government management framework shall focus more specifically on

(1) responsiveness, in making management decisions, to the expectations expressed by the public in light of available resources ;

(2) the achievement of results in relation to stated objectives ;

(3) greater flexibility, through the adaptation of management rules to the particular situations of departments and bodies ;

(4) recognition of the role of deputy ministers and chief executive officers in implementing controls in relation to results-based management ;

(5) accountability reporting based on performance in achieving results ;

(6) optimum use of the resources of the Administration ;

(7) giving the National Assembly access to relevant information on the activities of the Administration.

3. For the purposes of this Act, the Administration comprises

(1) the departments of the Government ;

(2) all budget-funded bodies, namely all bodies all or part of the expenditures of which are provided for in the estimates tabled in the National Assembly otherwise than under a transferred appropriation;

(3) all bodies whose personnel is appointed in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1);

(4) all bodies a majority of the members or directors of which are appointed by the Government or by a minister and at least half of the expenditures of which are borne directly or indirectly by the consolidated revenue fund.

A person appointed or designated by the Government or by a minister, together with the personnel directed by that person, is considered to be a body in the exercise of the functions assigned to the person by law, the Government or the Minister.

4. The National Assembly, any person appointed or designated by the National Assembly to exercise functions under the authority of the National Assembly, the personnel directed by that person and the Commission de la représentation are subject to the provisions of this Act only to the extent provided by law.

The same applies to the courts of justice within the meaning of the Courts of Justice Act (R.S.Q., chapter T-16), or bodies whose membership is wholly comprised of judges of the Court of Québec, the Conseil de la magistrature or the committee on the remuneration of the judges of the Court of Québec and the municipal courts.

CHAPTER II

GENERAL RESPONSIBILITIES

DIVISION I

APPLICATION

5. This chapter applies to the departments and budget-funded bodies of the Administration.

It also applies to any other body of the Administration that is designated for that purpose by the minister responsible and only to the extent determined by that minister. Notice of the designation must be published in the *Gazette officielle du Québec*.

However, only sections 6, 7 and 8, subparagraphs 1 to 5 of the first paragraph of section 9, section 11, the first paragraph and subparagraphs 1 and 2 of the second paragraph of section 24 and section 29 are applicable to bodies whose members are appointed by the National Assembly and to administrative bodies exercising adjudicative functions and, in the case of the latter bodies,

only as concerns management objectives for service accessibility, the effectiveness and efficiency of their decision-making process and the results achieved. The report required under section 24 shall be incorporated into the annual report of those bodies.

DIVISION II

SERVICE STATEMENT

6. A department or body that provides services directly to the public shall publish a service statement setting out its objectives with regard to the level and quality of the services provided.

The statement shall specify the time frame within which services are to be provided and give clear information on their nature and accessibility.

For the purposes of this Act, services to the public comprise services to individuals and services to enterprises.

7. A department or body that provides services directly to the public must

(1) remain receptive to public expectations;

(2) simplify service delivery rules and procedures to the greatest extent possible;

(3) encourage its employees to provide quality services and to collaborate in achieving the results targeted by the department or body.

Where the department or body considers it appropriate, it shall inform users of the cost of its services.

DIVISION III

STRATEGIC PLAN

8. Each department or body must adopt a strategic plan covering a period of more than one year.

9. The strategic plan must state

(1) the mission of the department or body;

(2) the context in which the department or the body acts and the main challenges it faces;

(3) the strategic directions, objectives and lines of intervention selected;

(4) the results targeted over the period covered by the plan;

- (5) the performance indicators to be used in measuring results ;
- (6) any other element determined by the Conseil du trésor.

The Conseil du trésor may determine the information to be included in the plan, the period it is to cover, its form, and the intervals at which it is to be reviewed.

10. The strategic plan of a department or body shall be forwarded to the Government by the minister responsible at least 60 days before it is to be tabled in the National Assembly.

11. The strategic plan of a department or body shall be tabled in the National Assembly by the minister responsible.

DIVISION IV

PERFORMANCE AND ACCOUNTABILITY AGREEMENT

12. A performance and accountability agreement may be entered into by a minister and the director of an administrative unit in a department or body under the responsibility of the minister.

The deputy minister or chief executive officer concerned shall also be a party to the performance and accountability agreement to ensure that its content is integrated with the activities of the department or body and shall subscribe, in the exercise of his or her responsibilities, to the undertakings set out in the agreement.

The performance and accountability agreement shall include a description of the administrative unit.

13. A performance and accountability agreement must contain

- (1) a definition of the mission and strategic directions of the administrative unit and a description of the responsibilities of the director of the unit ;

- (2) an annual action plan describing the objectives for the first year of the agreement, the measures to be taken to meet the objectives, and the resources available, and an undertaking to produce such a plan on an annual basis ;

- (3) the main indicators to be used in measuring results ;

- (4) an undertaking to produce, at the end of each year, a management report describing the results achieved and, so far as possible, comparing them to the results achieved by similar bodies.

Any management agreement made pursuant to section 19 by the Minister and the Conseil du trésor shall be appended to the performance and accountability agreement and shall be binding on the parties.

A performance and accountability agreement may also provide for the formation of an advisory committee to enable client representatives or specialists from outside the Administration to give their opinion on the execution of the agreement.

14. A performance and accountability agreement and management agreement are public documents which the minister responsible shall table in the National Assembly.

15. The annual action plan of an administrative unit covered by a performance and accountability agreement shall be submitted for approval to the minister responsible by the department or body concerned.

16. The director of an administrative unit having entered into a performance and accountability agreement must ensure that the mission and strategic directions of the unit are complied with, and that the unit achieves its annual objectives within the management framework applicable to it using the resources allocated to it.

17. The minister is, after entering into a performance and accountability agreement, empowered to exercise supervision and control over the achievement of the objectives of the administrative unit.

The deputy minister or chief executive officer responsible for the administrative unit is also empowered to exercise supervision and control.

18. A person exercising supervision and control over an administrative unit who considers that the unit has not achieved its annual objectives or that its director has not complied with the performance and accountability agreement may replace the director of the unit or, if the appointment of the director is not within that person's authority, recommend to the competent authority that the director be replaced.

In addition, the minister responsible for the administrative unit may suspend or cancel the performance and accountability agreement. The minister shall notify the Conseil du trésor immediately of the suspension or cancellation.

19. A management agreement is an agreement entered into by the minister responsible for an administrative unit covered by a performance and accountability agreement and the Conseil du trésor. The management agreement shall define a management framework for human, financial, physical and information resources that is specific to the unit, the relevant conditions, and the administrative policies governing it.

Where applicable, the body concerned shall intervene in the management agreement.

20. The Conseil du trésor may, as part of a management agreement,

(1) delegate the exercise of any power, other than a regulatory power, conferred on it or on the chair of the Conseil du trésor by this Act, the Public Service Act or any other Act governing the activities of the department or the body, and authorize the subdelegation of that power;

(2) exempt an administrative unit from the application of one of its decisions.

21. At the request of a minister or of a body, the minister responsible for the administration of the Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1) and the General Purchasing Director may intervene in a management agreement to provide for the delegation and exercise of the powers conferred on them by the Act respecting government services to departments and public bodies and the Act respecting the Service des achats du gouvernement (R.S.Q., chapter S-4), and which they may not otherwise delegate.

The minister responsible for the administration of the Act respecting the Société immobilière du Québec (R.S.Q., chapter S-17.1) may also intervene in a management agreement to provide for the delegation of the powers conferred on the Société immobilière du Québec under that Act.

Any other minister or body may intervene in a management agreement to exempt the administrative unit from certain administrative procedures or from the obligation to provide information on the management of the administrative unit.

22. A management agreement may contain supplementary measures, procedural requirements and reporting requirements in respect of an administrative unit, in particular where

(1) the law provides for the transfer of the balance of an appropriation to a subsequent fiscal year;

(2) the law grants appropriations for a period exceeding one year;

(3) an expenditure in excess of the appropriation may be made in accordance with section 50;

(4) the administrative unit has been granted a delegation or an exemption under section 20 or 21;

(5) no staffing level is applicable to the administrative unit pursuant to section 32.

A management agreement may also set out procedural requirements and reporting requirements where, in a regulation made under section 58 or 59, the Government has prescribed specific conditions applicable to all contracts, certain categories of contracts or certain contracts made for the administrative unit.

23. The Conseil du trésor may, if it considers that a management agreement has not been complied with, recommend to the minister responsible for the unit that the performance and accountability agreement be suspended or cancelled.

DIVISION V

REPORTING

24. Every department and body must prepare an annual management report.

The report must include

(1) a presentation of the results obtained, measured against the objectives fixed in the strategic plan established pursuant to section 8 and in any annual expenditure management plan required under section 46;

(2) a statement by the deputy minister or chief executive officer concerning the reliability of the data and of the monitoring mechanisms;

(3) any other particular or information determined by the Conseil du trésor.

A separate report must be prepared for every administrative unit covered by a performance and accountability agreement, or be included in a separate section of the report prepared by the department or body. The required content of the report shall be determined in the performance and accountability agreement or, where applicable, in the management agreement.

25. The annual management report of a body shall be transmitted to the minister responsible, at least 15 days before the expiry of the four-month period prescribed by section 26, together with the annual management report of each administrative unit within the body that is covered by a performance and accountability agreement.

26. The annual management report of a department, and of the bodies and administrative units under a minister's responsibility, shall be tabled in the National Assembly by the minister concerned within 4 months after the end of their fiscal year or, if the Assembly is not sitting, within 15 days of resumption.

27. The annual management report of a department or body shall replace the annual report of activities that is required by statute to be tabled in the National Assembly if the annual management report contains the information required to be included in the annual activities report.

28. A report on the administration of this Act shall be tabled in the National Assembly every year by the chair of the Conseil du trésor.

29. A deputy minister, or a person exercising the powers conferred by the Public Service Act on a deputy minister, and the chief executive officer of a

body of the Administration, even if the body has not been designated under the second paragraph of section 5, are, as provided by law, in particular as concerns the exercise of the authority and powers of the minister under whose authority they fall, accountable to the National Assembly for their administrative management.

The competent parliamentary committee of the National Assembly shall hear the minister at least once each year, if the minister considers it appropriate and, where applicable, shall also hear the deputy minister or chief executive officer to examine their administrative management.

The parliamentary committee may examine

(1) the service statement, and the results achieved in relation to the administrative aspects of a strategic plan or an annual expenditure management plan ;

(2) the results achieved in relation to the objectives of an affirmative action program or hiring plan for handicapped persons that is applicable to the department or body, and in relation to the hiring objectives determined by the Conseil du trésor with regard to the various segments of Québec society ;

(3) any other matter of an administrative nature under the authority of the department or body that is noted in a report of the Auditor General or the Public Protector.

CHAPTER III

HUMAN RESOURCES MANAGEMENT

30. The Conseil du trésor shall involve departments and bodies whose personnel is appointed in accordance with the Public Service Act in developing the management framework applicable to them.

31. The Conseil du trésor shall establish human resources management policies for the public service that are consistent with the objectives of the Public Service Act.

It shall facilitate the development of human resources development plans and future human resources plans by departments and bodies.

32. As concerns the public service, the Conseil du trésor shall

(1) establish a classification of positions or position holders and the minimum conditions of eligibility for classes of positions or grades ;

(2) define staffing practices to be used in filling positions ;

(3) determine the remuneration, employee benefits and other conditions of employment of public servants.

The Conseil du trésor may, in addition, establish the staffing level of a department or body.

33. No remuneration may be paid to public servants over and above the regular salary attached to their position except in accordance with a decision of the Conseil du trésor.

34. The Conseil du trésor shall establish the terms and conditions regulating

(1) the integration of public servants into a class of positions ;

(2) the identification, placing on reserve and assignment of tenured public servants who are surplus to the requirements of a department or body.

35. The Conseil du trésor shall set up affirmative action programs, applicable in the public service, to remedy the situation of persons belonging to groups discriminated against in employment.

36. The Conseil du trésor is responsible for negotiating collective agreements with the certified associations of employees in the public service.

The chair of the Conseil du trésor shall sign the collective agreements and supervise and co-ordinate their implementation.

37. As concerns a body whose personnel is not appointed in accordance with the Public Service Act, the Conseil du trésor shall exercise the powers conferred on the Government by law to define the conditions governing the determination, by the body, of the remuneration, employee benefits and other conditions of employment of its personnel. The Conseil du trésor may, in particular, provide that all or some conditions of employment determined by the body will be subject to its approval.

The Conseil du trésor may impose conditions that vary from one body to another or, where appropriate, impose no conditions.

38. The Conseil du trésor may consult associations representing personnel members not represented by a certified association concerning the conditions of employment for which it considers it appropriate to hold a consultation for the entire public and parapublic sectors.

39. The Conseil du trésor may establish group insurance plans for the personnel of the public and parapublic sectors and the bodies it designates, fix the terms and conditions applicable to them, in particular the premiums and contributions payable, and enter into agreements for that purpose.

40. The Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except

(1) the powers conferred by section 4.1, section 128 and the first paragraph of section 141 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2);

(2) the powers conferred by section 2, paragraph 7 of section 4, sections 10.1, 144 and 158.9, the second paragraph of section 173.1, section 177, Title IV.0.1 and the first paragraph of section 220.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);

(3) the power conferred by section 9.0.1 of the Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11);

(4) the powers conferred by the third paragraph of section 54 and section 99.1 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12);

(5) the power of appointment and the power to establish the conditions of employment of appointees;

(6) the power to designate the minister responsible for the administration of those Acts.

CHAPTER IV

BUDGETARY CONTROL OF CURRENT AND CAPITAL EXPENDITURES

DIVISION I

APPLICATION

41. This chapter applies to the departments and budget-funded bodies of the Administration.

42. The provisions of this Act that relate to the current expenditures of a department or body also apply to their capital expenditures.

DIVISION II

EXPENDITURE PLANNING

43. Departments and bodies shall manage their expenditures on the basis of expected results. They are responsible for controlling their expenditures and complying with the resource envelopes allocated to them.

44. The Conseil du trésor is responsible for submitting draft estimates to the Government each fiscal year. For such purpose, it shall consider the budgetary implications of the proposals of the departments and bodies.

The Conseil du trésor shall determine the procedure for the preparation of draft estimates.

45. The estimates of the expenditures of departments and bodies shall be tabled in the National Assembly by the chair of the Conseil du trésor for the purpose of establishing the appropriations required during the fiscal year.

An appropriation may, however, cover a period of more than one year, without exceeding three years.

The estimates shall indicate the expenditures of the departments and budget-funded bodies that must be recorded in accordance with the Government's accounting policies and the extent to which the balance of an appropriation will not lapse.

The Government shall determine, on the joint recommendation of the Minister of Finance and the chair of the Conseil du trésor, the proportion of the appropriations shown in the estimates that may cover more than one year, and the proportion that will not lapse.

46. The annual expenditure management plans prepared by each minister shall be tabled in the National Assembly by the chair of the Conseil du trésor. The plans shall present, for the fiscal year concerned, the choices made with regard to the allocation of resources, and the actions envisaged to achieve the objectives stated in the strategic plan.

47. The estimates shall show separately the statutory appropriations that do not require an annual vote by Parliament, the appropriations which are already or are to be authorized for a period of more than one year, and the appropriations which must be authorized annually by a vote of Parliament.

DIVISION III

UTILIZATION OF APPROPRIATIONS

48. The expenditures chargeable against an appropriation shall be limited according to the division of such appropriation into allotments as shown in the expenditure budget.

The Conseil du trésor may, to the extent provided by law, authorize the transfer of part of an appropriation granted to a department or body to another appropriation of the department or body.

The Conseil du trésor may amend or subdivide an allotment. The Conseil du trésor may also, in the cases and circumstances and on the terms and conditions it determines, authorize a department or a body to transfer any portion of an appropriation between allotments or suballotments of that appropriation.

Amounts received during a fiscal year, as repayments of advances or loans granted during the same year out of an appropriation, shall be returned to the same appropriation and may be reutilized.

49. The proceeds derived from the alienation of property by a department or body shall constitute, for all purposes, an appropriation of the department or body for the fiscal year during which they are paid into the consolidated revenue fund, to the extent and according to the conditions determined by the Government.

The proceeds shall be added to the appropriation that would be utilized by the department or body to purchase similar property.

50. Where the law provides that an appropriation is a net voted appropriation, the amount of the expenditures chargeable against the appropriation is equal to the total of the amount of the net voted appropriation and the amount of the estimated revenues. A net voted appropriation is the amount by which the estimated expenditures exceed the amount of the estimated revenues as shown in the estimates.

If the revenues are less than those estimated, the amount of the expenditures chargeable against the appropriation is reduced accordingly.

If the revenues are greater than those estimated, the amount of the expenditures chargeable to the appropriation may exceed the total amount referred to in the first paragraph up to the amount of the surplus revenues.

The Government shall determine, on the joint recommendation of the Minister of Finance and the chair of the Conseil du trésor, the nature of the revenues other than revenues from levies or taxes that may constitute revenues for the purposes of a net voted appropriation, and the terms and conditions applicable to the utilization of a net voted appropriation.

51. Where the National Assembly is not in session by reason of a scheduled adjournment of at least 20 days and an unforeseen expenditure for which provision has not been made by Parliament is urgently and immediately required for the public good, the Government may, upon the report of the chair of the Conseil du trésor and of the Minister of Finance that there is no legislative provision under which payment of the unforeseen expenditure may be authorized and the report of the minister responsible that the payment is urgently required in the public interest, order a special warrant to be prepared authorizing payment of the amount it considers necessary; the warrant shall be signed by the Lieutenant-Governor and the amount shall be placed by the Minister of Finance in an account established for that purpose.

52. A special warrant issued under section 51 shall be an appropriation for the fiscal year in which it is issued.

53. The Conseil du trésor may order the suspension, for such period as it fixes, of the right to commit any appropriation or part thereof.

54. Where the personnel or a position of an administrative unit or any part thereof is transferred from one department or body to another department or body, the appropriations voted for the personnel or position shall also be transferred to the department or body provided, in the case of a body, that it is a budget-funded body.

55. Where a department or a body provides a service to another department or to another body, the appropriations for payment of the service may be transferred from the department or body that receives the service to the department or body that provides it, in the cases and according to the conditions determined by the Conseil du trésor.

56. Any balance of an appropriation granted for a fiscal year that remains unexpended once the expenditures for that fiscal year have been charged to it shall lapse, except to such extent as may be provided by law.

57. The Government may, by regulation, determine the cases in which the awarding of grants or other forms of financial assistance requires the authorization of the Government or the Conseil du trésor. The Government or the Conseil du trésor, as the case may be, may attach conditions to its authorization.

Where a grant or other form of financial assistance requires authorization, the recipient must report on the use of the grant or assistance unless exempted from doing so in the authorization. The report must contain the elements that may be prescribed by the minister or body providing the grant or assistance; the Conseil du trésor may also prescribe the elements that are to be included in the report. Where a grant or other form of financial assistance does not require authorization, the minister or body providing the grant or assistance may require that the recipient file a report as specified.

The Government may determine the cases in which the capital program of a department or body that has an impact on government expenditure is subject to the approval of the Conseil du trésor.

CHAPTER V

CONTRACT MANAGEMENT AND PHYSICAL RESOURCES MANAGEMENT

58. The Government may, by regulation, upon the recommendation of the Conseil du trésor,

(1) determine the terms of contracts

(a) entered into in the name of the Government by a minister;

(b) entered into by a body of the Administration;

(2) determine the cases in which such contracts are subject to authorization by the Government or the Conseil du trésor.

59. The terms of contracts and the cases in which they are subject to authorization pursuant to section 58 may vary in respect of all contracts, certain categories of contracts or certain contracts entered into by a minister or a body, as specified in the regulation referred to in that section.

60. A minister or a body, with the authorization of the Government upon the recommendation of the Conseil du trésor in the case of a contract that is subject to authorization by the Government, or with the authorization of the Conseil du trésor in any other case, may enter into a contract whose terms differ from those applicable to it pursuant to a regulation made under section 58. In such a case, the Government or the Conseil du trésor, as the case may be, may determine the terms applicable to the contract.

61. Every body referred to in paragraph 1 of section 5 of the Auditor General Act (R.S.Q., chapter V-5.01) must adopt a policy concerning the terms of its contracts. The policy shall be filed with the Conseil du trésor and made public by the body not later than 30 days after its adoption.

The policy referred to in the first paragraph must be consistent with the agreements on the liberalization of public procurement applicable to that body and reflect general government policy on public procurement.

62. The Conseil du trésor shall establish directories listing categories of goods, categories of services, and specialities under which suppliers may be registered for the purpose of the selection of suppliers. The directories shall be published in the *Gazette officielle du Québec*.

Suppliers are called upon to register by way of a public notice published by the chair of the Conseil du trésor in an electronic tendering system or in the manner considered appropriate by the chair of the Conseil du trésor. The information contained in the notice shall include

- (1) the categories and specialities under which suppliers may register;
- (2) the place where documents giving details on registration may be consulted and obtained, and where additional information may be obtained.

The documents referred to in the second paragraph must set out

- (1) the conditions suppliers must satisfy to be registered;
- (2) the rules relating to the preparation of lists of registered suppliers;

(3) the rules relating to the transmission of the names of suppliers to departments or bodies for the purpose of the awarding of contracts.

63. The provisions of sections 58 to 61 prevail over any inconsistent provision of any earlier general law or special Act or of any subsequent general law or special Act unless the latter expressly states that it applies notwithstanding the said provisions.

CHAPTER VI

INFORMATION RESOURCE MANAGEMENT

64. This chapter applies to the Administration but not to bodies that are not budget-funded and whose personnel is not appointed in accordance with the Public Service Act.

65. The information resources of the Administration shall be managed in such a way as to

(1) ensure that the possibilities offered by information and communications technologies are used to optimum effect in managing human, financial and physical resources;

(2) enhance the accessibility of and simplify the services provided to the public;

(3) foster concerted action between departments and bodies and the pooling of expertise and resources.

66. The Conseil du trésor may, as regards information resources,

(1) adopt rules to ensure the security of information resources, including the protection of personal information and other confidential information;

(2) adopt measures to ensure coherence in government actions and to allow the pooling of infrastructures or services, and determine management procedures;

(3) determine, after consulting the departments and bodies, the cases in which a development project must be subject to certain conditions or authorization procedures.

Departments and bodies shall manage their information resources in accordance with this section.

CHAPTER VII**CONSEIL DU TRÉSOR****DIVISION I****CONTINUANCE OF THE CONSEIL DU TRÉSOR**

67. The Conseil du trésor shall be continued under this Act.

68. The Conseil du trésor shall be composed of a chair and of four other ministers designated by the Government.

The Government may designate, from among the members of the Conseil du trésor, a vice-chair to preside at sittings if the chair is absent or unable to act, and designate ministers to act as substitutes for the other members.

69. Three members of the Conseil du trésor constitute a quorum.

DIVISION II**FUNCTIONS**

70. The Conseil du trésor shall exercise the functions and powers conferred upon it by this Act or another Act or by the Government.

In the exercise of its functions, the Conseil du trésor shall endeavour to adapt the management framework to the situation of each department and body while taking the necessary actions to ensure compliance with the Government's budget policy.

71. The Conseil du trésor shall advise the Government on the utilization of resources. It shall also advise the Government on the impacts which the strategic plans of the departments and bodies will have on resource allocation and management and, upon the Government's request, on any other project of a department or body.

72. The Conseil du trésor may determine guidelines concerning the principles or practices to be preferred with regard to the management of human, financial, physical and information resources.

Such guidelines shall serve as management references for the departments and the bodies concerned.

In addition, guidelines may be determined to assist a department or a body in achieving specific objectives.

73. The Conseil du trésor shall adopt the accounting policies to be followed by departments and budget-funded bodies, the rules respecting payments made out of the consolidated revenue fund and the rules respecting the

collection and administration of State revenue. The Conseil du trésor may also determine the accounting policies applicable to other bodies of the Administration it designates.

74. In addition to exercising the powers conferred upon it by this Act, the Conseil du trésor may, where it considers a matter to be of governmental import, prepare a directive on the management of human, financial, physical or information resources in the departments or bodies of the Administration concerned.

Such a directive requires the approval of the Government and is applicable from the date fixed therein. Once approved, the directive is binding on the departments and bodies concerned.

75. The Conseil du trésor may, where warranted by the circumstances, establish control mechanisms to verify compliance with this Act and the achievement of its objectives.

In particular, the Conseil du trésor may require a department or body of the Administration to establish an evaluation program, an internal audit program or a comparative cost study.

DIVISION III

CHAIR

76. The chair shall preside at sittings of the Conseil du trésor. The chair shall see that the decisions of the Conseil du trésor are implemented.

The chair shall exercise the functions and powers conferred on the chair by this Act or another Act and assume any other responsibility entrusted by the Government.

77. More specifically, the chair of the Conseil du trésor shall

(1) perform the analyses required for the preparation of the estimates and ensure, together with the Minister of Finance, that the estimates are consistent with the Government's budget policy;

(2) monitor the expenditure budget and report to the Conseil du trésor;

(3) collect information from departments on the budgets of bodies of the Administration other than budget-funded bodies and bodies determined by the chair, and monitor their budgetary results as compared to their estimated results, where the information is required to determine the consolidated expenditure of the Government;

(4) assist departments and bodies in developing indicators or other management tools to facilitate results-based management;

(5) coordinate and monitor negotiations relating to the determination of the conditions of employment in the public and parapublic sectors, and ensure that the financial commitments resulting from the renewal of collective agreements do not exceed the level fixed jointly with the Minister of Finance;

(6) ensure that capital expenditures are consistent with the policies and guidelines determined jointly with the Minister of Finance;

(7) establish interdepartmental coordination mechanisms with regard to information resources and facilitate partnership projects in that regard;

(8) see to the implementation of the government information highway policy;

(9) propose to the Government a general public procurement policy and coordinate its implementation;

(10) coordinate the implementation of agreements on the liberalization of public procurement entered into by Québec;

(11) at their request, assist departments and bodies in establishing their strategic plans;

(12) support departments and bodies in the implementation of government guidelines with regard to human, financial, physical and information resources.

78. Departments and bodies of the Administration must provide, at the request of the chair of the Conseil du trésor, any information relevant to the exercise of the functions of the chair or of the Conseil du trésor.

The chair of the Conseil du trésor may also require, for the same purposes, the preparation of documents.

This section applies to every other public body where the information is required for the preparation of estimates and the monitoring of the expenditure budget.

79. The chair of the Conseil du trésor may, as provided by law, enter into an agreement with a government other than the Government of Québec, a department of such a government, an international organization, or a body of such a government or organization.

80. The chair of the Conseil du trésor may also enter into an agreement with any person, association, partnership or body concerning any matter coming under the chair's authority.

DIVISION IV**SECRETARIAT OF THE CONSEIL DU TRÉSOR**

81. The secretariat of the Conseil du trésor is under the direction of the chair.

82. The secretariat shall provide support for the activities of the Conseil du trésor and assist the chair in the exercise of the functions of the chair.

The secretariat of the Conseil du trésor is, for the purposes of the law, considered to be a department.

83. The Government shall appoint a person as secretary of the Conseil du trésor in accordance with the Public Service Act.

The secretary shall exercise as regards the personnel of the secretariat such powers as the Public Service Act confers upon a deputy minister.

84. Under the direction of the chair of the Conseil du trésor, the secretary shall administer the secretariat.

The secretary shall, in addition, exercise any other function assigned to the secretary by the Government, the Conseil du trésor or the chair.

85. The secretary has, in the exercise of the functions of secretary, the authority of the chair except with regard to the sittings of the Conseil du trésor.

86. The secretary may delegate, in writing and to the extent indicated, the exercise of the functions of secretary to a public servant or to the holder of a position.

The secretary may, in the instrument of delegation, authorize the subdelegation of the functions indicated, and, in such a case, the secretary shall identify the public servant or holder of a position to whom they may be subdelegated.

87. The personnel of the secretariat is made up of the public servants necessary for the exercise of the functions of the Conseil du trésor or the chair; the public servants are appointed in accordance with the Public Service Act.

The chair of the Conseil du trésor shall determine the duties of the public servants insofar as they are not determined by law or by the Government.

88. The signature of the chair, the secretary or the clerk gives authority to any document emanating from the Conseil du trésor or from the secretariat.

An act, document or writing is binding on or may be attributed to the chair of the Conseil du trésor only if it is signed by the chair, the secretary, the clerk, a member of the personnel of the secretariat or the holder of a position, and in the latter two cases, only to the extent determined by the Government.

89. The Government may, on the conditions it fixes, allow a signature to be affixed by means of an automatic device or electronic process.

The Government may also allow a facsimile of the signature to be engraved, lithographed or printed. The facsimile must be authenticated by the countersignature of a person authorized by the chair of the Conseil du trésor.

90. A document or copy of a document forming part of the records of the Conseil du trésor or the secretariat is authentic if it is signed or certified by a person referred to in the second paragraph of section 88.

91. An intelligible transcription of a decision or other data stored by the secretariat on a computer or on any other data storage medium is a document of the secretariat and is proof of its contents where certified by a person referred to in the second paragraph of section 88.

CHAPTER VIII

AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

92. Section 2 of the Financial Administration Act (R.S.Q., chapter A-6) is amended by replacing subparagraph *b* by the following subparagraph:

“(b) to prepare the Budget Speech and deliver it in the National Assembly;”.

93. Division III of the said Act, comprising sections 18 to 28.8, as well as sections 33, 35, 38 to 41, 43, 46, 46.2, 49 to 49.6 and 56 and Division IX, comprising sections 83 to 85, are repealed.

94. The heading of Division V of the said Act is replaced by the following heading:

“FISCAL YEAR AND COMMITMENTS”.

95. Section 42 of the said Act is amended by replacing “section 41” in the second line by “section 51 of the Public Administration Act (2000, chapter 8)”.

96. Section 58 of the said Act, amended by section 8 of chapter 9 of the statutes of 1999, is again amended

(1) by striking out the first paragraph;

(2) by replacing “However, in the four months following the close of that fiscal year” in the first line of the second paragraph by “In the four months following the close of a fiscal year”.

97. Section 69.9 of the said Act is replaced by the following section:

“69.9. Sections 45, 47, 48, 51, 57 and 70 to 72 apply to the fund, with the necessary modifications.”

98. Section 69.21 of the said Act is replaced by the following section:

“69.21. Sections 45, 47, 48, 51, 57 and 70 to 72 apply to a fund, with the necessary modifications.”

ACT RESPECTING THE AGENCE MÉTROPOLITAINE DE TRANSPORT

99. Section 13 of the Act respecting the Agence métropolitaine de transport (R.S.Q., chapter A-7.02) is amended

(1) by replacing the second sentence of the first paragraph by the following sentence: “Subject to the provisions of a collective agreement, the Agency shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”;

(2) by striking out the second paragraph.

ACT RESPECTING ASSISTANCE FOR VICTIMS OF CRIME

100. Section 19 of the Act respecting assistance for victims of crime (R.S.Q., chapter A-13.2) is replaced by the following section:

“19. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the assistance fund, with the necessary modifications.”

LEGAL AID ACT

101. Section 80 of the Legal Aid Act (R.S.Q., chapter A-14) is amended by striking out “the standards and scales under which those employees of the Commission and the centres not governed by a collective labour agreement are appointed and remunerated and” in the first three lines of subparagraph *i* of the first paragraph.

102. The said Act is amended by inserting the following section after section 80:

“80.1. Subject to the provisions of a collective agreement, the Commission shall determine, by by-law, the standards and scales of remuneration of its personnel and the personnel of the centres in accordance with the conditions defined by the Government.”

ACT RESPECTING THE NATIONAL ASSEMBLY

103. The Act respecting the National Assembly (R.S.Q., chapter A-23.1) is amended by inserting the following section after section 110.1 :

“110.2. Subject to the second paragraph of section 110, Chapter III, Chapter IV with the exception of section 44, the second and fourth paragraphs of section 45, sections 46 and 53 and the third paragraph of section 57, Chapter VI and section 73 of the Public Administration Act (2000, chapter 8) apply to the National Assembly.”

BUILDING ACT

104. Section 65.4 of the Building Act (R.S.Q., chapter B-1.1), amended by section 37 of chapter 40 of the statutes of 1999, is again amended by replacing paragraph 1 by the following paragraph :

“(1) a government department or body to which a regulation made under Chapter V of the Public Administration Act (2000, chapter 8) applies ;”.

ACT RESPECTING THE BIBLIOTHÈQUE NATIONALE DU QUÉBEC

105. Section 22 of the Act respecting the Bibliothèque nationale du Québec (R.S.Q., chapter B-2.1) is repealed.

ACT RESPECTING THE CAISSE DE DÉPÔT ET PLACEMENT DU QUÉBEC

106. Section 13 of the Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2) is amended by inserting “, except those made under section 15,” after “regulations” in the first line of the second paragraph.

107. Section 15 of the said Act is amended by replacing the second paragraph by the following paragraph :

“Subject to the provisions of a collective agreement, the Fund shall determine, by resolution of the board of directors, the standards and scales of remuneration, employee benefits and other conditions of employment of the officers and other employees of the Fund in accordance with the conditions defined by the Government.”

CHARTER OF HUMAN RIGHTS AND FREEDOMS

108. Section 62 of the Charter of human rights and freedoms (R.S.Q., chapter C-12) is amended

(1) by striking out “their number shall be determined by the Government;” in the second and third lines of the first paragraph;

(2) in the French text, by replacing “de celui-ci” in the third line of the first paragraph by “du gouvernement”.

CODE OF PENAL PROCEDURE

109. Article 340 of the Code of Penal Procedure (R.S.Q., chapter C-25.1) is amended by inserting, at the beginning, “Chapter III of the Public Administration Act (2000, chapter 8),”.

LABOUR CODE

110. Section 111.0.13 of the Labour Code (R.S.Q., chapter C-27) is amended by replacing “, scales and staffing requirements determined” in the first and second lines by “and scales determined”.

GENERAL AND VOCATIONAL COLLEGES ACT

111. Section 18.1 of the General and Vocational Colleges Act (R.S.Q., chapter C-29) is amended

(1) by inserting “, with the authorization of the Conseil du trésor,” after “may” in the first line of the first paragraph;

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

“The Conseil du trésor may limit the authorization requirement under the first paragraph to the matters it considers to be of governmental import. It may also attach conditions to its authorization.”

ACT RESPECTING THE COMMISSION DE DÉVELOPPEMENT DE LA MÉTROPOLE

112. Section 37 of the Act respecting the Commission de développement de la Métropole (R.S.Q., chapter C-33.01) is replaced by the following section:

“37. The members of the personnel of the Commission shall be appointed in accordance with the staffing plan established by by-law of the Commission.

Subject to the provisions of a collective agreement, the Commission shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING THE NATIONAL CAPITAL COMMISSION

113. Section 13 of the Act respecting the national capital commission (R.S.Q., chapter C-33.1) is amended

(1) by replacing the second sentence of the first paragraph by the following sentence: “Subject to the provisions of a collective agreement, the Commission shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”;

(2) by striking out the second paragraph.

ACT RESPECTING THE CONSEIL DES ARTS ET DES LETTRES
DU QUÉBEC

114. Section 13 of the Act respecting the Conseil des arts et des lettres du Québec (R.S.Q., chapter C-57.02) is replaced by the following section:

“13. The secretary and the other members of the personnel of the council shall be appointed in accordance with the staffing plan established by by-law of the council.

Subject to the provisions of a collective agreement, the council shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING THE CONSERVATION AND DEVELOPMENT
OF WILDLIFE

115. Section 141 of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1) is replaced by the following section:

“141. The secretary and the other members of the personnel of the Foundation shall be appointed in accordance with the staffing plan established by by-law of the Foundation.

Subject to the provisions of a collective agreement, the Foundation shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING THE CONSERVATOIRE DE MUSIQUE ET
D’ART DRAMATIQUE DU QUÉBEC

116. Section 28 of the Act respecting the Conservatoire de musique et d’art dramatique du Québec (R.S.Q., chapter C-62.1) is amended by striking out the second paragraph.

117. Section 29 of the said Act is replaced by the following section :

“29. Subject to the provisions of a collective agreement, the Conservatoire shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its staff in accordance with the conditions defined by the Government.”

118. Section 30 of the said Act is repealed.

REAL ESTATE BROKERAGE ACT

119. Section 51 of the Real Estate Brokerage Act (R.S.Q., chapter C-73.1) is replaced by the following section :

“51. The secretary and the other members of the personnel of the fund shall be appointed in accordance with the staffing plan established by by-law of the fund.

Subject to the provisions of a collective agreement, the fund shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING THE DISTRIBUTION OF FINANCIAL PRODUCTS AND SERVICES

120. Section 160 of the Act respecting the distribution of financial products and services (R.S.Q., chapter D-9.2) is amended by inserting “, the Public Administration Act (2000, chapter 8),” after “(chapter A-6)” in the third line.

ELECTION ACT

121. Section 488.1 of the Election Act (R.S.Q., chapter E-3.3) is replaced by the following sections :

“488.1. The chief electoral officer may, by regulation, determine the terms of the contracts the chief electoral officer is authorized to conclude.

The regulation comes into force on the date of its approval by the Office of the National Assembly. The regulation shall be published in the *Gazette officielle du Québec*.

Where an election is ordered in conformity with this Act, the regulation referred to in the first paragraph and the Act respecting government services to departments and public bodies (chapter S-6.1) do not apply to the chief electoral officer as regards the purchase or construction of property or the leasing and supply of goods and services necessary for the holding of the election.

“488.2. The Public Administration Act (2000, chapter 8), except subparagraph 6 of the first paragraph and the second paragraph of section 9, sections 10 to 23, subparagraph 3 of the second paragraph and the third paragraph of section 24, sections 25 to 28, the second paragraph of section 32, section 44, the fourth paragraph of section 45, sections 46 and 48 to 50, the third paragraph of section 57 and sections 58 to 66, 74, 75 and 78, applies to the chief electoral officer. The report referred to in section 24 of the said Act shall be included in the annual report of the chief electoral officer.

The strategic plan adopted by the chief electoral officer pursuant to section 8 of the Public Administration Act shall be tabled in the National Assembly by the President of the National Assembly.”

122. The said Act is amended by inserting the following section after section 540:

“540.1. The Commission is subject to the Public Administration Act only to the extent that that Act applies to the chief electoral officer pursuant to section 488.2.

The first two paragraphs of section 488.1 apply also, with the necessary modifications, to the Commission.”

PUBLIC OFFICERS ACT

123. Division VI of the Public Officers Act (R.S.Q., chapter E-6), comprising sections 47 to 50, is repealed.

PAY EQUITY ACT

124. Section 3 of the Pay Equity Act (R.S.Q., chapter E-12.001), amended by section 121 of chapter 40 of the statutes of 1999, is again amended

(1) by replacing “or approved by the Government” in the last line of subparagraph 1 of the second paragraph by “by the Government or determined in accordance with the conditions defined by the Government, except bodies in respect of which no conditions have been imposed”;

(2) by replacing “or approved by the Government” in the last line of subparagraph 2 of the second paragraph by “by the Government or determined in accordance with the conditions defined by the Government, except bodies in respect of which no conditions have been imposed.”

PUBLIC SERVICE ACT

125. Section 3 of the Public Service Act (R.S.Q., chapter F-3.1.1) is amended by adding the following paragraph at the end:

“The mode of organization of human resources must also facilitate the achievement of the objectives of the Public Administration Act (2000, chapter 8).”

126. Section 35 of the said Act is amended

(1) by replacing “in a competition for promotion” in the second line by “during a competition for promotion or the constitution of a candidate inventory”;

(2) by replacing “30 days” in the fifth line by “15 days”;

(3) by inserting “working” before “days” in the fifth line;

(4) by inserting “, the constitution of a candidate inventory” after “competition” in the sixth line;

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

“Components of an evaluation tool that have been certified pursuant to the third paragraph of section 115 cannot be contested during the appeal.”

127. Section 36 of the said Act is amended by adding the following paragraph at the end:

“The Commission shall refuse to hear an appeal brought under section 35 relating to a competition for promotion until such time as the list of the candidates declared qualified has been established, unless it has obtained the consent of the parties.”

128. Section 39 of the said Act is amended by replacing “general policies of the Government” in the second line of the first paragraph by “policies of the Conseil du trésor”.

129. Section 42 of the said Act is amended by adding the following paragraph at the end:

“A public servant may also be promoted after the public servant’s qualifications have been assessed as part of a human resources development program approved for that purpose by the Conseil du trésor.”

130. Section 44 of the said Act is replaced by the following section:

“44. The chair of the Conseil du trésor shall invite applications for competitions and candidate inventories. The chair shall proceed without inviting applications where a competition is held among the candidates in a candidate inventory.”

131. Section 47 of the said Act is amended by replacing the first two paragraphs by the following paragraphs :

“47. The chair of the Conseil du trésor must admit all the persons who have submitted applications and meet the conditions of eligibility for a competition or candidate inventory.

However, where the chair of the Conseil du trésor considers that it would be unreasonable to evaluate all the candidates in view of their large number, the chair may reduce their number according to the norms determined by regulation by the Conseil du trésor.”

132. Section 48 of the said Act is amended by striking out “eligible for a competition” in the first line.

133. The said Act is amended by inserting the following section after section 49 :

“49.1. The chair of the Conseil du trésor may evaluate the candidates in a candidate inventory. Only the candidates whose eligibility is established by the evaluation shall be admitted to a competition held among the candidates in the candidate inventory, and the results of the evaluation shall be transferred for use for the purposes of the competition.”

134. Section 50 of the said Act, replaced by section 1 of chapter 58 of the statutes of 1999, is amended by adding the following paragraph at the end :

“The chair of the Conseil du trésor may, on request or on the chair’s initiative and without further formality, correct an error in writing or calculation or any other clerical error or error in the correction of an evaluation, including by adding or removing a candidate’s name.”

135. Section 50.1 of the said Act, amended by section 2 of chapter 58 of the statutes of 1999, is again amended

(1) by adding “or a candidate inventory” at the end of subparagraph 3 of the first paragraph ;

(2) by adding the following subparagraph after subparagraph 6 of the first paragraph :

“(7) norms relating to the use of candidate inventories.”

136. The said Act is amended by inserting the following section after section 53 :

“53.0.1. Following a competition for promotion, a public servant may be appointed even if an appeal brought under section 35 is pending before the Commission de la fonction publique.

The appointment is conditional, and must be re-evaluated by the deputy minister or chief executive officer on the basis of the decision rendered by the Commission. Where applicable, the appointment shall cease to have effect and the public servant shall be reinstated in the position held before the conditional appointment.

The position held by the public servant before the conditional appointment may not be filled on a permanent basis by the deputy minister or chief executive officer concerned until the conditional appointment of the public servant becomes definitive.”

137. Section 54 of the said Act is amended by replacing “section 78” in the last line of the second paragraph by “paragraph 1 of section 34 of the Public Administration Act”.

138. Section 63 of the said Act is amended by striking out “, 79” in the second line.

139. Section 70 of the said Act is amended by inserting “and the Public Administration Act” after “Act” in the third line of the first paragraph.

140. Sections 77 to 82 of the said Act are repealed.

141. Section 102 of the said Act is amended by replacing “paragraphs 5 and 6” in the first paragraph by “paragraph 6”.

142. Section 115 of the said Act is amended

(1) by inserting “and under sections 30 to 36 of the Public Administration Act” after “Act” in the first line of subparagraph 1 of the first paragraph;

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

“The Commission may also, at the request of the chair of the Conseil du trésor, analyze an evaluation tool intended for use in a competition or the establishment of a candidate inventory and certify that its content, the criteria evaluated and the correction grid and procedure are consistent with section 48 and allow an impartial assessment of the value of the candidates with regard to the positions specified by the chair of the Conseil du trésor.”

143. Section 121 of the said Act is amended

(1) by replacing “any appeal brought before the Commission under section 33” in the second and third lines of the first paragraph by “and decide appeals brought under sections 33, 35 and 127”;

(2) by replacing “119” in the first line of the third paragraph by “120”.

144. Section 122 of the said Act is amended by adding the following paragraph at the end:

“The list shall remain in force until replaced pursuant to the first paragraph.”

145. The said Act is amended by inserting the following section after section 123:

“123.1. Where an appeal is brought before the Commission under section 35, the decision must be rendered within 30 days of being taken under advisement, unless the chairman of the Commission grants an extension on serious grounds.

Where a member before whom an appeal has been brought fails to render a decision within 30 days or within the extension granted, the chairman may, on the chairman’s initiative or on the application of a party, remove the member from the case.

Before granting an extension or removing a member who has failed to render a decision within the required time, the chairman must consider the circumstances and the interests of the parties.”

146. Section 127 of the said Act is amended by replacing the third paragraph by the following paragraph:

“Appeals shall be heard and decided by the Commission de la fonction publique. Subparagraph 2 of the first paragraph of section 116, where it concerns rules of procedure, does not apply to such appeals.”

ACT TO ESTABLISH A FUND TO COMBAT POVERTY THROUGH REINTEGRATION INTO THE LABOUR MARKET

147. Section 8 of the Act to establish a fund to combat poverty through reintegration into the labour market (R.S.Q., chapter F-3.2.0.3) is replaced by the following section:

“8. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT TO ESTABLISH THE SPECIAL LOCAL ACTIVITIES FINANCING FUND

148. Section 16 of the Act to establish the special local activities financing fund (R.S.Q., chapter F-4.01) is replaced by the following section:

“16. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

FOREST ACT

149. Section 170.9 of the Forest Act (R.S.Q., chapter F-4.1) is replaced by the following section:

“170.9. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT TO ESTABLISH THE GRANDE BIBLIOTHÈQUE DU QUÉBEC

150. Section 11 of the Act to establish the Grande bibliothèque du Québec (R.S.Q., chapter G-3) is amended

(1) by striking out the second sentence of the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

“Subject to the provisions of a collective agreement, the library shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING HÉMA-QUÉBEC AND THE HAEMOVIGILANCE COMMITTEE

151. Section 19 of the Act respecting Héma-Québec and the haemovigilance committee (R.S.Q., chapter H-1.1) is amended

(1) by striking out the second sentence of the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

“Subject to the provisions of a collective agreement, Héma-Québec shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

TAXATION ACT

152. Section 1 of the Taxation Act (R.S.Q., chapter I-3), amended by section 26 of chapter 83 of the statutes of 1999 and by section 75 of chapter 86 of the statutes of 1999, is again amended by replacing “constituted under the Financial Administration Act (chapter A-6)” in the definition of “Treasury Board” by “continued under the Public Administration Act (2000, chapter 8)”.

ACT RESPECTING THE ACCOUNTABILITY OF DEPUTY MINISTERS
AND CHIEF EXECUTIVE OFFICERS OF PUBLIC BODIES

153. The Act respecting the accountability of deputy ministers and chief executive officers of public bodies (R.S.Q., chapter I-4.1) is repealed.

ACT RESPECTING INSTITUT NATIONAL DE SANTÉ PUBLIQUE
DU QUÉBEC

154. Section 19 of the Act respecting Institut national de santé publique du Québec (R.S.Q., chapter I-13.1.1) is amended

(1) by replacing “by regulation of the institute” in the second and third lines of the first paragraph by “by by-law of the institute” and by striking out the second sentence of the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

“Subject to the provisions of a collective agreement, the institute shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

EDUCATION ACT

155. Section 451 of the Education Act (R.S.Q., chapter I-13.3) is amended

(1) by inserting “and with the authorization of the Conseil du trésor,” after “regulation” in the first line;

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

“The Conseil du trésor may limit the authorization requirement under the first paragraph to the matters it considers to be of governmental import. It may also attach conditions to its authorization.”

ACT RESPECTING INVESTISSEMENT-QUÉBEC AND
GARANTIE-QUÉBEC

156. Section 23 of the Act respecting Investissement-Québec and Garantie-Québec (R.S.Q., chapter I-16.1) is amended

(1) by replacing “by regulation” in the second line of the first paragraph by “by by-law” and by striking out the second sentence of the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

“Subject to the provisions of a collective agreement, the agency shall determine, by by-law, the standards and scales of remuneration, employee

benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

STATIONARY ENGINEMEN ACT

157. Section 3 of the Stationary Enginemen Act (R.S.Q., chapter M-6) is amended by replacing “Public Service Act (chapter F-3.1.1)” at the end by “Public Administration Act (2000, chapter 8)”.

ACT RESPECTING THE MINISTÈRE DE L’AGRICULTURE, DES PÊCHERIES ET DE L’ALIMENTATION

158. Section 21.10 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (R.S.Q., chapter M-14) is replaced by the following section :

“21.10. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DE L’ÉDUCATION

159. Section 13.8 of the Act respecting the Ministère de l’Éducation (R.S.Q., chapter M-15) is replaced by the following section :

“13.8. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DE L’EMPLOI ET DE LA SOLIDARITÉ AND ESTABLISHING THE COMMISSION DES PARTENAIRES DU MARCHÉ DU TRAVAIL

160. Section 66 of the Act respecting the Ministère de l’Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (R.S.Q., chapter M-15.001) is replaced by the following section :

“66. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DE L’INDUSTRIE ET DU COMMERCE

161. Section 17.10 of the Act respecting the Ministère de l’Industrie et du Commerce (R.S.Q., chapter M-17) is replaced by the following section :

“17.10. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DE LA JUSTICE

162. The Act respecting the Ministère de la Justice (R.S.Q., chapter M-19) is amended by inserting the following section after section 11 :

“11.1. The management by the Minister of the human, physical and financial resources allocated to the courts of justice within the meaning of the Courts of Justice Act (chapter T-16), except municipal courts, to the bodies every member of which is a judge of the Court of Québec, to the Conseil de la magistrature and to the committee on the remuneration of the judges of the Court of Québec and the municipal courts is subject to the provisions of Chapters III to V and sections 73, 74, 75 and 78 of the Public Administration Act (2000, chapter 8).

However, sections 53, 75 and 78 do not apply to the management of those resources by the courts and bodies referred to in the first paragraph.”

163. Section 32.9 of the said Act is replaced by the following section :

“32.9. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the special fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DE LA SÉCURITÉ PUBLIQUE

164. Section 14.9 of the Act respecting the Ministère de la Sécurité publique (R.S.Q., chapter M-19.3) is replaced by the following section :

“14.9. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DES RÉGIONS

165. Section 32 of the Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001) is replaced by the following section :

“32. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DES RELATIONS AVEC
LES CITOYENS ET DE L'IMMIGRATION

166. Section 25 of the Act respecting the Ministère des Relations avec les citoyens et de l'Immigration (R.S.Q., chapter M-25.01) is replaced by the following section :

“25. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the civil status fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DES RELATIONS
INTERNATIONALES

167. Section 35.8 of the Act respecting the Ministère des Relations internationales (R.S.Q., chapter M-25.1.1) is replaced by the following section :

“35.8. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the special funds, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DES RESSOURCES
NATURELLES

168. Section 17.8 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., chapter M-25.2) is replaced by the following section :

“17.8. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

169. Section 12.27 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is replaced by the following section :

“12.27. Sections 45, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

170. Section 12.37 of the said Act is replaced by the following section :

“12.37. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF

171. Section 3.38 of the Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30) is replaced by the following section :

“3.38. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DU REVENU

172. Section 71.0.11 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31) is amended by replacing “Estimates submitted annually to the National Assembly in accordance with section 38 of the Financial Administration Act (chapter A-6)” in the third and fourth lines by “Estimates tabled annually in the National Assembly in accordance with section 45 of the Public Administration Act (2000, chapter 8)”.

173. Section 97.9 of the said Act is replaced by the following section:

“97.9. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the Fund, with the necessary modifications.”

NATIONAL MUSEUMS ACT

174. Section 19 of the National Museums Act (R.S.Q., chapter M-44) is replaced by the following section:

“19. The secretary and the other members of the personnel of a museum shall be appointed in accordance with the staffing plan established by by-law of the museum.

Subject to the provisions of a collective agreement, every museum shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

175. Section 27 of the said Act is amended by replacing “rules adopted under the Financial Administration Act (chapter A-6)” in the second and third lines by “regulations made under the Public Administration Act (2000, chapter 8)”.

176. Section 32 of the said Act is amended by striking out paragraphs 3 and 4.

ACT RESPECTING POLICE ORGANIZATION

177. Section 13 of the Act respecting police organization (R.S.Q., chapter O-8.1) is replaced by the following section:

“13. Subject to the provisions of a collective agreement, the institute shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its staff in accordance with the conditions defined by the Government.”

ACT TO FACILITATE THE PAYMENT OF SUPPORT

178. Section 44 of the Act to facilitate the payment of support (R.S.Q., chapter P-2.2) is replaced by the following section:

“44. Sections 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the Fund, with the necessary modifications.”

PUBLIC PROTECTOR ACT

179. Section 15 of the Public Protector Act (R.S.Q., chapter P-32), amended by section 225 of chapter 40 of the statutes of 1999, is again amended by replacing paragraph 3 by the following paragraph:

“(3) the staff of the secretariat of the Conseil du trésor;”.

180. The said Act is amended by inserting the following sections after section 35:

“35.1. The Public Administration Act (2000, chapter 8), except subparagraph 6 of the first paragraph and the second paragraph of section 9, sections 10 to 23, subparagraph 3 of the second paragraph and the third paragraph of section 24, sections 25 to 28 and 46, the third paragraph of section 57 and sections 58 to 66, 74, 75 and 78, applies to the Public Protector. The report referred to in section 24 of the said Act shall be included in the annual report of the Public Protector.

The strategic plan adopted by the Public Protector pursuant to section 8 of the Public Administration Act shall be tabled in the National Assembly by the President of the National Assembly.

“35.2. The Public Protector may, by regulation, determine the terms of the contracts the Public Protector is authorized to conclude.

The regulation comes into force on the date of its approval by the Office of the National Assembly. The regulation shall be published in the *Gazette officielle du Québec*.”

ACT TO PROMOTE THE REFORM OF THE CADASTRE IN QUÉBEC

181. Section 2.1 of the Act to promote the reform of the cadastre in Québec (R.S.Q., chapter R-3.1) is amended by replacing the first paragraph by the following paragraph:

“2.1. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the fund, with the necessary modifications.”

ACT RESPECTING THE RÉGIE DE L'ASSURANCE MALADIE
DU QUÉBEC

182. Section 39 of the Act respecting the Régie de l'assurance maladie du Québec (R.S.Q., chapter R-5) is amended by replacing "section 23 of the Financial Administration Act (chapter A-6)" in the fourth line of the third paragraph by "section 45 of the Public Administration Act (2000, chapter 8)".

ACT RESPECTING THE RÉGIE DE L'ÉNERGIE

183. Section 13 of the Act respecting the Régie de l'énergie (R.S.Q., chapter R-6.01) is replaced by the following section:

"13. The secretary and the other members of the personnel of the Régie shall be appointed in accordance with the staffing plan established by by-law of the Régie.

Subject to the provisions of a collective agreement, the Régie shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government."

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL
TRAINING AND MANPOWER MANAGEMENT IN
THE CONSTRUCTION INDUSTRY

184. Section 4.1 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) is amended by striking out "which requires the approval of the Government" at the end of the first paragraph.

185. Section 5 of the said Act is amended by replacing the second and third paragraphs by the following paragraph:

"Subject to the provisions of a collective agreement, the Commission shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government."

ACT RESPECTING THE SALARIES OF OFFICERS OF JUSTICE

186. Section 2 of the Act respecting the salaries of officers of justice (R.S.Q., chapter S-2) is amended

(1) by replacing "Public Service Act (chapter F-3.1.1)" at the end of the first paragraph by "Public Administration Act (2000, chapter 8)";

(2) by replacing "Public Service Act" in the second and third lines of the second paragraph by "Public Administration Act".

ACT RESPECTING INCOME SECURITY FOR CREE HUNTERS AND TRAPPERS WHO ARE BENEFICIARIES UNDER THE AGREEMENT CONCERNING JAMES BAY AND NORTHERN QUÉBEC

187. Section 26 of the Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (R.S.Q., chapter S-3.2) is amended by replacing the second sentence of the second paragraph by the following sentences: “Such members of its staff shall be appointed in accordance with the staffing plan established by by-law of the Board. Subject to the provisions of a collective agreement, the Board shall determine, by by-law, the standards and scales of remuneration of the members of its staff in accordance with the conditions defined by the Government.”

ACT RESPECTING CORRECTIONAL SERVICES

188. Section 19.7 of the Act respecting correctional services (R.S.Q., chapter S-4.01) is amended by inserting “Chapter III of the Public Administration Act (2000, chapter 8)” at the beginning.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

189. Section 487.2 of the Act respecting health services and social services (R.S.Q., chapter S-4.2) is amended by replacing “submitted for approval to the Conseil du trésor” in the last paragraph by “authorized by the Conseil du trésor. The Conseil du trésor may limit the authorization requirement to the matters it considers to be of governmental import. It may also attach conditions to the authorization.”

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES FOR CREE NATIVE PERSONS

190. Section 149.15 of the Act respecting health services and social services for Cree Native persons (R.S.Q., chapter S-5) is replaced by the following section:

“149.15. The members of the personnel of the Corporation, other than the director general, shall be appointed in accordance with the staffing plan established by by-law of the Corporation.

Subject to the provisions of a collective agreement, the Corporation shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel, other than the director general, in accordance with the conditions defined by the Government.”

ACT RESPECTING GOVERNMENT SERVICES TO DEPARTMENTS AND PUBLIC BODIES

191. Section 19 of the Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1) is replaced by the following section :

“19. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (chapter A-6) apply to the funds, with the necessary modifications.”

ACT RESPECTING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

192. Section 3.5 of the Act respecting the Société d’habitation du Québec (R.S.Q., chapter S-8), amended by section 273 of chapter 40 of the statutes of 1999, is replaced by the following section :

“3.5. Regulations made under section 57 of the Public Administration Act (2000, chapter 8) apply to the Société, except where the grant or the promise of a subsidy is made in accordance with norms approved by the Conseil du trésor.”

ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT DES ENTREPRISES CULTURELLES

193. Section 13 of the Act respecting the Société de développement des entreprises culturelles (R.S.Q., chapter S-10.002) is replaced by the following section :

“13. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel, including the general managers, in accordance with the conditions defined by the Government.”

ACT RESPECTING THE SOCIÉTÉ DE LA PLACE DES ARTS DE MONTRÉAL

194. Section 16 of the Act respecting the Société de la Place des Arts de Montréal (R.S.Q., chapter S-11.03), amended by section 280 of chapter 40 of the statutes of 1999, is replaced by the following section :

“16. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

195. Section 21 of the said Act, amended by section 280 of chapter 40 of the statutes of 1999, is again amended by striking out paragraph 5.

ACT RESPECTING THE SOCIÉTÉ DE TÉLÉDIFFUSION DU QUÉBEC

196. Section 13 of the Act respecting the Société de télédiffusion du Québec (R.S.Q., chapter S-12.01) is amended

- (1) by striking out the second sentence of the first paragraph ;
- (2) by replacing the second paragraph by the following paragraph :

“Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

197. Section 14 of the Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13), amended by section 283 of chapter 40 of the statutes of 1999, is again amended

- (1) by striking out “approved by the Government” in the third line of the first paragraph ;
- (2) by replacing the second and third paragraphs by the following paragraph :

“Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING THE SOCIÉTÉ DES ÉTABLISSEMENTS DE PLEIN AIR DU QUÉBEC

198. Section 14 of the Act respecting the Société des établissements de plein air du Québec (R.S.Q., chapter S-13.01), amended by section 284 of chapter 40 of the statutes of 1999, is again amended by replacing the second paragraph by the following paragraph :

“Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

199. Section 15 of the said Act, amended by section 284 of chapter 40 of the statutes of 1999, is again amended by inserting “, except those referred to in section 14,” after “division” in the first line of the second paragraph.

ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

200. Section 15 of the Act respecting the Société des loteries du Québec (R.S.Q., chapter S-13.1) is amended

- (1) by striking out “et rémunérés” in the French text of the first paragraph ;
- (2) by inserting the following paragraph after the first paragraph :

“Subject to the provisions of a collective agreement, the company shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.” ;

- (3) by striking out the third paragraph.

ACT RESPECTING THE SOCIÉTÉ DES TRAVERSIERS DU QUÉBEC

201. Section 16 of the Act respecting the Société des Traversiers du Québec (R.S.Q., chapter S-14) is amended by replacing “section 49 of the Financial Administration Act (chapter A-6)” in the second line by “Chapter V of the Public Administration Act (2000, chapter 8)”.

ACT RESPECTING THE SOCIÉTÉ DU CENTRE DES CONGRÈS DE QUÉBEC

202. Section 14 of the Act respecting the Société du Centre des congrès de Québec (R.S.Q., chapter S-14.001), amended by section 287 of chapter 40 of the statutes of 1999, is replaced by the following section :

“14. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING THE SOCIÉTÉ DU GRAND THÉÂTRE DE QUÉBEC

203. Section 16 of the Act respecting the Société du Grand Théâtre de Québec (R.S.Q., chapter S-14.01), amended by section 288 of chapter 40 of the statutes of 1999, is replaced by the following section :

“16. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

204. Section 21 of the said Act, amended by section 288 of chapter 40 of the statutes of 1999, is again amended by striking out paragraph 5.

ACT RESPECTING THE SOCIÉTÉ DU PALAIS DES CONGRÈS DE MONTRÉAL

205. Section 14 of the Act respecting the Société du Palais des congrès de Montréal (R.S.Q., chapter S-14.1), amended by section 289 of chapter 40 of the statutes of 1999, is replaced by the following section :

“14. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

206. Section 16 of the said Act, amended by section 289 of chapter 40 of the statutes of 1999, is again amended by inserting “, except those made under section 14,” after “Société” in the first line.

ACT RESPECTING THE SOCIÉTÉ DU PARC INDUSTRIEL ET PORTUAIRE DE BÉCANCOUR

207. Section 17 of the Act respecting the Société du parc industriel et portuaire de Bécancour (R.S.Q., chapter S-16.001) is amended by replacing the second paragraph by the following paragraph :

“Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING THE SOCIÉTÉ IMMOBILIÈRE DU QUÉBEC

208. Section 14 of the Act respecting the Société immobilière du Québec (R.S.Q., chapter S-17.1), amended by section 295 of chapter 40 of the statutes of 1999, is again amended by replacing the second paragraph by the following paragraph :

“Subject to the provisions of a collective agreement, the Société shall determine, by resolution, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

209. Section 15 of the said Act, amended by section 295 of chapter 40 of the statutes of 1999, is again amended by inserting “, except those made under section 14,” after “division” in the first line of the second paragraph.

ACT RESPECTING SOCIÉTÉ INNOVATECH DU GRAND MONTRÉAL

210. Section 18 of the Act respecting Société Innovatech du Grand Montréal (R.S.Q., chapter S-17.2.0.1) is replaced by the following section :

“18. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING SOCIÉTÉ INNOVATECH DU SUD DU QUÉBEC

211. Section 18 of the Act respecting Société Innovatech du sud du Québec (R.S.Q., chapter S-17.2.2) is replaced by the following section :

“18. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING SOCIÉTÉ INNOVATECH QUÉBEC ET CHAUDIÈRE-APPALACHES

212. Section 18 of the Act respecting Société Innovatech Québec et Chaudière-Appalaches (R.S.Q., chapter S-17.4) is replaced by the following section :

“18. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING SOCIÉTÉ INNOVATECH RÉGIONS RESSOURCES

213. Section 18 of the Act respecting Société Innovatech Régions ressources (R.S.Q., chapter S-17.5) is replaced by the following section :

“18. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE
D'ASSAINISSEMENT DES EAUX

214. Section 15 of the Act respecting the Société québécoise d'assainissement des eaux (R.S.Q., chapter S-18.2.1), amended by section 298 of chapter 40 of the statutes of 1999, is replaced by the following section :

“15. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

215. Section 16 of the said Act, amended by section 298 of chapter 40 of the statutes of 1999, is again amended by inserting “, except those made under section 15,” after “Société” in the first line.

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE
D'INFORMATION JURIDIQUE

216. Section 9 of the Act respecting the Société québécoise d'information juridique (R.S.Q., chapter S-20) is replaced by the following section :

“9. The general manager and the other members of the personnel of the company shall be appointed in accordance with the staffing plan established by by-law of the company.

Subject to the provisions of a collective agreement, the company shall determine, by by-law, the standards and scales of remuneration of the members of its personnel, including the general manager, in accordance with the conditions defined by the Government.”

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE DE RÉCUPÉRATION ET DE RECYCLAGE

217. Section 13 of the Act respecting the Société québécoise de récupération et de recyclage (R.S.Q., chapter S-22.01), amended by section 300 of chapter 40 of the statutes of 1999, is replaced by the following section :

“13. The secretary and the other members of the personnel of the Société shall be appointed in accordance with the staffing plan established by by-law of the Société.

Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration of the members of its personnel in accordance with the conditions defined by the Government.”

218. Section 17 of the said Act, amended by section 300 of chapter 40 of the statutes of 1999, is again amended by inserting “, except those made under section 13,” after “Société” in the first line.

ACT RESPECTING INCOME SUPPORT, EMPLOYMENT ASSISTANCE AND SOCIAL SOLIDARITY

219. Section 8 of the Act respecting income support, employment assistance and social solidarity (R.S.Q., chapter S-32.001) is amended by inserting “Chapter III of the Public Administration Act (2000, chapter 8),” after “of” in the second line of the second paragraph.

ACT RESPECTING THE PROFESSIONAL STATUS AND CONDITIONS OF ENGAGEMENT OF PERFORMING, RECORDING AND FILM ARTISTS

220. Section 46 of the Act respecting the professional status and conditions of engagement of performing, recording and film artists (R.S.Q., chapter S-32.1) is amended by replacing the second and third paragraphs by the following paragraph :

“Subject to the provisions of a collective agreement, the Commission shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

COURTS OF JUSTICE ACT

221. Section 17 of the Courts of Justice Act (R.S.Q., chapter T-16) is repealed.

222. Section 246.37 of the said Act is amended by striking out the second paragraph.

SECURITIES ACT

223. Section 299 of the Securities Act (R.S.Q., chapter V-1.1) is amended

(1) by striking out the second sentence of the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

“Subject to the provisions of a collective agreement, the Commission shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

AUDITOR GENERAL ACT

224. Section 58 of the Auditor General Act (R.S.Q., chapter V-5.01) is amended by inserting “or Chapter III of the Public Administration Act (2000, chapter 8)” after “(chapter F-3.1.1)” in the third line.

225. Section 61 of the said Act is amended by replacing subparagraph 1 of the first paragraph by the following subparagraph:

“(1) contracts required in the performance of his duties;”.

226. Section 64 of the said Act is amended by replacing “estimates introduced” in the second and third lines by “estimates tabled”.

227. Section 67 of the said Act is replaced by the following section:

“67. The Public Administration Act, except subparagraph 6 of the first paragraph and the second paragraph of section 9, sections 10 to 23, subparagraph 3 of the second paragraph and the third paragraph of section 24, sections 25 to 28 and 44, the fourth paragraph of section 45, sections 46, 48, 49, 50 and 53, the third paragraph of section 57 and sections 58 to 66, 74, 75 and 78, applies to the Auditor General. The report referred to in section 24 of the said Act shall be included in the annual report of the Auditor General.

The strategic plan adopted by the Auditor General pursuant to section 8 of the Public Administration Act shall be tabled in the National Assembly by the President of the National Assembly.”

ACT RESPECTING ASSISTANCE AND COMPENSATION FOR VICTIMS OF CRIME

228. Section 177 of the Act respecting assistance and compensation for victims of crime (1993, chapter 54) is replaced by the following section:

“177. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act apply to the fund, with the necessary modifications.”

ACT RESPECTING THE SOCIÉTÉ DE TOURISME DU QUÉBEC

229. Section 22 of the Act respecting the Société de tourisme du Québec (1994, chapter 27) is amended

(1) by striking out the second sentence of the first paragraph;

(2) by replacing the second paragraph by the following paragraph:

“Subject to the provisions of a collective agreement, the Société shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

ACT TO ESTABLISH A DISASTER ASSISTANCE FUND FOR CERTAIN AREAS AFFECTED BY THE TORRENTIAL RAINS OF 19 AND 20 JULY 1996

230. Section 9 of the Act to establish a disaster assistance fund for certain areas affected by the torrential rains of 19 and 20 July 1996 (1996, chapter 45) is replaced by the following section:

“9. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act apply to the fund, with the necessary modifications.”

ACT TO ESTABLISH A FUND IN RESPECT OF THE ICE STORM OF 5 TO 9 JANUARY 1998

231. Section 9 of the Act to establish a fund in respect of the ice storm of 5 to 9 January 1998 (1998, chapter 9) is replaced by the following section:

“9. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act apply to the fund, with the necessary modifications.”

ACT RESPECTING THE MINISTÈRE DE LA RECHERCHE, DE LA SCIENCE ET DE LA TECHNOLOGIE

232. Section 15.30 of the Act respecting the Ministère de la Recherche, de la Science et de la Technologie (1999, chapter 8) is replaced by the following section:

“15.30. The members of the personnel of a Fonds shall be appointed in accordance with the staffing plan established by by-law of the Fonds.

Subject to the provisions of a collective agreement, a Fonds shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government. The by-law may also make them subject to the second paragraph of section 15.27.”

ACT RESPECTING FINANCEMENT-QUÉBEC

233. Section 27 of the Act respecting Financement-Québec (1999, chapter 11) is amended

- (1) by striking out the second sentence of the first paragraph;
- (2) by replacing the second paragraph by the following paragraph:

“Subject to the provisions of a collective agreement, the financing authority shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

ACT RESPECTING THE BUREAU D'ACCRÉDITATION DES PÊCHEURS ET DES AIDES-PÊCHEURS DU QUÉBEC

234. Section 11 of the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (1999, chapter 32) is amended

- (1) by striking out the second sentence of the first paragraph;
- (2) by replacing the second paragraph by the following paragraph:

“Subject to the provisions of a collective agreement, the certification board shall determine, by regulation, the pay scales and rates, employee benefits and other conditions of employment of the personnel members in accordance with the conditions defined by the Government.”

ACT RESPECTING THE CORPORATION D'HÉBERGEMENT DU QUÉBEC

235. Section 27 of the Act respecting the Corporation d'hébergement du Québec (1999, chapter 34) is amended

- (1) by replacing “by regulation” in the second line of the first paragraph by “by by-law”, and by striking out the second sentence of the first paragraph;
- (2) by replacing the second paragraph by the following paragraph:

“Subject to the provisions of a collective agreement, the Corporation shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.”

236. Section 29 of the said Act is amended by replacing “sections 49 to 49.5 of the Financial Administration Act (R.S.Q., chapter A-6)” in the first and second lines by “sections 58 to 61 of the Public Administration Act (2000, chapter 8)”.

ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT DE LA ZONE
DE COMMERCE INTERNATIONAL DE MONTRÉAL À MIRABEL

237. Section 35 of the Act respecting the Société de développement de la Zone de commerce international de Montréal à Mirabel (1999, chapter 41) is amended

- (1) by striking out the second sentence of the first paragraph;
- (2) by replacing the second paragraph by the following paragraph:

“Subject to the provisions of a collective agreement, the Société shall determine, by regulation, the pay scales and rates, employee benefits and other conditions of employment of the personnel members in accordance with the conditions defined by the Government.”

ACT RESPECTING INTERNATIONAL FINANCIAL CENTRES

238. Section 46 of the Act respecting international financial centres (1999, chapter 86) is replaced by the following section:

“46. Sections 45, 47, 48, 51, 57 and 70 to 72 of the Financial Administration Act (R.S.Q., chapter A-6) apply to the fund, with the necessary modifications.”

OTHER AMENDMENTS

239. The words “aux prévisions budgétaires déposées”, “les prévisions budgétaires déposées”, “les prévisions budgétaires soumises” and “les prévisions budgétaires” are replaced, respectively, by “au budget de dépenses déposé”, “le budget de dépenses déposé”, “le budget de dépenses soumis” and “le budget de dépenses” in the French text of the following provisions:

- (1) section 6 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);
- (2) subparagraph 3 of the first paragraph of section 2 of the Act respecting the accreditation and financing of students’ associations (R.S.Q., chapter A-3.01);
- (3) section 14 of the Financial Administration Act (R.S.Q., chapter A-6);
- (4) paragraph 6 of the Schedule to the Archives Act (R.S.Q., chapter A-21.1), amended by section 53 of chapter 34 of the statutes of 1999;
- (5) section 20.4 of the Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2);
- (6) subparagraph 4 of the first paragraph of section 3.0.4 of the Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30);

(7) subparagraph 15 of the first paragraph of section 39.0.1 of the Act respecting labour standards (R.S.Q., chapter N-1.1);

(8) subparagraph 1 of the first paragraph of section 4 of the Auditor General Act (R.S.Q., chapter V-5.01).

240. References to the Financial Administration Act are replaced by references to the Public Administration Act wherever they occur in the following provisions :

(1) section 29.9.2 of the Cities and Towns Act (R.S.Q., chapter C-19);

(2) article 14.7.2 of the Municipal Code of Québec (R.S.Q., chapter C-27.1);

(3) sections 10.2 and 11.5 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28);

(4) section 22 of the Act respecting the Société de la Place des Arts de Montréal (R.S.Q., chapter S-11.03);

(5) section 22 of the Act respecting the Société du Grand Théâtre de Québec (R.S.Q., chapter S-14.01).

241. The word “Government” is replaced by the words “Conseil du trésor” wherever it occurs in the following provisions :

(1) section 3 of the Hospital Insurance Act (R.S.Q., chapter A-28);

(2) sections 19 and 19.1 of the Health Insurance Act (R.S.Q., chapter A-29), amended respectively by sections 177 and 179 of chapter 39 of the statutes of 1998;

(3) section 432 of the Act respecting health services and social services (R.S.Q., chapter S-4.2).

242. The terms “appointed and remunerated” and “appointed or remunerated”, where they refer to the Public Service Act, are replaced by the term “appointed” in all Acts and other documents, with the necessary modifications.

CHAPTER IX

TRANSITIONAL AND FINAL PROVISIONS

243. Regulations made under sections 25, 49, 49.1, 49.3.2 and 49.6 of the Financial Administration Act (R.S.Q., chapter A-6) are deemed to be regulations made under this Act.

244. A policy adopted under section 49.4 of the Financial Administration Act is deemed to be a policy adopted under section 61 of this Act.

245. The directory of specialities established pursuant to section 49.5.1 of the Financial Administration Act is deemed to be established pursuant to section 62 of this Act.

246. Every supplier registered under a specialty in a directory established pursuant to section 49.5.1 of the Financial Administration Act, on the date preceding the date of coming into force of the first regulation concerning supply, construction and service contracts made under section 58 of this Act, shall be registered, on the date of coming into force of that regulation, pursuant to section 62 of this Act if the directories established thereunder contain the specialty concerned. The supplier is deemed to have accepted all the rules and conditions set out in the documents relating to registration, as described in the second paragraph of the said section. The supplier shall remain registered under that specialty until the supplier's registration is struck off or cancelled pursuant to this Act.

Proceedings to strike off or cancel registration that began before the date of coming into force of the first regulation concerning supply, construction and service contracts made under section 58 of this Act shall be continued pursuant to the regulations made under the Financial Administration Act.

No supplier to whom a sanction has been applied pursuant to the regulations made under the Financial Administration Act may register pursuant to section 62 of this Act under the specialty concerned by the sanction during the period during which the supplier would have been disqualified from re-registering pursuant to section 49.5.1 of the Financial Administration Act.

247. The regulations respecting the contracts made or entered into by the chief electoral officer, the Commission de la représentation, the Public Protector and the Auditor General are deemed to have been made, respectively, pursuant to section 488.1 and section 539.1 of the Election Act (R.S.Q., chapter E-3.3), section 35.2 of the Public Protector Act (R.S.Q., chapter P-32) and section 61 of the Auditor General Act (R.S.Q., chapter V-5.01).

248. The new time limit under section 35 of the Public Service Act does not apply to a period of time that began before (*insert here the date of coming into force of paragraph 2 of section 126 of this Act*).

249. Matters pending before an appeals committee on the date of coming into force of section 146 of this Act shall be continued and decided by the Commission de la fonction publique in accordance with section 127 of the Public Service Act, as amended by section 146 of this Act.

However, matters for which a hearing has commenced before that date shall be continued by the appeals committee to which they have been referred.

250. All directives, policies and other decisions made by the Conseil du trésor or by the chairman of the Conseil du trésor under a repealed provision of the Financial Administration Act (R.S.Q., chapter A-6) or the Public Service Act (R.S.Q., chapter F-3.1.1) are deemed to be directives, policies and decisions made under this Act.

251. In every regulation, order or other document, a reference to a provision of the Public Service Act or the Financial Administration Act is, where applicable, a reference to the corresponding provision of the Public Administration Act.

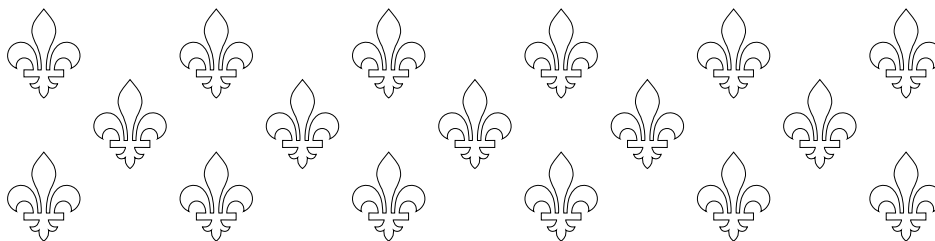
252. The chair of the Conseil du trésor is responsible for the administration of this Act.

253. The chair of the Conseil du trésor must, not later than (*insert here the date occurring five years after the date on which this section comes into force*) report to the Government on the carrying out of this Act and on the advisability of amending it.

The report shall be tabled within 30 days in the National Assembly or, if the Assembly is not in session, within 30 days of resumption. The competent committee of the National Assembly shall examine the report.

254. The first strategic plan of a department or body to which Chapter II applies must be laid before the National Assembly before 1 April 2001. The period covered by the plan may include a period prior to 30 May 2000.

255. The provisions of this Act come into force on the date or dates fixed by the Government, except sections 3 to 5, 8 to 11, paragraphs 4 and 11 of section 77 and section 254, which come into force on 30 May 2000.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 127
(2000, chapter 10)

An Act to amend the Tourist Establishments Act

Introduced 11 May 2000
Passage in principle 18 May 2000
Passage 2 June 2000
Assented to 7 June 2000

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EXPLANATORY NOTES

This bill amends the Tourist Establishments Act to revise the rules applicable to the establishments subject to that Act.

The bill replaces the permit the operator of a tourist accommodation establishment is required to hold by a classification certificate issued by the Minister, and removes for other types of establishments the requirement to hold a permit. It defines the rules governing the classification of the establishments that will require the classification certificate.

In addition, the bill provides for penalties for offences against the Act and contains consequential and transitional provisions.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting assistance for tourist development (R.S.Q., chapter A-13.1);
- Cities and Towns Act (R.S.Q., chapter C-19);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);
- Tourist Establishments Act (R.S.Q., chapter E-15.1);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- Act respecting hours and days of admission to commercial establishments (R.S.Q., chapter H-2.1);
- Act respecting administrative justice (R.S.Q., chapter J-3);
- Act respecting liquor permits (R.S.Q., chapter P-9.1);
- Agricultural Products, Marine Products and Food Act (R.S.Q., chapter P-29).

Bill 127

AN ACT TO AMEND THE TOURIST ESTABLISHMENTS ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The title of the Tourist Establishments Act (R.S.Q., chapter E-15.1) is replaced by “Act respecting tourist accommodation establishments”.

2. Section 1 of the said Act is replaced by the following section :

“1. This Act applies to establishments providing accommodation to tourists in return for payment.”

3. Sections 2, 4 and 5 of the said Act are repealed.

4. Section 6 of the said Act, amended by section 126 of chapter 40 of the statutes of 1999, is replaced by the following section :

“6. Every person operating a tourist accommodation establishment is required to hold a classification certificate for the establishment.

For that purpose, the person must file with the Minister, according to the conditions prescribed by regulation of the Government, an application for a classification certificate or for the renewal of a classification certificate, accompanied by the document confirming the classification of the establishment.”

5. Section 7 of the said Act is replaced by the following section :

“7. The classification of a tourist accommodation establishment is established by the body recognized by the Minister for classification purposes under an agreement setting out the conditions to be complied with and the responsibilities to be assumed by the body.

The body shall, with the approval of the Minister, determine criteria for the classification of tourist accommodation establishments and the costs attached to such classification.

Classification is established on the basis of the classes of tourist accommodation establishments determined by regulation of the Government. The regulation may exempt classes of establishments from certain provisions of this Act.”

6. Section 8 of the said Act is replaced by the following section :

“8. Classification certificates, the form of which is determined by regulation of the Government, shall be issued by the Minister.”

7. Section 9 of the said Act is replaced by the following section :

“9. A classification certificate is valid for a period of 24 months. The Minister may nevertheless fix any other term in the cases determined by regulation of the Government.”

8. Section 11 of the said Act is amended by replacing “, the Consumer Protection Act (chapter P-40.1), the Agricultural Products, Marine Products and Food Act (chapter P-29) or the Dairy Products and Dairy Products Substitutes Act (chapter P-30)” in paragraph 2 by “or the Consumer Protection Act (chapter P-40.1)”.

9. Section 11.1 of the said Act is amended by replacing “, the Consumer Protection Act (chapter P-40.1), the Agricultural Products, Marine Products and Food Act (chapter P-29) or the Dairy Products and Dairy Products Substitutes Act (chapter P-30)” in paragraph 2 by “or the Consumer Protection Act (chapter P-40.1)”.

10. The said Act is amended by inserting the following section after section 14 :

“14.1. The Minister may delegate the exercise of the Minister’s powers under this Act that relate to the issue of classification certificates to any person the Minister designates.”

11. The heading of Division III of the said Act is amended by striking out “CLASSIFICATION AND”.

12. Sections 22 to 29 of the said Act are repealed.

13. Section 30 of the said Act is replaced by the following section :

“30. The classification certificate of a tourist accommodation establishment shall be kept posted conspicuously in such places as are determined by regulation of the Government. The same applies as regards accommodation rates.”

14. Section 32 of the said Act is replaced by the following section :

“32. Only a person authorized by the Minister may display a sign or poster containing the words “tourist information” or any other word or pictogram determined by regulation of the Government, indicating or implying the presence of a tourist information office. The conditions for displaying such signs or pictograms shall be determined by the regulation.

The authorization of the Minister is given in writing and confers the right to use the words and pictograms mentioned therein, according to the conditions provided in the authorization.

The Minister may delegate the exercise of the Minister's powers under this section to any person the Minister designates."

15. Section 36 of the said Act is amended

- (1) by striking out subparagraphs 1 to 15 of the first paragraph;
- (2) by striking out the second and third paragraphs.

16. Section 37 of the said Act is amended

- (1) by replacing "an attestation" in paragraph 2 by "a document";
- (2) by striking out "24," in paragraph 5 and by replacing "under section 36 of this Act; or," by "by the Government,";
- (3) by striking out paragraph 6.

17. Section 38 of the said Act is replaced by the following section :

"38. Every person who operates or purports to operate a tourist accommodation establishment without holding a classification certificate issued under this Act is guilty of an offence.

Every person who contravenes a provision of the first paragraph or of section 32 is guilty of an offence and is liable, for each day or part of a day during which the offence continues, to a fine of \$750 to \$2,250, and, in the case of a second or subsequent conviction, to a fine of \$2,250 to \$6,750."

18. Sections 44 and 45 of the said Act are repealed.

19. Section 55 of the said Act is amended by striking out the second paragraph.

20. The said Act is amended by replacing "tourist establishment" by "tourist accommodation establishment" in paragraph 1 of section 33, in the first paragraph of section 34 and in subparagraph 16 of the first paragraph of section 36.

21. The said Act is amended by replacing "permit" and "permits" by "classification certificate" and "classification certificates", respectively, with the necessary modifications, in the following provisions :

- the heading of Division II;
- the heading of subdivision 1 of Division II;

- sections 10, 11, 11.1, 12, 14 and 15;
- paragraphs 3 and 4 of section 37.

22. Any reference to the “Tourist Establishments Act” shall be replaced by a reference to the “Act respecting tourist accommodation establishments”, namely in the following provisions:

- sections 8 and 9 and the second paragraph of section 37 of the Act respecting assistance for tourist development (R.S.Q., chapter A-13.1), amended, in the English text, by section 14 of chapter 40 of the statutes of 1999;
- section 100 of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);
- the second paragraph of section 13 of the Act respecting hours and days of admission to commercial establishments (R.S.Q., chapter H-2.1);
- paragraph 9 of Schedule IV to the Act respecting administrative justice (R.S.Q., chapter J-3).

23. Section 29.11 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended by striking out “, in accordance with the Act respecting tourist establishments (chapter E-15.1),”.

24. Article 14.9 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by striking out “, in accordance with the Act respecting tourist establishments (chapter E-15.1),”.

25. Section 52 of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1) is amended by striking out the second paragraph.

26. Sections 69 and 236 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) and sections 244.11, 244.20, 244.23 and 244.27 of the said Act, amended by section 133 of chapter 40 of the statutes of 1999, are again amended by replacing “permit issued under the Tourist Establishments Act” and “permit under the Tourist Establishments Act” by “classification certificate issued under the Act respecting tourist accommodation establishments”.

27. Section 39 of the Act respecting liquor permits (R.S.Q., chapter P-9.1) is amended by replacing “permit issued under the Act respecting tourist establishments” in subparagraph 3 of the first paragraph by “classification certificate issued under the Act respecting tourist accommodation establishments”.

28. Section 76 of the said Act is amended by replacing “tourist establishment for which he is entitled under the Act respecting tourist establishments” in the

first paragraph by “tourist accommodation establishment for which the holder is permitted under the Act respecting tourist accommodation establishments”.

29. Section 32 of the Agricultural Products, Marine Products and Food Act (R.S.Q., chapter P-29) is amended by striking out the second paragraph.

30. In any writing or document, whatever its nature or medium, any reference to the Tourist Establishments Act or to one of its provisions is a reference to the Act respecting tourist accommodation establishments or to the corresponding provision of that Act.

31. Any permit issued under the Tourist Establishments Act that expires after 30 November 2001 shall be extended by operation of law for as long as the requirement to hold such a permit to operate a tourist establishment is maintained.

32. The Minister shall publish in the *Gazette officielle du Québec* the classification criteria approved by the Minister for a class of tourist accommodation establishments.

33. The Government may prescribe that a provision of this Act or of the regulations will come into force at different dates depending on the class of tourist accommodation establishments to which it relates.

34. The provisions of this Act come into force on the date or dates to be fixed by the Government except the provisions of section 5, which come into force on 7 June 2000.

Regulations and other acts

Gouvernement du Québec

O.C. 708-2000, 7 June 2000

Transport Act
(R.S.Q., c. T-12; 1999, c. 82)

Forest transport contracts

Regulation respecting forest transport contracts

WHEREAS under paragraph *n* of section 5 of the Transport Act (R.S.Q., c. T-12), the Government may, by regulation, determine the requirements applicable to estimates, contracts, bills of lading and shipping documents in the case of a carrier or any person to whom the Act respecting owners and operators of heavy vehicles (R.S.Q., c. P-30.3) applies and under paragraph *q* of that section, the Government may, by regulation, prescribe the necessary forms for the administration of the Act;

WHEREAS under section 47.1 of the Act, replaced by section 12 of Chapter 82 of the Statutes of 1999, any contract for the transport of timber that has undergone only cross-cutting, stripping or barking, from forests in the domain of the State, must comply with the stipulations prescribed by regulation, which may provide rules for conciliation and arbitration;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft of the Regulation respecting forest transport contracts was published in Part 2 of the *Gazette officielle du Québec* of 23 December 1999, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Transport:

THAT the Regulation respecting forest transport contracts, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting forest transport contracts

Transport Act
(R.S.Q., c. T-12, s. 5, pars. *n* and *q* and s. 47.1; 1999, c. 82, s. 12)

1. This Regulation applies to any contract for the transport of timber which has undergone no operation other than cross-cutting, limbing and barking from forests in the domain of the State.

2. The stipulations of the forest transport contract shall be those appearing in the model referred to in Schedule A and constitute the minimum stipulations that must be contained in any forest transport contract.

3. The forest transport contract shall be written by filling out a form similar to the model referred to in Schedule A.

4. The forest transport contract shall be signed by the parties.

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

SCHEDULE A

MODEL OF A FOREST TRANSPORT CONTRACT

FOREST TRANSPORT CONTRACT

BETWEEN

hereafter called the "SHIPPER"

AND

hereafter called the "CARRIER"

THE PARTIES AGREE AS FOLLOWS:

PURPOSE

1. This contract applies to the transport by heavy vehicles within the meaning of paragraph *a* of paragraph 3 of section 2 of the Act respecting owners and

operators of heavy vehicles (R.S.Q., c. P-30.3) of timber from forests in the domain of the State where the timber has undergone no operation other than cross-cutting, limbing and barking

The SHIPPER hereby entrusts the CARRIER with the transport of the material described in Schedule 1 (the "Material") and the CARRIER hereby agrees to provide that transport on the following terms.

ORIGIN AND DESTINATION

2. The Material shall be transported between the point of loading indicated in Schedule 2 and the point of unloading, also indicated in Schedule 2.

SHIPPER'S REPRESENTATIONS

3. The SHIPPER represents and guarantees to the CARRIER that:

(1) where applicable, the SHIPPER is a duly incorporated and validly existing legal person;

(2) the SHIPPER is empowered and has obtained all the authorizations required to enter into this Contract and comply with the obligations provided for therein.

The SHIPPER acknowledges that each of the representations and guarantees is essential to the CARRIER and that the CARRIER would not have entered into this Contract if any of the representations and guarantees had been or is found to be false or inaccurate. The representations and guarantees are stipulated in favour of the CARRIER and may be waived by the latter, in whole or in part, at any time.

CARRIER'S REPRESENTATIONS

4. The CARRIER represents and guarantees to the SHIPPER that:

(1) the CARRIER is a natural person or, as the case may be, a partnership duly formed under the provisions of the Civil Code of Québec or a duly incorporated and validly existing legal person;

(2) the CARRIER is empowered and has obtained all the authorizations required to enter into this Contract and comply with the obligations provided for therein;

(3) the CARRIER holds all the permits, licences, certificates or authorizations required for the transport of the Material on the terms stipulated in this contract, in particular those required under the Highway Safety Code (R.S.Q., c. C-24.2) and the Act respecting owners and operators of heavy vehicles;

(4) to the CARRIER'S knowledge, none of the permits, licences, certificates or authorizations is about to be cancelled, suspended or amended;

(5) the CARRIER is familiar with the points of loading and unloading of the Material, the routes to travel between the point of loading and the point of unloading indicated in Schedule 2, and the equipment and the procedures for loading and unloading the Material used, as the case may be, by the SHIPPER and the receiver.

The CARRIER acknowledges that each of the representations and guarantees is essential to the SHIPPER and that the SHIPPER would not have entered into this Contract if any of the representations and guarantees had been or is found to be false or inaccurate. The representations and guarantees are stipulated in favour of the SHIPPER and may be waived by the latter, in whole or in part, at any time.

TERMS OF TRANSPORT

5. The Material shall be transported on the following terms:

(1) transport shall be provided by means of vehicles having the specifications set out in Schedule 3, subject to section 6, which shall conform at all times to the statutory and regulatory requirements in force; in particular, each of the vehicles shall be equipped with any safety equipment or other device required under any legislation or regulation in force during the life of this Contract and with any safety equipment set out in Schedules 3 or 4;

(2) the Material shall be loaded according to a work plan devised by the SHIPPER and of which the CARRIER shall be kept informed beforehand on a regular basis;

(3) except where loading is made by the CARRIER or on his behalf, the SHIPPER shall do his best to ensure that each load complies with the size and load limits prescribed by government regulation in force during loading;

(4) the Material shall be unloaded according to a work plan devised by the SHIPPER and of which the CARRIER shall be kept informed beforehand on a regular basis;

(5) other than in exceptional circumstances, each vehicle shall be loaded to rate capacity while respecting load securing standards prescribed by government regulation and the size and load limits referred to in paragraph 3;

(6) as soon as loading has been completed, a bill of lading acceptable to the SHIPPER and to the CARRIER and containing, *inter alia*, the information referred to in Schedule 12 (the “Bill of lading”), shall be filled out and signed by the SHIPPER’S representative or, where such representative is absent, by the loading officer and countersigned by the CARRIER’S representative, unless the Bill of lading is issued mechanically or electronically, in which case a copy of the Bill of lading shall be given to the SHIPPER’S representative or, where such representative is absent, to the loading officer and to the CARRIER’S representative before the vehicle leaves the point of loading;

(7) weight, insofar as the transport of the Material is remunerated on the basis of a unit of weight or volume, insofar as the transport of the Material is remunerated on the basis of a unit of volume, shall be determined, at the expense of the SHIPPER, by a representative of the SHIPPER or of the receiver, depending upon whether the required control takes place at the point of loading or at the point of unloading indicated in Schedule 2; other than in the case of deliberate or gross negligence or of an unforgivable error on the part of the SHIPPER’S representative or the receiver’s representative, as the case may be, the weight or volume thus determined shall be final, shall be binding on the SHIPPER and on the CARRIER and shall serve as the basis for the remuneration provided for in section 15;

(8) at the time of each unloading at the point of unloading indicated in Schedule 2, the CARRIER’S representative shall give a copy of the Bill of lading to a representative of the SHIPPER or of the receiver, as the case may be, to be filled out and signed by that representative of the receiver and countersigned by a representative of the CARRIER, unless the Bill of lading or any other document in lieu thereof is issued mechanically or electronically, in which case a copy of the document shall be given to the SHIPPER’S representative or to the receiver’s representative, as the case may be, and to the CARRIER’S representative before the vehicle leaves the point of unloading;

(9) where applicable, a copy of the Bill of lading shall be kept in the cab of the vehicle until the unloading has been carried out at the unloading point indicated in Schedule 2 or in the Bill of lading, the whole in accordance with the statutory and regulatory provisions in force;

(10) the provisions of this Contract have precedence over the provisions of the Bill of lading; where there is inconsistency between the provisions of this Contract and those of the Bill of lading, the provisions of this Contract shall prevail.

VEHICLES

6. Where the CARRIER foresees transporting the Material in a vehicle having specifications that differ from those set out in Schedule 3, that vehicle shall comply with the minimum specifications set out in Schedule 4 and shall be equipped with the safety equipment or other devices specified therein.

LOADING AND UNLOADING

7. The Material is to be loaded by the person whose name or corporate name appears in Schedule 5.

8. The unloading of the Material shall be carried out by the person whose name or corporate name appears in Schedule 6.

ROUTES AND AVERAGE TRANSPORT TIME

9. The SHIPPER and the CARRIER acknowledge that the average distance between the point of loading and the point of unloading indicated in Schedule 2 corresponds to the number of kilometres indicated in Schedule 7 and that the description of the routes to be used for the transport complies with the description set forth in Schedule 7.

10. The CARRIER may, at his full discretion, use a route different from those indicated in Schedule 7, so long as the SHIPPER has not specifically prohibited the CARRIER from using that route. In exercising that discretion, the CARRIER may not bill the SHIPPER for remuneration that differs from the remuneration provided for in section 15 under the pretext that the route used at the CARRIER’S own discretion or that the CARRIER was required to use does not allow the Material to be transported within the time set forth in section 11 or increases the average distance indicated in Schedule 7.

11. The SHIPPER and the CARRIER acknowledge that the average transport time between the point of loading and the point of unloading indicated in Schedule 2 and the return to the point of loading, including loading and unloading time, corresponds to the time indicated in Schedule 7, considering the terms of transport set out in Schedule 7 and taking into account the vehicle specifications set out in Schedule 3.

SHIPPER’S OBLIGATIONS

12. For as long as this Contract is in force, the SHIPPER undertakes to

(1) respect all statutory and regulatory provisions applying to the SHIPPER;

(2) act in such manner that the equipment used for loading and unloading Material is adequate, except where the loading or unloading, as the case may be, is to be carried out by the CARRIER or on his behalf as provided in Schedule 5 or, where applicable, Schedule 6;

(3) ensure that the routes described in Schedule 7 are adequately maintained, except those that are part of the public road network of Québec, and, as for forest roads within the meaning of the Forest Act (R.S.Q., c. F-4.1), in accordance with the authorizations obtained under that Act for the construction of such forest roads;

(4) inform the CARRIER immediately of actions or proceedings instituted against the SHIPPER where the outcome may seriously affect his enterprise as well as changes in his enterprise that may seriously affect it.

CARRIER'S OBLIGATIONS

13. For as long as this Contract is in force, the CARRIER undertakes to

(1) keep all permits, licences, certificates and other authorizations required to operate;

(2) respect all statutory and regulatory provisions applying to the CARRIER;

(3) inform the SHIPPER immediately of actions or proceedings instituted against the CARRIER where the outcome may seriously affect his enterprise as well as changes in his enterprise that may seriously affect it;

(4) except for any reason beyond his control, including those referred to in section 25, and provided that the SHIPPER complies with his obligations under this Contract, provide regular and uninterrupted transport of the Material in compliance with the provisions of this Contract and according to the work plans referred to in paragraphs 2 and 3 of section 5;

(5) maintain at the CARRIER'S expense any vehicle used to transport the Material in good operating and mechanical order and in good repair; in particular, each vehicle shall comply with the provisions of the Highway Safety Code and with the Act respecting owners and operators of heavy vehicles and a copy of any certificate or attestation confirming the compliance of such vehicle, shall be given to the SHIPPER by the CARRIER, where the SHIPPER so requests;

(6) act in such manner that the driver of every vehicle used to transport the Material is a qualified and competent person who holds all the permits, licences and cer-

tificates required to drive the vehicle; the provisions of this section do not apply where the SHIPPER may make a final decision overriding the CARRIER'S choice, on the driver and where the SHIPPER exercises that prerogative;

(7) respect and act in such manner that the driver of every vehicle used to transport Material respects the signing and speeds posted by the SHIPPER, where applicable and, provided that the SHIPPER informed beforehand the CARRIER of any safety standard and requirement imposed by the SHIPPER provided for in statutes or regulations applicable under any collective agreement or contract governing labour relations between the SHIPPER and the SHIPPER'S employees;

(8) maintain in force, at the CARRIER'S expense, with one or more insurers acceptable to the SHIPPER, one or more insurance policies covering the CARRIER'S civil liability for bodily injury and property damage, for an amount of not less than two million dollars (\$2,000,000) per claim, that are acceptable to the SHIPPER; act in such manner that those insurance contracts contain a provision to the effect that insurers will not cancel or amend those insurance contracts without having given to the SHIPPER a prior and written notice of at least thirty (30) days; give the SHIPPER a certificate issued by the insurers concerned or on their behalf attesting the existing of one or several insurance contracts that comply with the provisions of this section; where the insurance contracts are available, give without delay to the SHIPPER a copy of those insurance contracts;

(9) to the extent applicable and as often as possible, but in every case not later than 31 March of each year, give the SHIPPER a copy of certification of *bona fide* employer status issued by the Commission de la santé et de la sécurité du travail for the period ending on the preceding 31 December or for any shorter period, whichever applies.

DECLARATIONS OF THE SHIPPER AND CARRIER

14. The SHIPPER and the CARRIER acknowledge that each Bill of lading is non negotiable. Notwithstanding the foregoing, the SHIPPER or CARRIER, where applicable, may hypothecate or otherwise alienate all or a portion of Contract rights arising from any Bill of lading in favour of any financial institution that has granted it credits without it being necessary to obtain the SHIPPER'S or CARRIER'S consent, where applicable. The provisions of this section have precedence over any inconsistent provision of the Bill of lading.

REMUNERATION

15. The remuneration payable for the transport of the Material in accordance with this Contract is the remuneration set out in Schedule 8.

16. To the extent that the stipulations of a collective agreement or contract governing labour relations between the SHIPPER and the SHIPPER'S employees apply to the driver of a vehicle used to transport Material, the remuneration determined in Schedule 8 shall be apportioned in such manner that the driver is paid a portion exclusively for the work performed and the remainder of the remuneration referred to in section 15 is paid directly to the CARRIER.

Subject to the first paragraph, the remuneration referred to in section 15 may be adjusted to take into account fringe benefits resulting from the application of a collective agreement or contract governing labour relations between the SHIPPER and the SHIPPER'S employees.

17. The SHIPPER and the CARRIER acknowledge that the remuneration set out in Schedule 8 takes into account the various benefits granted or made available to the CARRIER by the SHIPPER and listed in Schedule 8.

18. The remuneration set out in Schedule 8 shall be paid by the SHIPPER to the CARRIER at least every two (2) weeks and, for the first payment, no later than three (3) weeks following the date on which this Contract takes effect for mass or volume of Material transported during the first two (2) weeks following the date on which this Contract takes effect and in accordance with any other terms set forth in Schedule 8. It shall be paid by means of a cheque sent by mail to the CARRIER'S address listed in the SHIPPER'S registers or in any other manner agreed upon by the SHIPPER and the CARRIER, for mass or volume of Material transported during the period covered.

19. Notwithstanding sections 15 to 18 and Schedule 8, the SHIPPER and the CARRIER agree that, where the remuneration set out in Schedule 8 is established on the basis of the mass of transported Material,

(1) the CARRIER is entitled, for each delivery of Material in accordance with the provisions of this Contract, to a remuneration provided for in sections 15 to 18 and in Schedule 8 established on the basis of the real mass of transported Material, provided that in respect of each delivery the limits of the total loaded mass applicable to the vehicle used by the CARRIER and prescribed by government regulation be complied with,

those limits being, for the purposes of this Contract, increased by 1 500 kilograms;

(2) the CARRIER is entitled to only, for each delivery of Material in accordance with the provisions of this Contract, a remuneration provided for in sections 15 to 18 and in Schedule 8 established on the basis of the real mass of transported Material without exceeding the limits of the total loaded mass mentioned hereunder applicable to the vehicle used by the CARRIER by not retaining any increase of those limits; if, in respect of each delivery, the limits of the total loaded mass applicable to the vehicle used by the CARRIER and prescribed by government regulation are not complied with, those limits being, for the purposes of this Contract, increased by 1 500 kilograms.

20. The provisions of this section constitute an illustration of what is provided for in section 19:

(1)	• real mass of transported Material	55 500 kg
	• limits of total loaded mass prescribed (55 500 kg) increased by 1 500 kg	57 000 kg
	• remuneration established on the basis of, or payment made for	55 500 kg
(2)	• real mass of transported Material	56 500 kg
	• limits of total loaded mass prescribed (55 500 kg) increased by 1 500 kg	57 000 kg
	• remuneration established on the basis of, or payment made for	56 500 kg
(3)	• real mass of transported Material	57 100 kg
	• limits of total loaded mass prescribed (55 500 kg) increased by 1 500 kg	57 000 kg
	• remuneration established on the basis of, or payment made for	55 500 kg

21. Any amount of money corresponding to the difference between the remuneration to which the CARRIER would have been entitled in accordance with the provisions of paragraph 1 of section 19 and the remuneration payable to the CARRIER in accordance with the provisions of paragraph 2 of section 19 may be used by the SHIPPER for the only purposes and in the manner provided for in Schedule 10.

22. If the SHIPPER contravenes section 21, the CARRIER acknowledges that his only rights and recourses consist in forcing the carrying out by the SHIPPER of the obligations arising from section 21 or, where applicable, assert a claim as creditor of the SHIPPER should any of the circumstances described in paragraph 2 of section 27 arise in respect of the SHIPPER.

23. Where the remuneration set out in Schedule 8 is established on the basis of the volume of transported Material, the provisions of section 19 shall apply for the purposes of the establishment of that remuneration by making the necessary conversions and adjustments.

INTEREST

24. Any amount payable by the SHIPPER or the CARRIER under the terms of this Contract that is not paid within the time set forth herein shall bear interest from the date payable until the date paid, as well as before and after any arbitration award or judgment, at an annual rate of interest equal to the annual rate of interest paid by the Bank of Canada during that period on deposits in Canadian funds made by the banks governed by the Bank Act (R.S.C., 1985, c. B-1), increased by one percent (1%), the interest being computed daily and payable on demand.

FORCE MAJEURE

25. A party to this Contract shall notify immediately the other party in writing if it is unable to respect all or any of its Contract obligations by reason of:

(1) fire, explosion, earthquake, hurricane, flood, inclemency, war, revolution, insurrection or other hostility or any other similar force majeure;

(2) a strike, lock-out or any other labour dispute;

(3) expropriation or application of any Act, regulation, Order in Council, Order or any other decision having force of law;

(4) an appreciable reduction in the volume of Material required by the SHIPPER during the course of doing business;

The notice shall state the event or circumstances entailing the application of this section (the "Event"), shall specify the Contract obligations affected by the Event and shall mention the probable duration of the Event, including the date from which the party's obligations will be suspended.

From the date specified in the notice and for the duration of the Event, the party's Contract obligations shall be suspended with no recourse on the part of the other party.

The party in question shall notify immediately the other party in writing of the expiry of the Event and, from the date on which the Event ceases, the party in question shall continue to respect all Contract obligations until the Contract expires.

DURATION

26. Notwithstanding its actual performance date, this Contract has effect from the date and time set out in Schedule 9 and terminates on the date and time set out in Schedule 9, unless it expires on an earlier date by reason of a circumstance described in section 25.

Notwithstanding the first paragraph, this Contract may still have effect after the expiry of its duration, but only for the purposes of sections 30 to 43.

EXPIRY

27. This Contract shall terminate automatically, without putting into default and without any other delay than that provided for hereunder, where applicable:

(1) if this Contract expires as provided for in section 26 and subject to what is mentioned therein;

(2) if a party to this Contract becomes insolvent, is subject to a receiving order, final and not susceptible of appeal or, if such order is susceptible of appeal, the delay for appealing it being expired issued by a competent court in accordance with the provisions of the Bankruptcy and Insolvency Act (R.S.C., 1985, c. B-3) or any other similar legislation, makes an assignment of property for the benefit of its creditors in general or otherwise acknowledges insolvency or becomes a debtor unable to pay its debts within the purview of the Winding-up Act (R.S.C., 1985, c. W-11) and the Winding-up Act (R.S.Q., c. L-4), the Companies' Creditors Arrangement Act (R.S.C., 1985, c. C-36) or any other similar legislation;

(3) if the CARRIER ceases to hold any of the permits, licences, certificates or other authorizations required to operate because of any judgment, order or final decision and not susceptible of appeal or, if such judgment, order or decision is susceptible of appeal, the delay for appeal being expired;

(4) if any representation made or guarantee given by a party under the terms of this Contract is found to be false or inaccurate, unless the party in favour of whom that representation or guarantee is stipulated refuses to terminate this Contract;

(5) if a party to this Contract fails to perform a Contract obligation other than any obligation provided for in paragraph 3 and if that failing is not remedied within three (3) working days following receipt of a written notice describing the failure, unless the party in favour of whom the obligation is stipulated refuses to terminate this Contract. The period of three (3) working days is

extended to thirty days (30) where the CARRIER'S failure results from an accident to the vehicle he uses or a major breakage of the latter.

INALIENABILITY

28. Subject to section 42, no party to this Contract may alienate all or a portion of Contract rights and obligations unless that party has first obtained agreement to do so in writing from the other party. Notwithstanding the provisions of section 41, any party to this Contract may hypothecate or alienate all or a portion of contract rights arising from this Contract in favour of any financial institution having granted it credits without it being necessary to obtain the other party's consent.

TERMS OF REFERENCE

29. None of the terms of this Contract constitutes terms of reference, express or implied, granted by one party in favour of the other party.

ASSISTANCE / REPRESENTATION

30. The CARRIER acknowledges that, for the purposes of negotiation with the SHIPPER of the provisions of this Contract, he had the liberty of choosing to be assisted or represented by a person of his choice having no direct or indirect relationship with the SHIPPER, he has used that liberty and that, where applicable, that negotiation was carried out in his presence and in the presence of the person assisting or representing him.

31. The SHIPPER acknowledges that, for the purposes of negotiation with the SHIPPER of the provisions of any amendment to this Contract and of entering into a new contract arising from the application of sections 33 to 43, the CARRIER will have the liberty of choosing to be assisted or represented by a person of his choice having no direct or indirect relationship with the SHIPPER, it being understood that no such negotiation may be made in the absence of the CARRIER. In the circumstances described above, the CARRIER shall be free to choose not to be assisted or represented by anyone.

Where it is mentioned in this section that no negotiation may be made in the absence of the CARRIER, that word means:

- (1) the CARRIER himself, if he is a natural person;
- (2) the director general or main officer of the cooperative, if the CARRIER is a cooperative;
- (3) the associate having control of a partnership, if the CARRIER is a partnership, other than a limited

partnership, constituted under the provisions of the Civil Code of Québec;

(4) the director general of the partner, if the CARRIER is a limited partnership constituted under the provisions of the Civil Code of Québec;

(5) the natural person having control of a legal person, if the CARRIER is a legal person.

32. The SHIPPER acknowledges that the person assisting or representing the CARRIER for the purposes mentioned in section 31 is entitled, if the CARRIER agrees thereto, to negotiate the provisions of any amendment to this Contract and of any new contract arising from the application of sections 33 to 43, for and on behalf of the CARRIER, subject to the provisions of section 31.

CARRIER'S HIRING RANK

33. The SHIPPER acknowledges to the CARRIER a hiring rank related exclusively to the transport of the Material

(1) intended for a wood processing plant set out in Schedule 11 (the "Plant");

(2) from that entire part of forests in the domain of the State described in Schedule 11 (the "Operation"); and

(3) transported or susceptible to be transported only by means of a vehicle or, where applicable, of each vehicle of the CARRIER set out in Schedule 11 according to the order assigned thereto;

(the "CARRIER'S hiring rank").

34. Without in any way restricting the generality of the provisions of section 33, the CARRIER acknowledges that he may not assert any right arising from section 33, including a "bumping" right in respect of any activity for the transport of the Material that is not related, at the same time, to the Plant, to the Operation and to the CARRIER'S vehicle or, where applicable, to any of the CARRIER'S vehicles listed in Schedule 11 according to the order assigned thereto.

35. The CARRIER agrees to see that the CARRIER'S hiring rank be set up against any person benefiting, on the effective date of this Contract or subsequently, from a hiring rank related to the transport of the Material and attached only and at the same time to the Plant and the Operation.

36. The CARRIER'S hiring rank confers on him the following rights:

(1) if, at any time throughout this Contract, the SHIPPER'S obligations are suspended in accordance with section 25 or all the activities for the transport of the Material from the Operation for the purposes of the Plant requires, at the SHIPPER'S full discretion, a reduction in the number of vehicles required for the efficient carrying out of the transport activities, the CARRIER may object to the fact that the CARRIER'S vehicle or, where applicable, to any of the CARRIER'S vehicles listed in Schedule 11 according to the order assigned thereto be covered by such suspension or reduction before any other vehicle of any other person be covered in Schedule 11 benefiting from a hiring rank subsequent to the CARRIER'S hiring rank for the vehicle in question;

(2) if, at any time throughout this Contract, a suspension or reduction in the nature of that referred to in paragraph 1 arises, the CARRIER may require that the CARRIER'S vehicle or, where applicable, that any of the CARRIER'S vehicles listed in Schedule 11 according to the order assigned thereto resume service for the purposes of transport of the Material before any vehicle of any other person listed in Schedule 11 benefiting from a hiring rank subsequent to the CARRIER'S hiring rank for the vehicle in question;

(3) if, once this Contract has expired in accordance with the provisions of paragraph 1 of section 27, activities for the transport of the Material from the Operation for the purposes of the Plant begin or resume before the expiry of the twelve-month (12) period following the aforementioned expiry date, the CARRIER may require that the CARRIER'S vehicle or, where applicable, that any of the CARRIER'S vehicles listed in Schedule 11 according to the order assigned thereto resume service for the purposes of transport of the Material before any vehicle of any other person listed in Schedule 11 benefiting from a hiring rank subsequent to the CARRIER'S hiring rank for the vehicle in question.

37. The CARRIER'S hiring rank, provided that it be in force, progresses automatically from the loss or decline of the hiring rank

(1) of any other person listed in Schedule 11 who benefits from a priority hiring rank in the CARRIER'S hiring rank; or

(2) of any other person who will benefit, in view of the circumstances, from a priority hiring rank in the CARRIER'S hiring rank.

38. The CARRIER has at all times a right of management authorizing him to operate or use, for the transport of the Material from the Operation for the purposes of the Plant, any vehicle of which he is the owner or lessee within the meaning of the Civil Code of Québec, without allowing the SHIPPER to exercise the right of management to terminate this Contract before its expiry except in any of the circumstances provided for in paragraphs 2 to 5 of sections 27.

Where, at any time throughout this Contract, the SHIPPER exercises the aforementioned right of management, the vehicle of which he is the owner or lessee and in respect of which no hiring rank for the transport of the Material from the Operation to the Plant was attributed to him takes a hiring rank subsequent to the CARRIER'S hiring rank.

39. In addition to what is provided for in section 36, during the period where there is still a dispute or a disagreement between the SHIPPER and the CARRIER at the time of negotiation of the provisions of any amendment to this Contract or of any new contract related to the application of sections 33 to 43 entailing a refusal from the CARRIER to transport Material from the Operation for the purposes of the Plant, the SHIPPER may not resort to the services of any other person to carry out the transport of the Material from the Operation for the purposes of the Plant, it being understood however that in similar circumstances the SHIPPER may operate or use as owner or lessee any vehicle for the transport of the Material from the Operation for the purposes of the Plant. Notwithstanding the foregoing, it is agreed that in similar circumstances the SHIPPER may not lease on a short term any vehicle belonging to a person or a partnership whose main activity consists in the transport of merchandise by truck.

40. The provisions regarding the CARRIER'S hiring rank cease to produce effects for the benefit of the CARRIER in each of the following cases:

(1) if this Contract is expired in accordance with the provision of paragraph 1 of section 27 without transport activities of Material from the Operation for the purposes of the Plant beginning or resuming before the expiry of a twelve-month (12) period following the expiry date;

(2) if this Contract is terminated for any of the reasons provided for in paragraphs 2 to 5 of section 27;

(3) if, in the circumstances described in paragraph 3 of section 36, the SHIPPER is advised or informed that the CARRIER'S vehicle or, where applicable, that any

of the CARRIER'S vehicles listed in Schedule 11 according to the order assigned thereto will not resume service for the purposes of the transport of the Material for any reason not related to a dispute or a disagreement referred to in section 39;

(4) if, during the period where there remains a dispute or a disagreement referred to in section 39, the CARRIER'S vehicle or, where applicable, any of the CARRIER'S vehicles listed in Schedule 11 according to the order assigned thereto is used to carry out the transport in any manner whatsoever;

(5) if the CARRIER'S vehicle listed in Schedule 11 ceases to be the CARRIER'S exclusive ownership, subject to section 42;

(6) if any of the CARRIER'S vehicles listed in Schedule 11 ceases to be the CARRIER'S exclusive ownership, subject to section 42 and it being understood that the CARRIER continues to benefit from the CARRIER'S hiring rank in respect of other vehicles for which he has exclusive ownership;

(7) if, where the CARRIER is a partnership, a change in the control of that partnership arises, subject to section 42;

(8) if, where the CARRIER is a legal person, a change in the control of that legal person arises, subject to section 42.

For the purposes of the first paragraph, the fact for a CARRIER to proceed with the exchange, the renewal or the replacement of the CARRIER'S vehicle or of any of the CARRIER'S vehicles listed in Schedule 11 is not deemed to constitute a transfer of the CARRIER'S right of ownership.

41. Subject to section 42, the CARRIER'S hiring rank is non-transferable.

42. The CARRIER'S hiring rank is transferable

(1) where the CARRIER is a natural person, in favour of the spouse or any child of the CARRIER provided that it may be established that the spouse or, where applicable, that child had accumulated, on the date of the transfer, at least one thousand and five hundred (1 500) hours of driving of the CARRIER'S vehicle or of any of the CARRIER'S vehicles listed in Schedule 11; in similar circumstances, the CARRIER'S hiring rank declines to be ranked on the date on which the first hour of driving by the spouse or, where applicable, that child was performed;

(2) where the CARRIER is a partnership, other than a limited partnership constituted under the provisions of the Civil Code of Québec, in favour of the spouse or of any child of the associate having, on the date of the transfer, control of that partnership provided that it be established that the spouse, or, where applicable, the child had accumulated, on the date of the transfer, at least one thousand and five hundred (1 500) hours of driving of the CARRIER'S vehicle or of any of the CARRIER'S vehicles listed in Schedule 11; in similar circumstances, the CARRIER'S hiring rank declines to be ranked on the date on which the first hour of driving by the spouse or, where applicable, that child was performed;

(3) where the CARRIER is a legal person, in favour of that legal person or in favour of the spouse or, where applicable, of any child of the shareholder having, on the date of the transfer, control of that legal person provided that it be established that the spouse, or, where applicable, the child had accumulated, on the date of the transfer, at least one thousand and five hundred (1 500) hours of driving of the CARRIER'S vehicle or of any of the CARRIER'S vehicles listed in Schedule 11; in similar circumstances, the CARRIER'S hiring rank declines to be ranked on the date on which the first hour of driving by the spouse or, where applicable, that child was performed.

The term "transfer" used in this section refers to any transfer made during the lifetime of the transferor concerned or, where applicable, resulting from his death. Notwithstanding the foregoing, in the event of death, the number of hours of driving is not taken into account if the transferee is the spouse of the dead person.

The number of hours of driving which is referred to above will only be established from the daily logs of hours of driving that the driver of a heavy vehicle must have in accordance with the provisions of the Highway Safety Code.

In the event of the aforementioned authorized transfer, the transferee shall benefit from the same rights and shall be subject to the same restrictions as those provided for the CARRIER under sections 33 to 43.

43. The SHIPPER and the CARRIER acknowledge having taken knowledge of the provisions of the Agreement in Principle effective as of 1 October 1999 entered into between the Association des manufacturiers de bois de sciage du Québec and the Association Nationale des Camionneurs Artisans Inc. (the "Agreement in Principle") and where a photocopy is attached as Schedule 13 of this Contract. Notwithstanding any provision

inconsistent with sections 33 to 42, the SHIPPER and CARRIER agree that the CARRIER'S hiring rank may be affected in the circumstances described in sections 8 and 9 of the Agreement in Principle and accept to be bound by the provisions of sections 8 and 9 of the Agreement in Principle, to the extent that they may be concerned, as if they had signed the Agreement in Principle themselves.

CONCILIATION

44. Any dispute or disagreement ("Reconcilable dispute") related to the remuneration or to any of the transport conditions provided for in this Contract shall be submitted to the mechanism of conciliation, and, upon the exclusion of the ordinary courts of law, in accordance with the procedure established hereunder.

45. In order to avoid any ambiguity, any dispute or disagreement related to the CARRIER'S hiring rank does not constitute a Reconcilable dispute, but rather a Dispute subject to arbitration within the meaning of that expression hereunder.

46. Any party to this Contract having a Reconcilable dispute to be asserted (the "Plaintiff") shall send to the other party (the "Defendant") a written notice (the "Notice of conciliation") including all of the following elements:

(1) a reasonably detailed description of the Reconcilable dispute;

(2) the name, address and profession of the person proposed, either as sole conciliator or, where applicable, as member of the committee of three (3) conciliators (the "Conciliation committee").

47. The Defendant must, within ten (10) days from receipt of the Notice of conciliation, send to the Plaintiff a notice confirming the choice of the proposed conciliator or, failing that, the address and profession of the person proposed as second member of the Conciliation committee.

48. Where the Defendant fails to contest in writing the choice of the proposed conciliator by the Plaintiff and to send to the latter the identity of the second conciliator within the time prescribed in section 47, the Defendant is deemed to have accepted the by the choice of the proposed conciliator by the Plaintiff, which shall act alone.

49. If a second conciliator has to be designated in accordance with section 47, the two (2) conciliators thus designated must, within ten (10) days upon the designation of the second conciliator, proceed with the

designation of a third conciliator, which is called upon to preside the sittings of the Conciliation committee. Where the first two (2) conciliators fail to designate the third conciliator within the time prescribed, or if those two (2) conciliators do not agree on choosing the third conciliator within the aforementioned time prescribed, the choice of the third conciliator must, upon the request of the most diligent party, be referred to to make such designation to a judge of the Superior Court of the judicial district in which the establishment of the Plaintiff is located appearing at the beginning of this Contract.

50. The hearing of the parties in the Reconcilable dispute shall be held within thirty (30) days following receipt of the Notice of conciliation if a second conciliator has not been designated in accordance with sections 47 and 48 or within thirty (30) days following the designation of a third conciliator, where applicable, in a place located in the judicial district referred to in section 49.

51. The conciliator's decision or the Conciliation committee's decision must be given in writing and forwarded to the parties no later than twenty (20) days after the hearing of the parties in the Reconcilable dispute.

52. The conciliator's decision or the Conciliation committee's decision only assumes a character of recommendation for the parties and does not relate them in any way.

53. The fees for conciliation are assumed by the parties to this Contract, in equal shares between them.

54. The parties to this Contract agree that the provisions currently in force of sections 940 to 947.4 of the Code of Civil Procedure of Québec (R.S.Q., c. C-25) govern, as additional provisions, any conciliation that must be held under the provisions of sections 44 to 53. In case of contradiction between any of the provisions of sections 44 to 53 and those aforementioned in the Code of Civil Procedure of Québec, the provisions of sections 44 to 53 have precedence.

55. For the purposes of any conciliation, the sole conciliator or, where applicable, the Conciliation committee enjoys all the powers of an ordinary court of law, except those that are exclusively reserved for such a court. Notwithstanding the preceding, the parties to this Contract shall keep their recourse before the ordinary courts of law in respect of injunction.

ARBITRATION

56. Any dispute or disagreement (Dispute subject to arbitration) related to the CARRIER'S hiring rank, including as for his existence, his validity, his

acknowledgement and loss and as for the application and interpretation of the related provisions shall be settled definitely by arbitration and, excluding ordinary courts of law, in accordance with the procedure established hereunder.

57. The provisions of sections 46 to 50, 54 and 55 shall apply to any Dispute subject to arbitration *mutatis mutandis*.

58. The arbitrator's decision or the Arbitration committee's decision must be rendered in writing or forwarded to the parties no later than twenty (20) days after the hearing of the parties to the Dispute subject to arbitration. That decision shall be final and without appeal and, from its homologation by a competent court of jurisdiction, shall be enforceable in respect of the parties to this Contract.

59. The fees for arbitration shall be supported entirely by the losing party, unless the arbitrator or the Arbitration committee decides otherwise.

CURRENCY

60. Wherever, in this Contract, the term "dollars" or the "\$" symbol is used, that term shall refer to the legal tender in Canada.

RENUNCIATION

61. Notwithstanding any inconsistent provision of the Civil Code of Québec, the SHIPPER shall renounce to his right to cancel unilaterally this Contract, except if the CARRIER fails to comply with any of the obligations arising therefrom.

NOTICE

62. Subject to any inconsistent express provision provided for in this Contract, the forwarding of any notice or document required under this Contract shall be validly accomplished if the notice or document is delivered in person or is sent by the postal service, by prepaid and priority mail or by fax if it is available to each of the parties, to the address of the addressee appearing at the beginning of this Contract or, where applicable, to the fax number indicated therein.

63. The day on which the person-to-person delivery is made or the working day following a mailing with the postal service or transmission by fax, where applicable, shall be deemed to be the date of receipt by the addressee.

64. Each party may change the aforementioned address or, where applicable, the fax number, by notice forwarded in accordance with this Contract.

DEMAND NOTICE

65. The only elapsed time for fulfilling any obligation shall constitute a failure if the obligation is not fulfilled, without it being necessary to notify the party in default or without it being necessary to put it in default, otherwise than in accordance with the notices provided for in this Contract.

MUTUAL AGREEMENT

66. The parties to this Contract acknowledge that all the stipulations contained therein have been freely discussed between the parties and they have received the adequate explanations on their nature and scope.

SEVERABILITY OF CONTRACT

67. The cancellation of a provision of this Contract does not cancel the other provisions of that Contract.

APPLICABLE LAW

68. This Contract shall be governed by the laws in force in Québec.

SOLE AGREEMENT

69. This Contract constitutes the only agreement between the SHIPPER and the CARRIER related to the transport of the Material from the point of loading to the point of unloading set out in Schedule 2 and is substituted for any other previous agreement, written or verbal, entered into between the SHIPPER and the CARRIER for that purpose.

SCHEDULES

70. The Schedules attached hereto are part and parcel hereof.

PLACE

71. Notwithstanding the real place in which it was entered into, this Contract is deemed to have been entered into at the establishment of the CARRIER appearing at the beginning of this Contract.

IN WITNESS WHEREOF, the parties have signed on the date and in the place stated hereunder.

SHIPPER	CARRIER
(Québec),	(Québec),
[by:]	[by:]

SCHEDULE 1

DESCRIPTION OF MATERIAL TO BE TRANSPORTED

SHIPPER
_____CARRIER
_____**SCHEDULE 2**

POINT OF LOADING AND POINT OF UNLOADING

POINT OF LOADING:

POINT OF UNLOADING:

SHIPPER
_____CARRIER
_____**SCHEDULE 3**

SPECIFICATIONS OF VEHICLES REQUIRED BY THE SHIPPER

A vehicle required by the SHIPPER for the transport of the Material shall have the following specifications:

A vehicle required by the SHIPPER for the transport of the Material shall be equipped with the following safety equipment or other devices:

SHIPPER
_____CARRIER
_____**SCHEDULE 4**

SPECIFICATIONS OF VEHICLES USED BY THE CARRIER

To the extent that a vehicle used by the CARRIER to transport Material has specifications that differ from those set out in Schedule 3 to the Contract to which this Schedule is attached, the vehicle shall have the following minimum specifications:

A vehicle required by the SHIPPER for the transport of the Material shall be equipped with the following safety equipment or other devices:

SHIPPER
_____CARRIER
_____**SCHEDULE 5**

LOADING OF MATERIAL

The SHIPPER and the CARRIER acknowledge that the loading of Material shall be carried out by (check)

the SHIPPER the CARRIER the person whose name or corporate name is (specify): SHIPPER
_____CARRIER
_____**SCHEDULE 6**

UNLOADING OF MATERIAL

The SHIPPER and the CARRIER acknowledge that the unloading of Material shall be carried out by

(check)

the SHIPPER the CARRIER the person whose name or corporate name is (specify): SHIPPER
_____CARRIER

SCHEDULE 7

AVERAGE DISTANCE, ROUTE DESCRIPTION, AVERAGE TRANSPORT TIME AND OTHER REPRESENTATIONS AND AGREEMENTS

1. Average distance between the point of loading and the point of unloading:
2. Description of routes to be used:
3. Average transport time between the point of loading and the point of unloading and the return to the point of loading including loading and unloading time, based on normal weather conditions:

for the period between and _____	for the period between and _____
--	--

4. Other representations on the part of:

(1) the SHIPPER:

(a) the SHIPPER declares that his registration number for goods and services tax purposes required under the Excise Tax Act (R.S.C., 1985, c. E-15) is the following:

(b) the SHIPPER declares that his registration number for sales tax purposes required under the Act respecting the Québec sales tax (R.S.Q., c. T-0.1) is the following:

(2) the CARRIER:

(a) the CARRIER declares that his registration number for goods and services tax purposes required under the Excise Tax Act is the following:

(b) the CARRIER declares that his registration number for sales tax purposes required under the Act respecting the Québec sales tax is the following:

5. Special conditions (specify):

SHIPPER _____	
CARRIER _____	

SCHEDULE 8

REMUNERATION

1. The remuneration payable for the transport of the Material is determined as follows:
2. In view of the application of a collective agreement or contract governing labour relations between the SHIPPER and the SHIPPER'S employees, that remuneration is determined as follows:
3. In determining the remuneration, the following benefits granted or made available to the CARRIER by the SHIPPER have been taken into account:
4. The remuneration shall be paid as follows:

	SHIPPER _____
	CARRIER _____

SCHEDULE 9

DURATION

The duration of the Contract to which this Schedule is attached begins at 12.01 a.m. on _____ and terminates at midnight on _____.

	SHIPPER _____
	CARRIER _____

SCHEDULE 10

UTILIZATION OF AMOUNTS OF MONEY REFERRED TO IN SECTION 21 OF THE CONTRACT TO WHICH THIS SCHEDULE IS ATTACHED

The amounts of money from the application of section 21 of the contract to which this Schedule is attached shall be governed in accordance with the following conditions:

- (1) deposit of those amounts in a trust account opened by the SHIPPER with any financial institution doing business in Québec and distinct from the other accounts;

(2) making up of a committee composed of an equal number of the SHIPPER'S representatives and of the representatives of all the shippers whose services shall be retained by the SHIPPER, during the contract to which this Schedule is attached, for the purposes of the transport of the Material from a same Operation for the purposes of a same Plant;

(3) determination by that committee of the specific utilization of those amounts of money, which shall be used to pay the cost of projects intended to reduce and eliminate the overload transport on the public road network in Québec. The projects shall primarily have a scope on the territory of Québec rather than a regional scope.

SHIPPER

CARRIER

SCHEDULE 11

PLANT, OPERATION, CARRIER'S HIRING RANK

1. The Plant for which the Material from the Operation is intended is the following:

2. The Operation from which the Material comes for the purposes of the Plant is described as follows:

3. The CARRIER'S hiring rank, refers to the vehicles indicated hereunder and comprises the order which is attributed to him below in relation to the hiring rank acknowledged to persons whose names or corporate names appear below:

SHIPPER

CARRIER

SCHEDULE 12

MINIMUM INFORMATION THAT MUST BE MENTIONED IN THE BILL OF LADING

1. SHIPPER'S name.
2. Receiver's name.
3. CARRIER'S name.

4. Transport fees, responsibility for payment and period of payment (in that respect, a simple reference to "Rf. Contract" will suffice).

5. Place, date and time of the responsibility for the Material to be transported.

6. Point of loading and point of unloading.

7. Description of Material to be transported (nature, quantity, volume or weight (if available) and, where applicable, the apparent state of the Material).

8. Hazardous character of the Material, where applicable.

9. Non-negotiability of the Bill of lading.

10. Place, date and time of the arrival of the Material at the point of unloading (that information shall be provided at the point of loading).

N.B. No value of the Material to be transported shall be indicated in the Bill of lading.

SHIPPER

CARRIER

SCHEDULE 13

AGREEMENT IN PRINCIPLE ENTERED INTO ON 1 OCTOBER 1999 BETWEEN THE ASSOCIATION DES MANUFACTURIERS DE BOIS DE SCIAGE DU QUÉBEC AND THE ASSOCIATION NATIONALE DES CAMIONNEURS ARTISANS INC.

BETWEEN

ASSOCIATION DES MANUFACTURIERS DE BOIS DE SCIAGE DU QUÉBEC (AMBSQ)

Represented by Mr. Luc Houde, Chairman of the board of directors

AND

ASSOCIATION NATIONALE DES CAMIONNEURS ARTISANS INC. (ANCAI)

Represented by Mr. Clément Bélanger, Chairman

1. The ANCAI and the AMBSQ agreed to a transport contract by heavy vehicles that must be signed between a SHIPPER and a CARRIER as of 1 January 2000 (the "Contract").

2. The Contract's scope shall be the transport of timber which has undergone no operation other than cross-cutting, limbing and barking (whether that timber is lengthwise or otherwise) from the public forest to a wood processing plant.

3. Under the Contract, the SHIPPER will hold a right of management.

4. The Contract provides that the CARRIER benefits from a right to negotiate with a SHIPPER the monetary clauses and other transport conditions subject thereto. To that end, the Contract stipulates that:

(a) the CARRIER benefits from the right to be represented;

(b) the CARRIER benefits from a hiring rank determined by the date on which he was hired;

(c) in the event that his hiring rank is contested, the CARRIER is entitled to arbitration;

(d) in the event of any other dispute from the Contract, the parties may resort to conciliation, the result of which is a recommendation;

(e) in the event of a dispute arising during the renewal of the Contract, the CARRIER may cease to transport and, throughout the duration of that dispute, the SHIPPER may exercise his right of management (without, however, leasing trucks on a short term basis).

5. Under the Contract, the CARRIER and the SHIPPER will agree to a means that they consider efficient so that the legislation and regulation governing the loads on the public road network of Québec be complied with.

6. The CARRIER'S hiring rank related to a designated vehicle from that CARRIER and related to the same SHIPPER, to the same Plant and to the same Operation (within the meanings defined or used in the Contract) will be established initially on the basis of the "seniority list" or the "recall list" available from the SHIPPER where the transport activities terminated in the Spring of 1999 or, failing such list, of a common agreement between the SHIPPER and the CARRIERS related by contract to that SHIPPER on the date on which the transport activities terminated in Spring 1999.

7. In the initial establishment of the aforementioned hiring rank, where applicable, a vehicle for which a bulk trucking permit will have been issued under the Regulation respecting bulk trucking (R.R.Q., c. T-12, r. 3) (the "Regulation") for a given region authorizing in particular the transport of forest material in that region will benefit from a priority hiring rank to any vehicle for which a special bulk trucking permit will have been issued under the Regulation authorizing the transport of forest material in a region other than the region for which a bulk trucking permit was first issued for the vehicle.

8. If, during a forest transport contract entered into between a person (a "Contractor") of whom a client retains the services to carry out forest activities (including the transport of those materials) and a CARRIER, any contract including transport activities of forest material from an Operation for the purposes of a Plant (within the meanings defined or used in the Contract) entered into between that client and Contractor, is terminated, that client may

(a) carry out himself all or part of the activities entrusted to the Contractor concerned; or

(b) entrust to any other Contractor (a "New Contractor") all or part of those activities entrusted to the previous Contractor.

In the circumstances described in subparagraph *a* of section 8, the client concerned will enjoy the rights of a SHIPPER provided for in section 38 of the Contract insofar as he operates or uses, as owner or lessee, any vehicle for the purposes of the transport of forest material from the Operation in question for the purposes of the Plant referred to.

In the circumstances described in subparagraph *b* of section 8, the New Contractor, following the same CARRIER'S hiring rank whose services had been retained under the terms of the contract entered into with the previous Contractor, may operate or use (as owner or lessee), for the purposes of the transport referred to in the aforementioned contract, a number of vehicles not exceeding 50 % of the number of vehicles operated or used for the same purposes by the previous Contractor (whether or not those vehicles were owned or leased by the previous Contractor).

For the purposes of section 8, a client shall not be deemed to have retained the services of a "New Contractor" if there are associates (within the meaning of the Canada Business Corporations Act) between that New Contractor and the previous Contractor.

9. If, after a forest transport contract entered into between a Contractor and a CARRIER (the “Original Contract”) has expired in accordance with the provisions of the first paragraph of section 26 of the Contract, a client shall entrust to any Contractor transport activities of forest material from the Operation and for the purposes of the Plant referred to in the Original Contract and if those activities start before the expiry of a twelve (12)-month period following the deadline of the Original Contract, that Contractor, following the same CARRIER’S hiring rank whose services had been retained under the terms of the Original Contract, may operate or use (as owner or lessee), for the purposes of those activities, a number of vehicles not exceeding 50 % of the number of vehicles that the Contractor, at his full discretion, considers necessary for the efficient carrying out of those activities.

For the purposes of section 9, a client shall not be deemed to have retained the services of a “New Contractor” if there are associates (within the meaning of the Canada Business Corporations Act) between that New Contractor and the previous Contractor.

10. The parties agree to submit a project of the Contract to the Minister of Transport in order to verify its legal aspect and to make it mandatory to all the SHIPPERS and CARRIERS concerned.

11. That agreement shall last five (5) years.

12. Notwithstanding the real date of the Contract, that agreement shall be entered into and effective as of 1 October 1999.

3687

Gouvernement du Québec

O.C. 732-2000, 14 June 2000

Education Act
(R.S.Q., c. I-13.3)

School tax — Computation of the maximum yield for the 2000-2001 school year

Regulation respecting computation of the maximum yield of the school tax for the 2000-2001 school year

WHEREAS under subparagraphs 1, 2 and 3 of the first paragraph of section 455.1 of the Education Act (R.S.Q., c. I-13.3), the Government shall, by regulation, determine the rules for establishing the allowable number of

students for computing the maximum yield of the school tax that the school board and the Conseil scolaire de l’île de Montréal may levy and the rates of increase of the amounts per student and of the base amount referred to in section 308 of the Education Act;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed thereby warrants it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed thereby warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established by the Regulation justifies the absence of prior publication and such coming into force;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Regulation respecting computation of the maximum yield of the school tax for the 2000-2001 school year, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting computation of the maximum yield of the school tax for the 2000-2001 school year

Education Act
(R.S.Q., c. I-13.3, s. 455.1, 1st par., subpars. 1, 2 and 3)

1. For the computation of the maximum yield of the school tax for the 2000-2001 school year, provided for in section 308 of the Education Act (R.S.Q., c. I-13.3), the allowable number of students shall be determined by

(1) calculating the number of four-year-old preschool students who may be taken into account, by multiplying by 1.00 the number of such students legally enrolled for a minimum of 144 half days on 30 September 1999 in the schools that are under the jurisdiction of the school board;

(2) calculating the number of five-year-old preschool students who may be taken into account, by multiplying by 1.80 the number of such students legally enrolled for a minimum of 180 days on 30 September 1999 in the schools that are under the jurisdiction of the school board, except students referred to in paragraphs 7 and 8;

(3) calculating the number of elementary school students who may be taken into account, by multiplying by 1.55 the number of such full-time students legally enrolled on 30 September 1999 in the schools that are under the jurisdiction of the school board, except students referred to in paragraphs 7 and 9;

(4) calculating the number of secondary school students who may be taken into account, by multiplying by 2.40 the number of such full-time students legally enrolled on 30 September 1999 in the schools that are under the jurisdiction of the school board, except students referred to in paragraphs 7 and 10;

(5) calculating the number of students admitted to a program of study leading to a secondary school vocational diploma, an attestation of vocational specialization or an attestation of preparation for semi-specialized trades who may be taken into account, in accordance with paragraph 2 of section 4, by

(a) multiplying by 3.40 the number, increased by 5 %, of full-time students admitted to a program of study leading to a secondary school vocational diploma, except students referred to in subparagraph *b*, or to an attestation of vocational specialization, and legally enrolled during the 1998-1999 school year in the vocational training centres that are under the jurisdiction of the school board and are recognized by the Minister of Education for the purposes of applying the budgetary rules for the 1998-1999 school year;

(b) multiplying by 3.40 the number, increased by 5 %, of full-time students admitted to preparation for semi-specialized trades, to the co-ordinated secondary-college program, to the apprenticeship scheme program or admitted, following Secondary III, to a program of study leading to a secondary school vocational diploma, and legally enrolled on 30 September 1998 in the vocational training centres that are under the jurisdiction of the school board and are recognized by the Minister of Education for the purposes of applying the budgetary rules for the 1998-1999 school year;

(c) multiplying by 3.40 the number of students corresponding to the difference between the number of new places, in terms of the enrolment capacity of an educational institution, allotted by the Minister of Education for one or more vocational programs of study and the

number, increased by 5 %, of full-time students admitted to such program or programs of study during the 1998-1999 school year in the vocational training centres that are under the jurisdiction of the school board and are recognized by the Minister of Education for the purposes of applying the budgetary rules for the 1998-1999 school year; and

(d) adding the products obtained under subparagraphs *a*, *b* and *c*;

(6) calculating the number of students admitted to adult education services who may be taken into account, in accordance with the Schedule to this Regulation, by

(a) multiplying by 2.40 the number of full-time students 16 to 18 years of age;

(b) multiplying by 2.10 the number of full-time students 19 years of age or over; and

(c) adding the products obtained under subparagraphs *a* and *b*;

(7) calculating the number of handicapped students who may be taken into account, by multiplying by 6.40 the number of such full-time students legally enrolled on 30 September 1999 in the schools that are under the jurisdiction of the school board;

(8) calculating the number of preschool students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 2.25 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 1999 in the schools that are under the jurisdiction of the school board;

(9) calculating the number of elementary school students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 2.40 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 1999 in the schools that are under the jurisdiction of the school board;

(10) calculating the number of secondary school students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 3.40 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 1999 in the schools that are under the jurisdiction of the school board; and

(11) adding the numbers obtained under paragraphs 1 to 10.

2. Where the sum obtained by adding the numbers of students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 is lesser by 1 % than the sum obtained by adding the numbers of full-time students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 1999-2000 school year, made by Order in Council 583-99 dated 26 May 1999, the sum shall be adjusted to correspond to 99 % of the sum obtained by adding the numbers of full-time students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 of that Regulation.

For the purposes of this section, the numbers of students mentioned in the first paragraph are the numbers obtained after multiplying them as indicated in paragraphs 2 to 4 and 7 to 10 of section 1 of this Regulation and in paragraphs 2 to 4 and 7 to 10 of section 1 of the Regulation mentioned in the first paragraph.

3. Where the sum obtained by adding the numbers of students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 is greater by 200 or by 2 % than the sum obtained by adding the numbers of full-time students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 1999-2000 school year and is lesser by at least 200 or by at least 2 % than the sum obtained by adding the numbers of full-time students in the categories referred to in paragraphs 2 to 4 and 7 to 10 of section 1, established in accordance with the enrolment estimates of the Minister of Education for the 2000-2001 school year, paragraphs 2 to 4 of section 1 shall be read as follows:

(2) calculating the number of five-year-old preschool students who may be taken into account, by multiplying by 1.80 the number of such full-time students, established in accordance with the enrolment estimates of the Minister of Education for the 2000-2001 school year, except students referred to in paragraphs 7 and 8 of section 1;

(3) calculating the number of elementary school students who may be taken into account, by multiplying by 1.55 the number of such full-time students, established in accordance with the enrolment estimates of the Minister of Education for the 2000-2001 school year, except students referred to in paragraphs 7 and 9 of section 1;

(4) calculating the number of secondary school students who may be taken into account, by multiplying by 2.40 the number of such full-time students, established in accordance with the enrolment estimates of the Minister of Education for the 2000-2001 school year, except students referred to in paragraphs 7 and 10 of section 1.

4. For the purposes of section 1,

(1) for the purposes of paragraphs 1 to 4 and 8 to 10 of section 1, students who, for the 1999-2000 school year, were going to school under an agreement entered into in accordance with section 213 of the Education Act and who will be enrolled for the 2000-2001 school year in a school of the school board having jurisdiction under sections 204 and 205 of that Act, are taken in account by the latter school board;

(2) students that may be taken into account by a school board for the purposes of paragraph 5 of section 1 are students who were admitted for the 1998-1999 school year to a vocational training centre under the jurisdiction of the school board, to receive educational services in vocational training, in vocational training programs authorized in accordance with section 467 of that Act;

(3) the number of full-time students is obtained by adding the number of students enrolled full-time who participate in the minimum number of hours of activities prescribed by the basic school regulation applicable to them and the number of students enrolled part-time converted into a number of full-time students by

(a) using the following equation to calculate the proportion of full-time attendance per student enrolled part-time:

$$\frac{\text{the student's number of hours of activities per school year}}{\text{the minimum number of hours of activities per school year prescribed by the basic school regulation applicable to him; and}}$$

(b) adding, for each category of students referred to in paragraphs 1 to 10 of section 1, the proportions obtained under subparagraph a.

(b) adding, for each category of students referred to in paragraphs 1 to 10 of section 1, the proportions obtained under subparagraph a.

5. For the computation of the maximum yield of the school tax for the 2000-2001 school year, the amount per student is \$619.22 or, if the allowable number of students is less than 1 000, \$818.26, and the base amount is \$185 762, that is, the amounts established for the 1999-2000 school year increased by 4.65 %.

6. The Regulation respecting computation of the maximum yield of the school tax for the 1999-2000 school year, made by Order in Council 583-99 dated 26 May 1999, is revoked.

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

SCHEDULE

(s. 1, par. 6)

**NUMBER OF STUDENTS EQUIVALENT TO
FULL-TIME ADULTS IN GENERAL EDUCATION**

Code	Name of the schoolboard	Over 18 years of age	18 years and less
711000	Monts-et-Marées, CS des	450.81	184.71
712000	Phares, CS des	372.89	85.12
713000	Fleuve-et-des-Lacs, CS du	291.24	86.41
714000	Kamouraska-Rivière-du-Loup, CS de	237.76	122.37
721000	Pays-des-Bleuets, CS du	320.98	208.49
722000	Lac-Saint-Jean, CS du	342.74	292.77
723000	Rives-du-Saguenay, CS des	696.77	462.58
724000	De La Jonquière, CS	368.68	194.73
731000	Charlevoix, CS de	67.51	72.44
732000	Capitale, CS de la	1 943.37	365.60
733000	Découvreurs, CS des	443.39	279.88
734000	Premières-Seigneuries, CS des	729.15	471.46
735000	Portneuf, CS de	129.78	122.24
741000	Chemin-du-Roy, CS du	524.78	167.82
742000	Énergie, CS de l'	292.62	157.15
751000	Hauts-Cantons, CS des	179.02	82.47
752000	Région-de-Sherbrooke, CS de la	834.05	252.00
753000	Sommets, CS des	238.48	93.45
761000	Pointe-de-l'Île, CS de la	1 851.49	528.05
762000	Montréal, CS de	5 713.86	1 076.34
763000	Marguerite-Bourgeoys, CS	2 501.16	808.01
771000	Draveurs, CS des	793.10	399.40
772000	Portages-de-l'Outaouais, CS des	771.50	272.76
773000	Coeur-des-Vallées, CS au	260.67	136.66
774000	Hauts-Bois-de-l'Outaouais, CS des	364.49	71.46
781000	Lac-Témiscamingue, CS du	101.87	74.65

Code	Name of the schoolboard	Over 18 years of age	18 years and less
782000	Rouyn-Noranda, CS de	302.26	195.80
783000	Harricana, CS	122.01	77.62
784000	Or-et-des-Bois, CS de l'	236.78	218.45
785000	Lac-Abitibi, CS du	125.80	73.25
791000	Estuaire, CS de l'	231.24	99.88
792000	Fer, CS du	214.63	98.81
793000	Moyenne-Côte-Nord, CS de la	13.83	6.00
801000	Baie-James, CS de la	81.21	58.51
811000	Îles, CS des	60.38	17.50
812000	Chic-Chocs, CS des	252.06	113.37
813000	René-Lévesque, CS	353.99	116.15
821000	Côte-du-Sud, CS de la	140.22	145.77
822000	L'Amiante, CS de	225.22	131.71
823000	Beauce-Etchemin, CS de la	387.01	167.10
824000	Navigateurs, CS des	375.72	347.19
831000	Laval, CS de	1 161.03	448.43
841000	Affluents, CS des	543.69	440.04
842000	Samares, CS des	516.11	243.66
851000	Seigneurie-des-Mille-Îles, CS de la	533.78	233.85
852000	Rivière-du-Nord, CS de la	495.77	282.29
853000	Laurentides, CS des	227.56	99.29
854000	Pierre-Neveu, CS	189.93	125.82
861000	Sorel-Tracy, CS de	272.00	129.25
862000	Saint-Hyacinthe, CS de	395.53	161.50
863000	Hautes-Rivières, CS des	363.71	162.13
864000	Marie-Victorin, CS	1 130.40	405.84
865000	Patriotes, CS des	302.08	134.05
866000	Val-des-Cerfs, CS du	438.24	181.08
867000	Grandes-Seigneuries, CS des	376.88	145.64

Code	Name of the schoolboard	Over 18 years of age	18 years and less
868000	Vallée-des-Tisserands, CS de la	307.59	209.80
869000	Trois-Lacs, CS de la	152.31	93.87
871000	Riveraine, CS de la	154.71	52.07
872000	Bois-Francis, CS des	274.56	126.95
873000	Chênes, CS des	237.51	135.91
881000	Central Québec, CS	66.99	19.20
882000	Eastern Shores, CS	89.97	25.58
883000	Eastern Townships, CS	125.72	80.86
884000	Riverside, CS	85.15	61.13
885000	Sir-Wilfrid-Laurier, CS	171.45	66.72
886000	Western Québec, CS	205.08	114.99
887000	English-Montréal, CS	2 461.29	475.23
888000	Lester-B.-Pearson, CS	643.75	273.43
889000	New Frontiers, CS	67.32	65.39

3674

M.O., 2000-018**Order of the Minister responsible for Wildlife and Parks dated 7 June 2000**

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

CONCERNING the Buteux–Bas-Saguenay Controlled Zone

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING that under section 104 of the Act respecting the conservation and development of wildlife amended by section 85 of Chapter 40 of the Acts of 1999, the Minister may establish, after consultation with the Minister of Natural Resources, controlled zones on lands in the domain of the State for the development, harvesting and conservation of wildlife or a species of wildlife;

CONSIDERING that under section 33 of the Act modifying the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29), every order in council made by the Government under section 104 of the Act respecting the conservation and development of wildlife before June 17, 1998 continues to be in force until it is replaced or repealed by an order of the Minister;

CONSIDERING the establishment of the Buteux–Bas-Saguenay Controlled Zone by Order in Council 1285-93 dated September 8, 1993, in accordance with section 104 of the Act respecting the conservation and development of wildlife;

CONSIDERING that it is expedient to alter the territory of the Buteux–Bas-Saguenay Controlled Zone;

CONSIDERING that it is expedient to replace Order in Council 1285-93 dated September 8, 1993;

ORDERS that:

The Buteux–Bas-Saguenay Controlled Zone be established in accordance with the territorial limits specified in the attached plan;

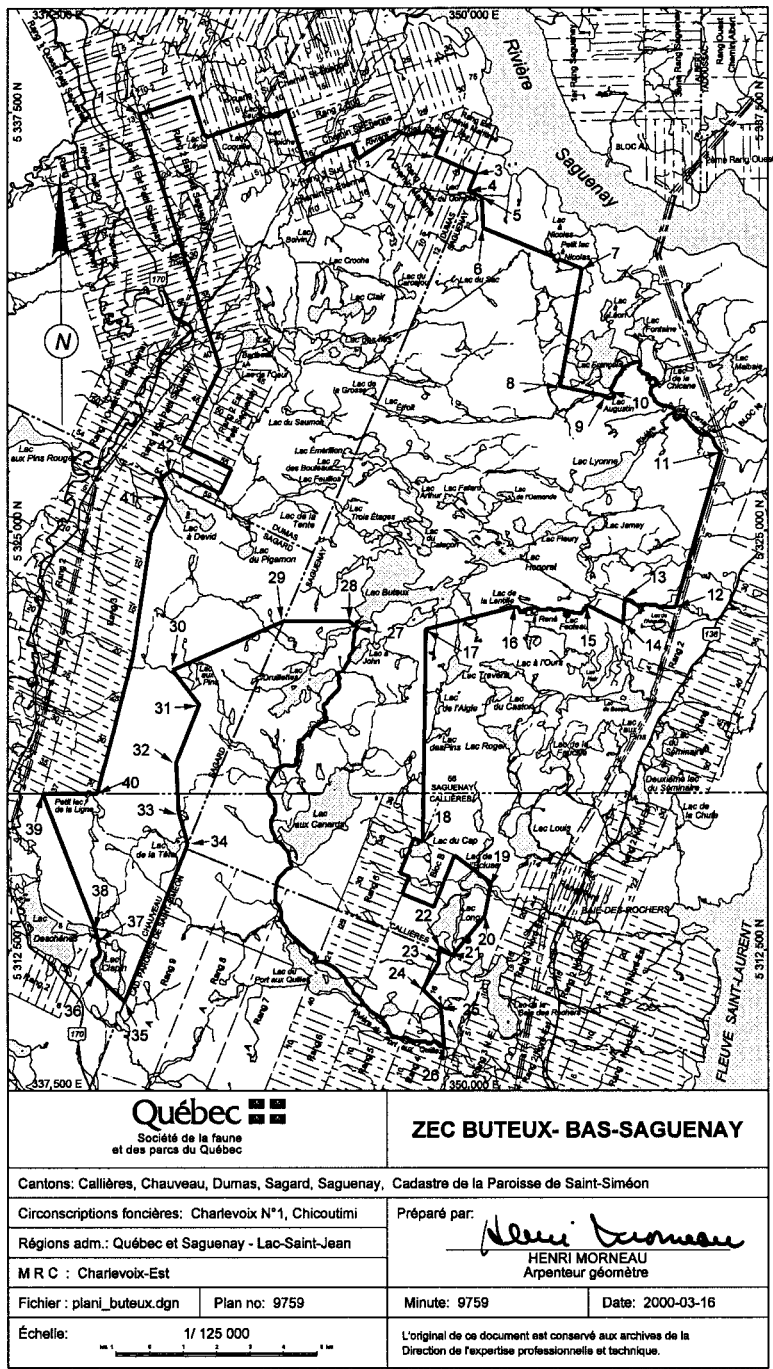
This Order be substituted for Order in Council 1285-93 dated September 8, 1993;



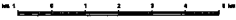
This Order come into force on the day of its publication in the *Gazette officielle du Québec*.

Québec, 7 June 2000

GUY CHEVRETTE,
Minister responsible for Wildlife and Parks

SCHEDULE



<p>Québec  Société de la faune et des parcs du Québec</p>		<p>ZEC BUTEUX- BAS-SAGUENAY</p>	
<p>Cantons: Callières, Chauveau, Dumas, Sagard, Saguenay, Cadastre de la Paroisse de Saint-Siméon</p>		<p>Préparé par:  HENRI MORNEAU Arpenteur géomètre</p>	
<p>Circonscriptions foncières: Charlevoix N°1, Chicoutimi</p>		<p>M R C : Charlevoix-Est</p>	
<p>Régions adm.: Québec et Saguenay - Lac-Saint-Jean</p>		<p>Fichier: plan_buteux.dgn Plan no: 9759 Minute: 9759 Date: 2000-03-16</p>	
<p>Échelle: 1/125 000</p> 		<p>L'original de ce document est conservé aux archives de la Direction de l'expertise professionnelle et technique.</p>	

M.O., 2000-017**Order of the Minister responsible for Wildlife and Parks dated 7 June 2000**

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Delimiting areas on land in the domain of the State in view of increased utilization of wildlife resources

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING that under section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), amended by section 13 of Chapter 29 of the Acts of 1998 and by section 85 of Chapter 40 of the Acts of 1999, the Minister responsible for Wildlife and Parks may delimit, after consultation with the Minister of Natural Resources, areas on land in the domain of the State in view of increased utilization of wildlife resources;

CONSIDERING that it is expedient to delimit the areas on land in the domain of the State specified in appendix attached to this Order in view of increased utilization of wildlife resources;

CONSIDERING that the Minister of Natural Resources has been consulted on the issue;

ORDERS that:

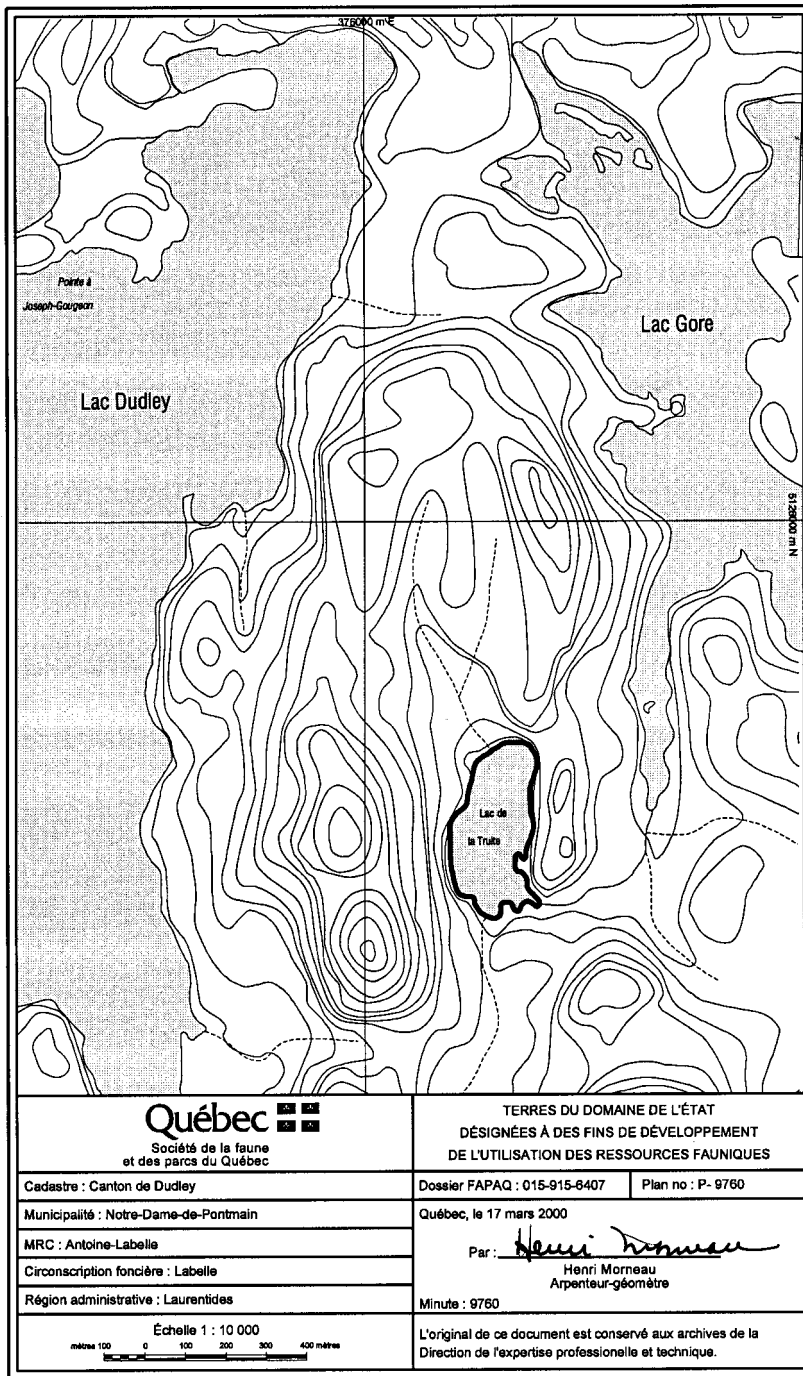
The areas on lands in the domain of the State specified in appendix attached to this Order are delimited in view of increased utilization of wildlife resources;

This Order comes into force on the day of its publication in the *Gazette officielle du Québec*.

Québec, 7 June 2000

GUY CHEVRETTE,
*Minister responsible
for Wildlife and Parks*

SCHEDULE



Fichier : plan 015-915.dgn

M.O., 2000-020**Order of the Minister responsible for Wildlife and Parks dated 7 June 2000**

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Delimiting areas on land in the domain of the State in view of increased utilization of wildlife resources

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING that under section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), amended by section 85 of Chapter 40 of the Acts of 1999, the Minister responsible for Wildlife and Parks may delimit, after consultation with the Minister of Natural Resources, areas on land in the domain of the State in view of increased utilization of wildlife resources;

CONSIDERING that it is expedient to delimit the areas on land in the domain of the State specified in appendix attached to this Order in view of increased utilization of wildlife resources;

CONSIDERING that the Minister of Natural Resources has been consulted on the issue;

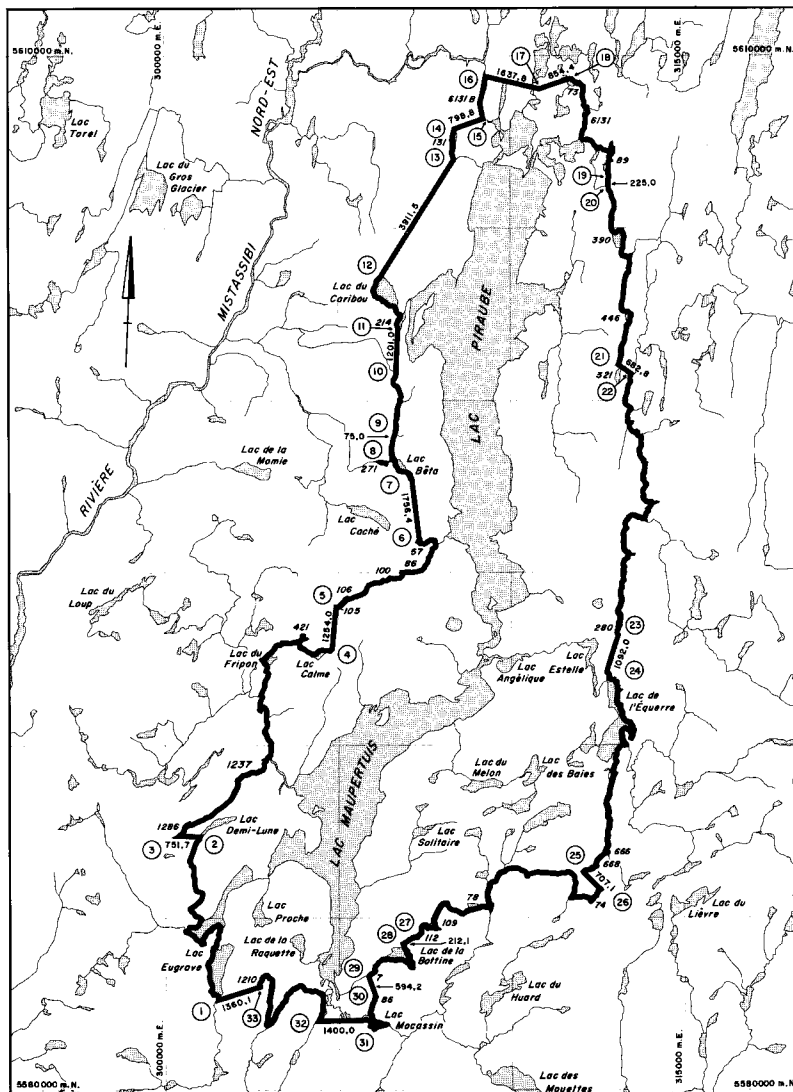
ORDERS that:


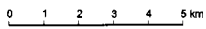
The areas on lands in the domain of the State specified in appendix attached to this Order are delimited in view of increased utilization of wildlife resources;

This Order comes into force on the day of its publication in the *Gazette officielle du Québec*.

Québec, 7 June 2000

GUY CHEVRETTE,
*Minister responsible
for Wildlife and Parks*



<p>Québec Société de la faune et des parcs du Québec</p>		<p>TERRES DU DOMAINE DE L'ÉTAT DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT DE L'UTILISATION DES RESSOURCES FAUNIQUES</p>	
Canton(s): T.N.O.		Minute: 9721	Date: 1999-12-16
Circonscription foncière: Lac Saint-Jean-Ouest		Préparé par:	
Région administrative: Maria-Chapdeleine		 Henri Morneau Arpenteur-géomètre	
M.R.C.: Maria-Chapdeleine			
Dossier:	Plan no.: P-9721		
Échelle: 1 / 125 000		L'original de ce document est conservé aux archives de la Division des données foncières et de la cartographie.	
			

M.O., 2000-019**Order of the Minister responsible for Wildlife and Parks dated 7 June 2000**

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Replacement of Schedule 168 to Order in Council 573-87 dated 8 April 1987 concerning the designation and delimitation of land in the domain of the State

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), amended by section 13 of Chapter 29 of the Statutes of 1998 and by section 85 of Chapter 40 of the Statutes of 1999, which provides that the Minister, after consultation with the Minister of Natural Resources, designate and delimit areas on land in the domain of the State;

CONSIDERING that the Government, by Order in Council 573-87 dated 8 April 1987, as amended by Orders in Council 497-91 dated 10 April 1991, 534-93 dated 7 April 1993, 904-95 dated 28 June 1995, 25-96 dated 10 January 1996, 952-97 dated 30 July 1997, 1439-97 dated 5 November 1997, 98-98 dated 28 January 1998, 245-98 dated 4 March 1998 and 739-98 dated 3 June 1998, designated and delimited the areas on land in the domain of the State described in Schedules 1 to 201 to that Order in Council in view to increasing utilization of wildlife resources;

CONSIDERING section 33 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29) which provides that orders made by the Government under section 85 of the Act respecting the conservation and development of wildlife before 17 June 1998 remain in force until they are replaced by an order of the Minister;

CONSIDERING the making by the Government of Order in Council 573-87 dated 8 April 1987 concerning the designation and delimitation of land in the domain of the State;

CONSIDERING that it is expedient to replace schedule 168 of Order in Council 573-87 dated 8 April 1987;

ORDERS that:

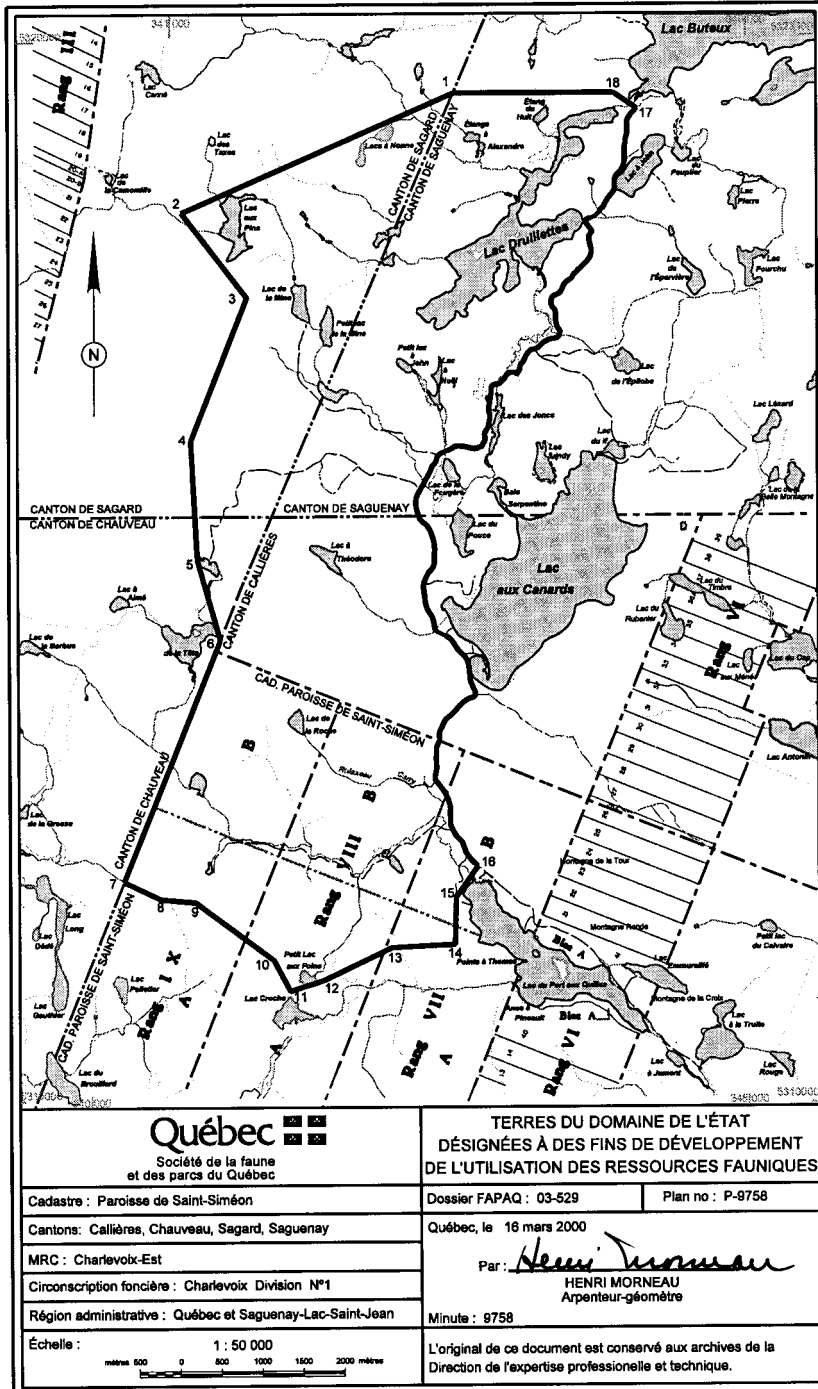
Schedule 168, attached hereto be substituted for Schedule 168 to Order in Council 573-87 dated 8 April 1987 .


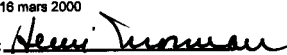
This Minister's Order comes into force on the date of its publication in the *Gazette officielle du Québec*.

Québec, 7 June 2000

GUY CHEVRETTE,
Minister responsible for Wildlife and Parks

SCHEDULE



 Société de la faune et des parcs du Québec		TERRES DU DOMAINE DE L'ÉTAT DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT DE L'UTILISATION DES RESSOURCES FAUNIQUES	
Cadastré : Paroisse de Saint-Siméon		Dossier FAPAQ : 03-529	Plan no : P-9758
Cantons : Callières, Chauveau, Sagard, Saguenay		Québec, le 16 mars 2000	
MRC : Charlevoix-Est		Par :  HENRI MORNEAU Arpenteur-géomètre	
Circonscription foncière : Charlevoix Division N°1			
Région administrative : Québec et Saguenay-Lac-Saint-Jean			
Échelle : 1 : 50 000 mètres 500 0 500 1000 1500 2000 mètres		Minute : 8758	
		L'original de ce document est conservé aux archives de la Direction de l'expertise professionnelle et technique.	

Draft Regulations

Draft Regulation

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Hunting activities — 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 hunting activities, 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 bring a new generation to take up hunting. The Regulation also extends the prohibition against shooting on public roads to areas 3, 4, 10 and 11 and prohibits hunting with a firearm in three sectors of La Seigneurie du Lac-Matapédia regional park.

To that end, the Regulation proposes:

— including spouses in family permits for hunting small game and frogs and for snaring;

— allowing young persons under 18 years of age to hunt small game and frogs and to use snares under the authority of an adult, whether or not the adult is the young person's parent;

— abolishing the requirement of parental authorization for the hunter's or trapper's certificate since it has proven impossible to apply;

— prohibiting shooting on public roads in areas 3, 4, 10 and 11, except with shotguns used with shells loaded with shot less than 4.6 millimetres in diameter, but excluding controlled territories in this prohibition; and

— prohibiting hunting with a firearm in three sectors of La Seigneurie du Lac-Matapédia regional park.

To date, study of the matter has revealed no impact on businesses, on small and medium-sized businesses in particular. With respect to the public in general, the measures to encourage new hunters will benefit young hunters; the prohibition against shooting on public roads in areas 3, 4, 10 and 11 will change the hunting habits of

some but bring increased tranquillity to residents; and the prohibition against hunting with a firearm in three sectors of the regional park will restrict the use of firearms in an area of less than 5 km but ensure users' safety.

Further information may be obtained by contacting:

Mr. Serge Bergeron
Société de la faune et des parcs du Québec
Direction des territoires fauniques et de la réglementation
675, boulevard René-Lévesque Est, 10^e étage, boîte 96
Québec (Québec)
G1R 5V7

Telephone: (418) 521-3880, local 4078
Fax: (418) 528-0834
E-mail: serge.bergeron@fapaq.gouv.qc.ca

Any interested person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister responsible for Wildlife and Parks, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

GUY CHEVRETTE,
Minister responsible for Wildlife and Parks

Regulation to amend the Regulation respecting hunting activities*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, ss. 40, 55, 2nd par., and 162, pars. 9 and 18)

1. Section 3 of the Regulation respecting hunting activities is amended by striking out the second paragraph.

2. The following is substituted for section 7:

“7. The spouse of the holder of a resident's “Snaring of hare or cottontail rabbit” hunting licence or of a resident's or non-resident's “Small game” hunting licence

* The Regulation respecting hunting activities was made by Order in Council 858-99 dated 28 July 1999 (1999, *G.O.* 2, 2427) and has not been amended since that date.

or of a resident's "Northern leopard frog, Green frog, Bull frog" hunting licence, or their child under 18 years of age or the child under 18 years of age of either spouse, may hunt under that holder's licence. The spouse or the child shall have the holder's licence with them when not accompanied by the holder.

Any child under 18 years of age may hunt under one of the licences referred to in the first paragraph where the licence holder is 18 years of age or over and the holder, or the holder's spouse if 18 years of age or over, accompanies the child and is carrying the licence in question.

Where the spouse or a child referred to in the first and second paragraphs are residents, they shall hold the hunter's or trapper's certificate appropriate to the hunting weapon used and carry it with them.

The bags of the spouse and the children referred to in the first and second paragraphs shall be included in computing the bag limit of the licence holder referred to in those paragraphs."

3. Section 8 is amended by substituting "a non-resident" for "of a hunting licence for non-residents".

4. Section 12 is amended by striking out " , except for the setting of snaring for hare or Eastern cottontail rabbit" in subparagraph *g* of subparagraph 7 of the first paragraph.

5. Section 13 is amended by striking out " , except for the setting of snares for hare or Eastern cottontail rabbit" in subparagraph *e* of subparagraph 3 of the first paragraph.

6. The following section is inserted after section 13:

"**13.1.** The holder of a non-resident's "Small game" hunting licence, the holder's spouse or their children under 18 years of age or the children under 18 years of age of either spouse who use that licence may not hunt hare or Eastern cottontail rabbit using snares."

7. Section 15 is amended by substituting the following paragraphs for the first paragraph:

"A hunter may not shoot an animal found on a public roadway or towards or across such a road in the parts of Area 22 shown on the plans in Schedules XII and XVII of the Regulation respecting hunting during the caribou hunting season provided for in the Regulation for those parts of the territory and in areas 3, 4, 5, 6, 10 and 11. Nor may the hunter shoot an animal from a public road, including the 10-metre strip on either side of the right-of-way, in areas 3, 4, 5, 6, 10 and 11.

Notwithstanding the foregoing, those prohibitions do not apply to hunters hunting small game in areas 3, 4, 10 and 11 with a hunting implement referred to in subparagraph *b* of paragraph 3 of section 31 of the Regulation respecting hunting, nor to hunters who hunt in a controlled zone, a wildlife sanctuary or in a territory in that zone where exclusive hunting rights have been granted to an outfitting operation."

8. The following section is inserted after section 15:

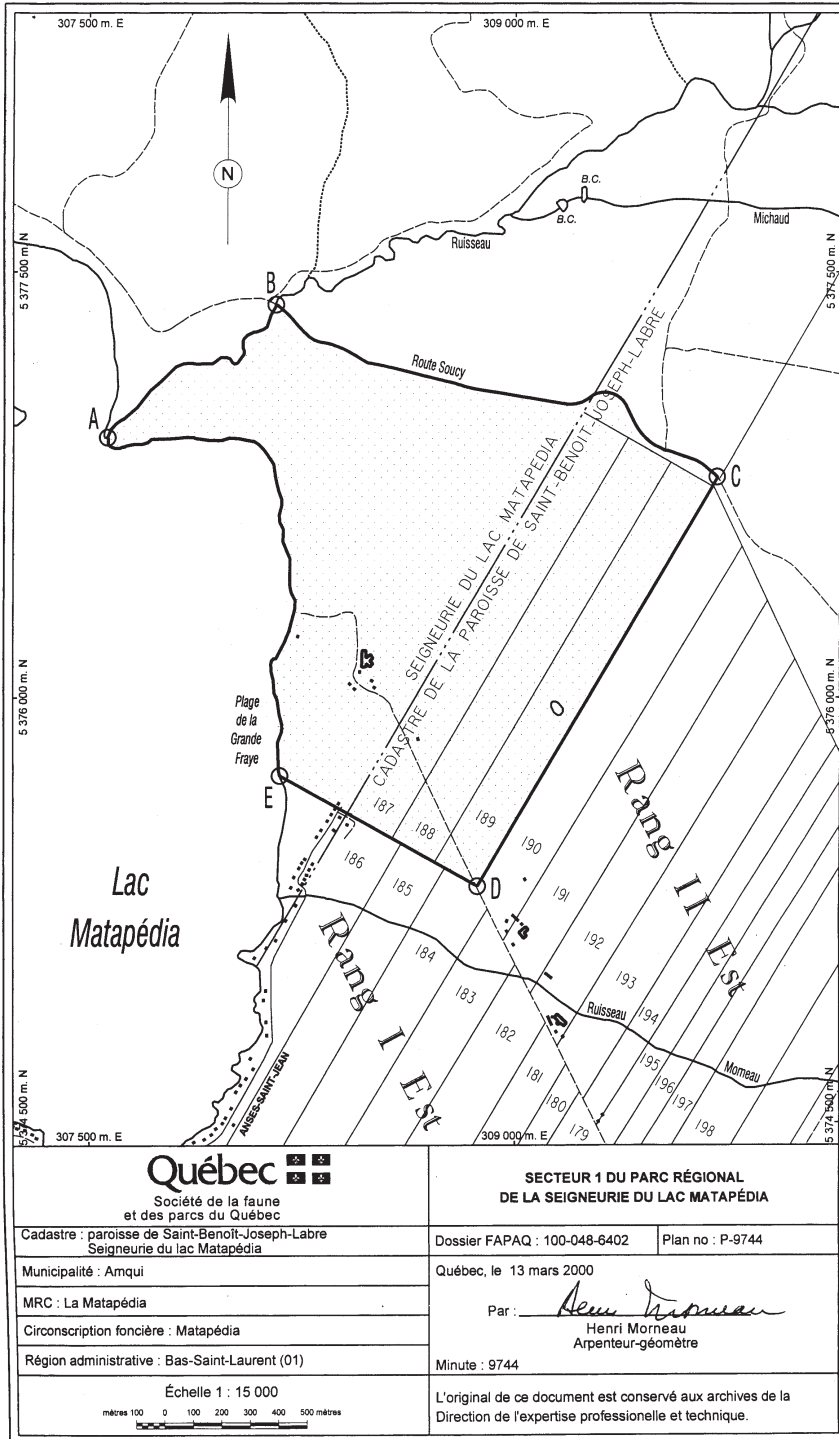
"**15.1.** Hunters may not hunt in the sectors described in the plans appearing in Schedules I, II and III with any implement other than a bow, a crossbow or a hunting implement referred to in paragraphs 7 and 8 of section 31 of the Regulation respecting hunting."

9. Section 17 is amended by substituting "Schedule IX" for "section IX".

10. Schedules I, II and III attached hereto are added at the end of the Regulation.

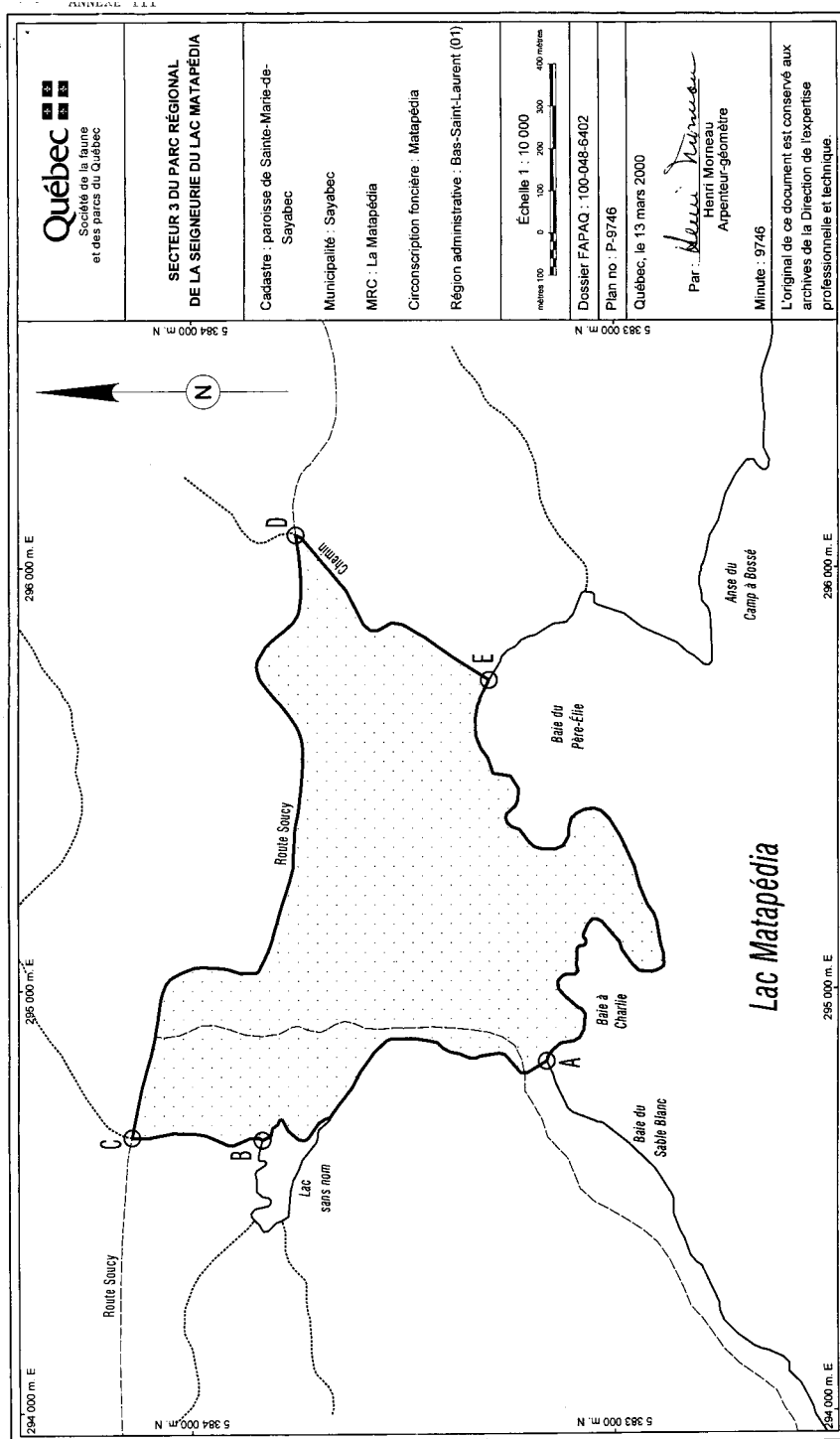
11. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE I



Québec Société de la faune et des parcs du Québec		SECTEUR 1 DU PARC RÉGIONAL DE LA SEIGNEURIE DU LAC MATAPÉDIA	
Cadastre : paroisse de Saint-Benoît-Joseph-Labre Seigneurie du lac Matapédia		Dossier FAPAQ : 100-048-6402	Plan no : P-9744
Municipalité : Amqui		Québec, le 13 mars 2000	
MRC : La Matapédia		Par : <i>Henri Morneau</i> Henri Morneau Arpenteur-géomètre	
Circonscription foncière : Matapédia			
Région administrative : Bas-Saint-Laurent (01)		Minute : 9744	
Échelle 1 : 15 000 mètres 0 100 200 300 400 500 mètres			
L'original de ce document est conservé aux archives de la Direction de l'expertise professionnelle et technique.			

SCHEDULE III



Draft Regulation

An Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01)

Threatened or vulnerable plant species and their habitats

— 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 threatened or vulnerable plant species and their habitats, 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 designate the following as threatened species: Anticosti aster, Gulf of St. Lawrence aster, Fernald's milk-vetch, swamp thistle, Victorin's water-hemlock, broom crowberry, sparrow's-egg lady's-slipper, Parker's pipewort, dwarf huckleberry, Macoun's fringed gentian, Victorin's gentian, American ginseng, southern beech fern, tidal arrowhead and bog fern. The draft Regulation also designates two plant habitats: Boisé Marly, located in the Québec region, as a plant habitat for wild leek and the banks of Grande Rivière in Gaspésie as a plant habitat for the Anticosti aster.

The designation of those fifteen plant species as threatened species and of two plant habitats has shown no impact on businesses, including small and medium-sized businesses. Even though American ginseng is marketed, its designation as a threatened species will not interfere with the harvest of its crop produced using seeds from cash crops since the purpose of the designation is to protect its wild population in Québec.

Further information may be obtained by contacting:

Léopold Gaudreau, Director
Direction du patrimoine écologique et du développement durable
Ministère de l'Environnement
675, boulevard René-Lévesque Est, 4^e étage, boîte 21
Québec (Québec) G1R 5V7

Telephone: (418) 521-3907 (extension 4783)

Fax: (418) 646-6169

E-mail: leopold.gaudreau@menv.gouv.qc.ca

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 the Environment, 675, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5V7.

PAUL BÉGIN,
Minister of the Environment

GUY CHEVRETTE,
Minister responsible for Wildlife and Parks

Regulation to amend the Regulation respecting threatened or vulnerable plant species and their habitats*

An Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01, s. 10; 1999, c. 36, s. 131)

1. The Regulation respecting threatened or vulnerable plant species and their habitats is amended in section 1

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

“(3.1) Anticosti aster (*Symphotrichum anticostense* (Fernald) Nesom);

the habitat of the Anticosti aster (*Symphotrichum anticostense*) corresponds to the following area:

— to the banks of Grande Rivière in Gaspésie to the high water mark;

(3.2) Gulf of St. Lawrence aster (*Symphotrichum laurentianum* (Fernald) Nesom);

(3.3) Fernald's milk-vetch (*Astragalus robbinsii* (Oakes) Gray var. *fernaldii* (Rydberg) Barneby);”;

(2) by inserting the following subparagraphs after subparagraph 6 of the first paragraph:

“(6.1) swamp thistle (*Cirsium scariosum* Nuttall);

(6.2) Victorin's water-hemlock (*Cicuta maculata* Linné var. *victorinii* (Fernald) Boivin);”;

* The Regulation respecting threatened or vulnerable plant species and their habitats was made by Order in Council 489-98 dated 8 April 1998 (1998, *G.O.* 2, 1603).

(3) by inserting the following subparagraphs after subparagraph 7 of the first paragraph:

“(7.1) broom crowberry (*Corema conradii* (Torrey) Torrey ex Loudon);

(7.2) sparrow’s-egg lady’s-slipper (*Cypripedium passerinum* Richardson);

(7.3) Parker’s pipewort (*Eriocaulon parkeri* B.L. Robinson);

(7.4) dwarf huckleberry (*Gaylussacia dumosa* (Andrews) Torrey & A. Gray var. *bigeloviana* Fernald);

(7.5) Macoun’s fringed gentian (*Gentianopsis procera* (Th. Holm) Ma subsp. *macounii* (Th. Holm) Iltis var. *macounii*);

(7.6) Victorin’s gentian (*Gentianopsis procera* (Th. Holm) Ma subsp. *macounii* (Th. Holm) Iltis var. *victorinii* (Fernald) Iltis);

(7.7) American ginseng (*Panax quinquefolius* Linné) in respect of its wild populations;”;

(4) by inserting the following subparagraph after subparagraph 8 of the first paragraph:

“(8.1) southern beech fern (*Phegopteris hexagonoptera* (Michaux) Fée);”;

(5) by inserting the following subparagraph after subparagraph 11 of the first paragraph:

“(11.1) tidal arrowhead (*Sagittaria montevidensis* Chamisso & Schlechtendal subsp. *spongiosa* (Engelmann) C. Bogin);”;

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

“(13.1) bog fern (*Thelypteris simulata* (Davenport) Nieuwland);”;

(7) by substituting the words “of subparagraphs 3.1 and” for the words “of subparagraph” in the second paragraph.

2. Section 2 is amended by adding the following paragraph to paragraph 1:

“the habitat of wild leeks (*Allium tricoccum*) corresponds to the following area:

— Boisé Marly, located in Ville de Sainte-Foy, comprising parts of lots 1 406 540, 1 411 351 and 1 411 545 of the cadastre of Québec and lots 250, 372 and 372-1 of the cadastre of Paroisse de Sainte-Foy;”.

3. Section 3 is amended by adding the following paragraph:

“Those activities may no longer be carried on in Boisé Marly referred to in paragraph 1 of section 2.”.

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

3684

Municipal Affairs

Gouvernement du Québec

Décret 686-2000, 7 June 2000

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

Amalgamation of Municipalité de Saint-Casimir and
Paroisse de Saint-Casimir

WHEREAS the municipal councils of Municipalité de Saint-Casimir and Paroisse de Saint-Casimir each adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS no objections were sent to the Minister of Municipal Affairs and Greater Montréal, and the Minister did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS, under section 108 of the aforementioned Act, it is expedient to grant the joint application with the amendment proposed by the Minister of Municipal Affairs and Greater Montréal which was approved by the councils of the applicant municipalities;

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

THAT the application be granted and that a local municipality resulting from the amalgamation of Municipalité de Saint-Casimir and Paroisse de Saint-Casimir be constituted, on the following conditions:

1. The name of the new municipality shall be "Municipalité de Saint-Casimir".

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 8 December 1999; that description is attached as a Schedule to this Order in Council.

3. The new municipality shall be governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

4. The territory of the new municipality shall be part of the territory of Municipalité régionale de comté de Portneuf.

5. A provisional council shall hold office until the first general election. It shall be composed of all the elected members in office on the date of coming into force of this Order in Council. The quorum shall be one-half the members in office plus one. The mayor of the former Municipalité de Saint-Casimir, Louise Douville, shall act as mayor of the provisional council and the mayor of the former parish, André Filteau, shall act as deputy mayor.

If a seat is vacant at the time of the coming into force of this Order in Council or becomes vacant during the term of the provisional council, one additional vote shall be allotted to the mayor of the former municipality of origin of the council member whose seat has become vacant.

Throughout the term of the provisional council, the elected municipal officials shall continue to receive the same remuneration as they were receiving before the coming into force of this Order in Council.

The mayor of the former Municipalité de Saint-Casimir and the mayor of the former Paroisse de Saint-Casimir shall continue to sit on the council of Municipalité régionale de comté de Portneuf until the first general election and they shall have the same number of votes as they had before the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held in the council room of the former Municipalité de Saint-Casimir.

7. The first general election shall be held on the second Sunday of the fourth month following the month of the coming into force of this Order in Council. If that date falls on the second Sunday in August, the first general election shall be postponed to the second Sunday in September. The second general election shall be held in 2004.

The council of the new municipality shall be composed of seven members, that is, a mayor and six councillors. From the first general election, the councillors' seats shall be numbered from 1 to 6.

8. For the first two general elections, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if such election were an election of the council members of the former *Municipalité de Saint-Casimir* shall be eligible for seats 1, 3 and 5 and only those persons who would be eligible under that Act if such election were an election of the council members of the former *Paroisse de Saint-Casimir* shall be eligible for seats 2, 4 and 6.

9. Carole Germain, secretary-treasurer of the former *Municipalité de Saint-Casimir*, shall be the first secretary-treasurer of the new municipality; Ginette Paquin, secretary-treasurer of the former *Paroisse de Saint-Casimir*, shall be the assistant secretary-treasurer until the council decides otherwise in accordance with the law.

10. Any budget adopted by either former municipality for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new municipality and the expenditures and revenues shall be accounted for separately as if the former municipalities continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budget of each former municipality in proportion to their standardized real estate value, established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992, amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as it appears in the financial statements of the former municipalities for the fiscal year preceding the year during which this Order in Council comes into force.

11. The amounts paid each year under the Programme d'aide financière au regroupement municipal (PAFREM), less expenditures recognized by the council as resulting from the amalgamation and financed by that portion of the subsidy, shall constitute an amount reserved for the benefit of the sectors made up of the respective territories of the two former municipalities. They shall be distributed between both sectors in proportion to their standardized real estate value as established in section 10. The amount thus reserved shall be used for the purposes set out in section 14 or section 15, as the case may be.

12. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in effect before the coming into force of this Order in Council shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

13. The working fund of the former *Paroisse de Saint-Casimir* shall be dissolved at the end of the last fiscal year for which the former municipalities adopted separate budgets. Any part of the fund remaining uncommitted on that date shall be added to the surplus accumulated on behalf of that former municipality and shall be dealt with in accordance with the provisions of section 14.

14. Any surplus accumulated on behalf of the former *Paroisse de Saint-Casimir* at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used to finance a program to be started by the new municipality to repair independent septic facilities (septic tanks and disposal fields) located in the sector made up of the territory of that former municipality.

Any remaining surplus accumulated on behalf of that former municipality shall be used to reduce its debts.

Any further remaining surplus accumulated on behalf of that former municipality shall be used to improve the facilities and infrastructures located in the sector made up of the territory of that former municipality.

15. Any surplus accumulated on behalf of the former *Municipalité de Saint-Casimir* at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used to repay the debts of that former municipality.

Any remaining surplus shall be used to improve the facilities and infrastructures located in the sector made up of the territory of that former municipality.

16. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget shall remain charged to all the taxable immovables in the sector made up of the territory of that former municipality.

17. Section 8 of By-law 161 of the former *Municipalité de Saint-Casimir* shall be amended so as to extend the taxation basis by including the taxable immovables located in the sector made up of the territory of the former *Paroisse de Saint-Casimir* which already benefit from the work carried out on the waterworks under that by-law.

Should the new municipality decide to amend that taxation clause in accordance with the law, the amendment may affect only the taxable immovables benefiting from the work carried out on the waterworks under that by-law.

Subject to the first two paragraphs, the annual payment of the instalments in principal and interest on any loan or part thereof made under a by-law adopted by a former municipality shall remain charged to the sector made up of the territory of the former municipality that contracted it, in accordance with the taxation clauses in such by-law.

Should the new municipality decide to amend the taxation clauses in those by-laws in accordance with the law, the amendments may affect only the taxable immovables located in the sector made up of the territory of the former municipality that contracted the loan.

18. Any available balance from any loan by-law adopted by a former municipality shall be used to pay the annual instalments in principal and interest on that loan or, if the securities were issued for a shorter term than the term originally fixed, it shall be used to reduce the balance of the loan.

Where the available balance is used to pay the annual instalments on the loans, the rate of the tax imposed to pay the said instalments shall be reduced in such a manner that the revenue from the tax equals the balance payable, less the available balance used.

19. As of the first fiscal year following the fiscal year for which the former municipalities adopted separate budgets, the compensation rate imposed for drinking water supply shall be the same for the whole territory of the new municipality.

20. For at least eight years following the coming into force of this Order in Council, the roads known as “Route à Jean”, “Route des Gervais”, “Route du rang Saint-Jérôme”, “Route de l’Hétrière” and “Route du rang Saint-Édouard” will retain their status as public roads and the new municipality shall, during that period, keep them open and suitable for vehicular traffic between 1 May and 1 November of each year.

21. During the first eight fiscal years following the last fiscal year for which separate budgets were adopted, any amount paid by the Government as compensation in lieu of taxes or under an equalization or financial neutrality program for municipal amalgamation purposes shall be used to improve the services in the sector of the new municipality corresponding to the territory of each former municipality in proportion to the amounts that

were paid to them as such or under the same programs during the last fiscal year for which separate budgets were adopted.

22. During the first eight fiscal years following the last fiscal year for which separate budgets were adopted, any amount paid by the Government or one of its departments under a financial assistance program for municipalities who take over the management of local roads or under any replacement program, as well as any subsidy paid for local road maintenance, and allocated to a sector of the new municipality corresponding to the territory of a former municipality, shall be used solely to maintain and improve the road network in that sector or to repay a debt contracted by a former municipality for the purpose of carrying out such work.

23. Any debt or gain that may result from legal proceedings in respect of an act performed by a former municipality shall remain charged to or used for the benefit of all the taxable immovables in the sector made up of the territory of that former municipality.

24. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality to replace all the zoning and subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the municipality, provided that such a by-law comes into force within four years of the coming into force of this Order in Council.

Such a by-law shall be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the whole territory of the new municipality.

25. A municipal housing bureau shall be incorporated under the name of “Office municipal d’habitation de la Municipalité de Saint-Casimir”.

That municipal bureau shall succeed the municipal housing bureau of the former Municipalité de Saint-Casimir, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d’habitation du Québec (R.S.Q., c. S-8), amended by section 273 of Chapter 40 of the Statutes of 1999, shall apply to the municipal housing bureau of the new Municipalité de Saint-Casimir as if it had been incorporated by letters patent under section 57 of that Act, also amended by the said section 273.

The members of the housing bureau shall be the members of the municipal housing bureau of the former Municipalité de Saint-Casimir. During the eight years following the year of coming into force of this Order in Council, the mayor or deputy mayor and a councillor shall be members of the new municipal housing bureau who shall be appointed by the council of the new Municipalité de Saint-Casimir.

26. All the movable and immovable property belonging to each former municipality shall become the property of the new municipality.

27. In accordance with the Order in Council amending the agreement respecting the Cour municipale de Donnacona which is to be adopted under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de Donnacona will have jurisdiction over the territory of the new municipality.

28. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW MUNICIPALITÉ DE SAINT-CASIMIR, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE PORTNEUF

The current territory of Municipalité de Saint-Casimir and of Paroisse de Saint-Casimir, in Municipalité régionale de comté de Portneuf, comprising in reference to the cadastre of Paroisse de Saint-Casimir, the lots or parts thereof and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, islands, islets, lakes, watercourses or parts thereof, the whole included within the limits described hereafter, namely: starting from the meeting point of the northwest bank of the Rivière Noire with the northeast line of the cadastre of Paroisse de Saint-Casimir; thence, successively, the following lines and demarcations: southeasterly, part of the said northeast line of the cadastre to the dividing line between the cadastres of the parishes of Saint-Casimir and des Grondines, that line crossing the Rivière Noire, Chemin de la Rivière Sainte-Anne, the Rivière Saint-Anne and Routes 354 and 363 that it meets; in a general southwesterly direction, the broken line between the cadastres of the parishes of Saint-Casimir and des Grondines passing by the southwest and southeast sides of the right-of-way of a public road bordering on the southwest Lot 17 and on the southeast lots 17 and 18, that line crossing the railway (Lot 531 of the cadastre of Paroisse de Saint-Casimir), Route des Grondines and

the Rivière des Étangs that it meets; northwesterly, the dividing line between the cadastres of the parishes of Saint-Casimir and Sainte-Anne-de-la-Pérade, that line crossing Chemin de la Rivière-Sainte-Anne, the Rivière Sainte-Anne, Rang du Rapide Nord and Saint-Jérôme roads and the railway (Lot 531 of the cadastre of Paroisse de Saint-Casimir) that it meets; northeasterly, part of the dividing line between the cadastres of the parishes of Saint-Casimir and Saint-Ubalde to the apex of the northern angle of Lot 491 of the cadastre of Paroisse de Saint-Casimir, that line crossing Route 363 that it meets; in reference to the latter cadastre, southeasterly, the northeast line of lots 491, 492 and 494 to 509; southwesterly, part of the southeast line of Lot 509 to the apex of the northern angle of Lot 380; southeasterly, successively, the northeast line of lots 380 in declining order to 374, that line extended across the Petite Rivière Niagarette that it meets, part of the northeast line of Lot 373, then the centre line of the right-of-way of the public road (shown in the original) to the southwesterly extension of the southeast line of Lot 381; northeasterly, successively, the said extension and the southeast line of the said lot extended across the Petite Rivière Niagarette, then the southeast line of lots 386 to 390; northwesterly, the southwest line of Lot 312 in its upper part to the southeast side of the right-of-way of Chemin du Troisième Rang; in a general northeasterly direction, the southeast side of the right-of-way of the said road to the northeast line of Lot 302, that line crossing the Rivière Niagarette that it meets; southeasterly, part of the said lot line to the northwest line of Lot 300; northeasterly, the said lot line, that line extended across Chemin du Rang de la Rivière-Blanche Ouest that it meets; northeasterly, successively, a straight line crossing the Rivière Blanche to the apex of the western angle of Lot 267 then the northwest line of the said lot to the northwest bank of the Rivière Noire, that line extended across Chemin du Rang de la Rivière-Blanche Est that it meets; finally, in a general northeasterly direction, the northwest bank of the said river to the starting point.

The said limits define the territory of the new Municipalité de Saint-Casimir, in Municipalité régionale de comté de Portneuf.

Ministère des Ressources naturelles
Direction de l'information foncière sur le territoire public
Division de l'arpentage foncier

Charlesbourg, 8 December 1999

Prepared by: JEAN-PIERRE LACROIX,
Land surveyor

C-287/1

3686

Index Statutory Instruments

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

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