

# Gazette officielle du Québec

## Part 2 Laws and Regulations

Volume 133  
25 April 2001  
No. 17

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## Coming into force of Acts

Gouvernement du Québec

### **O.C. 418-2001, 11 April 2001**

#### **An Act respecting La Financière agricole du Québec (2000, c. 53)**

##### **— Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Act respecting La Financière agricole du Québec

WHEREAS the Act respecting La Financière agricole du Québec (2000, c. 53) was assented to on 20 December 2000;

WHEREAS under section 84 of the Act, its provisions come into force on the date or dates to be fixed by the Government;

WHEREAS under Order in Council 271-2001 dated 21 March 2001, the date of coming into force of sections 1 and 2, the first and third paragraphs of section 3, sections 4 to 18, 82 and 83 of the Act was fixed at 1 April 2001;

WHEREAS under section 68 of the Act, the provisions of the Crop Insurance Act (R.S.Q., c. A-30), the Act respecting farm income stabilization insurance (R.S.Q., c. A-31), and the Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101) are repealed to the extent determined by the Government;

WHEREAS it is expedient to fix the dates of coming into force of certain other provisions of the Act respecting La Financière agricole du Québec and to determine the extent to which the provisions of the Crop Insurance Act, the Act respecting farm income stabilization insurance and the Act respecting the Société de financement agricole are repealed;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT 17 April 2001 be fixed as the date of coming into force of the second paragraph of section 3, sections 19 to 69, the first paragraph of section 70, sections 71 to 77 and section 78 to the extent that it governs the regulations made under the Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101) and sections 79 to 81 of the Act respecting La Financière agricole du Québec (2000, c. 53);

THAT paragraph *h* of section 1, sections 2 to 11, 13 to 22, the first sentence of the first paragraph of section 26.1, enacted by section 1 of chapter 55 of the Statutes of 2000, to the extent that it governs the contribution paid by the Government, the second sentence of the first paragraph and the second paragraph of section 26.1, sections 29, 65, 68, section 69 to the extent that it governs the contributions paid by the Government, sections 70.5, 70.6, 71.2, 71.3 and 72, the first paragraph of section 73, paragraphs *f*, *g* and *l* of section 74 and section 82 of the Crop Insurance Act (R.S.Q., c. A-30) be repealed on 17 April 2001;

THAT paragraph *h* of section 1, section 8, section 9 to the extent that it governs the contributions paid by the Government, section 9.5, the first paragraph of section 9.6, sections 10.3 to 12, 29 to 31, 40 to 42 and 45.1 of the Act respecting farm income stabilization insurance (R.S.Q., c. A-31), enacted by section 1 of chapter 78 of the Statutes of 1999, be repealed on 17 April 2001;

THAT the Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101) be repealed on 17 April 2001.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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## Regulations and other acts

Gouvernement du Québec

### O.C. 432-2001, 11 April 2001

Professional Code  
(R.S.Q., c. C-26)

**Nursing extern**  
— **Professional acts that may be performed on certain terms and conditions**  
— **Amendments**

Regulation to amend the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions

WHEREAS under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may, by regulation, determine among the professional acts that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation and the terms and conditions on which such persons may engage in such acts;

WHEREAS in accordance with that paragraph, the Bureau of the Ordre des infirmières et infirmiers du Québec adopted the Regulation to amend the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions;

WHEREAS in accordance with section 95 of the Professional Code, the Office des professions du Québec made its recommendations;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a regulation may be approved without having been published as provided for in section 8 of that Act where the authority approving it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 13 of that Act, the reasons justifying the absence of publication shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of publication of the regulation:

— it is expedient to allow that externship periods in nursing may be carried out in a larger number of health institutions as of 15 May 2001 in order to partially

compensate for the serious lack of nursing staff forecasted in these institutions for the summer period;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions, attached to this Order in Council, be approved with amendments.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions\***

Professional Code  
(R.S.Q., c. C-26, s. 94, par. *h*)

1. The Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions is amended by substituting the number “5” for the number “9” in paragraph 1 of section 4.

2. The English text of Schedule I is amended

(1) by striking out “by patients requiring such care” in section 10;

(2) by striking out “oropharyngeal,” in section 12.1; and

(3) by striking out “nasopharyngal,” in section 12.3.

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

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\* The Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions was made by Order in Council 512-2000 dated 19 April 2000 (2000, *G.O.*, 2, 2096), erratum (2000, *G.O.* 2, 2197) and has not been amended since)

Gouvernement du Québec

## O.C. 436-2001, 11 April 2001

An Act respecting the determination of the causes and circumstances of death  
(R.S.Q., c. R-0.2)

### Identification, transportation, preservation or keeping, custody and return or remittal of dead bodies, objects and documents — Amendments

Regulation to amend the Regulation respecting the identification, transportation, preservation or keeping, custody and return or remittal of dead bodies, objects and documents

WHEREAS under the first paragraph of section 167 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2), the Government may, by regulation, and after consultation with the Chief Coroner, adopt any norms, scales, conditions and rules of procedure respecting the identification, transportation, preservation or keeping, custody and return or remittal of the dead bodies, objects and documents contemplated in the Act and determine the provisions of the regulation to contravene which is an offence;

WHEREAS the Government made the Regulation respecting the identification, transportation, preservation or keeping, custody and return or remittal of dead bodies, objects and documents by Order in Council 907-92 dated 17 June 1992;

WHEREAS it is expedient to amend the Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 20 December 2000 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the Chief Coroner was consulted;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting the identification, transportation, preservation or keeping, custody and return or remittal of dead bodies, objects and documents, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting the identification, transportation, preservation or keeping, custody and return or remittal of dead bodies, objects and documents\*

An Act respecting the determination of the causes and circumstances of death  
(R.S.Q., c. R-0.2, s. 167, 1st par.)

1. Section 10 of the Regulation respecting the identification, transportation, preservation or keeping, custody and return or remittal of dead bodies, objects and documents is amended by deleting paragraph 2.

2. Subparagraph 1 of the first paragraph of section 11 is deleted.

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

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\* The Regulation respecting the identification, transportation, preservation or keeping, custody and return or remittal of dead bodies, objects and documents, made by Order in Council 907-92 dated 17 June 1992 (1992, *G.O.* 2, 3186), was last amended by the Regulation made by Order in Council 403-96 dated 27 March 1996 (1996, *G.O.* 2, 1757).

Gouvernement du Québec

## O.C. 440-2001, 11 April 2001

An Act respecting collective agreement decrees  
(R.S.Q., c. D-2)

### Building materials — Amendments

CONCERNING the Decree to amend the Decree respecting the building materials industry

WHEREAS the Government has made the Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r. 34);

WHEREAS the contracting parties within the meaning of that Decree have presented an application to the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour, to have certain amendments made to the Decree;

WHEREAS sections 2, 6.1 and 6.2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) authorise the Government to extend a collective agreement and to amend an extension decree upon the request of the contracting parties by making, if such is the case, amendments that it deems to be opportune;

WHEREAS, in accordance with sections 10 and 12 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft amendment decree was published in Part 2 of the *Gazette officielle du Québec* on 31 January 2001 and, on that same date, in two French-language newspapers and one English-language newspaper, with a notice that it could be made by the Government at the expiry of the 30 days following that publication due to the urgency of the situation;

WHEREAS it is expedient to make that draft decree with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour:

THAT the Decree to amend the Decree respecting the building materials industry, attached hereto, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## Decree to amend the Decree respecting the building materials industry\*

An Act respecting collective agreement decrees  
(R.S.Q., c. D-2, s. 2 and 6.1)

1. The Decree respecting the building materials industry is amended by deleting paragraph 2 of section 0.01.

2. Section 0.02 is replaced by the following:

### “0.02. Names of the contracting parties:

Employer party:  
L’Association de la construction du Québec;

Union party:  
L’Union des carreleurs et métiers connexes, local 1 (FTQ-CTC).”.

3. Section 16.01 is amended by substituting the following for the first paragraph:

“16.01. Employees receive at least the following hourly rates for each job classification indicated below and for the wage scale applicable thereto:

\* The last amendments to the Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r. 34), was made by the regulation made under Order in Council No. 1380-99 dated 8 December 1999 (1999, *G.O.* 2, 4593). For previous amendments see *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

	As of 2001 04 25	As of 2001 05 01	As of 2002 05 01	As of 2003 05 01
<b>Job classification</b>				
1. Cutter all categories (sawyer)	\$20.10	\$20.60	\$21.01	\$21.43
wage scale :				
0 to 12 months	\$12.08	\$12.38	\$12.63	\$12.88
12 to 24 months	\$14.07	\$14.42	\$14.71	\$15.00
24 to 36 months	\$17.10	\$17.53	\$17.88	\$18.24
36 to 48 months	\$18.60	\$19.07	\$19.45	\$19.84;

	As of 2001 04 25	As of 2001 05 01	As of 2002 05 01	As of 2003 05 01
<b>Job classification</b>				
2. polisher, all categories	\$20.10	\$20.60	\$21.01	\$21.43
wage scale :				
0 to 12 months	\$12.08	\$12.38	\$12.63	\$12.88
12 to 24 months	\$14.07	\$14.42	\$14.71	\$15.00
24 to 36 months	\$17.10	\$17.53	\$17.88	\$18.24
36 to 48 months	\$18.60	\$19.07	\$19.45	\$19.84;
3. terrazo caster (granito)	\$20.10	\$20.60	\$21.01	\$21.43
wage scale :				
0 to 12 months	\$12.08	\$12.38	\$12.63	\$12.88
12 to 24 months	\$14.07	\$14.42	\$14.71	\$15.00
24 to 36 months	\$17.10	\$17.53	\$17.88	\$18.24
36 to 48 months	\$18.60	\$19.07	\$19.45	\$19.84;
4. shop labourer	\$12.98	\$13.30	\$13.57	\$13.84.”.

4. This Decree is amended by inserting the following after section 16.01 :

“**16.01.1.** An employer who transfers a shop labourer with two years or more of experience to a trade position shall integrate that person into the wage scale corresponding to 12 to 24 months.”.

5. This Decree is amended by inserting the following after section 16.08 :

“**16.08.1.** The employer must remit to the employee along with a copy of the T4 and TP4 slips a statement of the amounts paid the previous year to the Comité conjoint des matériaux de construction for the income security fund, annual vacations and paid general holidays.”.

6. Section 17.04 is amended by deleting the word “standard”.

7. Section 20.03 is replaced by the following :

“**20.03.** When a holiday mentioned in section 20.02 falls on a Saturday or a Sunday, the employer postpones the holiday to the Monday following or to the Friday preceding the holiday.”.

8. Section 21.03 is amended by substituting the words “in the collective agreement applicable to the institutional and commercial sector of the construction industry” for the words “in the Decree respecting the construction industry (R.R.Q., 1981, c. R-20, r.5) or in any further Decree”.

9. Section 23.02 is amended by substituting the following for the second and third paragraphs :

“An employee with more than one year of continuous service with an employer may be absent from work for three days, without a reduction in wages, by reason of



the death or funeral of his spouse, child or child of his spouse, or his father or mother. He may also be absent from work for two additional days on that occasion without wages.

The employee who has more than one year of continuous service with an employer may be absent from work for two days, without a reduction in wages, by reason of the death of a sister or brother. He may also be absent for three additional days on that occasion without wages.”.

10. Sections 25.00 and 25.02 are abrogated.

11. Section 28.01 is amended by substituting the words “in the collective agreement applicable in the institutional and commercial sector of the construction industry” for the words “in the Decree respecting the construction industry or in any further decree”.

12. Section 29.01 is replaced by the following :

“29.01. Part 2 remains in force until 30 April 2004. It is automatically renewed from year to year thereafter, unless one of the contracting parties opposes the renewal by sending a written notice to that effect to the Minister of Labour and to the other contracting party during November of the year 2003 or during November of any subsequent year.”.

13. This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

4206

## M.O., 2001

### **Order of the Minister of Agriculture, Fisheries and Food relating to the Regulation respecting the health certification of imported animals dated 9 April 2001**

Animal Health Protection Act  
(R.S.Q., c. P-42)

THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD,

CONSIDERING subparagraph *e* of paragraph 1 of section 3 of the Animal Health Protection Act (R.S.Q., c. P-42), enacted by paragraph 2 of section 3 of Chap-

ter 40 of the Statutes of 2000, the Minister may designate the contagious or parasitic diseases and the infectious agents or the syndromes for the purposes of the provisions of section 9 of that Act relating to the health certification of imported animals, and the designation may vary according to the species or category of animal ;

CONSIDERING paragraph 3.4 of section 3 of the Animal Health Protection Act, enacted by paragraph 3 of section 3 of Chapter 40 of the Statutes of 2000, the Minister may fix the period for which the certificate provided for in section 9 of that Act is valid ;

CONSIDERING section 12 of the Regulations Act (R.S.Q., c. R-18.1), which provides that a proposed regulation may be made without having been published if the authority making it is of the opinion that the urgency of the situation requires it ;

CONSIDERING section 18 of that Act, which provides that 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 urgency of the situation requires it ;

CONSIDERING sections 13 and 18 of that Act, which provide that the reason justifying the absence of prior publication and such coming into force shall be published with the regulation ;

CONSIDERING that the Minister is of the opinion that the presence in western Canada of cervidae suffering from the cervidae's chronic debilitating disease, the risk of the disease's arrival and spreading to Québec farm and wild cervidae in the short term, the importance to protect public health since the causal agent, a prion, might pass from one species to another and the need to make the Regulation attached to this Minister's Order as soon as possible justify the absence of prior publication of the Regulation and its coming into force on 25 April 2001 ;

ORDERS :

THAT the Regulation respecting the health certification of imported animals, attached to this Minister's Order, be made.

Québec, 9 April 2001

MAXIME ARSENEAU,  
*Minister of Agriculture, Fisheries and Food*

## Regulation respecting the health certification of imported animals

Animal Health Protection Act  
(R.S.Q., c. P-42, s. 3, par. 1, subpar. e, and par. 3.4;  
2000, c. 40, s. 3, pars. 2 and 3)

1. For the purposes of section 9 of the Animal Health Protection Act (R.S.Q., c. P-42; 2000, c. 40, s. 10), the certificate shall attest, with respect to the species or categories of animals mentioned in the Table below, that the animals are free from the contagious or parasitic diseases and the infectious agents or the syndromes designated therein. The certificate is valid for the period fixed in the Table.

Species or categories of animals	Contagious or parasitic diseases, infectious agents or syndromes	Validity period of certificate from date of issuance
<i>Cervidae</i>	Chronic debilitating disease	30 days

2. This Regulation comes into force on 25 April 2001.

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## M.O., 2001-009

### Order of the Minister responsible for Wildlife and Parks dated 4 April 2001

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

Regulation to amend the Regulation respecting hunting

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING the second paragraph of section 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), amended by section 57 of chapter 36 of the Statutes of 1999, which provides that the Société de la faune et des parcs du Québec may make regulations on the matters contained therein;

CONSIDERING the fifth paragraph of section 56 of that Act, which provides that a regulation made by the Société under that section must be submitted to the Minister for approval;

CONSIDERING section 164 of that Act, amended by section 118 of chapter 36 of the Statutes of 1999, which

provides in particular that a regulation made by the Société under section 56 of that Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the making of the Regulation respecting hunting by Minister's Order No. 99021 dated 27 July 1999, which prescribes conditions for hunting an animal or a class of animals;

CONSIDERING that the Société adopted the Regulation to amend the Regulation respecting hunting, attached hereto, by resolution of the board of directors No. 01-33 dated March 28, 2001;

ORDERS :

THAT the Regulation to amend the Regulation respecting hunting, attached hereto, be approved.

Québec, 4 April 2001

GUY CHEVRETTE,  
*Minister responsible for Wildlife and Parks*

## Regulation to amend the Regulation respecting hunting\*

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s. 56, 2nd par. ; 1999, c. 36, s. 57)

1. Section 14 of the Regulation respecting hunting is amended

(1) by substituting "XXXV" for "CXCIII" in the first paragraph; and

(2) by substituting the following for the third paragraph:

"Subject to section 17, in the territories shown on the plans in Schedules XL to CXVII, the seasons and types of implements for moose hunting are determined by the provisions of Schedule V and the provisions of Schedule III for that species respecting hunting seasons and types of implements do not apply.

\* The Regulation respecting hunting, made by Minister's Order No. 99021 dated 27 July 1999 (1999, *G.O.* 2, 2451) was last amended by the Regulation approved by Minister's Order No. 2001-006 dated 26 January 2001 (2001, *G.O.* 2, 1137). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

In the territories shown on the plans in Schedules XL to XLIV and CXXII for hunting white-tailed deer and, subject to section 17, in the territories shown on the plans in Schedules CXVIII to CXXXI for moose hunting, the Type 6 implement prescribed by Schedule III for hunting those species is replaced by the Type 11 implement.”.

2. Section 17 is amended by substituting “XXXVI” for “CXCIV” in the fourth and fifth paragraphs.

3. Schedule III is amended

(1) by substituting “XXXVIII, XXXIX, XL, XLI” for “CXXVIII, CXXXI, CXXXVI, CXCI” in subparagraphs *b* of Column III of paragraphs 1 and 2 of section 4; and

(2) by substituting “XXXVII” for “CXCIV” in paragraphs *a* and *b* of Column III of section 6.

4. Schedule V attached to this Regulation is substituted for Schedule V.

5. Schedules XXXV to CXXXI attached to this Order in Council are substituted for Schedules XXXV to CXCIV.

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

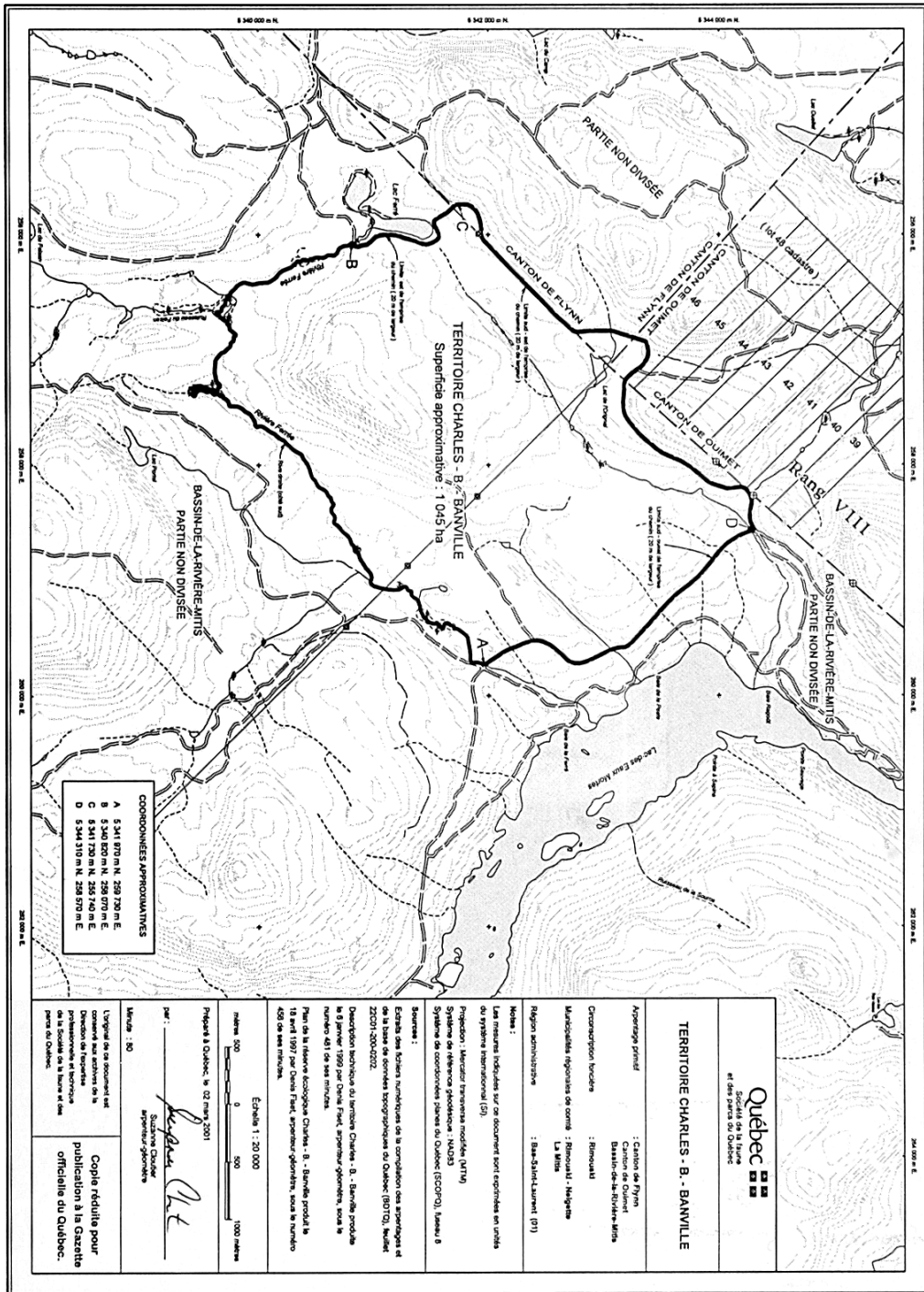
## SCHEDULE V

(s. 14)

### HUNTING SEASONS IN CERTAIN PARTS OF TERRITORIES

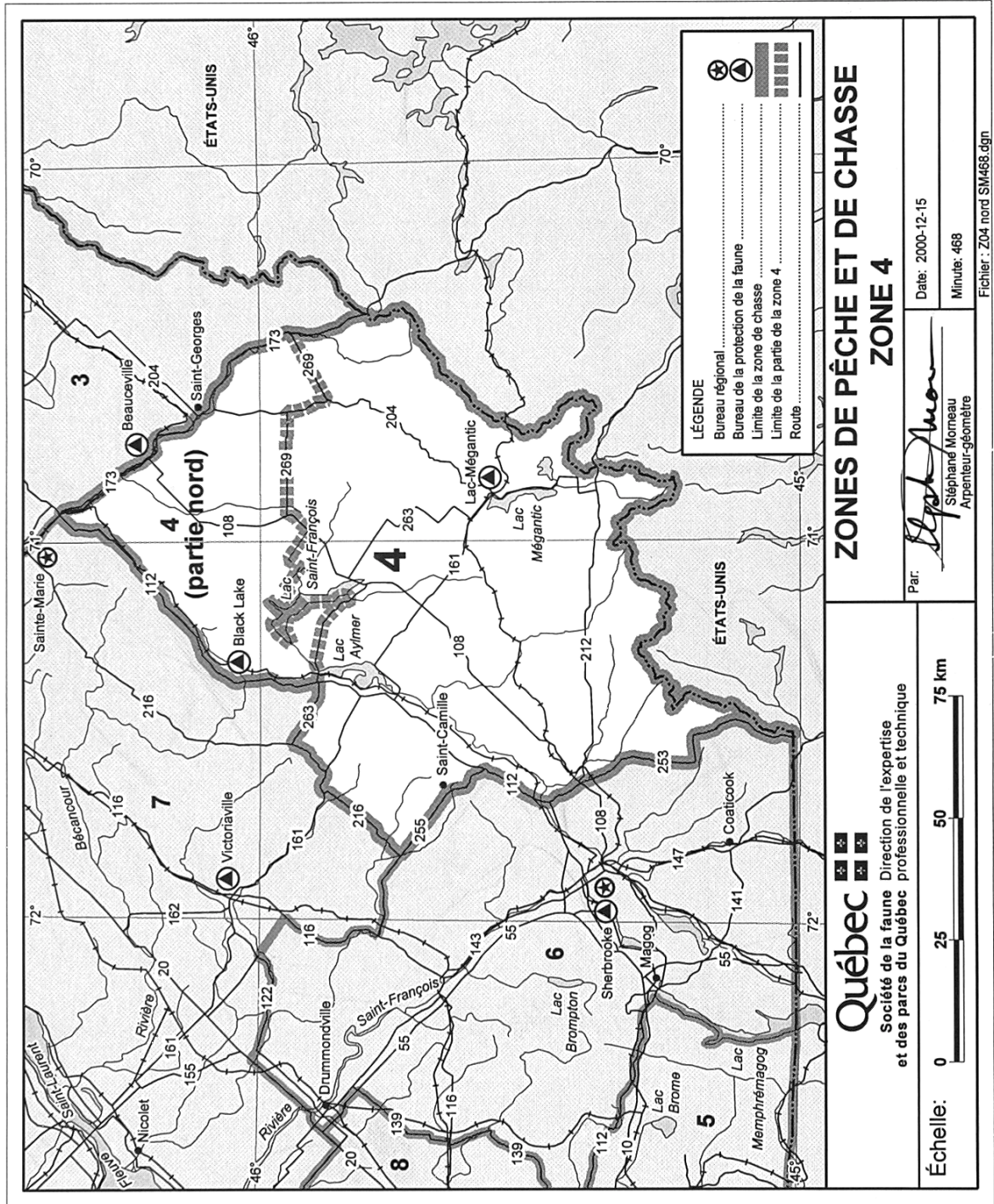
Animal	Column I Type of implement	Column II Parts of territories	Column III Hunting season
Moose	1	Parts shown on the plans in Schedules XL to XLIII and XLV to CXVII	From the Saturday on or closest to 15 September to the Sunday on or closest to 14 October
	11	Part shown on the plan in Schedule XLIV	From the Saturday on or closest to 15 September to the Sunday on or closest to 14 October

SCHEDULE XXXV





SCHEDULE XXXVI



**Québec**  
 Société de la faune Direction de l'expertise  
 et des parcs du Québec professionnelle et technique

**ZONES DE PÊCHE ET DE CHASSE  
 ZONE 4**

Par: *Stéphane Morneau*  
 Stéphane Morneau  
 Arpentier-géomètre

Date: 2000-12-15  
 Minute: 468  
 Fichier: Z04\_nord SM468.dgn

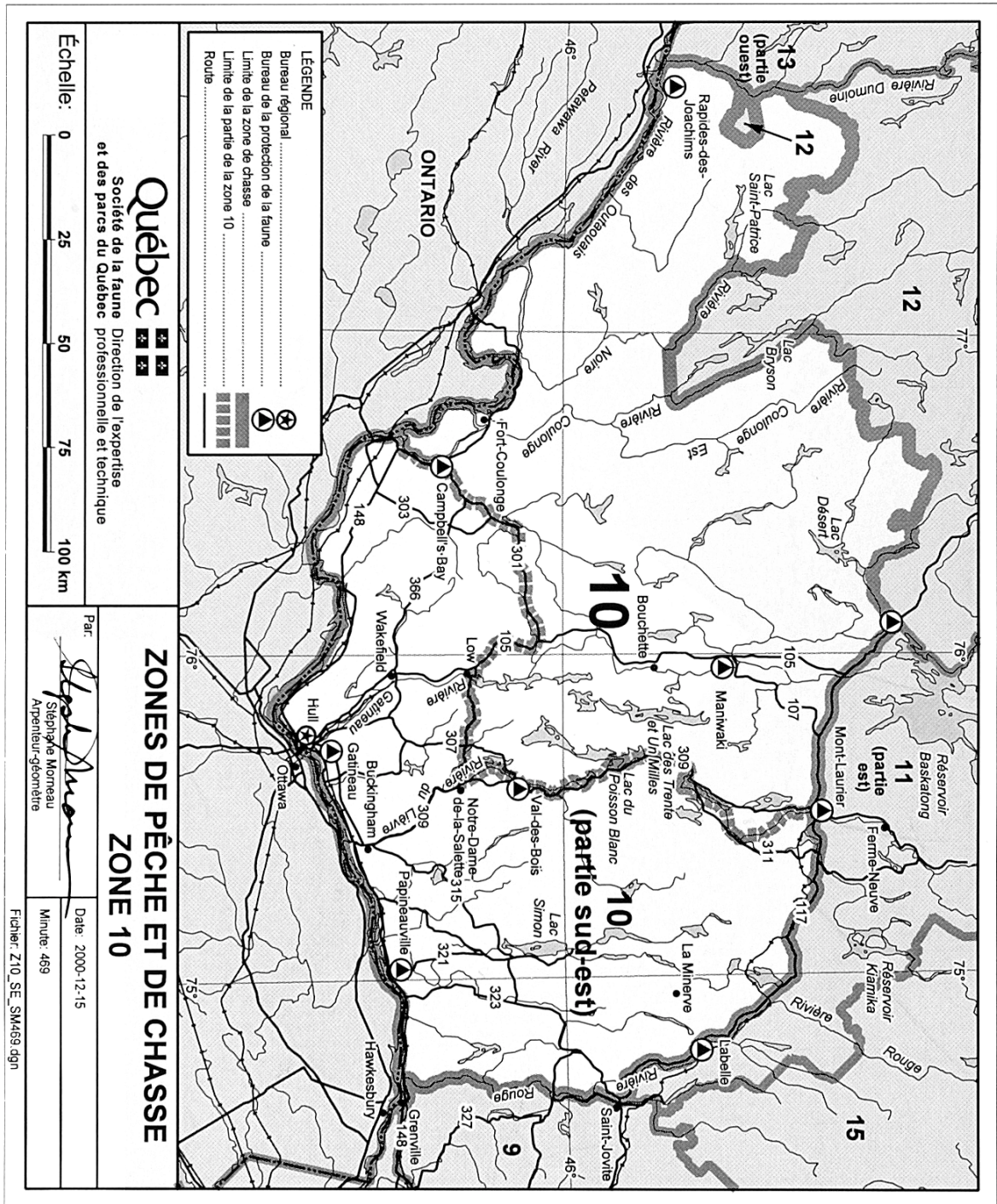
Échelle: 0 25 50 75 km

**LÉGENDE**

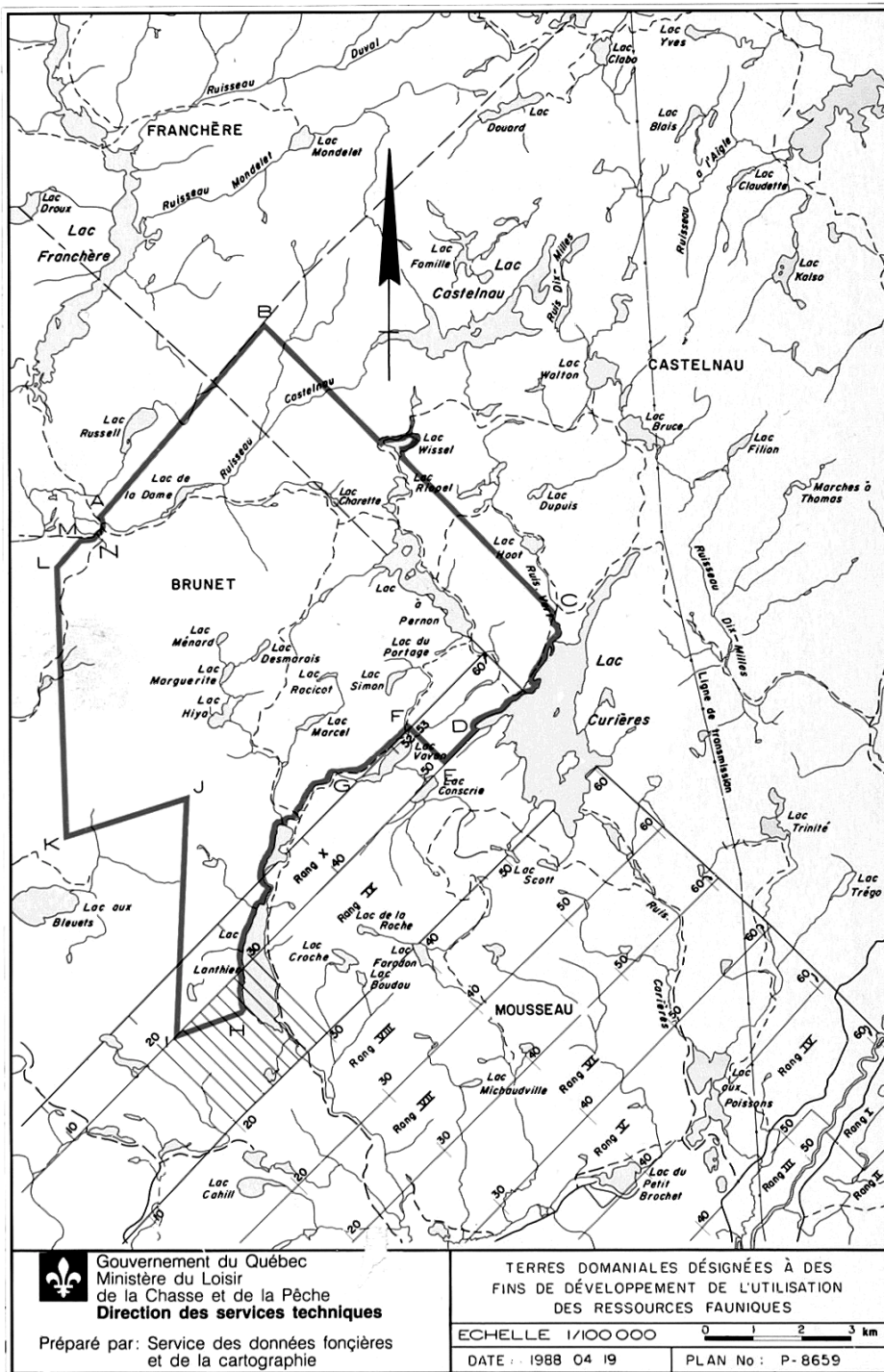
- ⊗ Bureau régional
- ⊙ Bureau de la protection de la faune
- ..... Limite de la zone de chasse
- Limite de la partie de la zone 4
- ▬ Route



SCHEDULE XXXVII



SCHEDULE XXXVIII



Gouvernement du Québec  
 Ministère du Loisir  
 de la Chasse et de la Pêche  
**Direction des services techniques**

Préparé par: Service des données foncières  
 et de la cartographie

TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNTIQUES

ECHELLE 1/100 000 0 1 2 3 km  
 DATE: 1988 04 19 PLAN No: P-8659



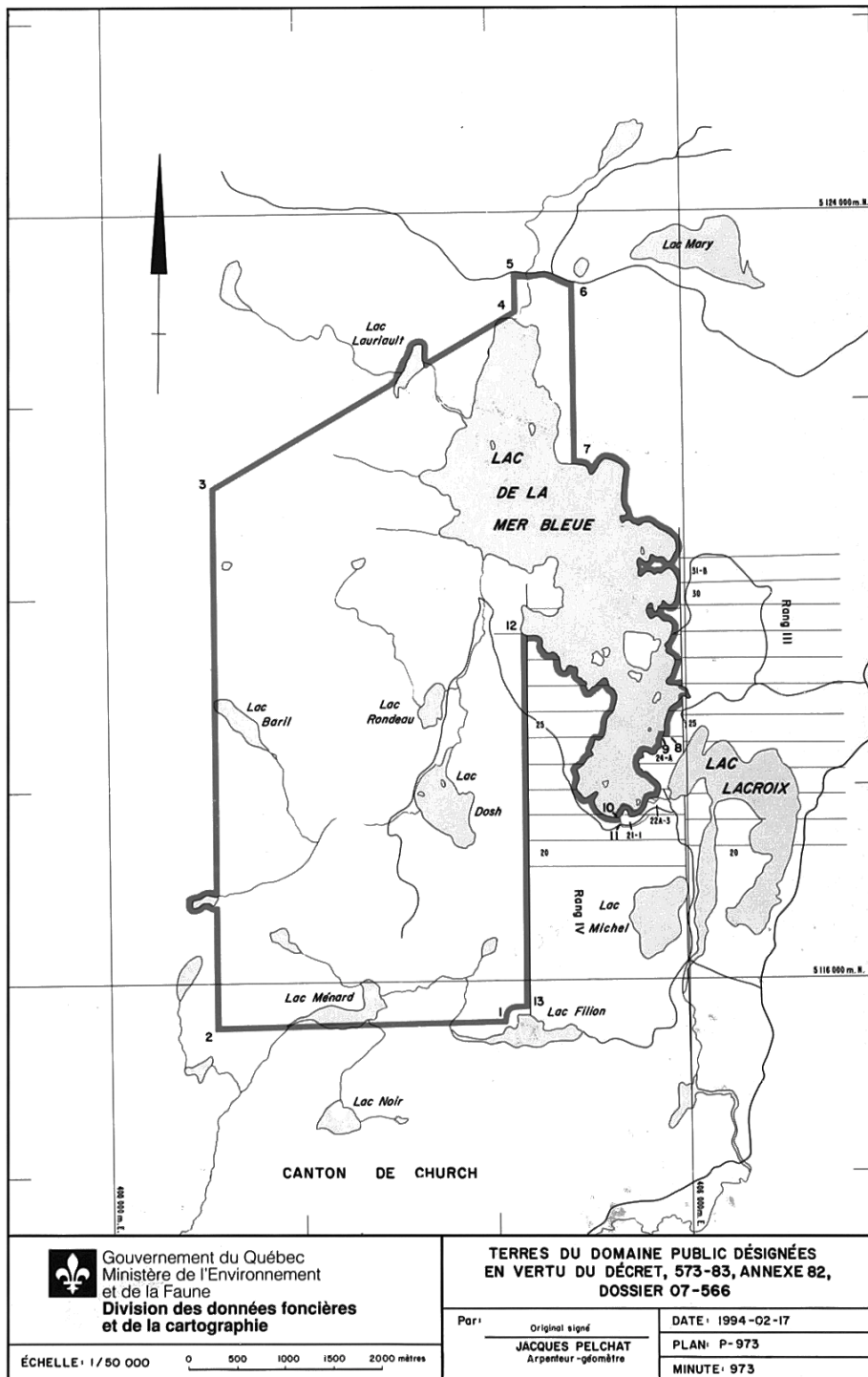








SCHEDULE XLII



Gouvernement du Québec  
 Ministère de l'Environnement  
 et de la Faune  
**Division des données foncières  
 et de la cartographie**

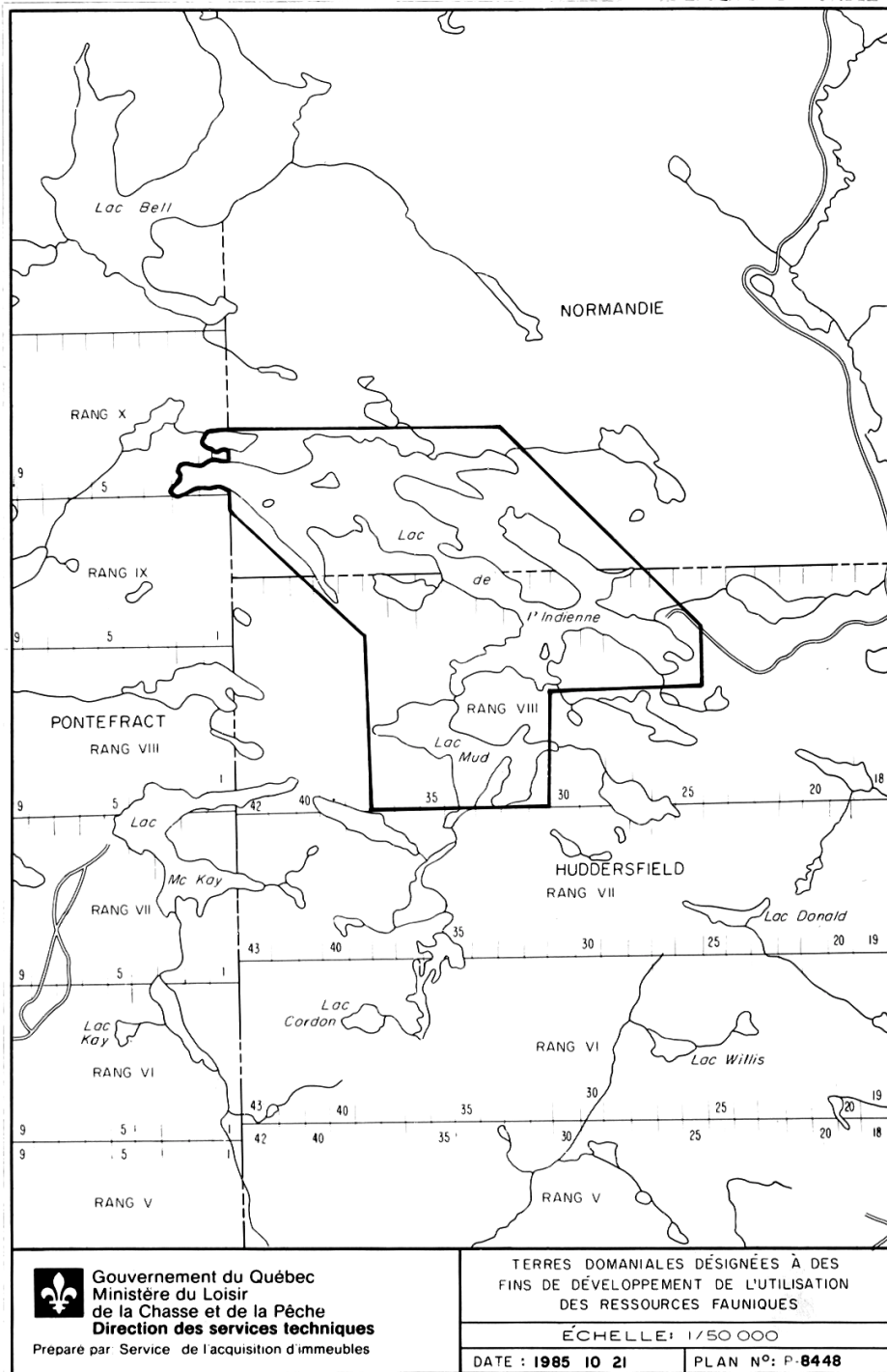
**TERRES DU DOMAINE PUBLIC DÉSIGNÉES  
 EN VERTU DU DÉCRET, 573-83, ANNEXE 82,  
 DOSSIER 07-566**

Par: Original signé  
**JACQUES PELCHAT**  
 Arpenteur-géomètre

DATE: 1994-02-17  
 PLAN: P-973  
 MINUTE: 973

ÉCHELLE: 1/50 000 0 500 1000 1500 2000 mètres

SCHEDULE XLIII



Gouvernement du Québec  
 Ministère du Loisir  
 de la Chasse et de la Pêche  
 Direction des services techniques

Prepared by Service de l'acquisition d'immeubles

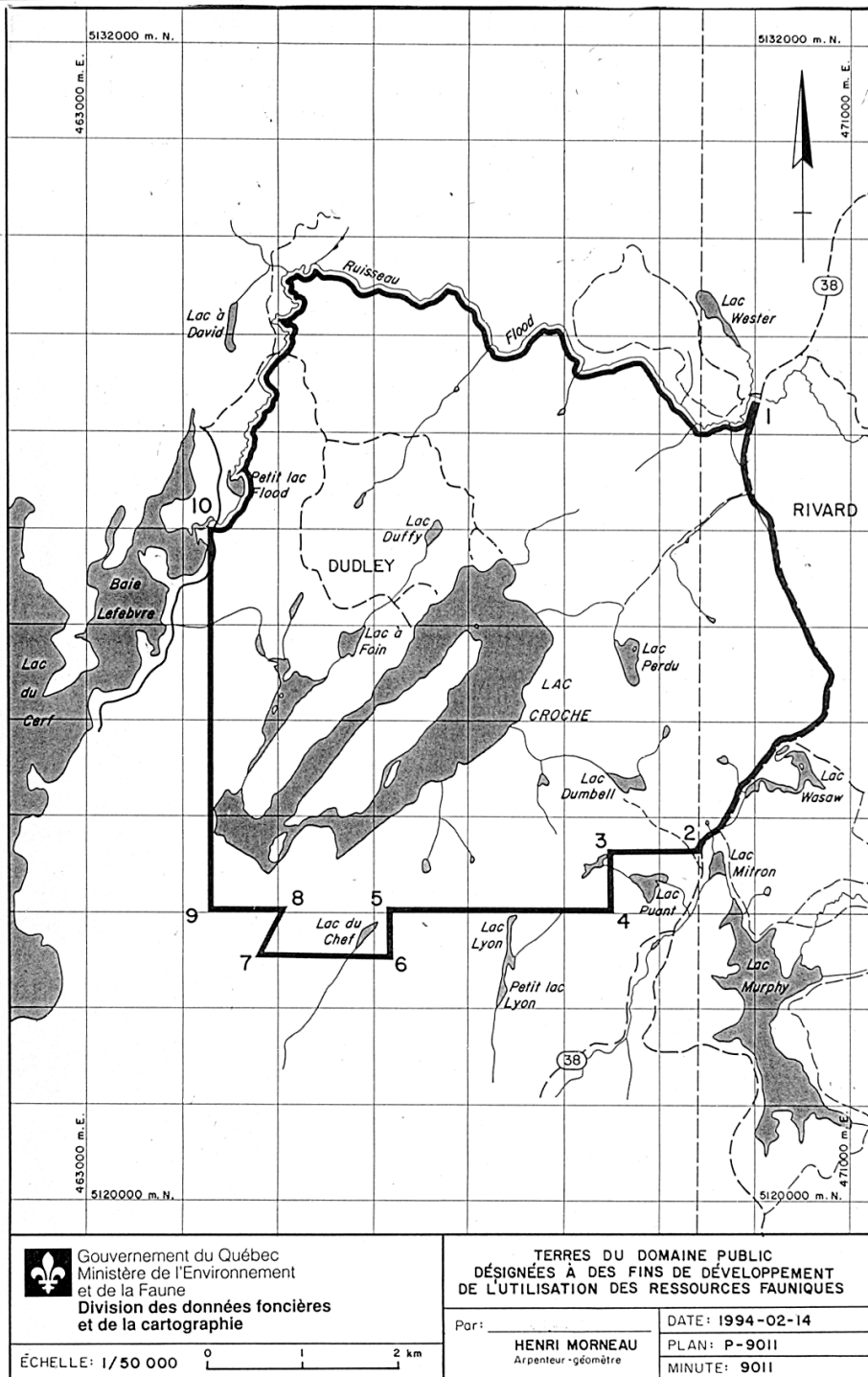
TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNTIQUES


ÉCHELLE: 1/50 000


DATE: 1985 10 21

PLAN N°: P-8448

SCHEDULE XLIV




 Gouvernement du Québec  
 Ministère de l'Environnement  
 et de la Faune  
 Division des données foncières  
 et de la cartographie

ÉCHELLE: 1/50 000
 

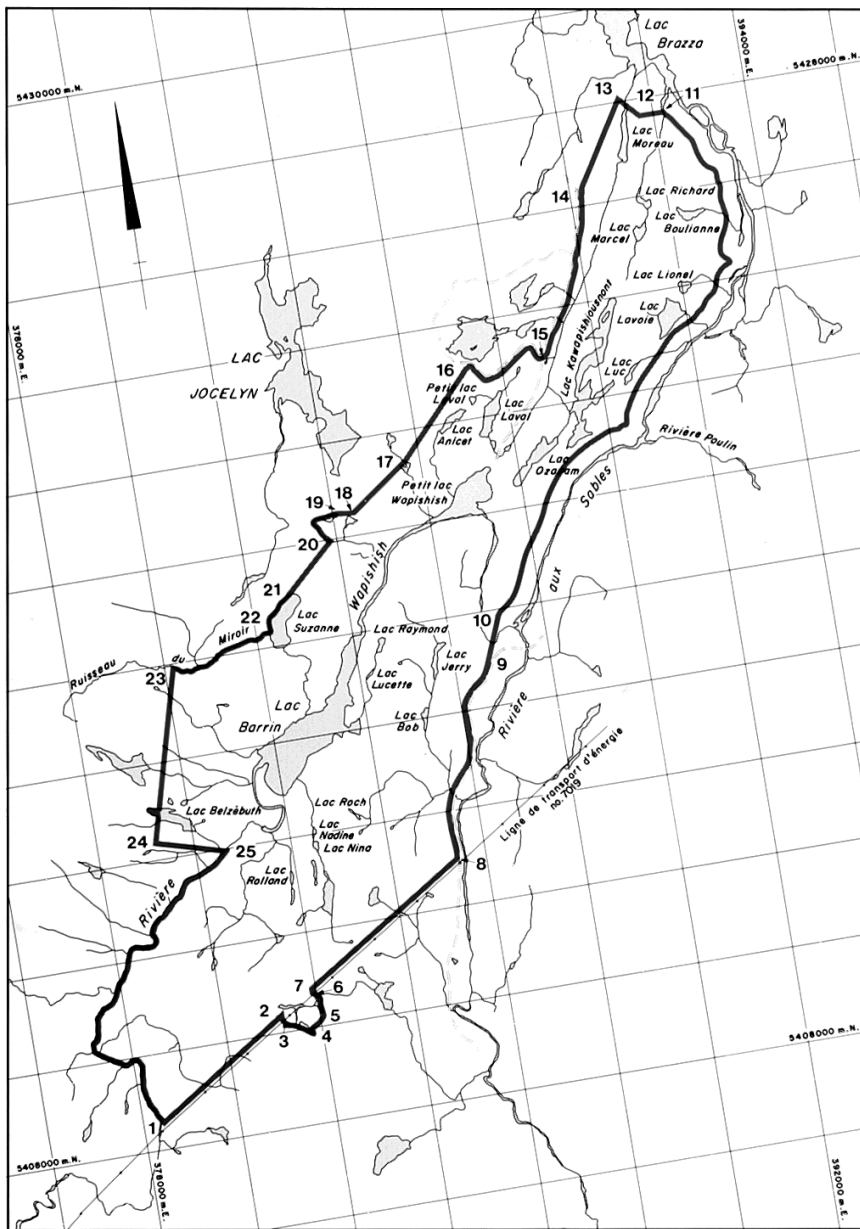
**TERRES DU DOMAINE PUBLIC  
 DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT  
 DE L'UTILISATION DES RESSOURCES FAUNIQUES**



Par:	DATE: 1994-02-14
<b>HENRI MORNEAU</b> Arpenteur-géomètre	PLAN: P-9011
	MINUTE: 9011

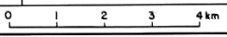




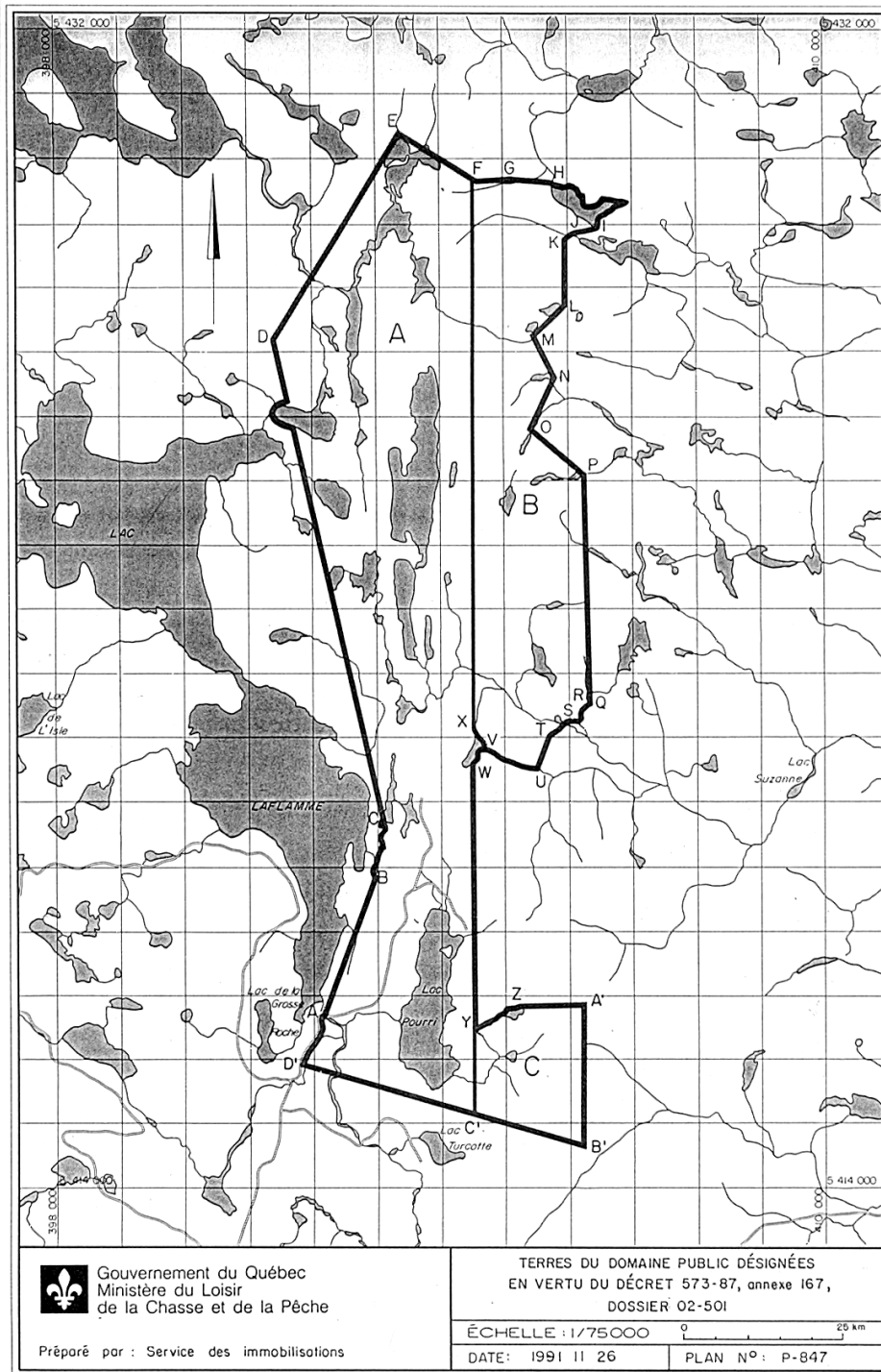
SCHEDULE XLVI




 Gouvernement du Québec Ministère de l'Environnement et de la Faune Division des données foncières et de la cartographie	<b>TERRES DU DOMAINE PUBLIC                  DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT                  DE L'UTILISATION DES RESSOURCES FAUNIQUES</b>	
Cadastre : T.N.O.		
Circ. foncière : CHICOUTIMI	M.R.C. : LE FJORD-DU-SAGUENAY	
Préparé par :  HENRI MORNEAU arpenteur-géomètre	Minute : 9189	No plan : P-9189
Date : 1997 - 04 - 11		
Echelle : 1/100 000		



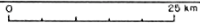
SCHEDULE XLVII



 Gouvernement du Québec  
Ministère du Loisir  
de la Chasse et de la Pêche

Préparé par : Service des immobilisations

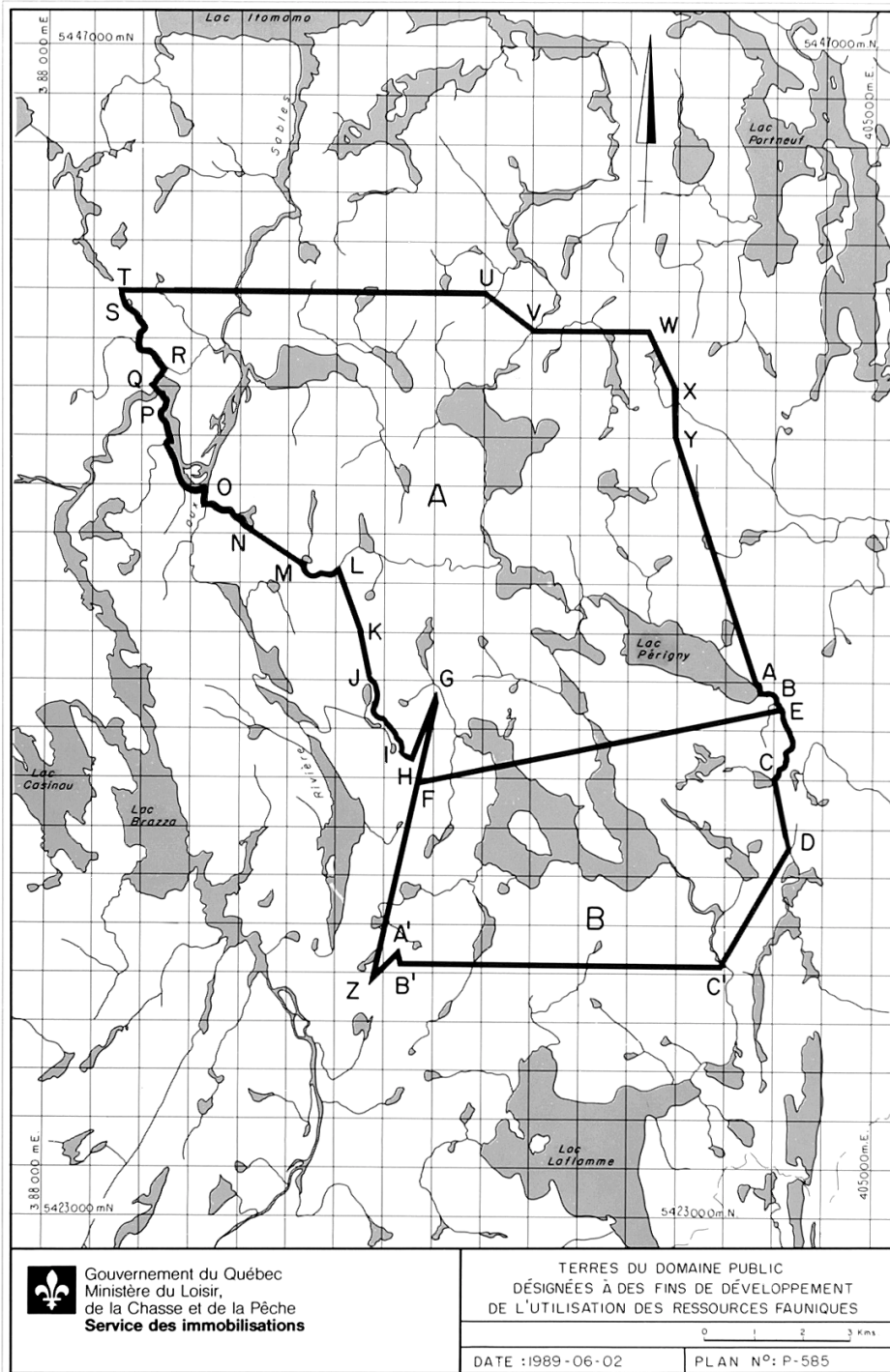
TERRES DU DOMAINE PUBLIC DÉSIGNÉES  
EN VERTU DU DÉCRET 573-87, annexe 167,  
DOSSIER 02-501

ÉCHELLE : 1/75 000   
DATE: 1991 II 26 PLAN N°: P-847

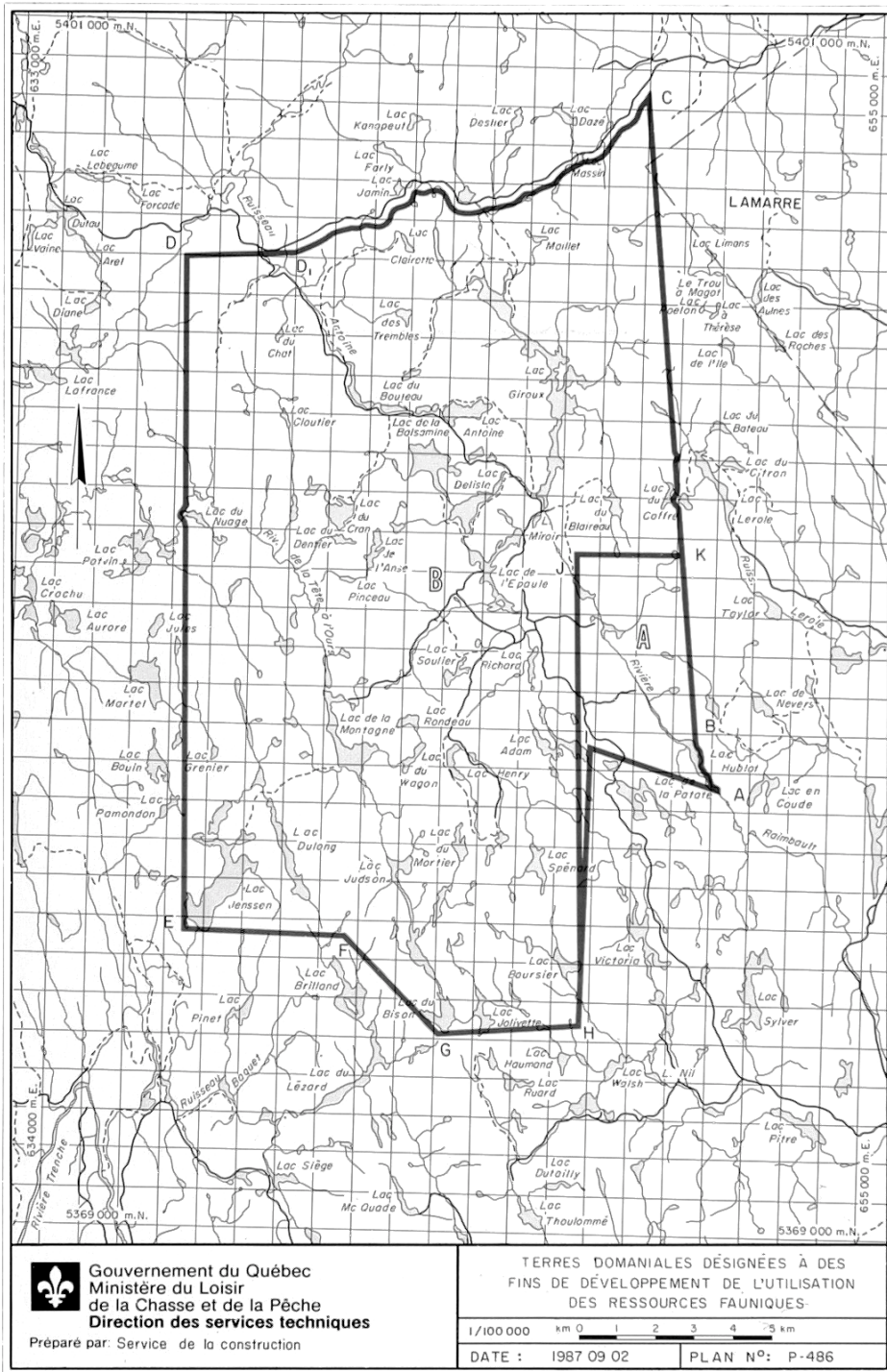




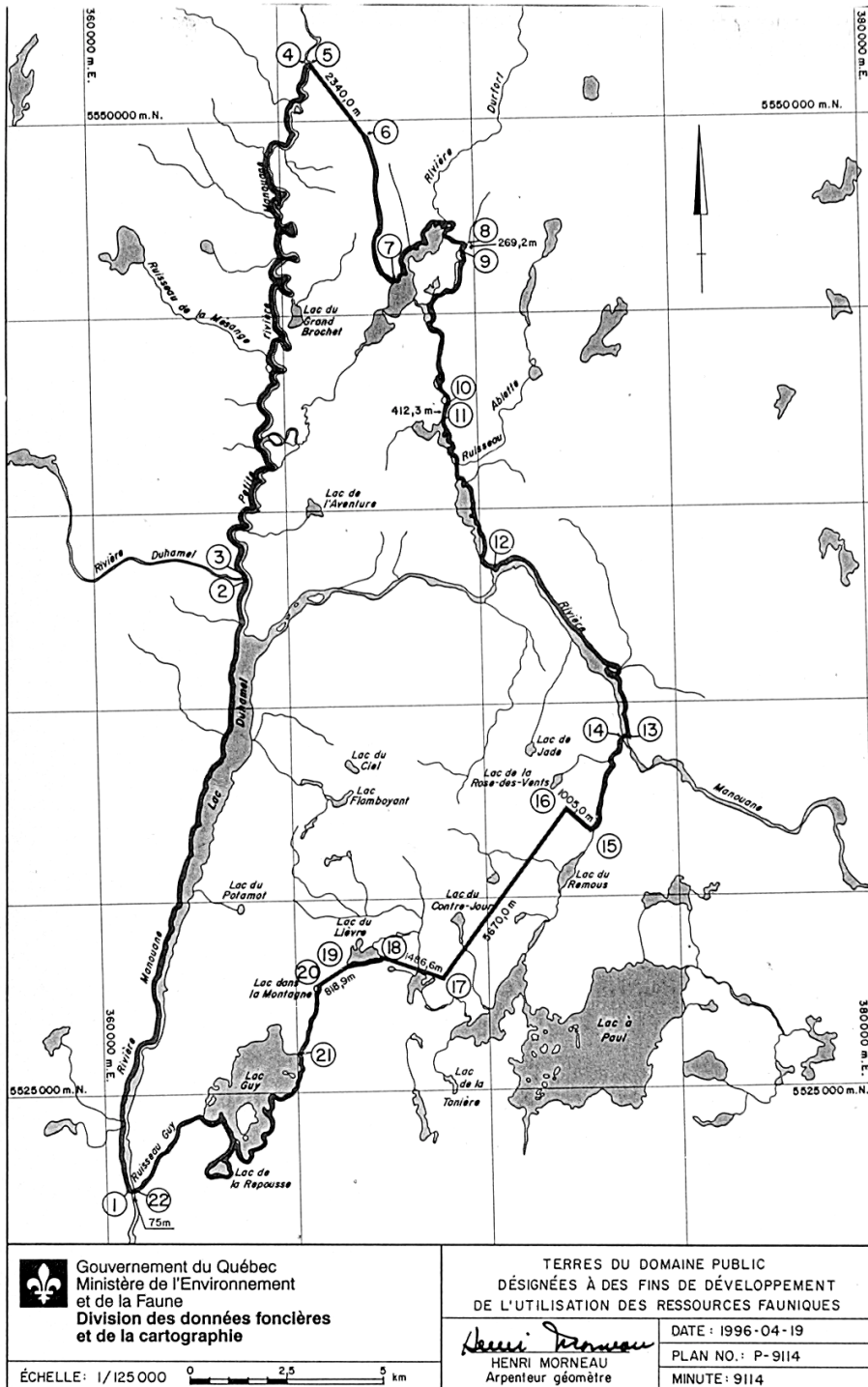
SCHEDULE XLIX




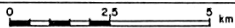
SCHEDULE L



SCHEDULE LI




 Gouvernement du Québec  
 Ministère de l'Environnement  
 et de la Faune  
 Division des données foncières  
 et de la cartographie

ÉCHELLE: 1/125 000
 

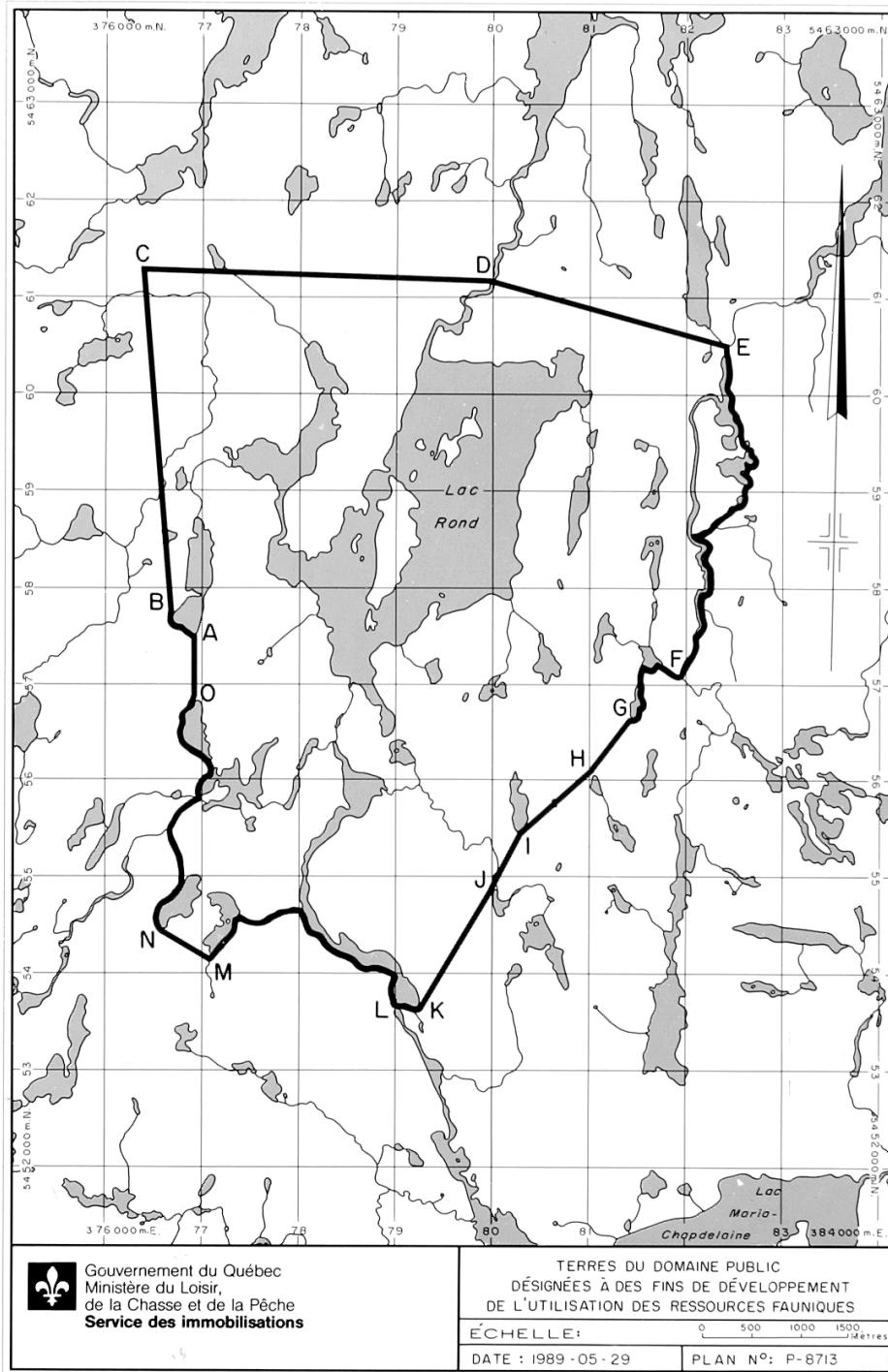
TERRES DU DOMAINE PUBLIC  
 DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT  
 DE L'UTILISATION DES RESSOURCES FAUNTIQUES


*Henri Morneau*  
 HENRI MORNEAU  
 Arpenteur géomètre

DATE: 1996-04-19
PLAN NO.: P-9114
MINUTE: 9114



SCHEDULE LII



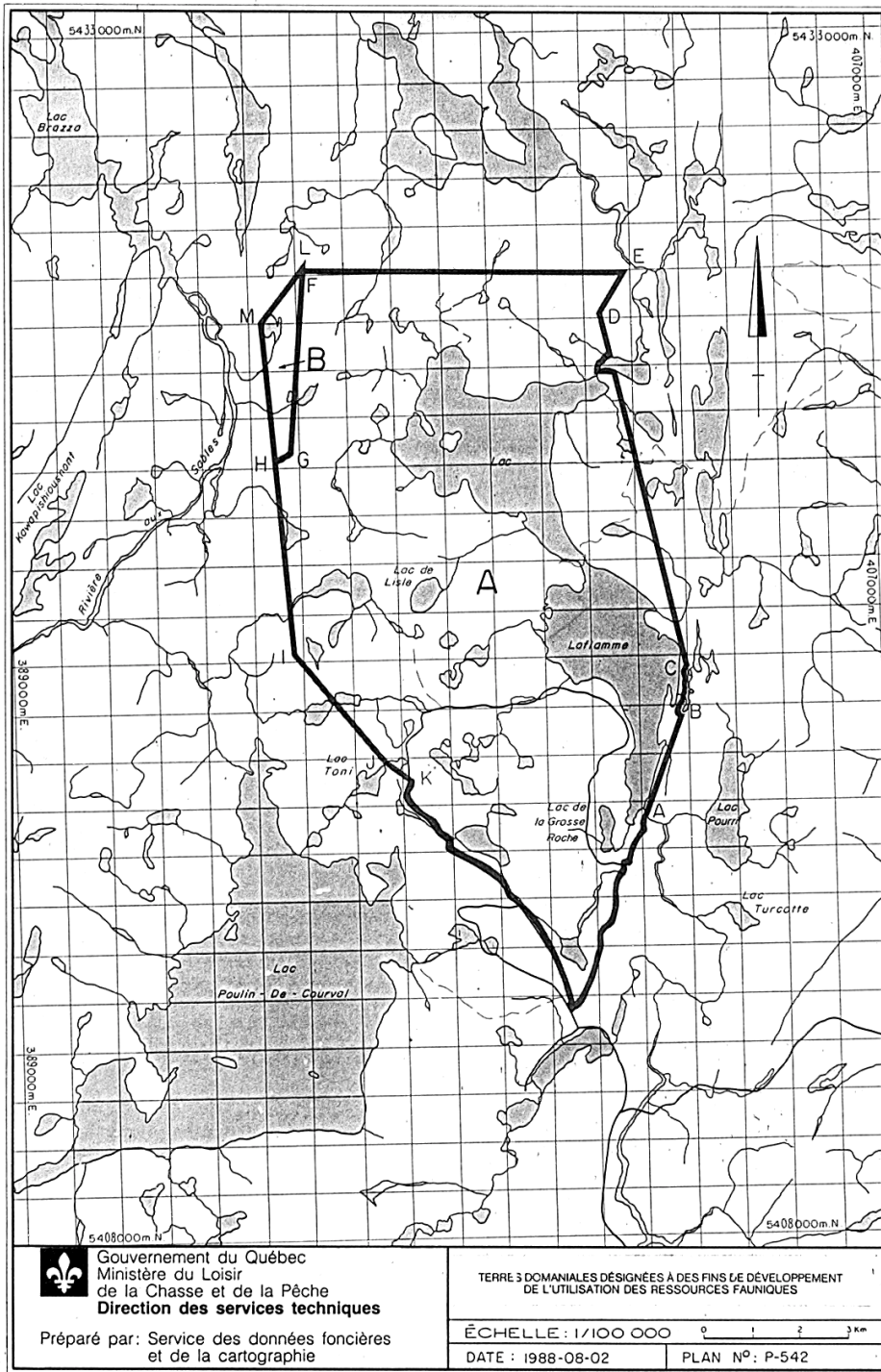
 **Gouvernement du Québec**  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
**Service des immobilisations**


TERRES DU DOMAINE PUBLIC  
 DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT  
 DE L'UTILISATION DES RESSOURCES FAUNIQUES

ÉCHELLE: 0 500 1000 1500  
mètres

DATE : 1989 - 05 - 29      PLAN N°: P-8713


SCHEDULE LIH



 **Gouvernement du Québec**  
 Ministère du Loisir  
 de la Chasse et de la Pêche  
**Direction des services techniques**

Préparé par: Service des données foncières  
 et de la cartographie

TERRES DOMANIALES DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT  
 DE L'UTILISATION DES RESSOURCES FAUNTIQUES

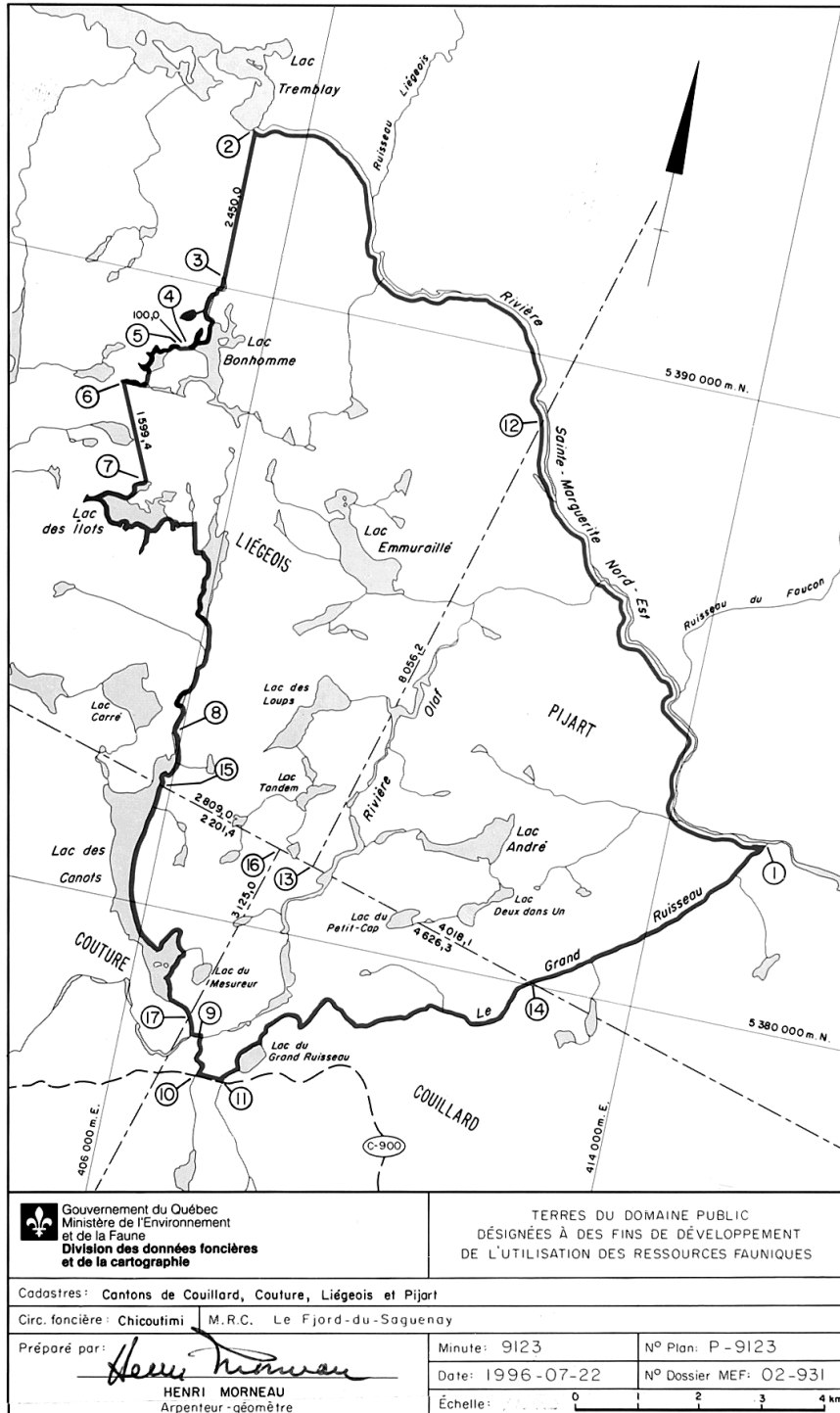
ÉCHELLE : 1/100 000 

DATE : 1988-08-02

PLAN N° : P-542



SCHEDULE LV



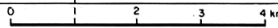
 Gouvernement du Québec  
Ministère de l'Environnement  
et de la Faune  
**Division des données foncières  
et de la cartographie**

TERRES DU DOMAINE PUBLIC  
DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT  
DE L'UTILISATION DES RESSOURCES FAUNTIQUES

Cadastrés: Cantons de Couillard, Couture, Liégeois et Pijart

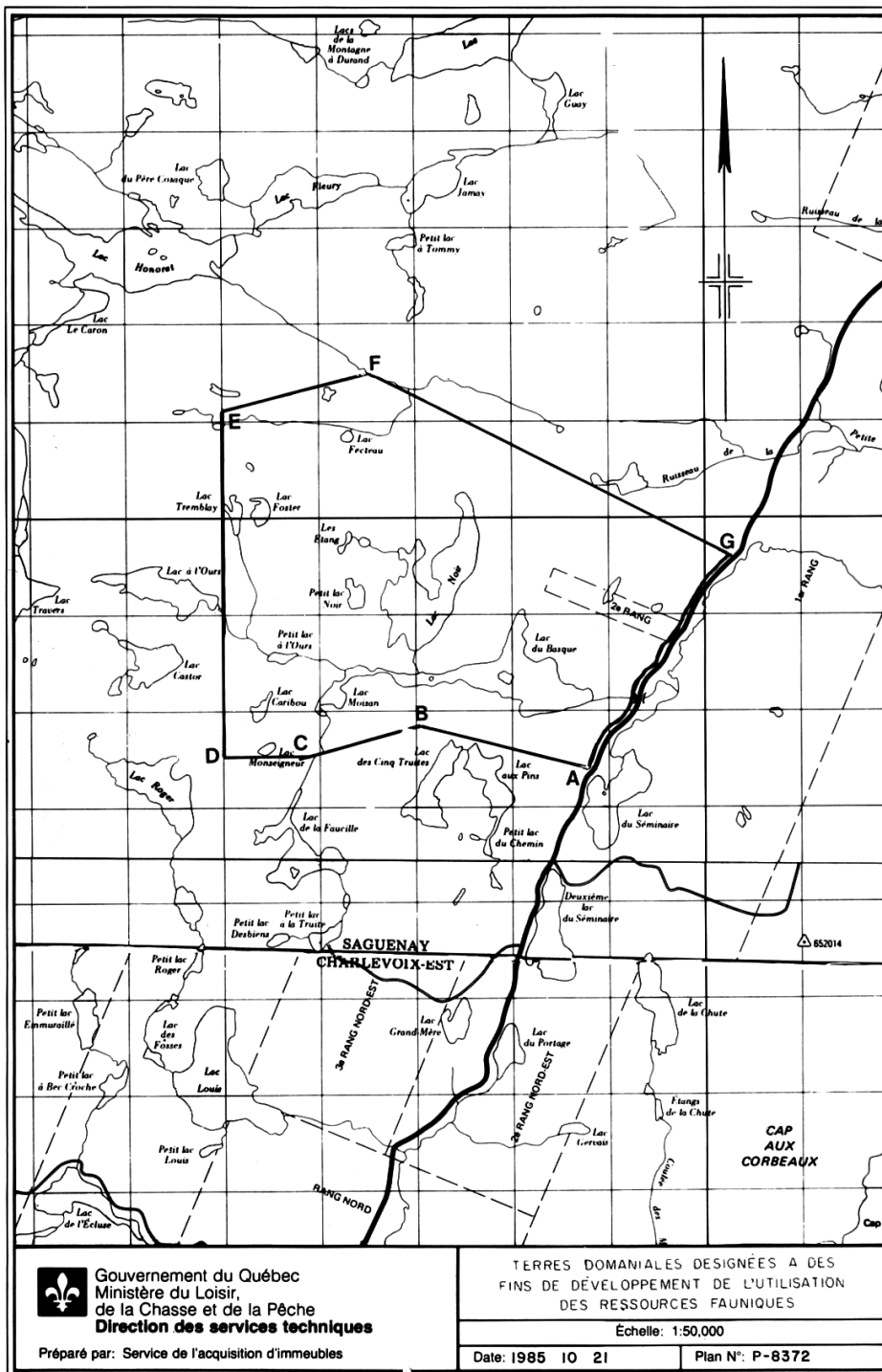
Circ. foncière: Chicoutimi M.R.C. Le Fjord-du-Saguenay

Préparé par:   
**HENRI MORNEAU**  
Arpenteur-géomètre

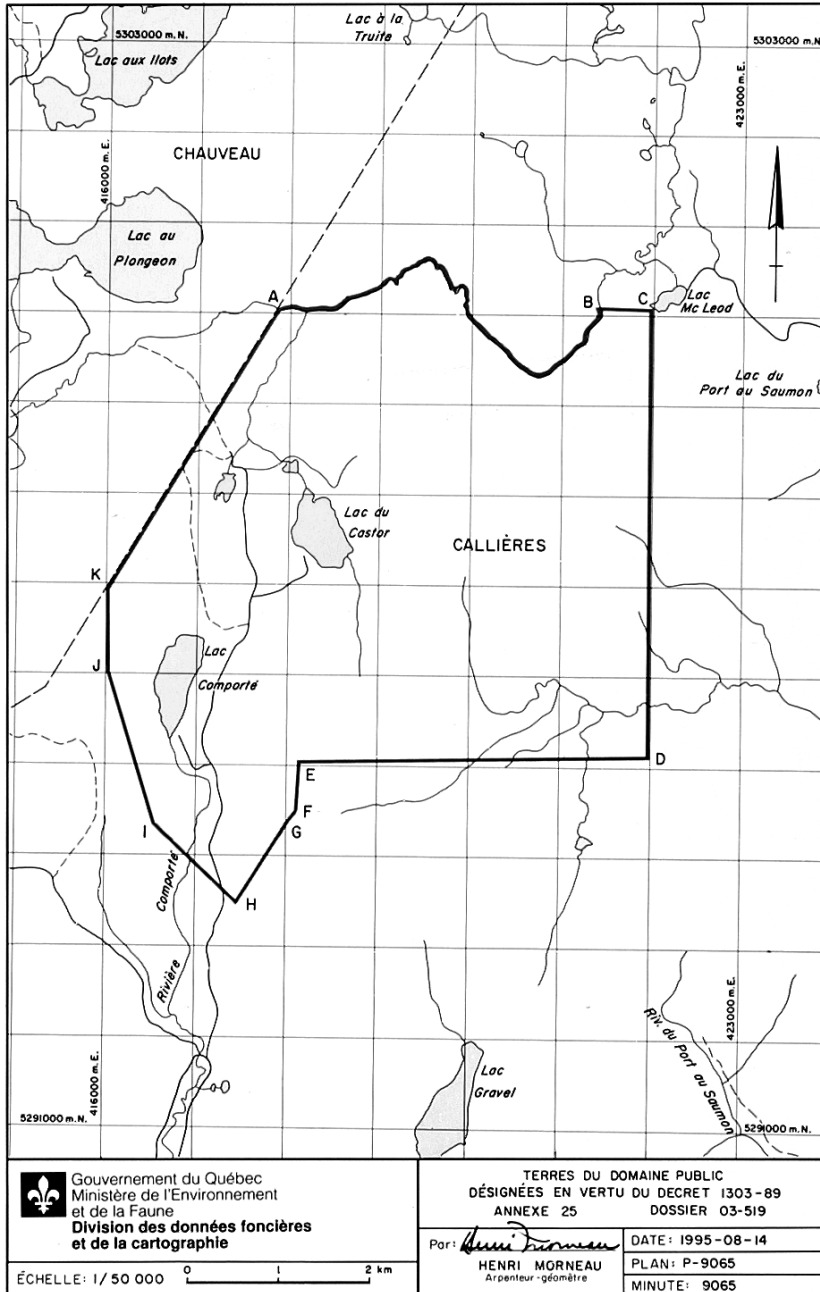
Minute: 9123	N° Plan: P-9123
Date: 1996-07-22	N° Dossier MEF: 02-931
Échelle: 	



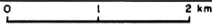
SCHEDULE LVI



SCHEDULE LVII




 Gouvernement du Québec  
 Ministère de l'Environnement  
 et de la Faune  
**Division des données foncières  
 et de la cartographie**

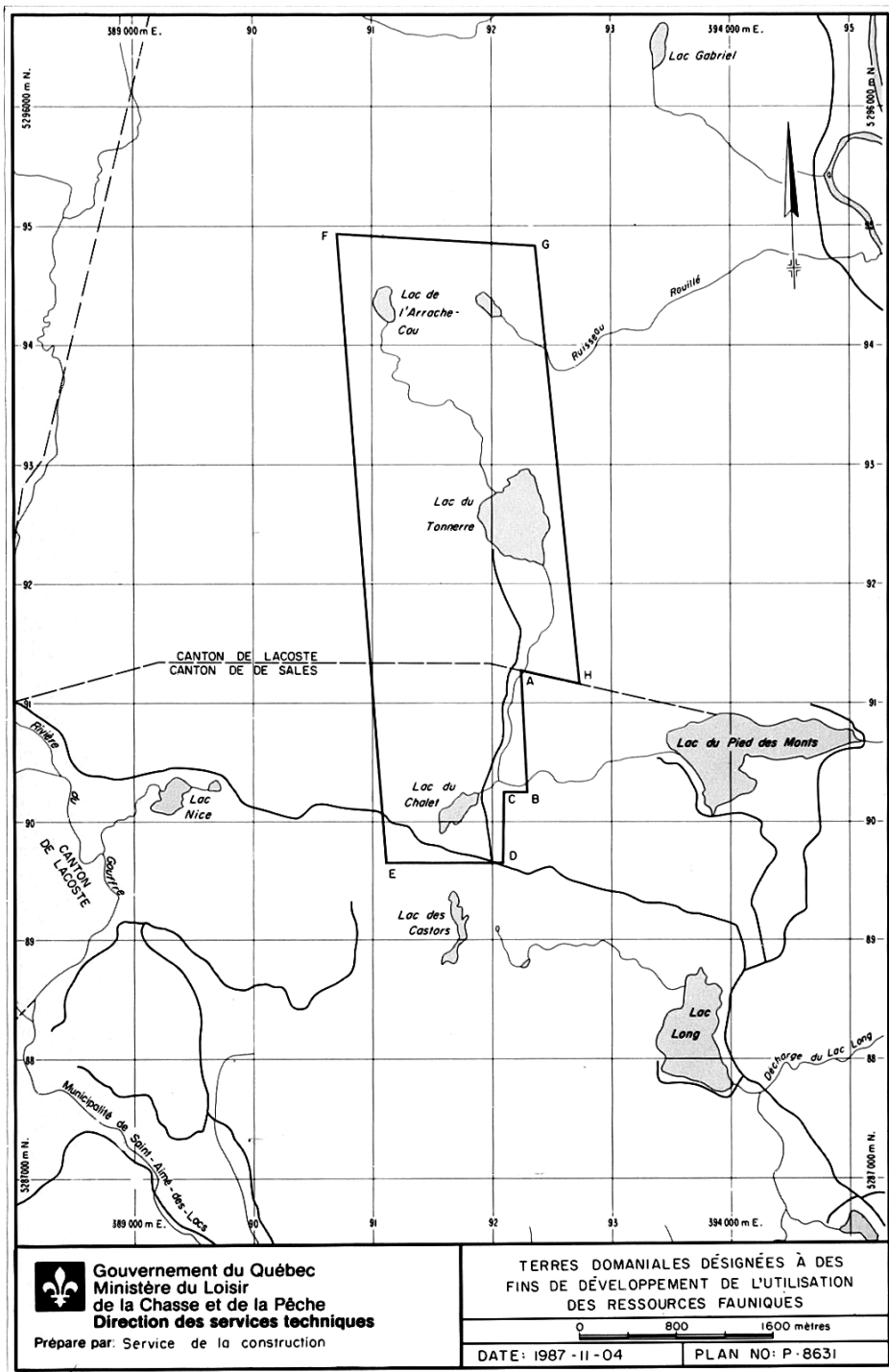
ÉCHELLE: 1/50 000 

**TERRES DU DOMAINE PUBLIC**  
**DÉSIGNÉES EN VERTU DU DÉCRET 1303-89**  
**ANNEXE 25 DOSSIER 03-519**

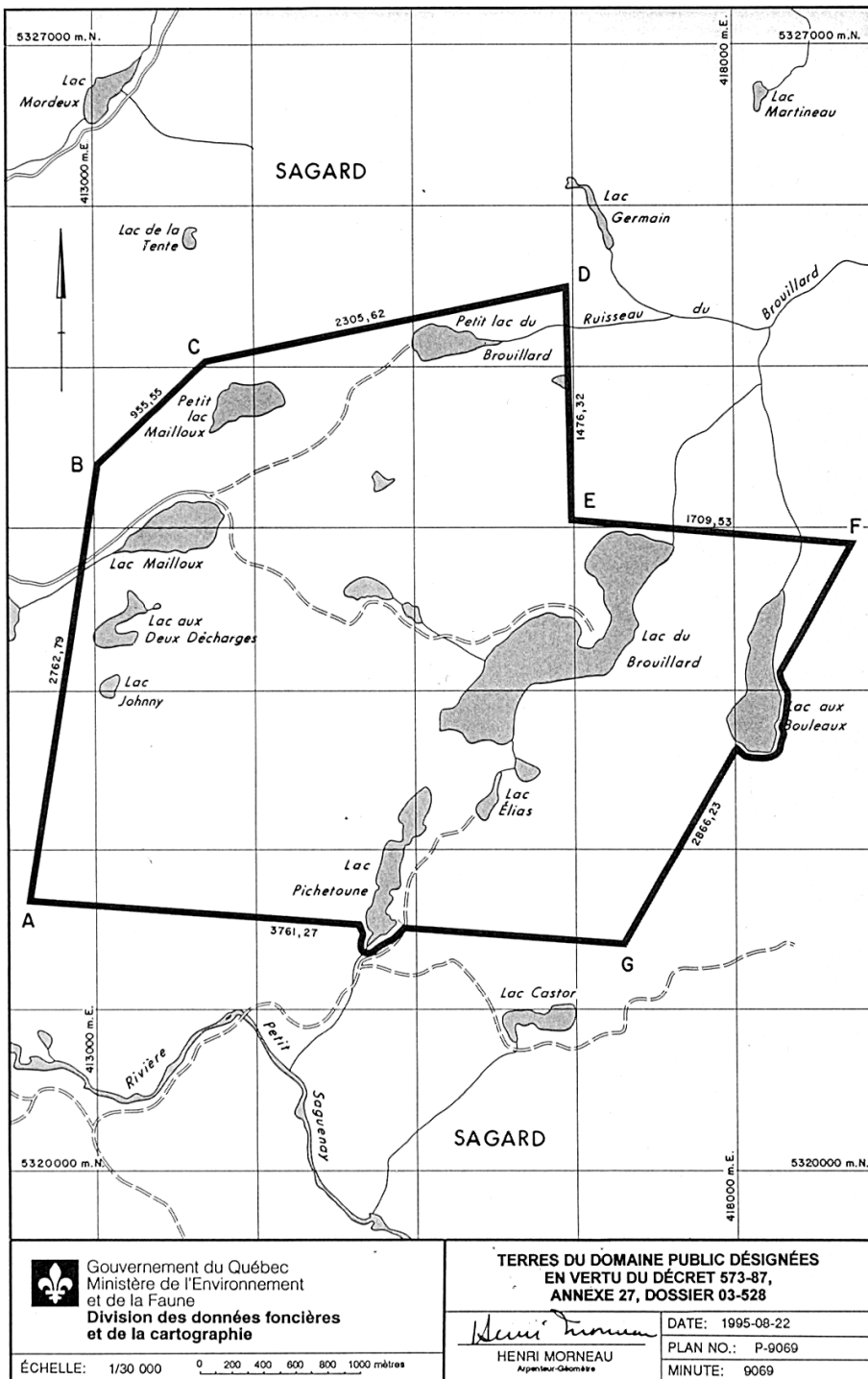
Par:   
**HENRI MORNEAU**  
 Arpenteur-géomètre


DATE: 1995-08-14  
 PLAN: P-9065  
 MINUTE: 9065

SCHEDULE LVIII



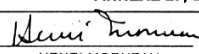
SCHEDULE LIX




 Gouvernement du Québec  
 Ministère de l'Environnement  
 et de la Faune  
 Division des données foncières  
 et de la cartographie

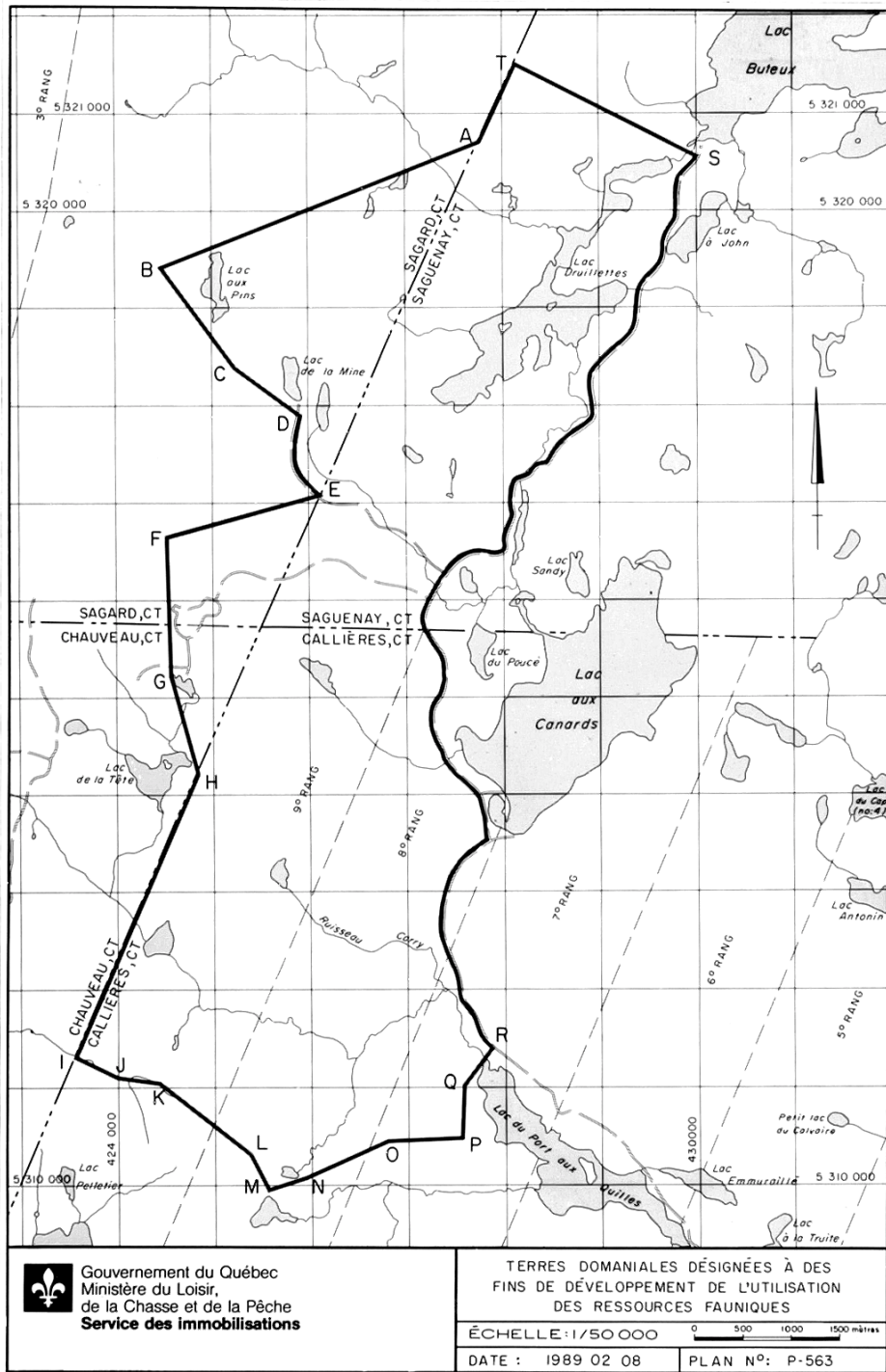
ÉCHELLE: 1/30 000  
 0 200 400 600 800 1000 mètres

**TERRES DU DOMAINE PUBLIC DÉSIGNÉES  
 EN VERTU DU DÉCRET 573-87,  
 ANNEXE 27, DOSSIER 03-528**

  
 HENRI MORNEAU  
 arpenteur-géomètre

DATE: 1995-08-22
PLAN NO.: P-9069
MINUTE: 9069

SCHEDULE LX



Gouvernement du Québec  
Ministère du Loisir,  
de la Chasse et de la Pêche  
Service des immobilisations

TERRES DOMANIALES DÉSIGNÉES À DES  
FINS DE DÉVELOPPEMENT DE L'UTILISATION  
DES RESSOURCES FAUNIQUES

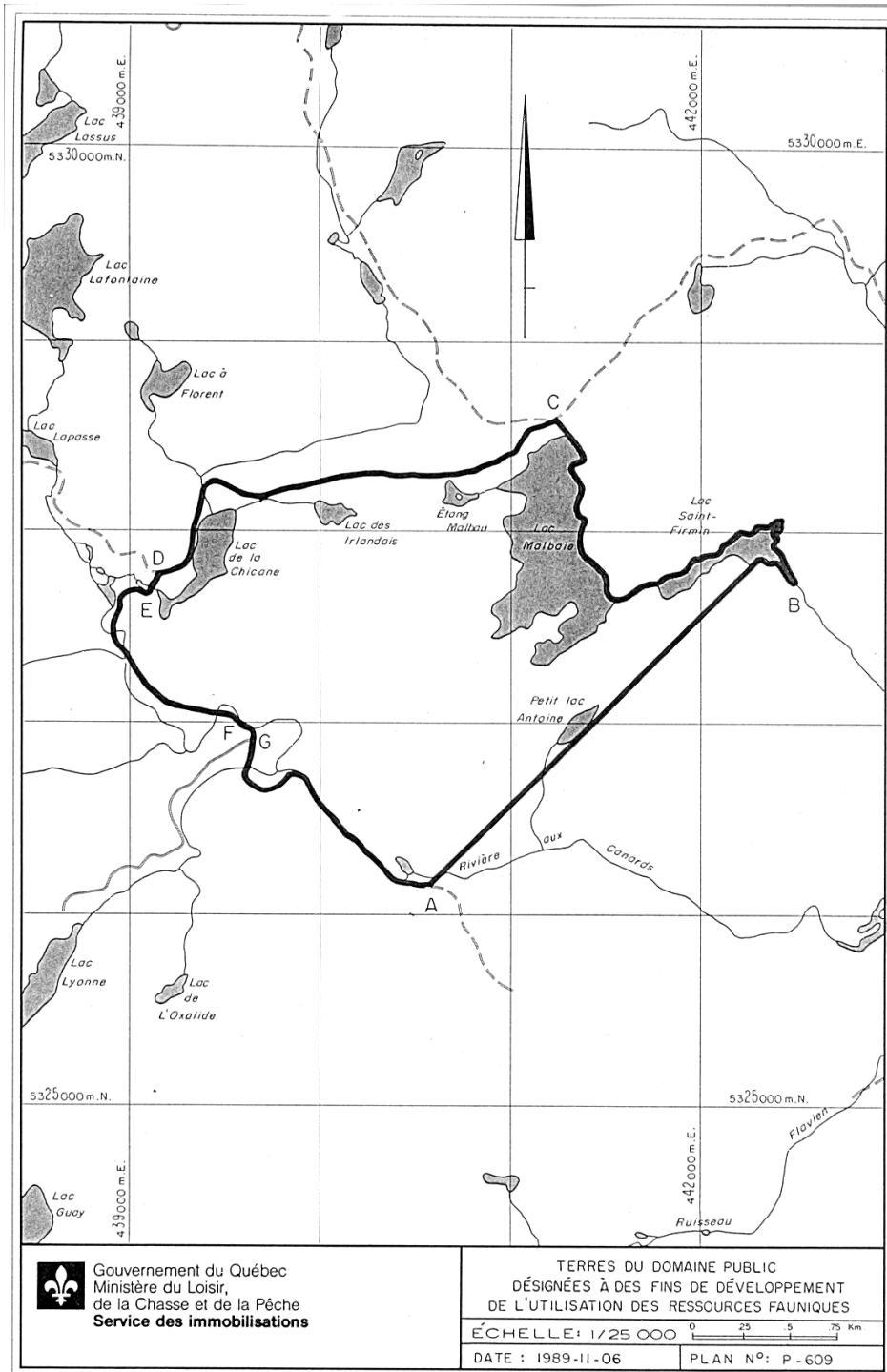
ÉCHELLE: 1/50 000

0 500 1000 1500 mètres

DATE : 1989 02 08

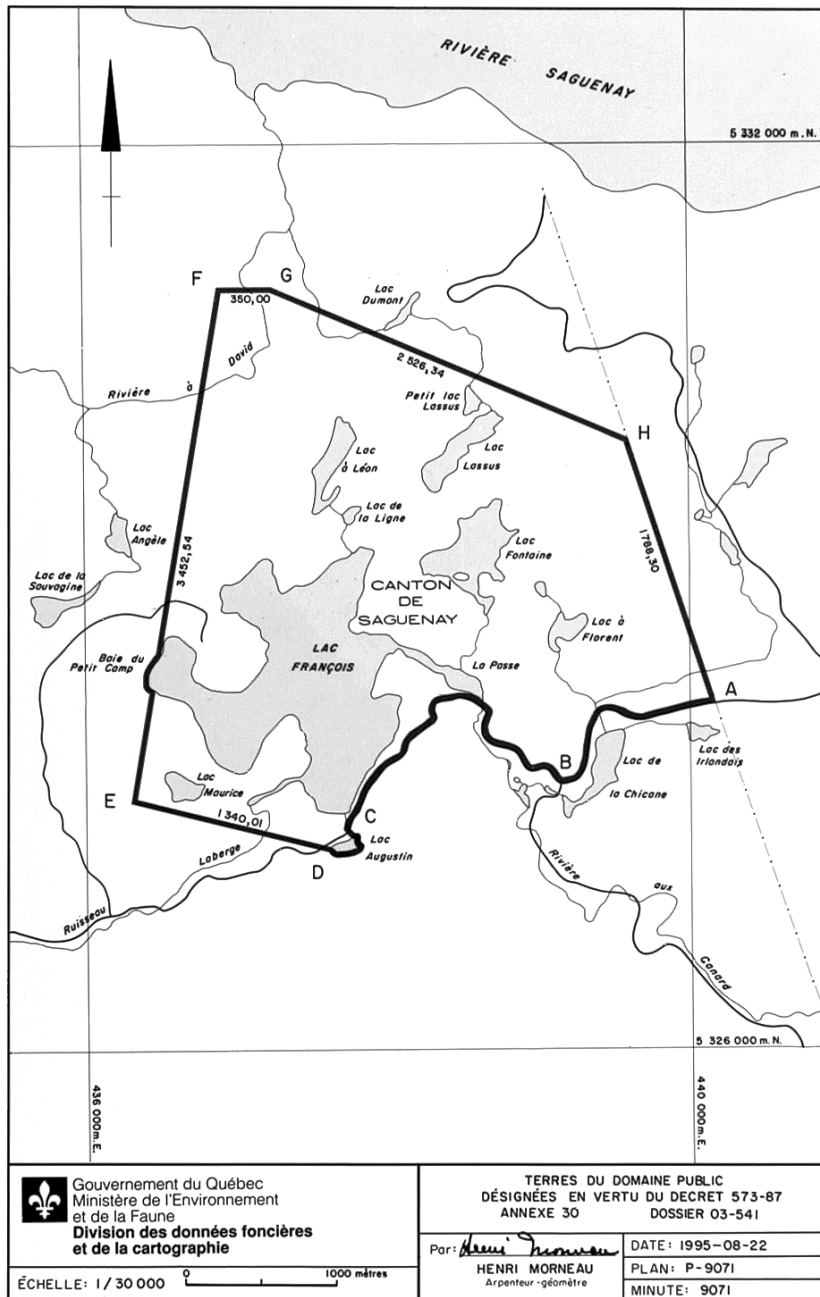
PLAN N°: P-563

SCHEDULE LXI

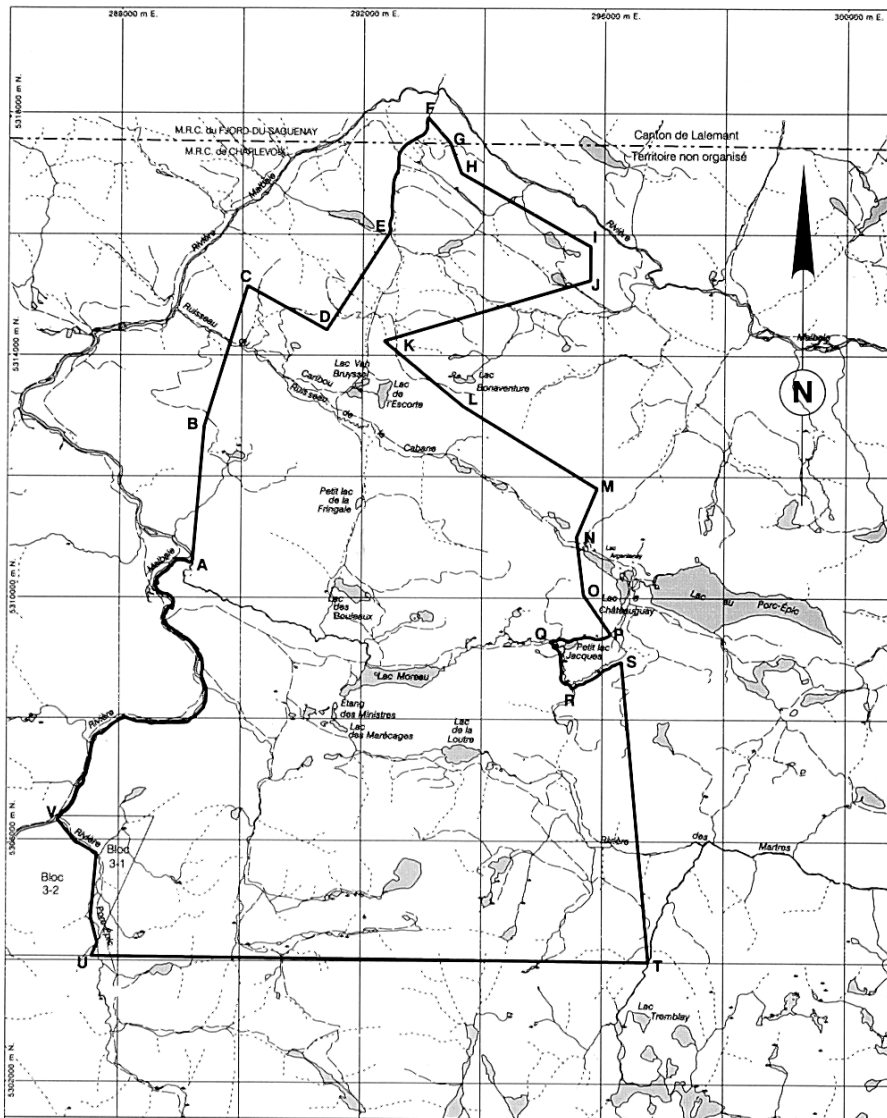





SCHEDULE LXII




SCHEDULE LXIII



 **Gouvernement du Québec**  
Ministère de l'Environnement  
et de la Faune  
Division des données foncières  
et de la cartographie

Date: 1998-03-17      N° Dossier: 003-553

Minute: 9350      N° Plan: P-9350      Superficie: 80,9 km<sup>2</sup>

Préparé par  
  
Henri Morneau  
Arpenteur géomètre


**TERRES DU DOMAINE PUBLIC**  
**DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT**  
**DE L'UTILISATION DES RESSOURCES FAUNIQUES**

Canton: de Lalemant et T. O.

Circ. foncières: Charlevoix N° 2 et Chicoutimi

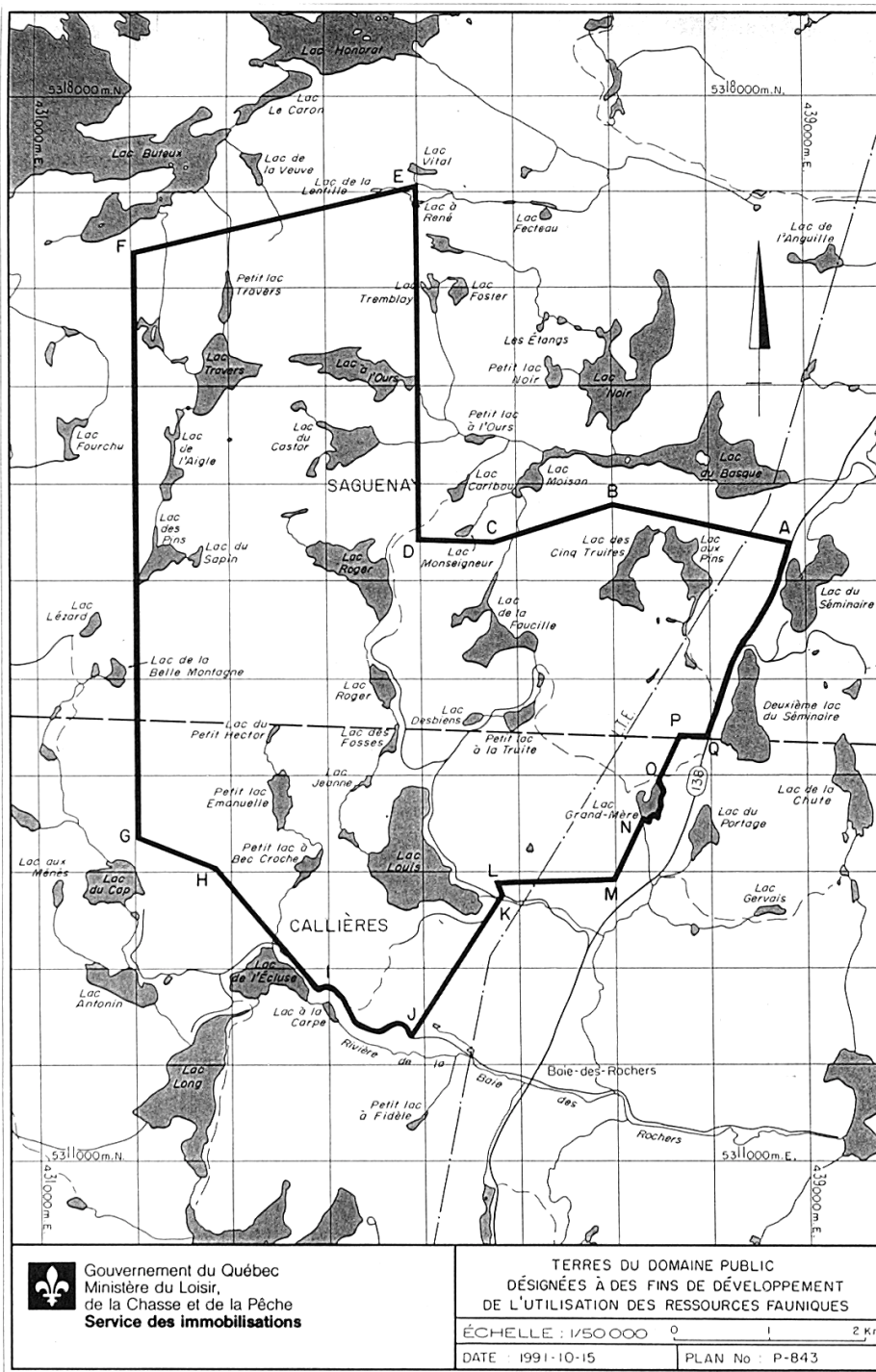
M.R.C.: Charlevoix et Le Fjord-du-Saguenay

R. Adm.: Québec et Saguenay - Lac-Saint-Jean

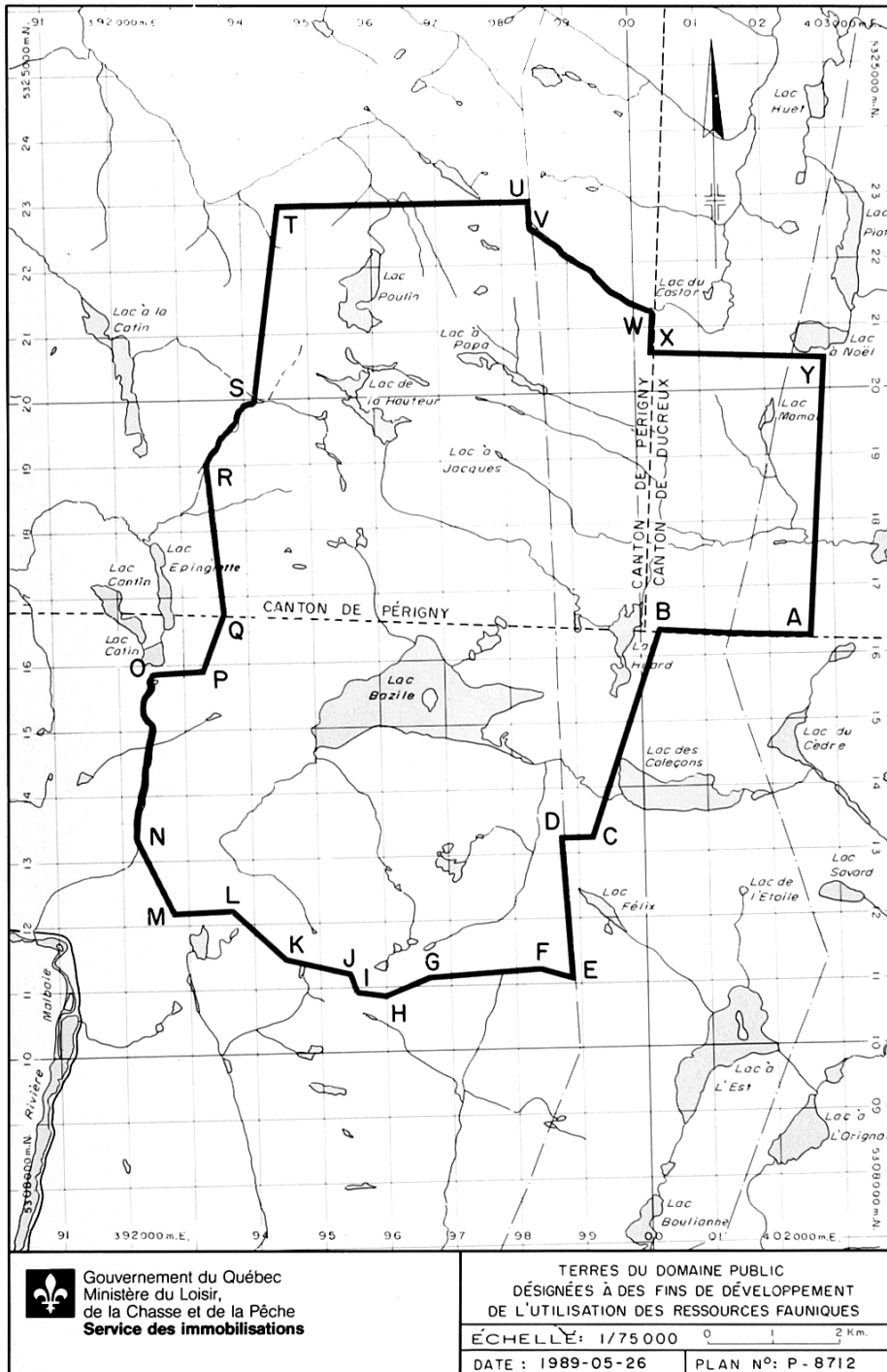
Échelle 1: 75000 



SCHEDULE LXIV



SCHEDULE LXV



Gouvernement du Québec  
Ministère du Loisir,  
de la Chasse et de la Pêche  
Service des immobilisations

TERRES DU DOMAINE PUBLIC  
DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT  
DE L'UTILISATION DES RESSOURCES FAUNIQUES

ÉCHELLE: 1/75 000

0 1 2 km

DATE : 1989-05-26

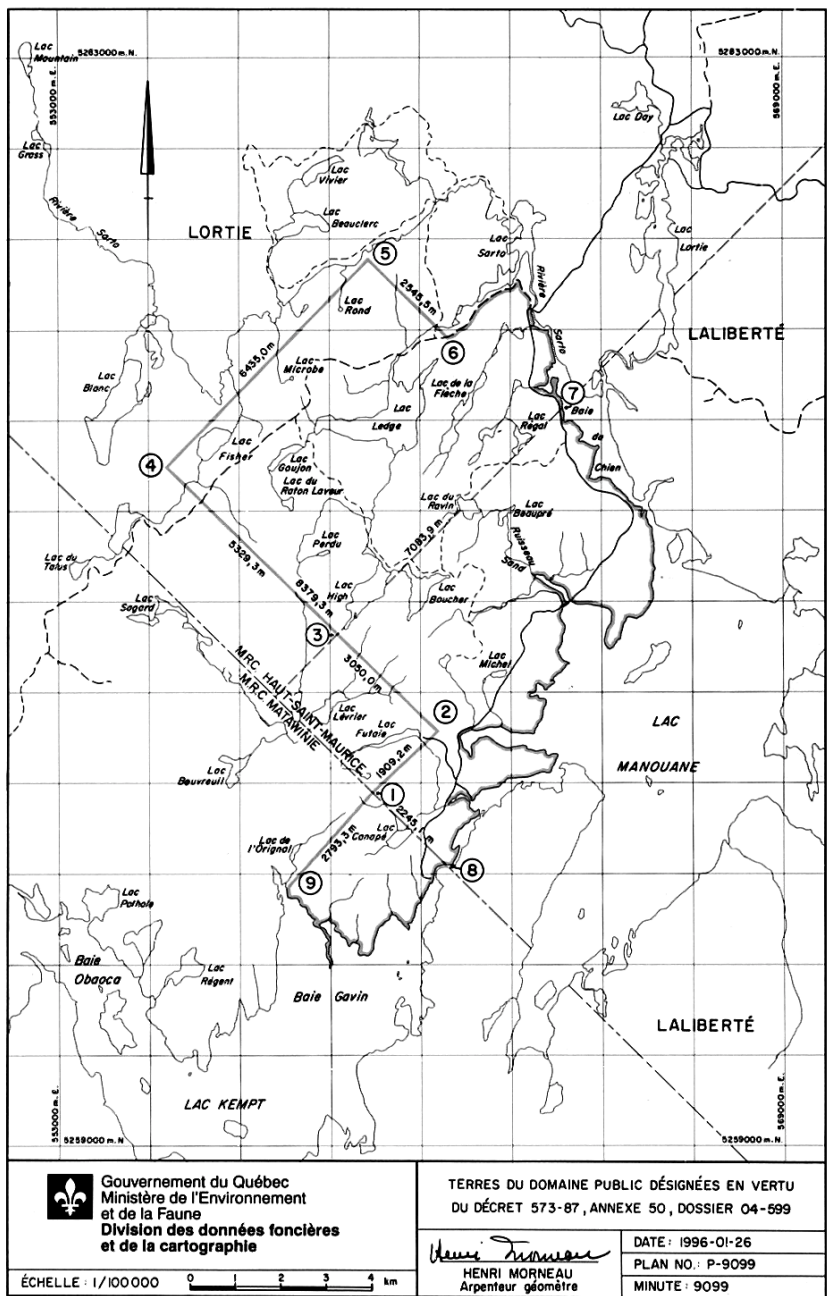
PLAN N°: P-8712




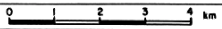




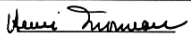
SCHEDULE LXVIII




**Gouvernement du Québec**  
 Ministère de l'Environnement  
 et de la Faune  
 Division des données foncières  
 et de la cartographie

ÉCHELLE : 1/100 000 

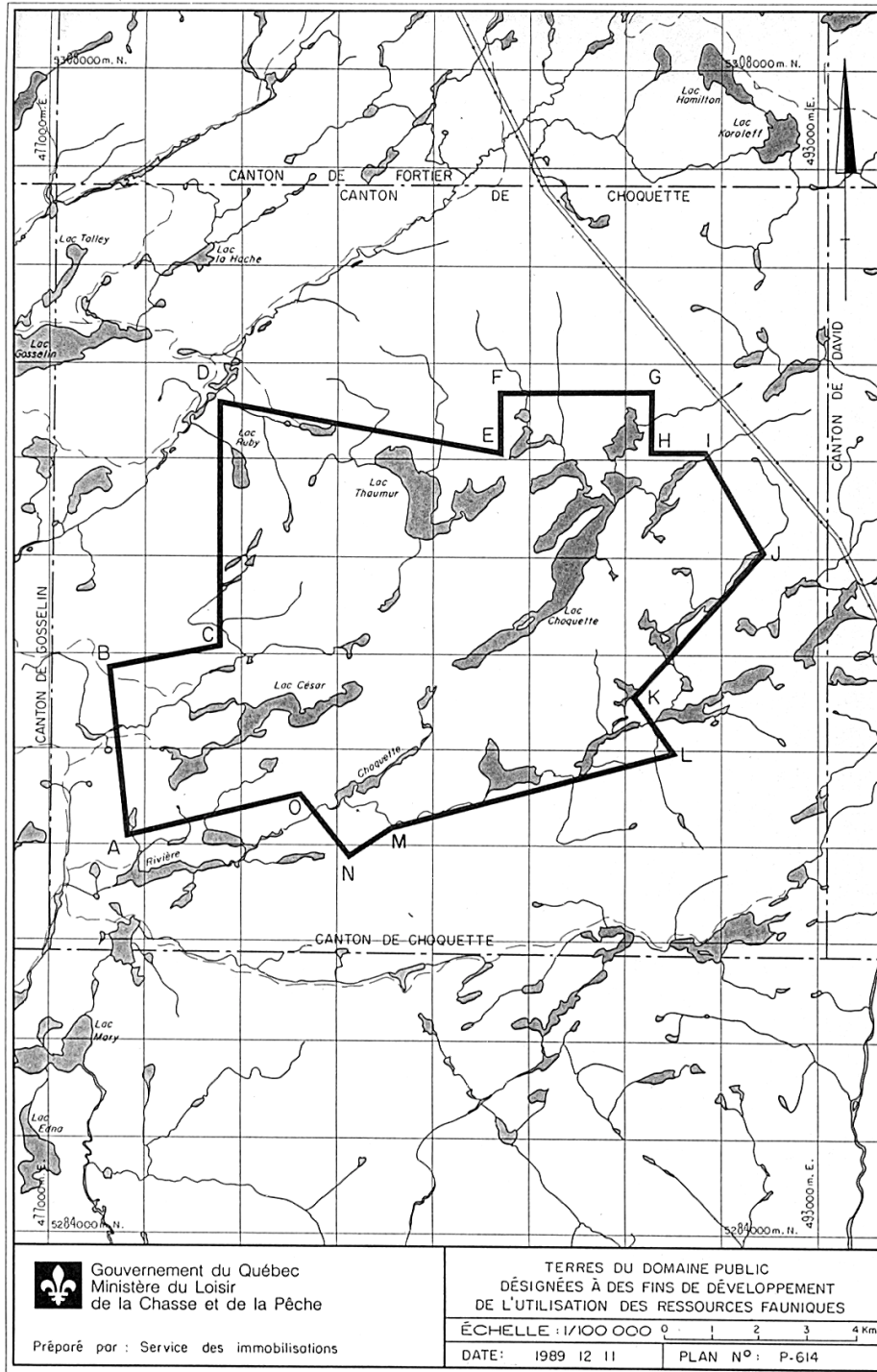
TERRES DU DOMAINE PUBLIC DÉSIGNÉES EN VERTU  
 DU DÉCRET 573-87, ANNEXE 50, DOSSIER 04-599

  
 HENRI MORNEAU  
 Arpenteur géomètre

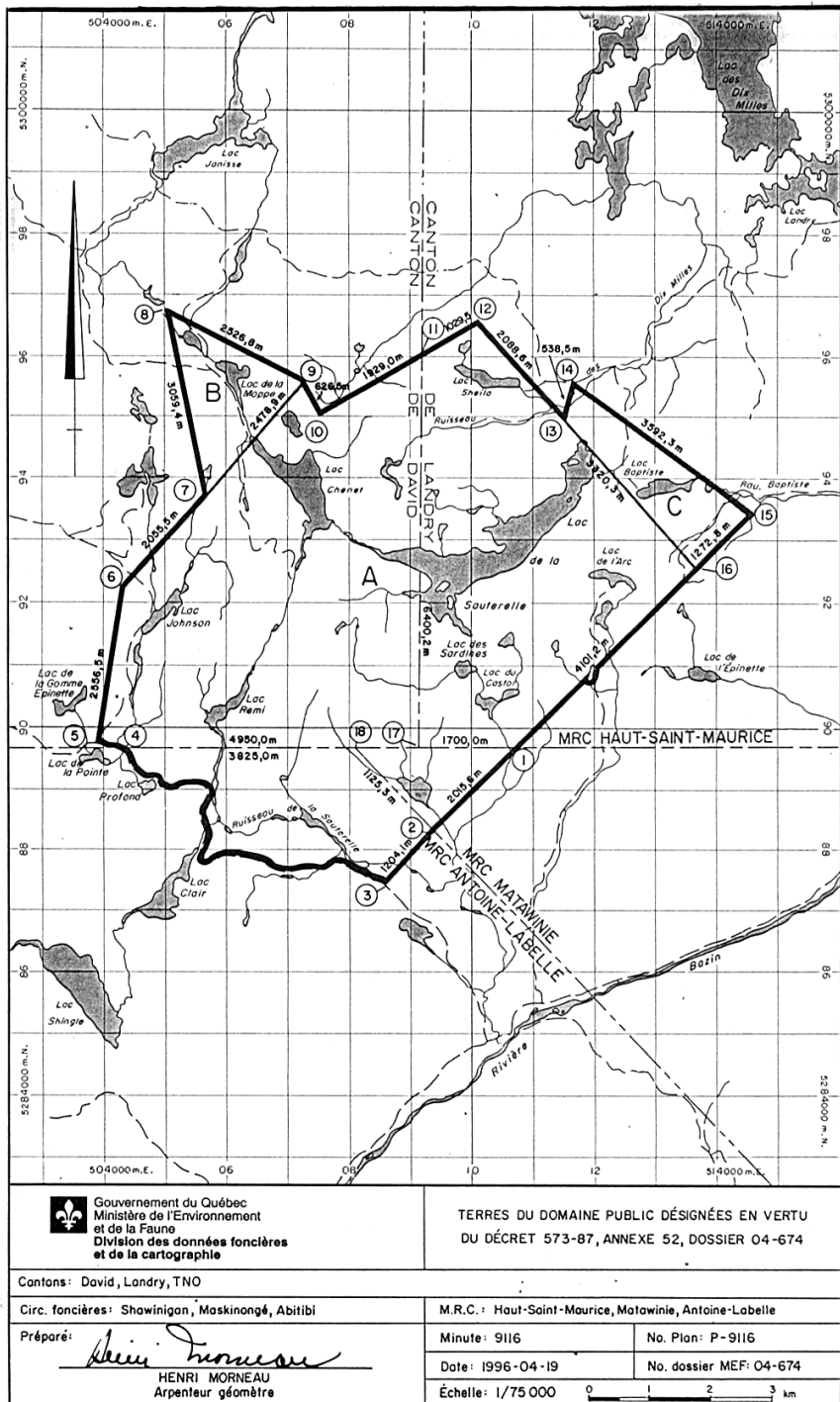
DATE : 1996-01-26
PLAN NO. : P-9099
MINUTE : 9099



SCHEDULE LXIX



SCHEDULE LXX



Gouvernement du Québec  
 Ministère de l'Environnement  
 et de la Faune  
 Division des données foncières  
 et de la cartographie

TERRES DU DOMAINE PUBLIC DÉSIGNÉES EN VERTU  
 DU DÉCRET 573-87, ANNEXE 52, DOSSIER 04-674

Cantons: David, Landry, TNO

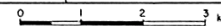
M.R.C.: Haut-Saint-Maurice, Matwinie, Antoine-Labelle

Circ. foncières: Shawinigan, Maskinongé, Abitibi

Minute: 9116 No. Plan: P-9116

Préparé: *Henri Morneau*  
 HENRI MORNEAU  
 Arpenteur géomètre

Date: 1996-04-19 No. dossier MEF: 04-674  
 Échelle: 1/75 000



SCHEDULE LXXI



Gouvernement du Québec  
 Ministère du Loisir  
 de la Chasse et de la Pêche  
**Direction des services techniques**

Prépare par: Service de l'acquisition d'immeubles

TERRES DOMANIALES DESIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNTIQUES

ÉCHELLE: 1 / 75 000

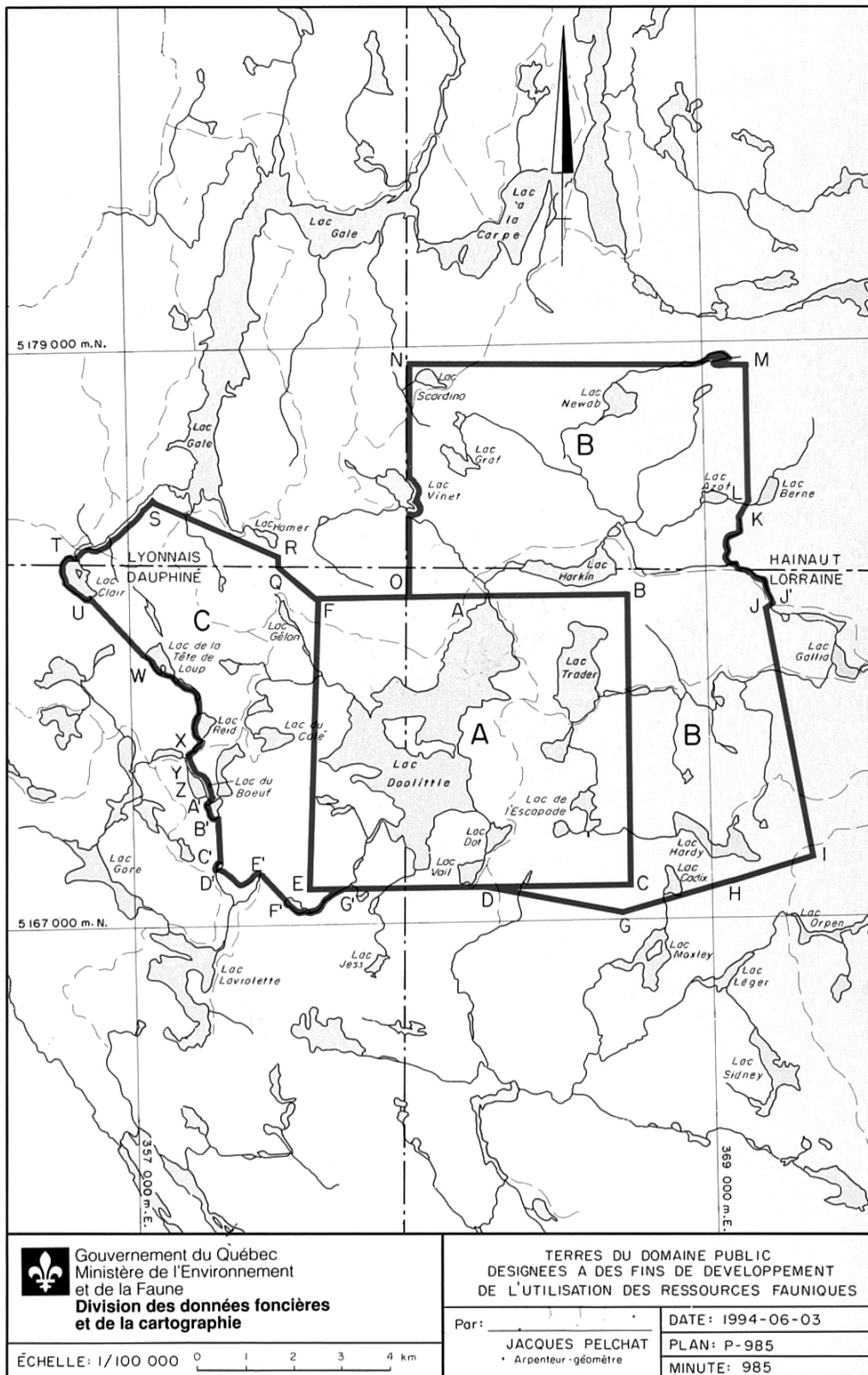
DATE : 1985 10 21


PLAN N°: P-8408





**SCHEDULE LXXIII**



 **Gouvernement du Québec**  
 Ministère de l'Environnement  
 et de la Faune  
**Division des données foncières  
 et de la cartographie**

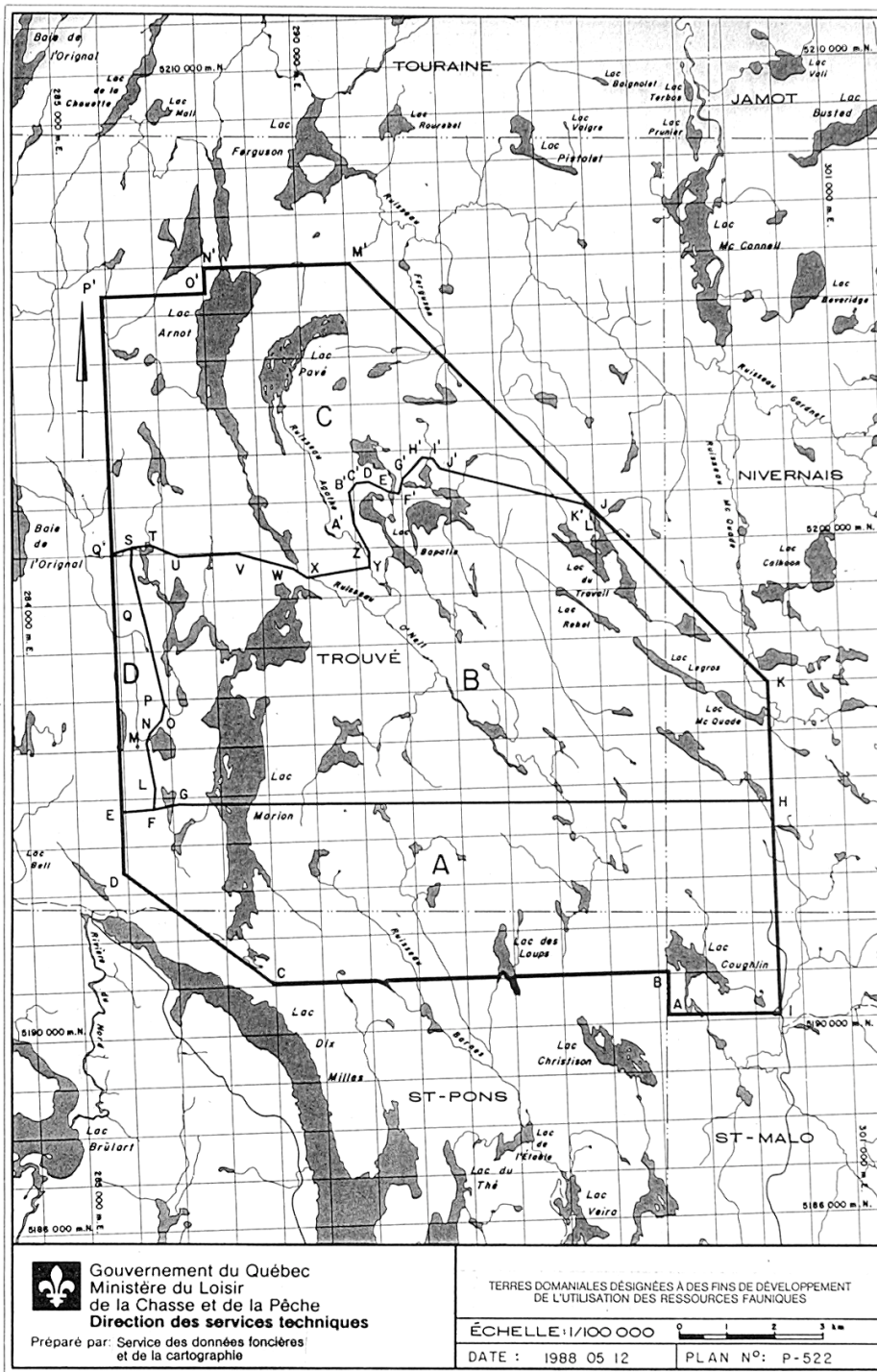
**TERRES DU DOMAINE PUBLIC  
 DESIGNÉES A DES FINS DE DEVELOPPEMENT  
 DE L'UTILISATION DES RESSOURCES FAUNTIQUES**

Par: _____	DATE: 1994-06-03
JACQUES PELCHAT • Arpenteur-géomètre	PLAN: P-985
	MINUTE: 985

ÉCHELLE: 1/100 000 

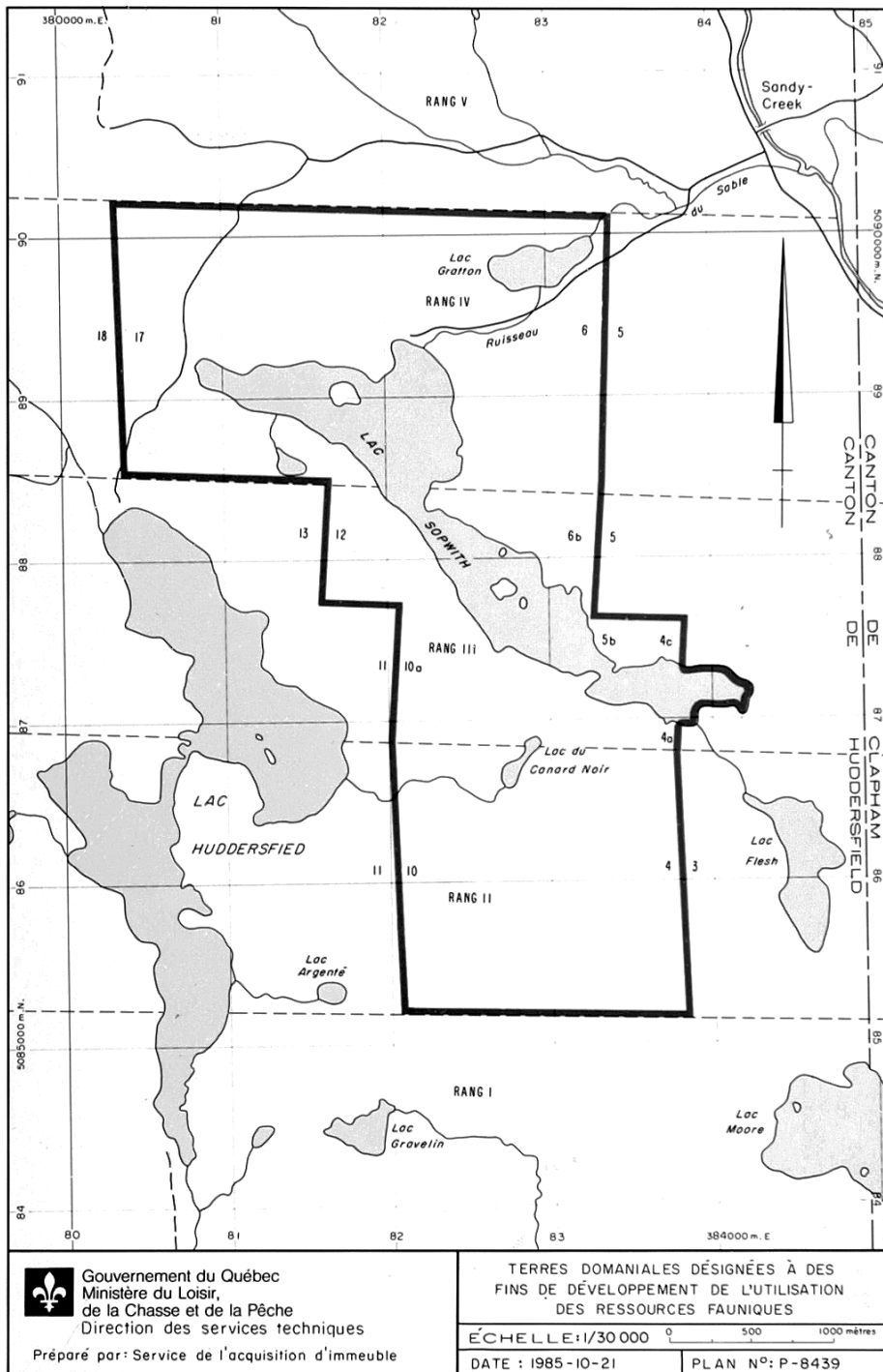


SCHEDULE LXXIV



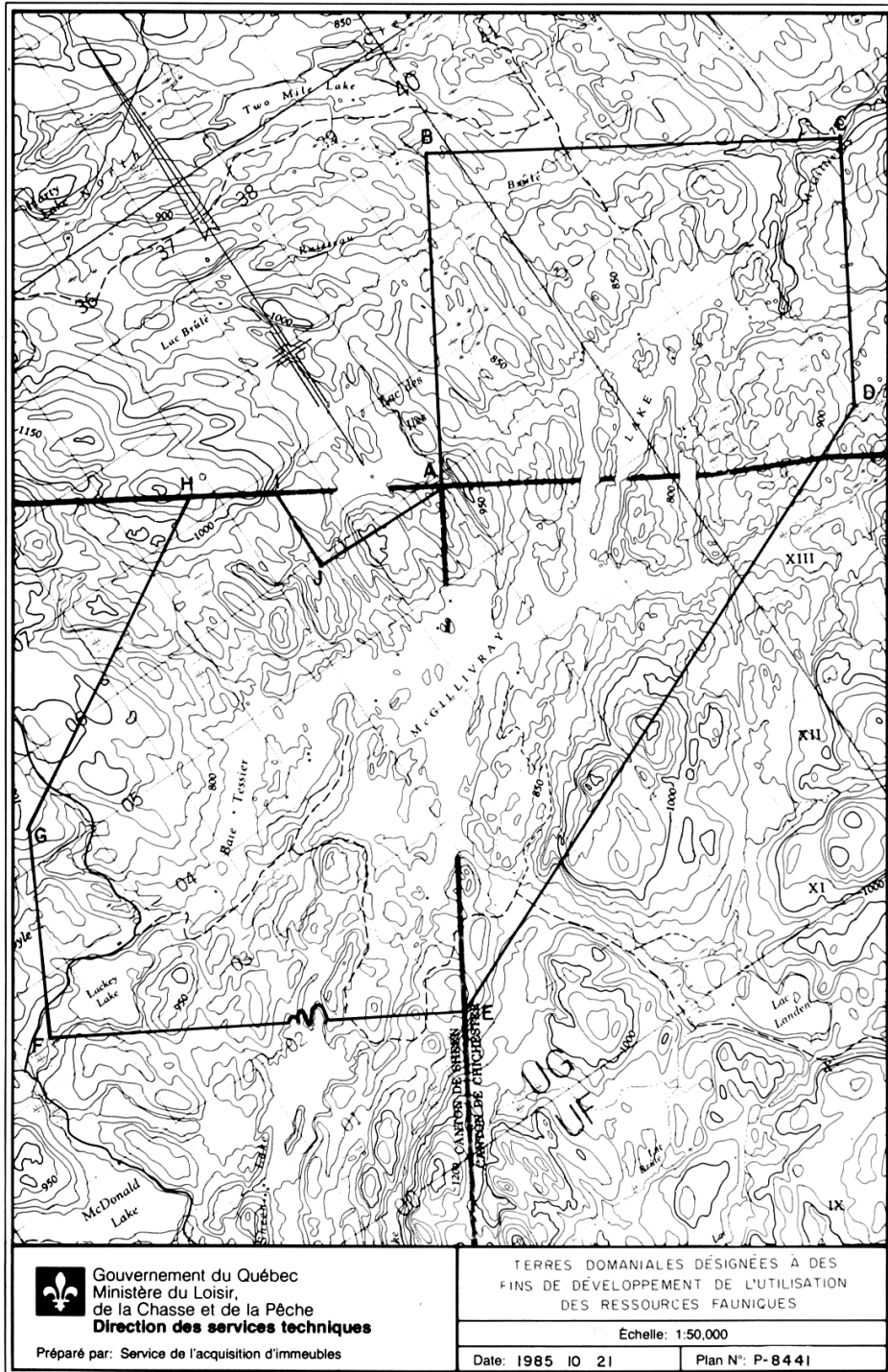



SCHEDULE LXXVI





SCHEDULE LXXVII



 **Gouvernement du Québec**  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
**Direction des services techniques**

Préparé par: Service de l'acquisition d'immeubles

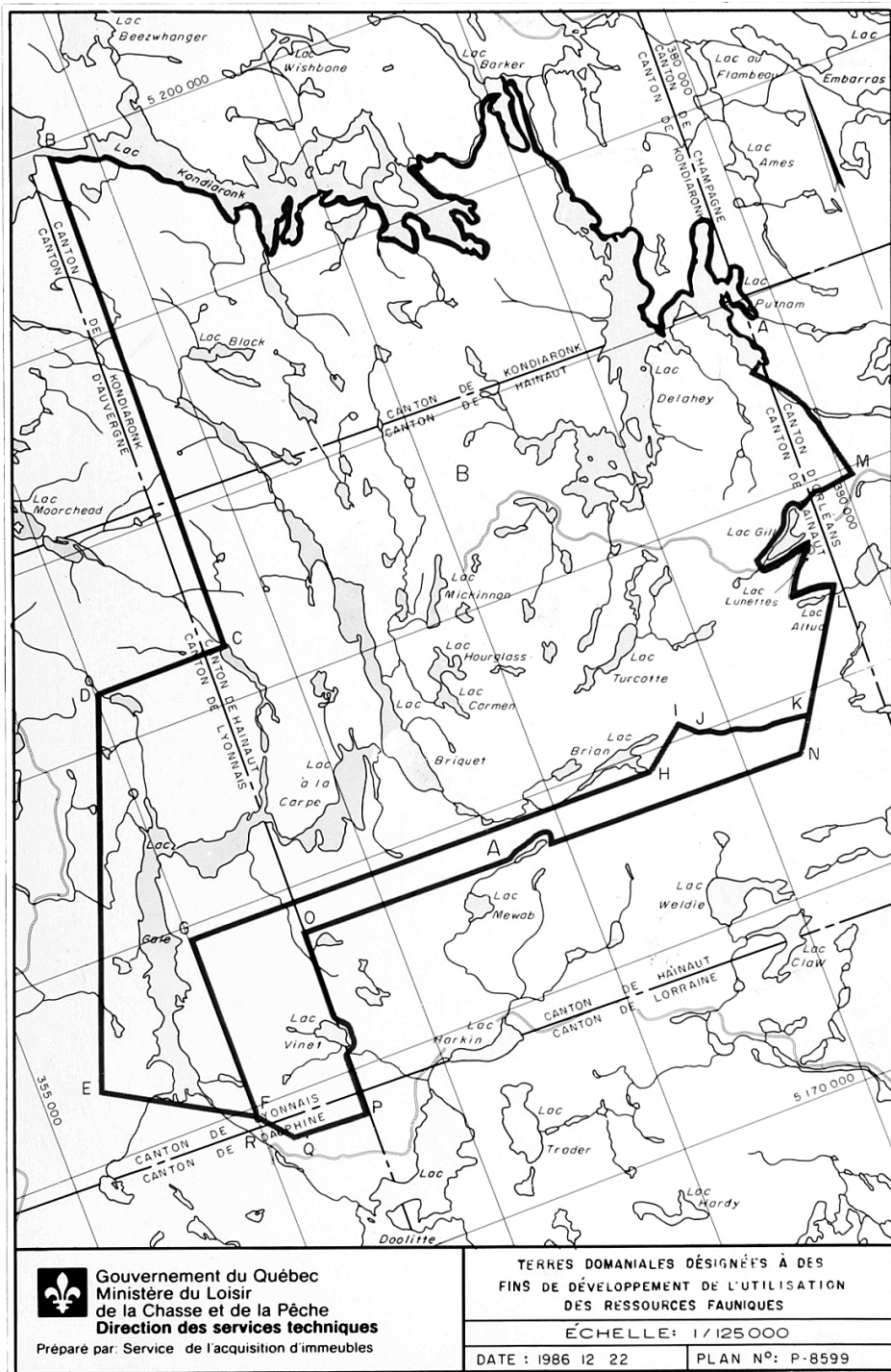
TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES


Échelle: 1:50,000

Date: 1985 10 21

Plan N°: P-8441

SCHEDULE LXXVIII



 **Gouvernement du Québec**  
 Ministère du Loisir  
 de la Chasse et de la Pêche  
**Direction des services techniques**  
 Préparé par: Service de l'acquisition d'immeubles

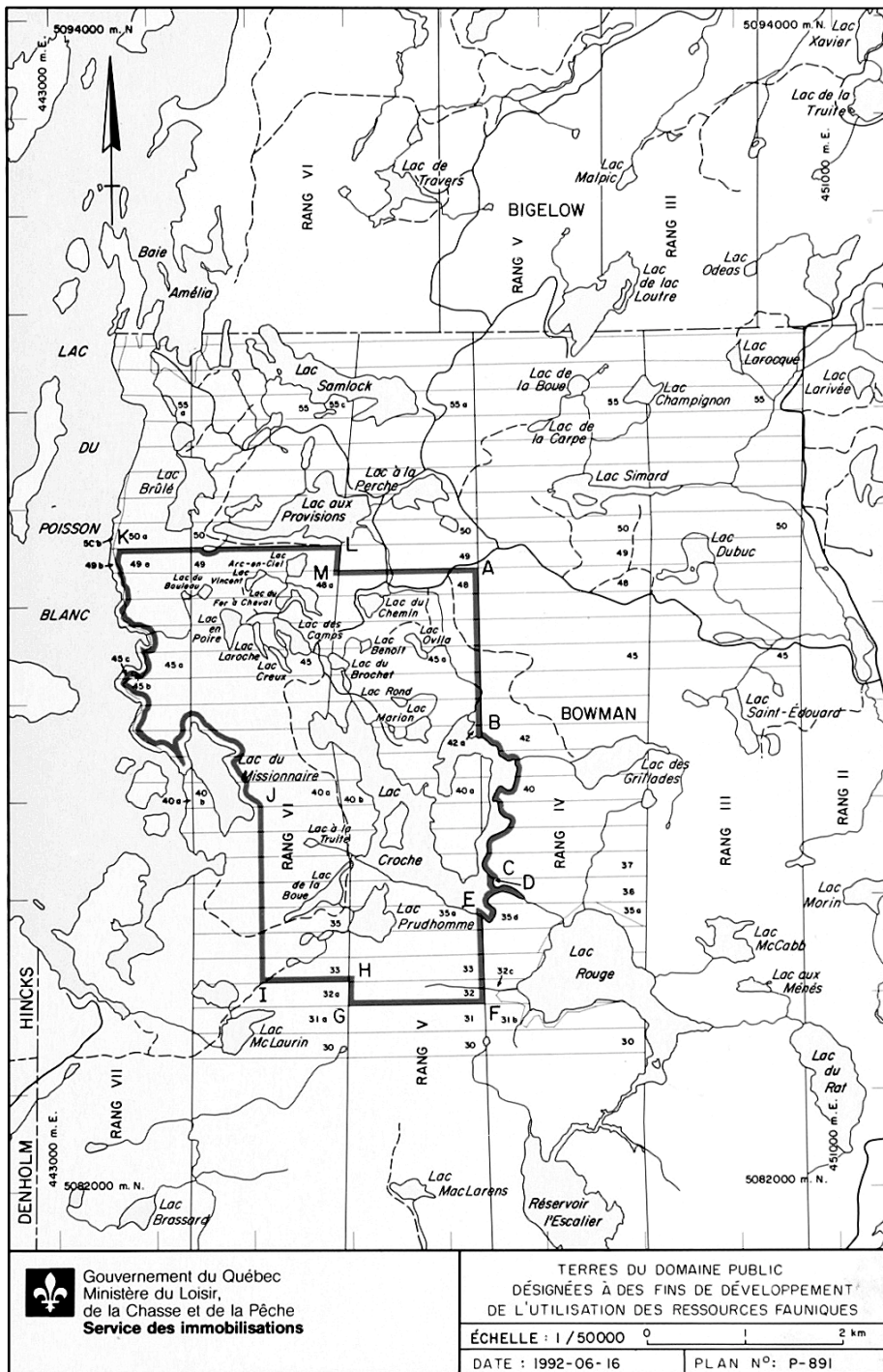
**TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES**

ÉCHELLE: 1/125 000

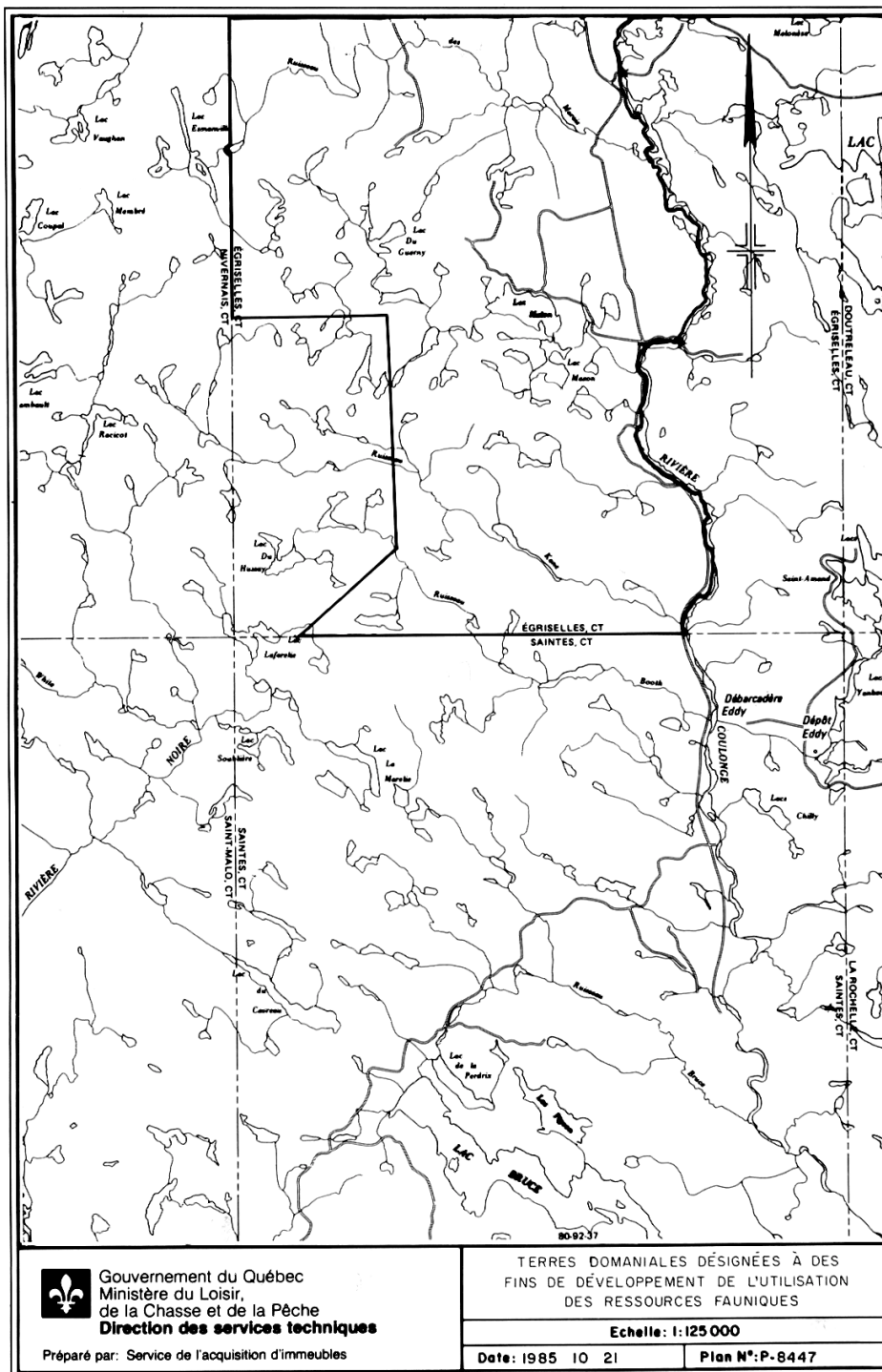
DATE : 1986 12 22      PLAN N°: P-8599



SCHEDULE LXXIX



SCHEDULE LXXX



Gouvernement du Québec  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
**Direction des services techniques**

Préparé par: Service de l'acquisition d'immeubles

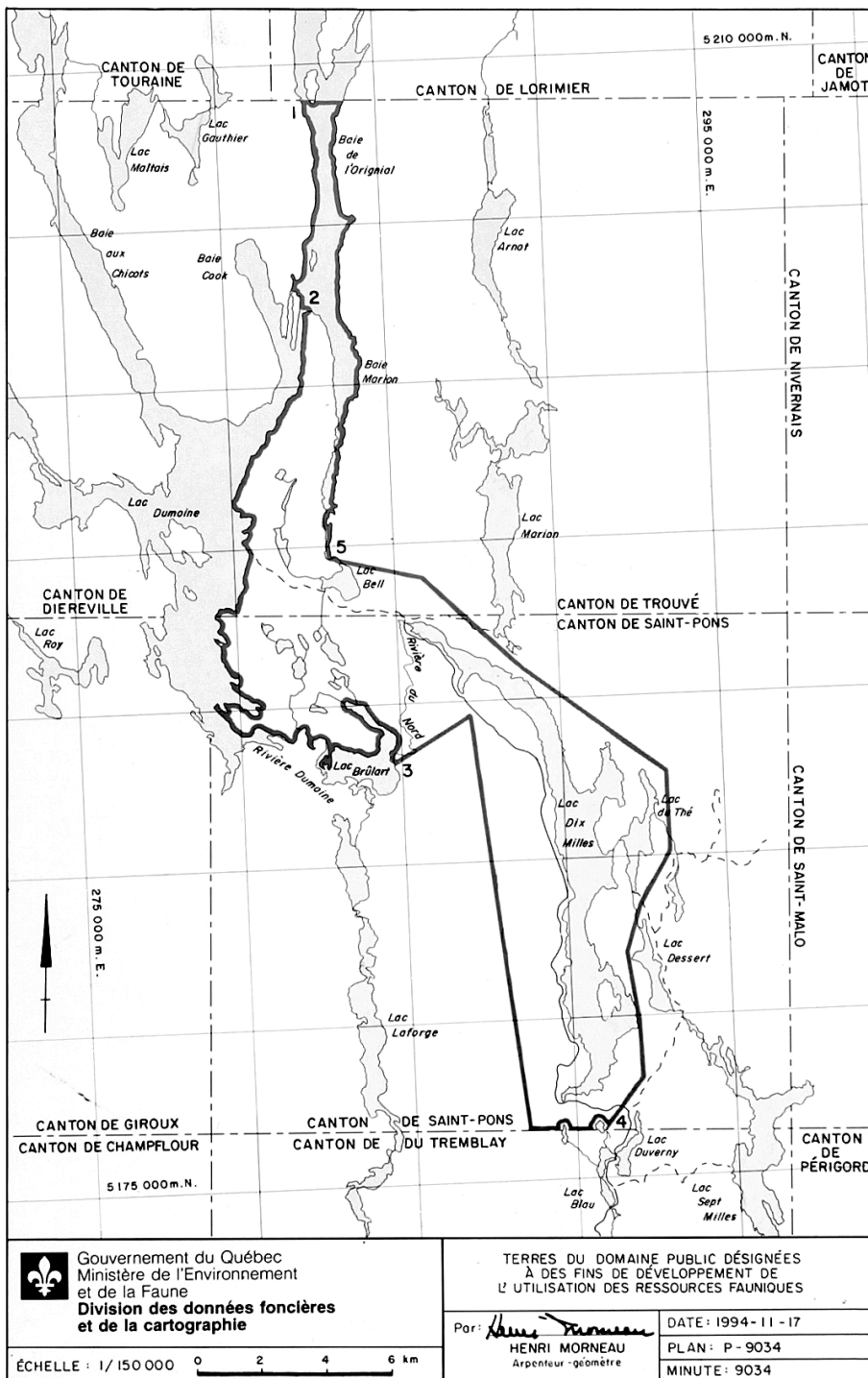
TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES


Echelle: 1:125 000

Date: 1985 10 21

Plan N°: P-8447


SCHEDULE LXXXI




 Gouvernement du Québec  
 Ministère de l'Environnement  
 et de la Faune  
**Division des données foncières  
 et de la cartographie**

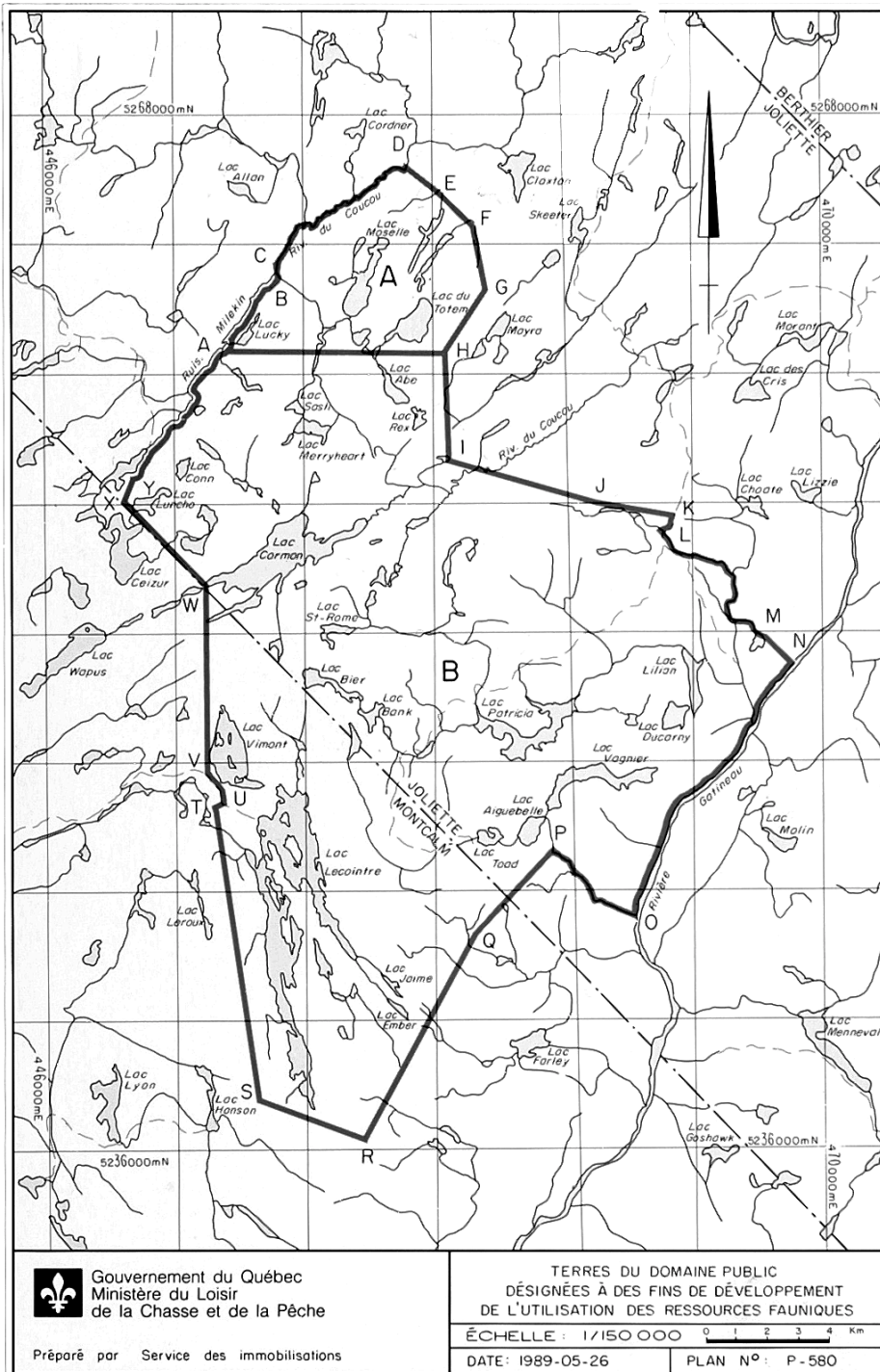
ÉCHELLE : 1/150 000

**TERRES DU DOMAINE PUBLIC DÉSIGNÉES  
 À DES FINS DE DÉVELOPPEMENT DE  
 L'UTILISATION DES RESSOURCES FAUNIQUES**

Par:   
**HENRI MORNEAU**  
 Arpenteur-géomètre

DATE: 1994-11-17  
 PLAN: P-9034  
 MINUTE: 9034

SCHEDULE LXXXII

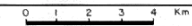


Gouvernement du Québec  
Ministère du Loisir  
de la Chasse et de la Pêche

Préparé par Service des immobilisations

TERRES DU DOMAINE PUBLIC  
DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT  
DE L'UTILISATION DES RESSOURCES FAUNTIQUES

ÉCHELLE : 1/150 000

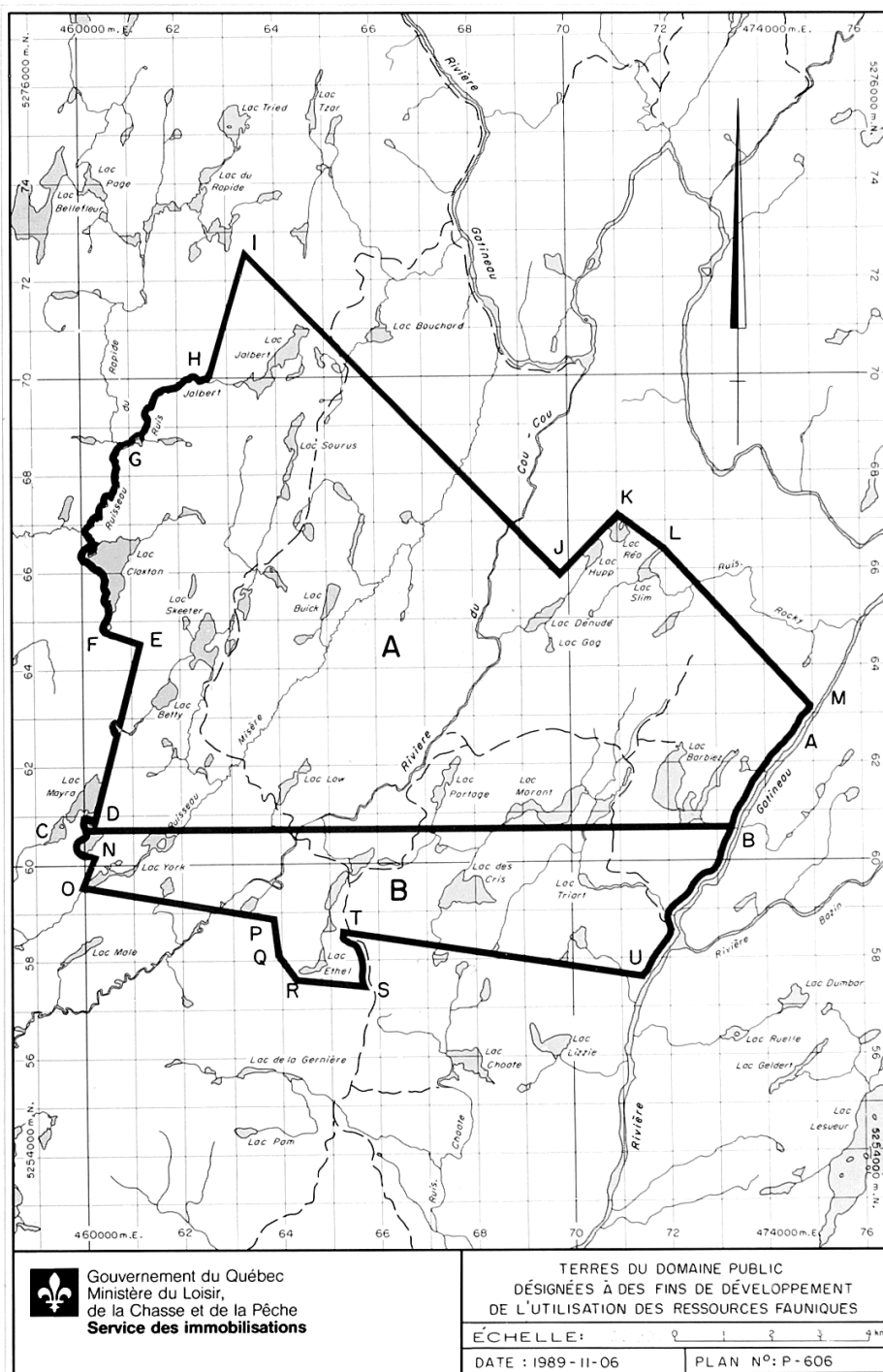


DATE: 1989-05-26

PLAN N°: P-580

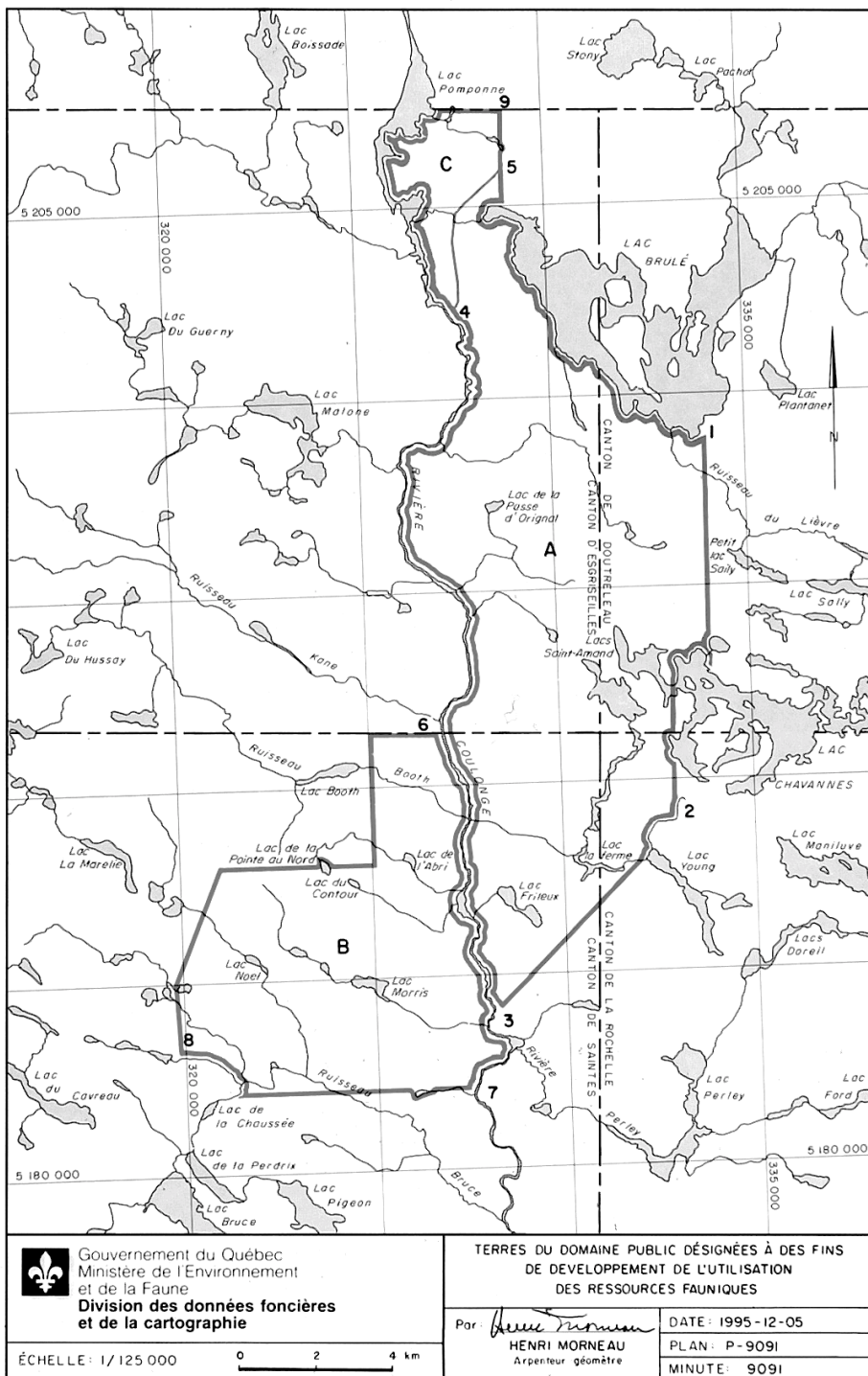


**SCHEDULE LXXXIII**

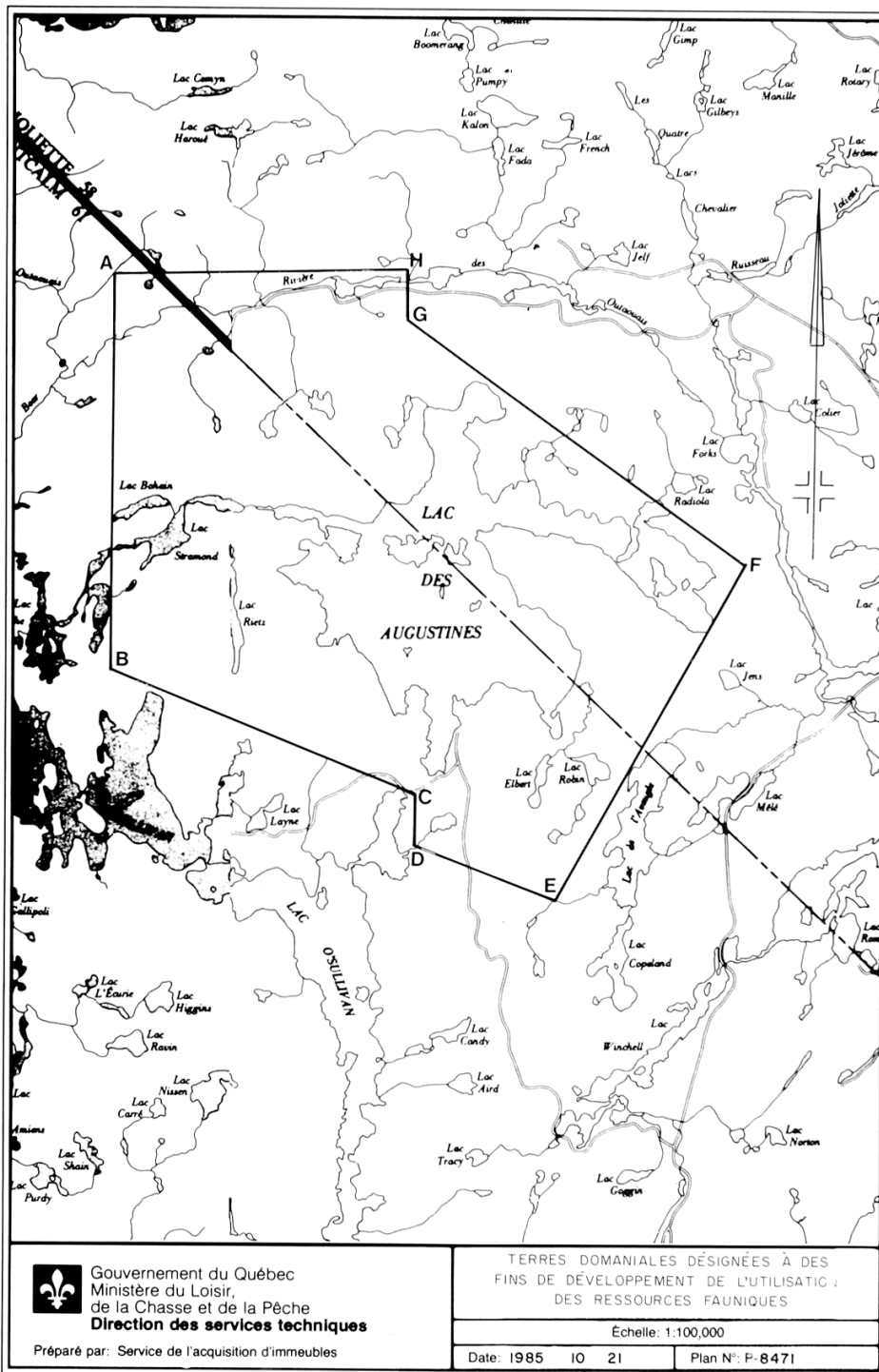




SCHEDULE LXXXIV



SCHEDULE LXXXV



Gouvernement du Québec  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
**Direction des services techniques**

Préparé par: Service de l'acquisition d'immeubles

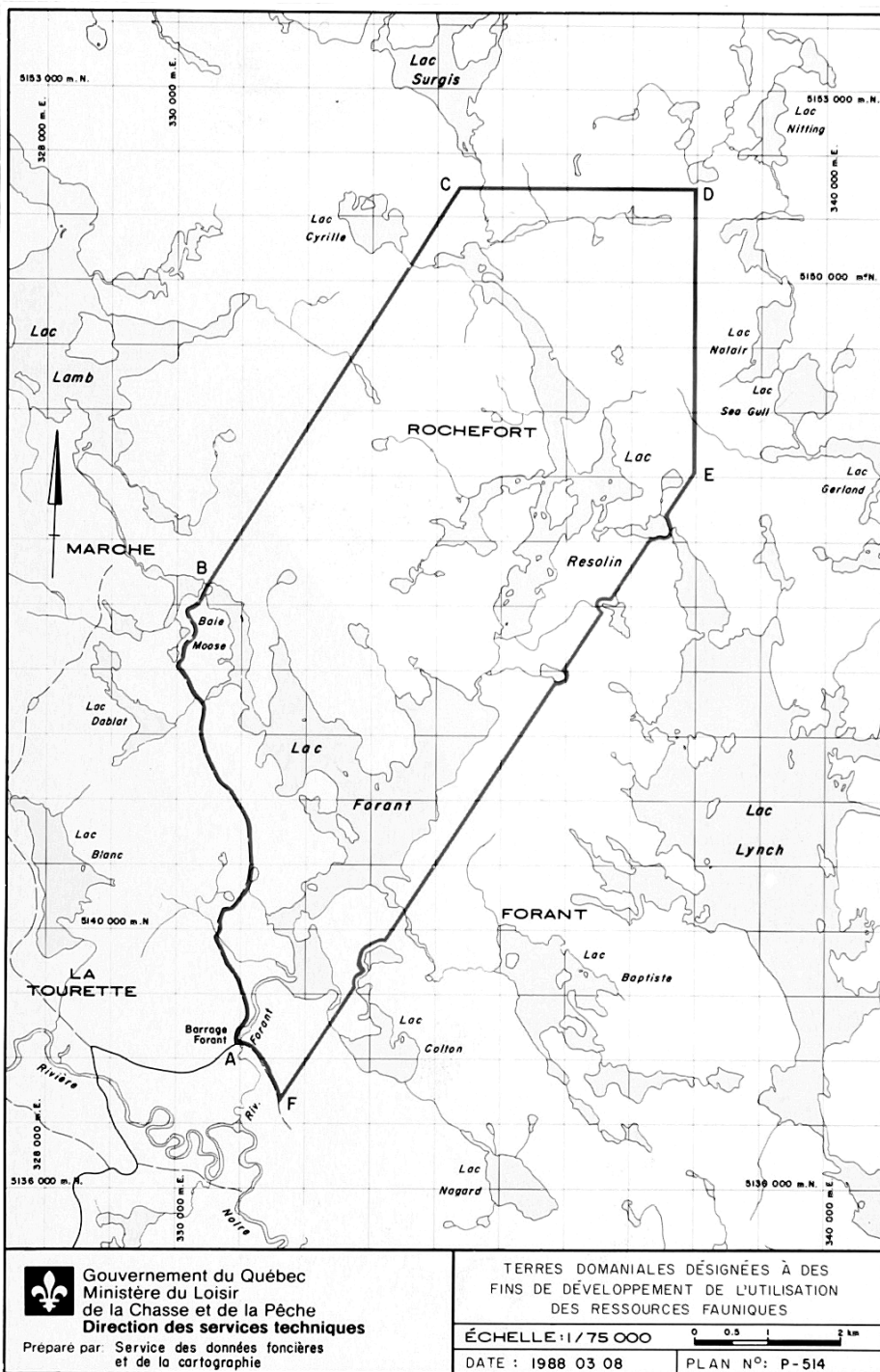
TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES


Echelle: 1:100,000


Date: 1985 10 21

Plan N°: F-8471

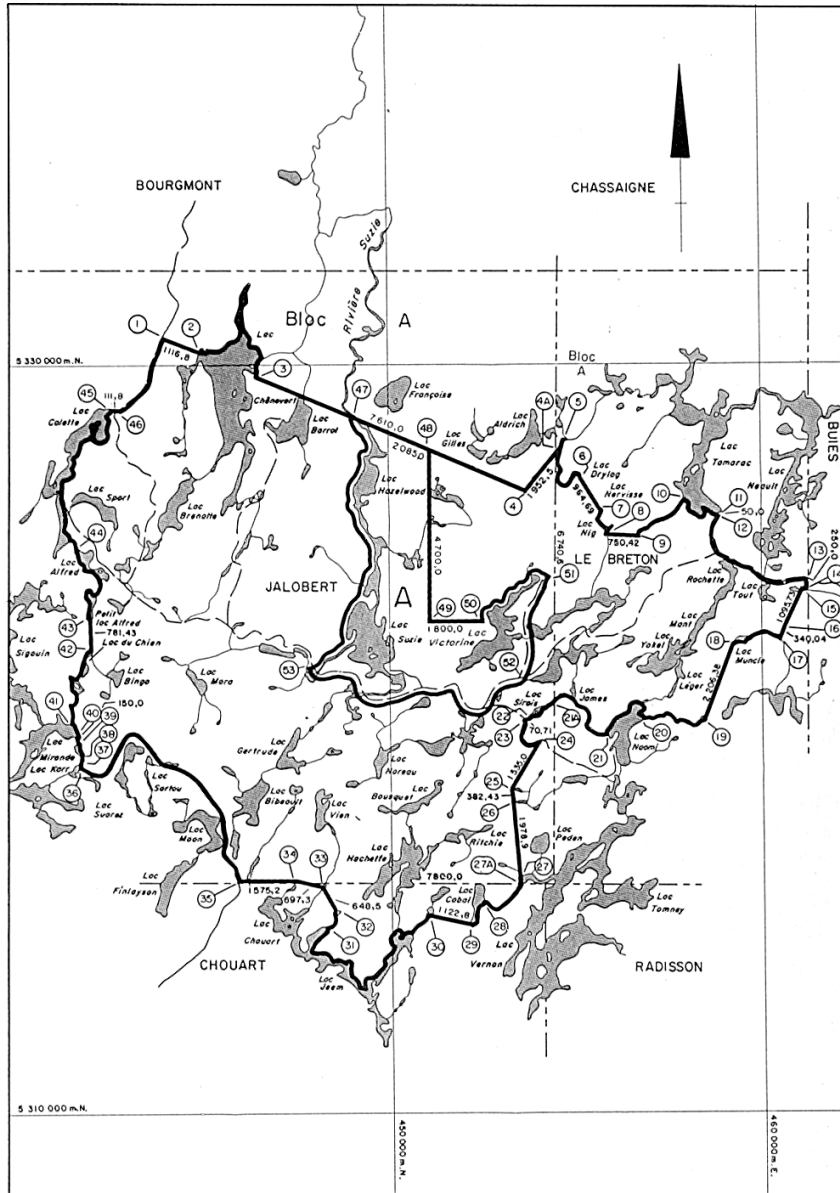
SCHEDULE LXXXVI


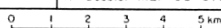



**Gouvernement du Québec**  
 Ministère du Loisir  
 de la Chasse et de la Pêche  
**Direction des services techniques**  
 Prépare par: Service des données foncières  
 et de la cartographie

TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNTIQUES  
 ÉCHELLE: 1/75 000  2 km  
 DATE: 1988 03 08      PLAN N°: P-514

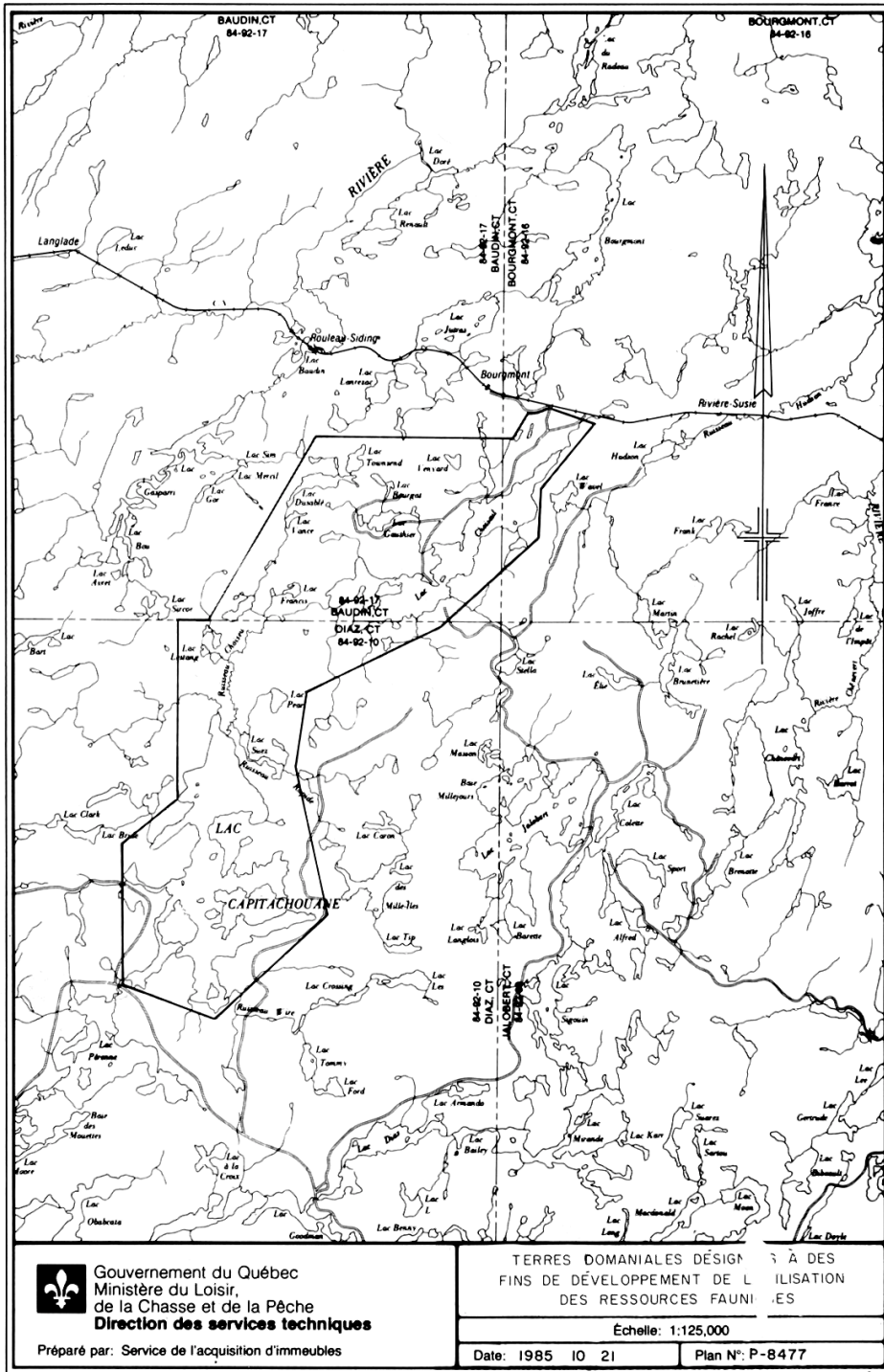
SCHEDULE LXXXVII



 Gouvernement du Québec Ministère de l'Environnement et de la Faune Division des données foncières et de la cartographie		<b>TERRES DU DOMAINE PUBLIC                  DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT                  DE L'UTILISATION DES RESSOURCES FAUNIQUES</b>	
Cadastre : Cantons de Chouart, Jalobert et Le Breton			
Circ. foncière : Abitibi		M.R.C. : La Vallée-de-l'Or	
Préparé par : <i>Henri Morneau</i>		Minute : 9306	N° Plan : P-9306
HENRI MORNEAU Arpenteur-géomètre		Date : 1997-10-15	N° Dossier MEF : 08-516
		Échelle : 1/125 000 	



SCHEDULE LXXXVIII



Gouvernement du Québec  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
**Direction des services techniques**

Préparé par: Service de l'acquisition d'immeubles

TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNISTIQUES

Échelle: 1:125,000

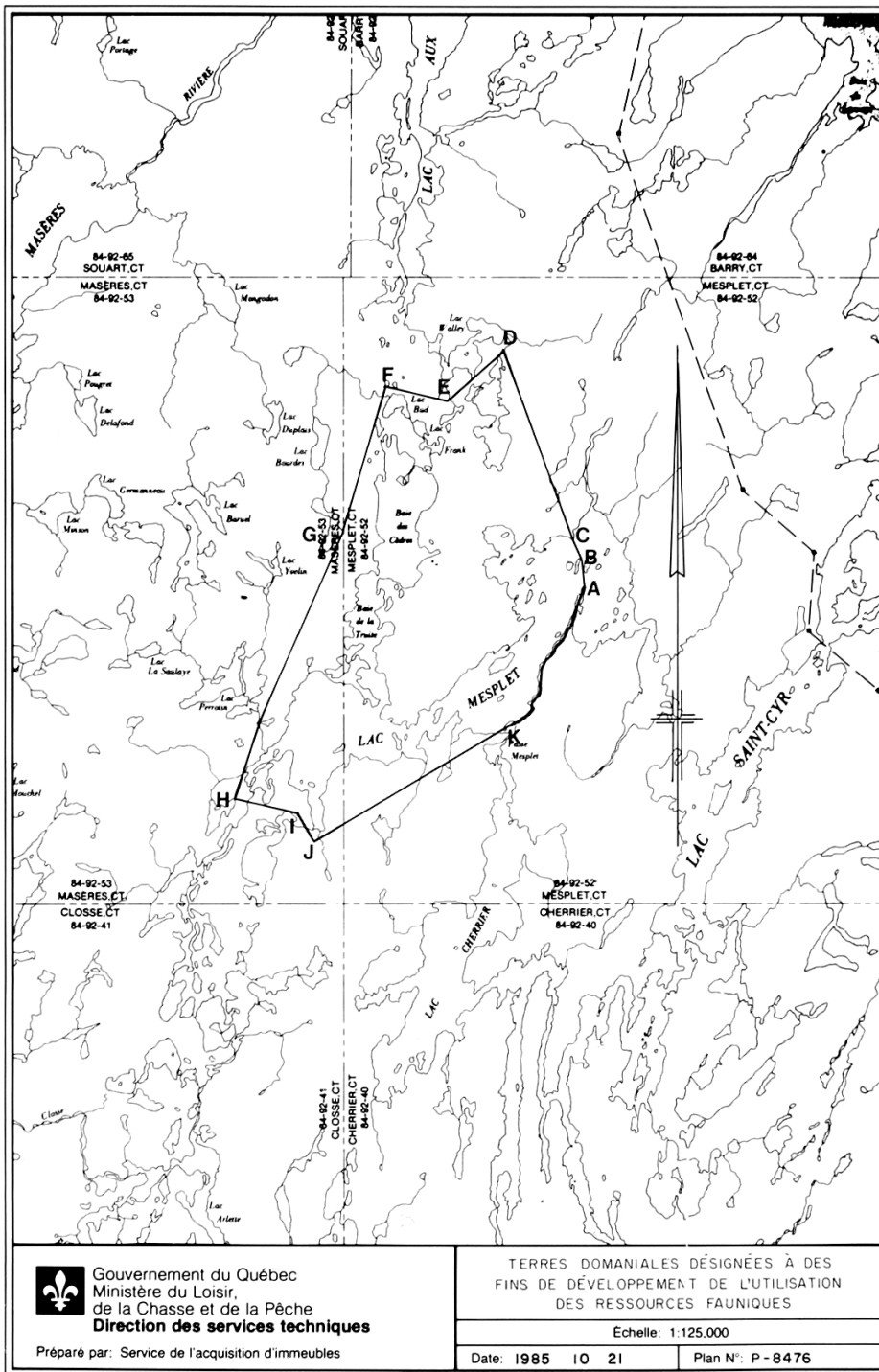
Date: 1985 10 21

Plan N°: P-8477





SCHEDULE XC



Gouvernement du Québec  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
**Direction des services techniques**

Préparé par: Service de l'acquisition d'immeubles

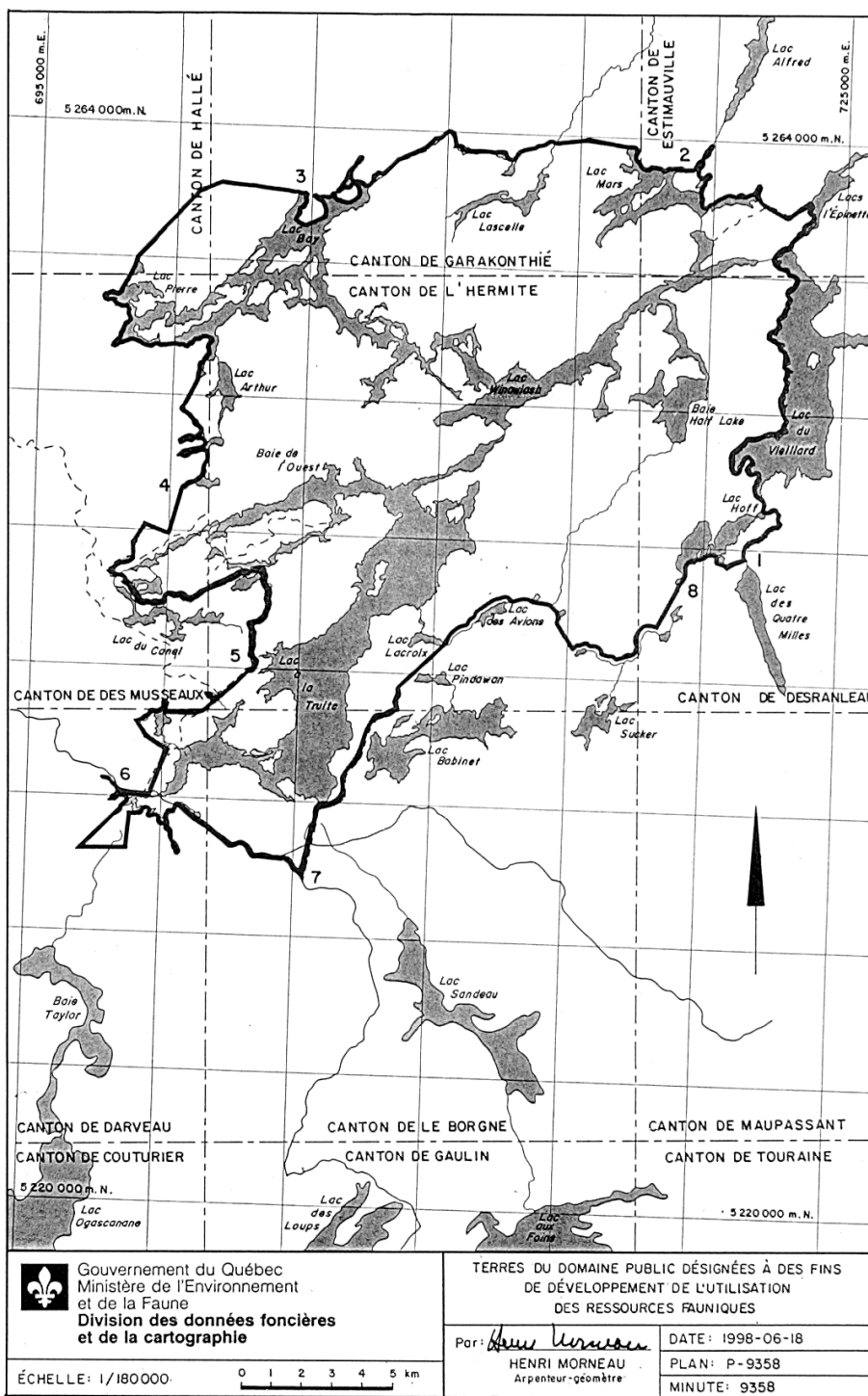
TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES


Echelle: 1:125,000

Date: 1985 10 21

Plan N°: P - 8476

SCHEDULE XCI




**Gouvernement du Québec**  
 Ministère de l'Environnement  
 et de la Faune  
**Division des données foncières  
 et de la cartographie**

ÉCHELLE: 1/180000.

0 1 2 3 4 5 km

**TERRES DU DOMAINE PUBLIC DÉSIGNÉES À DES FINS  
 DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES**

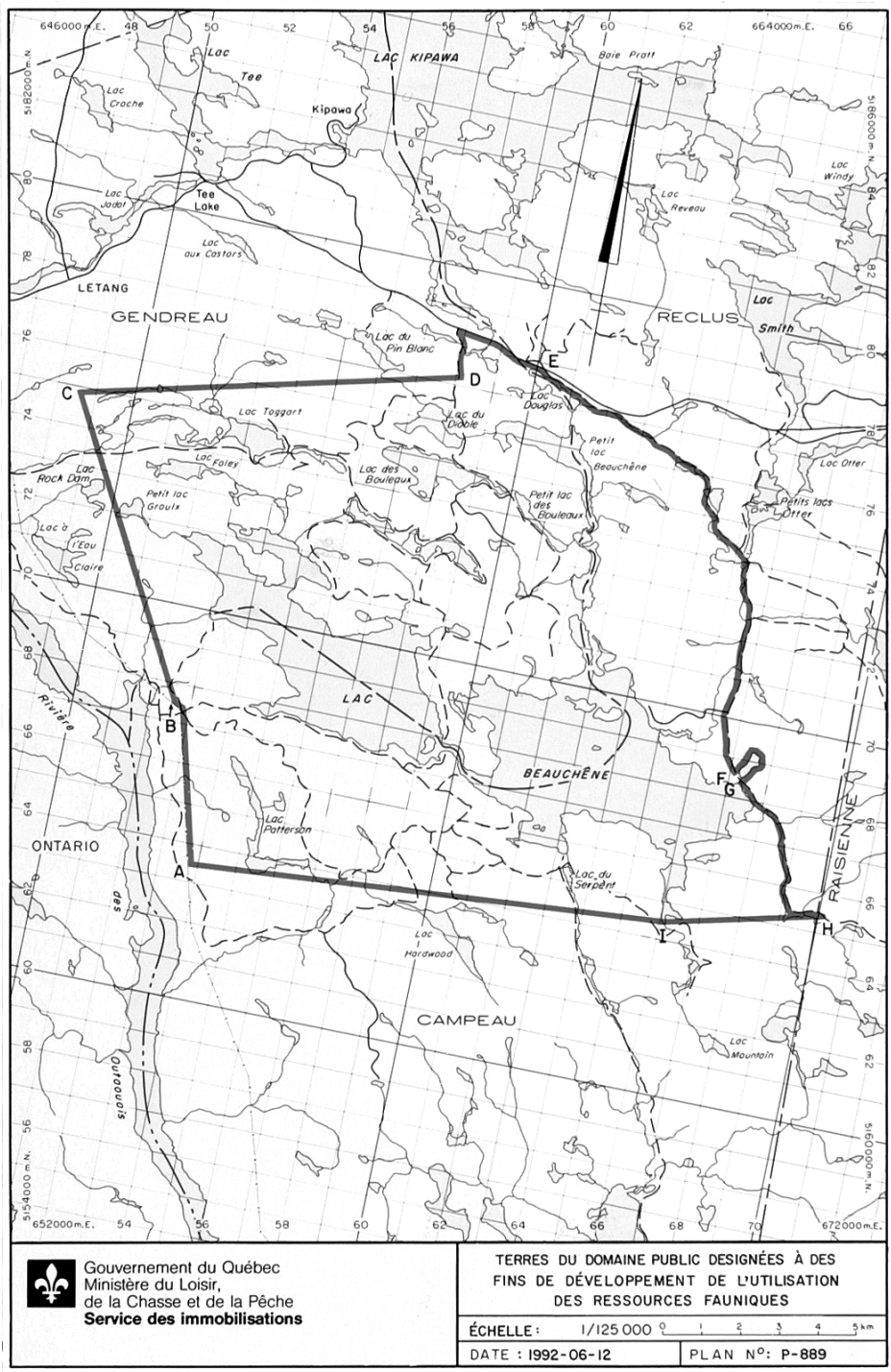
Par: *Henri Morneau*  
**HENRI MORNEAU**  
 Arpenteur-géomètre

DATE: 1998-06-18  
 PLAN: P-9358  
 MINUTE: 9358





SCHEDULE XCIII



Gouvernement du Québec  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
 Service des immobilisations

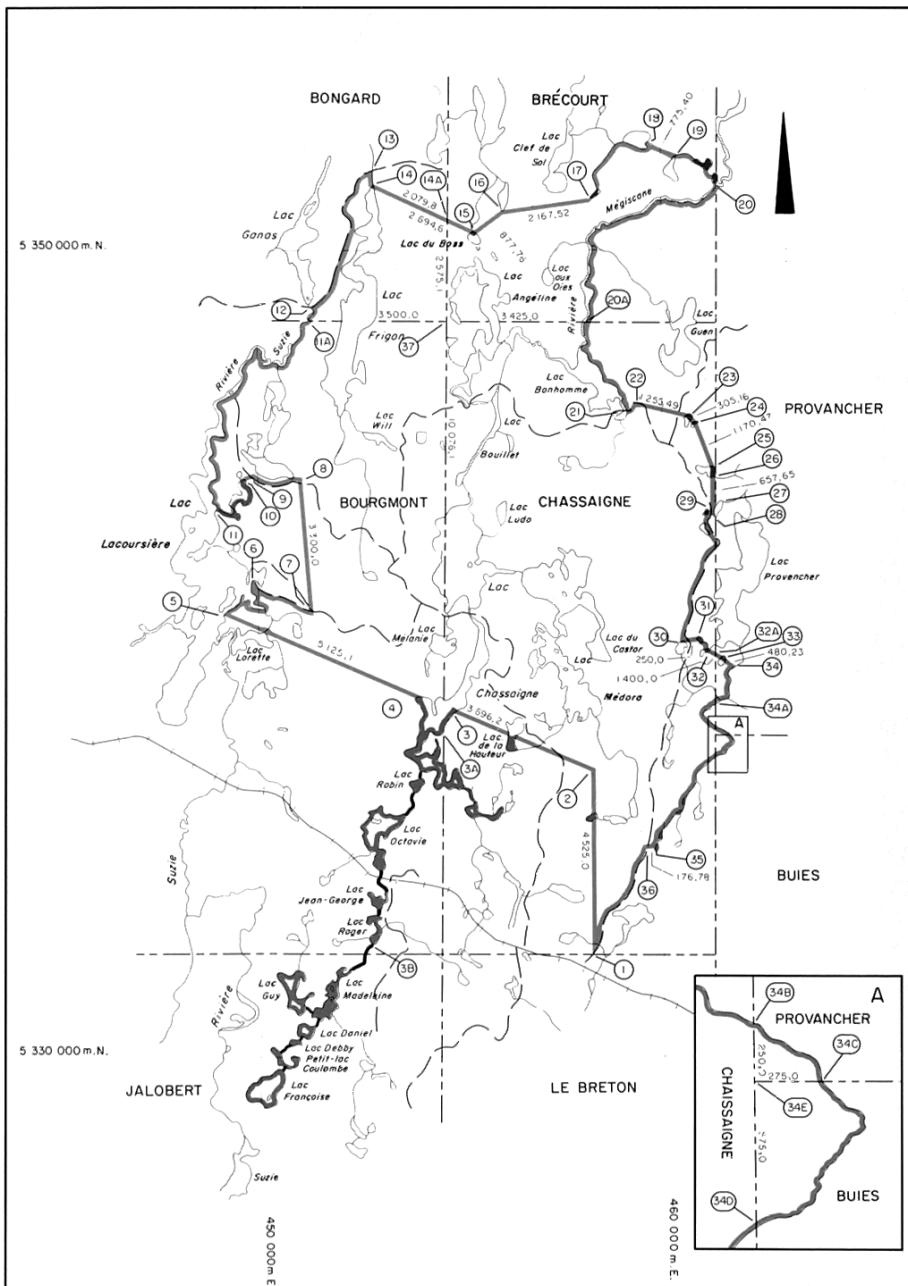
TERRES DU DOMAINE PUBLIC DESIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES


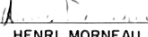

ÉCHELLE : 1/125 000 0 1 2 3 4 5 km

DATE : 1992-06-12 PLAN N° : P-889



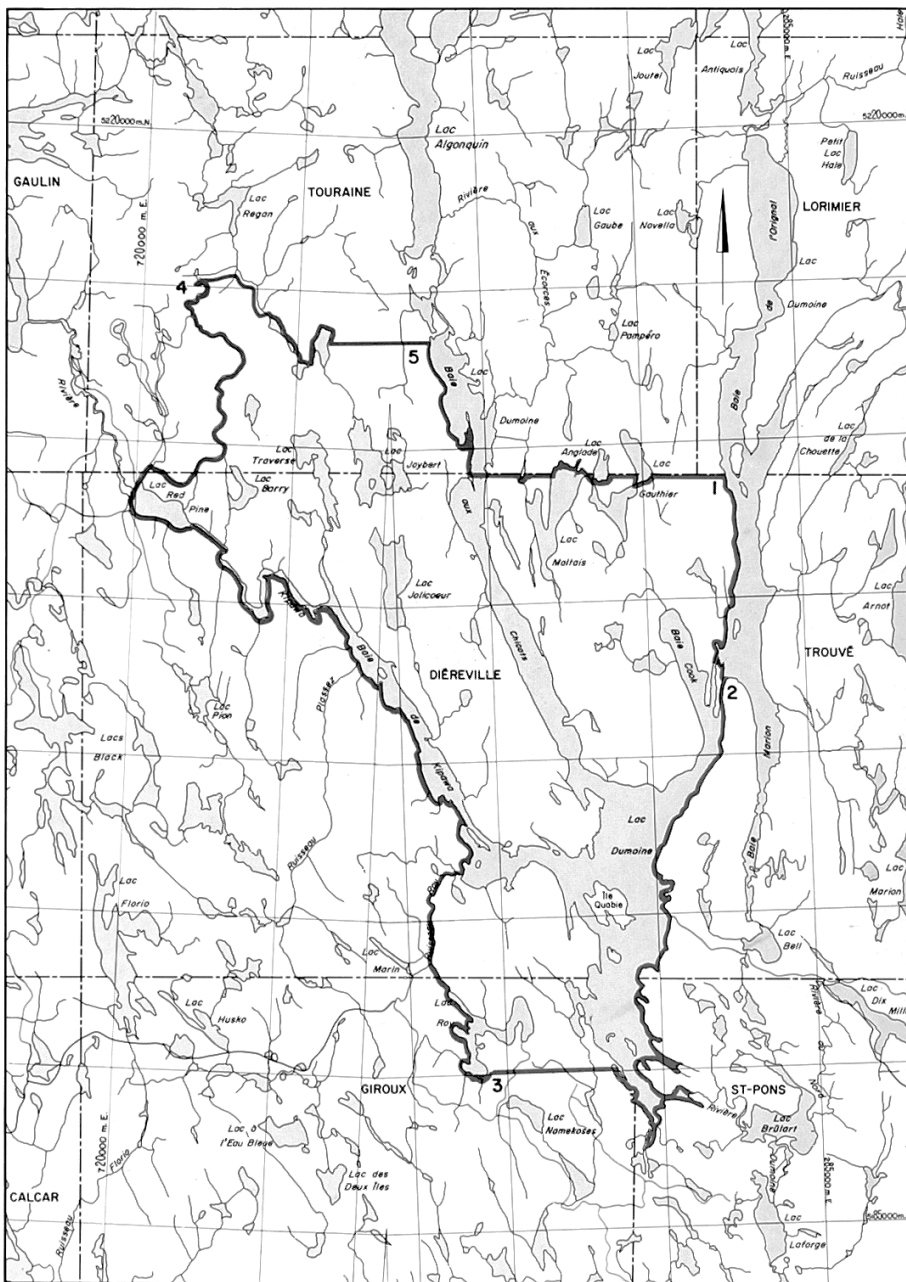
SCHEDULE XCIV





 Gouvernement du Québec Ministère de l'Environnement et de la Faune Division des données foncières et de la cartographie	TERRES DU DOMAINE PUBLIC DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT DE L'UTILISATION DES RESSOURCES FAUNIQUES	
	Par:  HENRI MORNEAU Arpenteur-géomètre	DATE: 1996-01-25 PLAN: P-9097 MINUTE: 9097
ÉCHELLE: 1/125 000 		

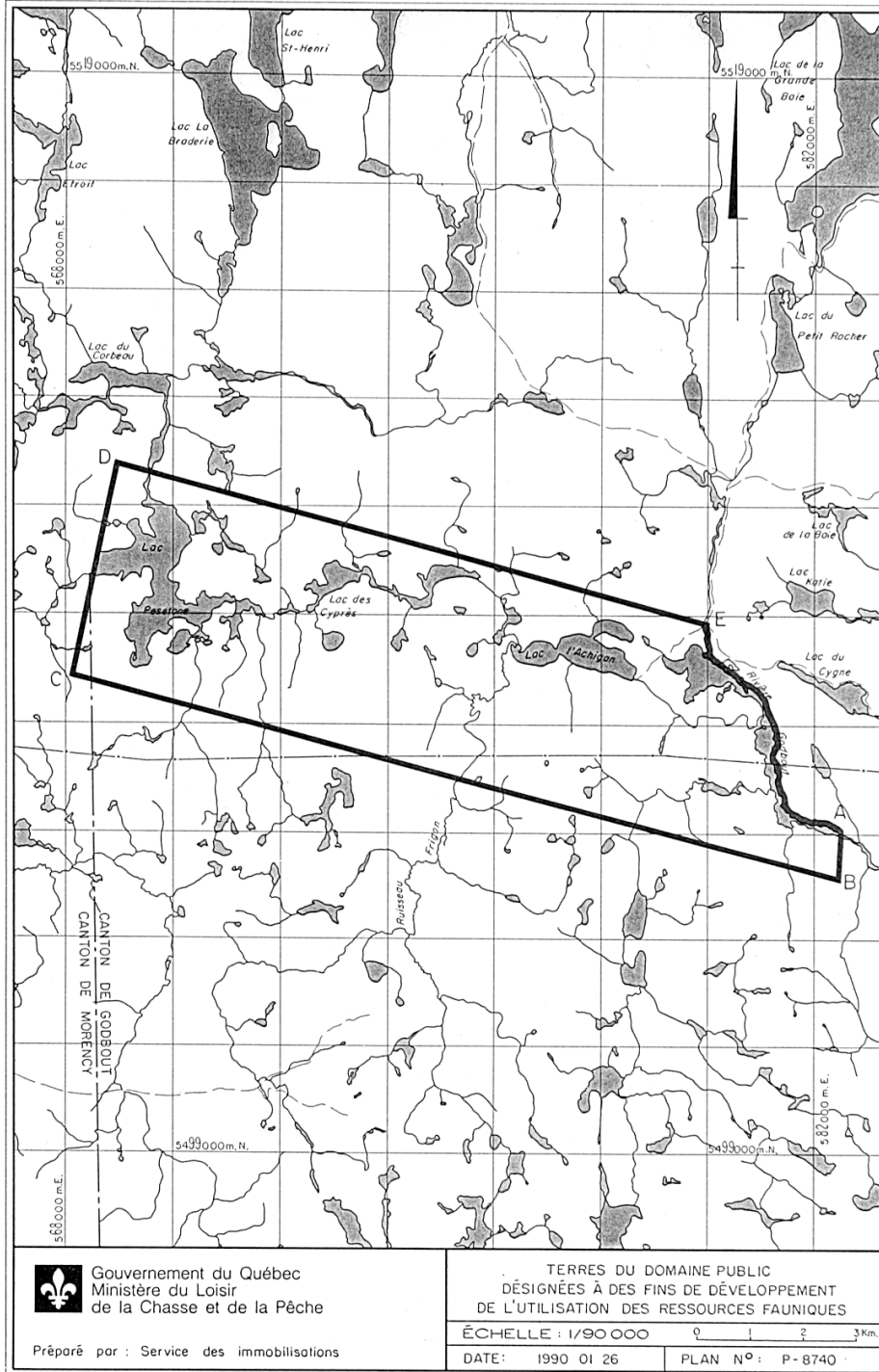


SCHEDULE XCVI



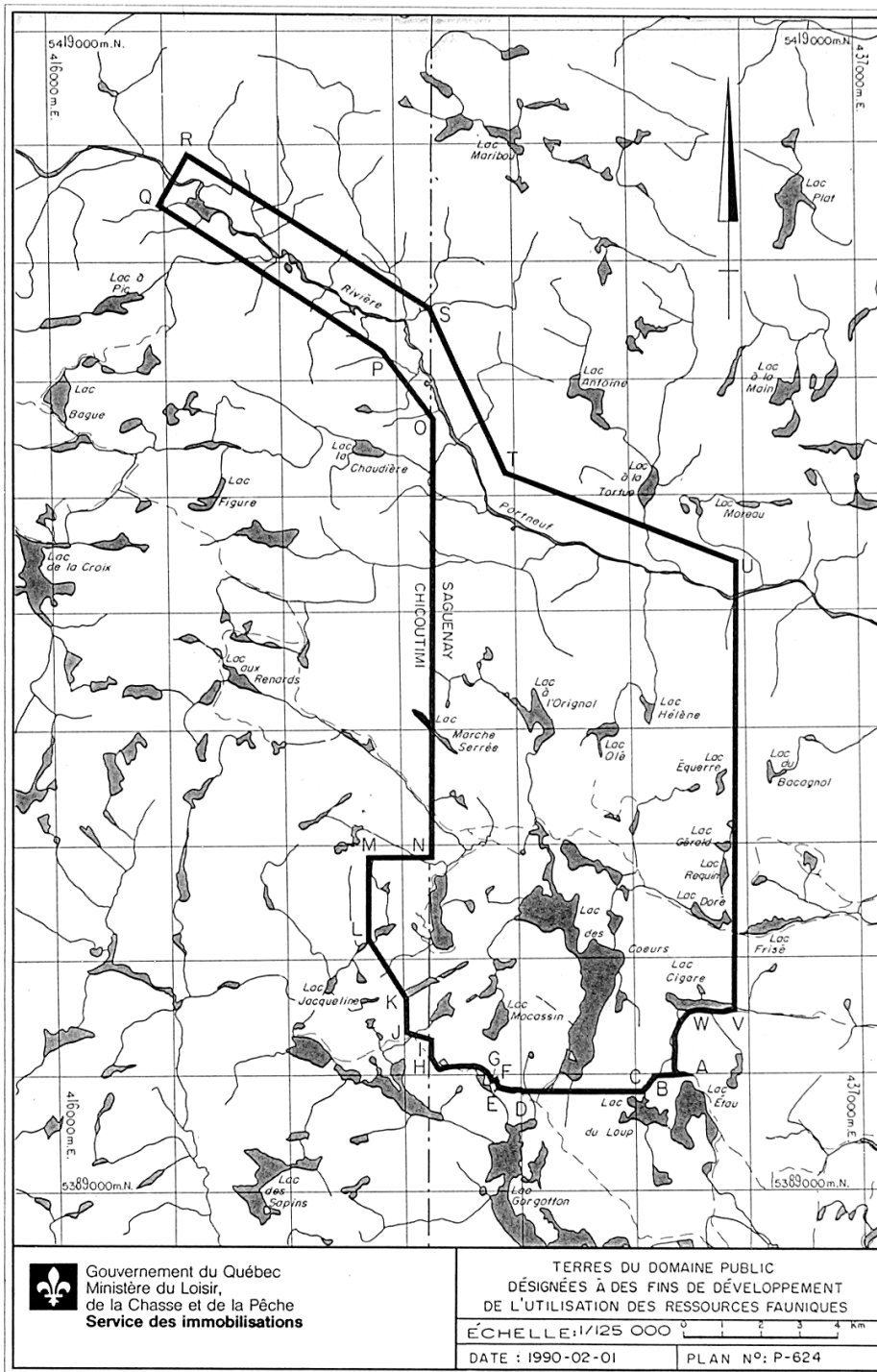
 <p>Gouvernement du Québec Ministère de l'Environnement et de la Faune Division des données foncières et de la cartographie</p>	<p>TERRES DU DOMAINE PUBLIC DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT DE L'UTILISATION DES RESSOURCES FAUNIQUES</p>	
	<p>Par: <i>Henri Morneau</i> HENRI MORNEAU Arpenteur-géomètre</p>	<p>DATE: 1994-11-17 PLAN: P-9033 MINUTE: 9033</p>
<p>ÉCHELLE: 1/160 000</p> 		

SCHEDULE XCVII



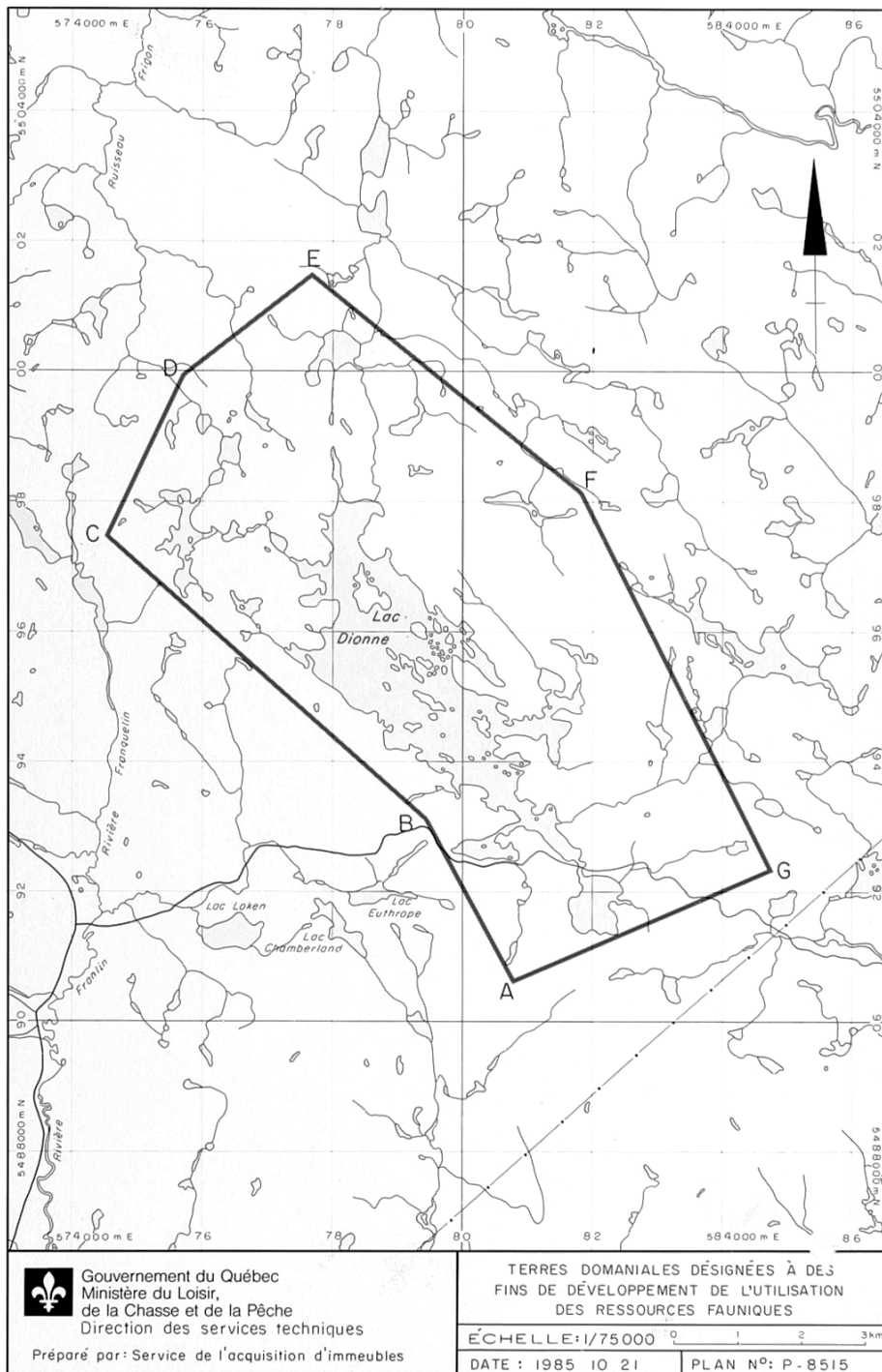


SCHEDULE XCVIII



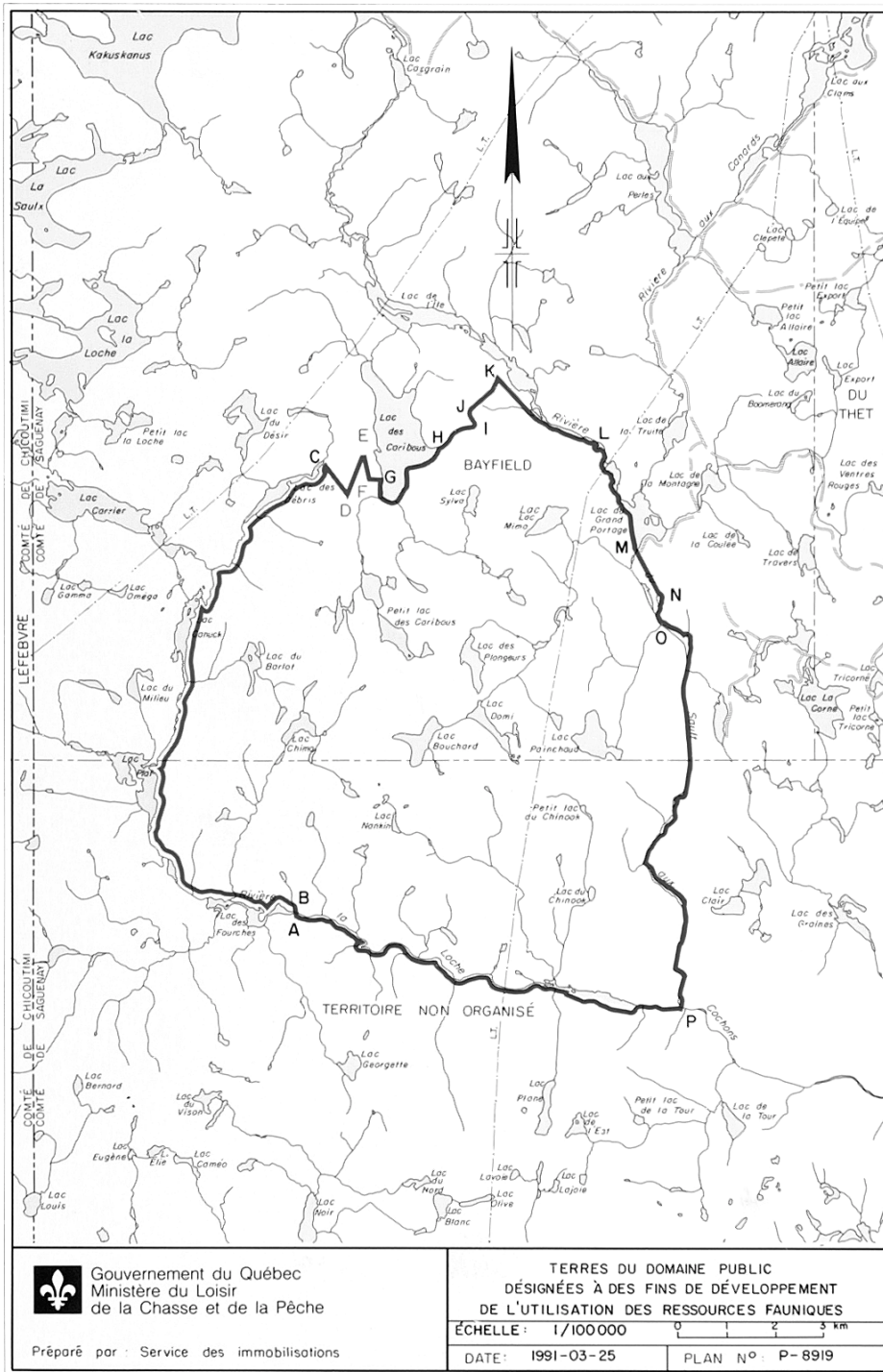


**SCHEDULE XCIX**





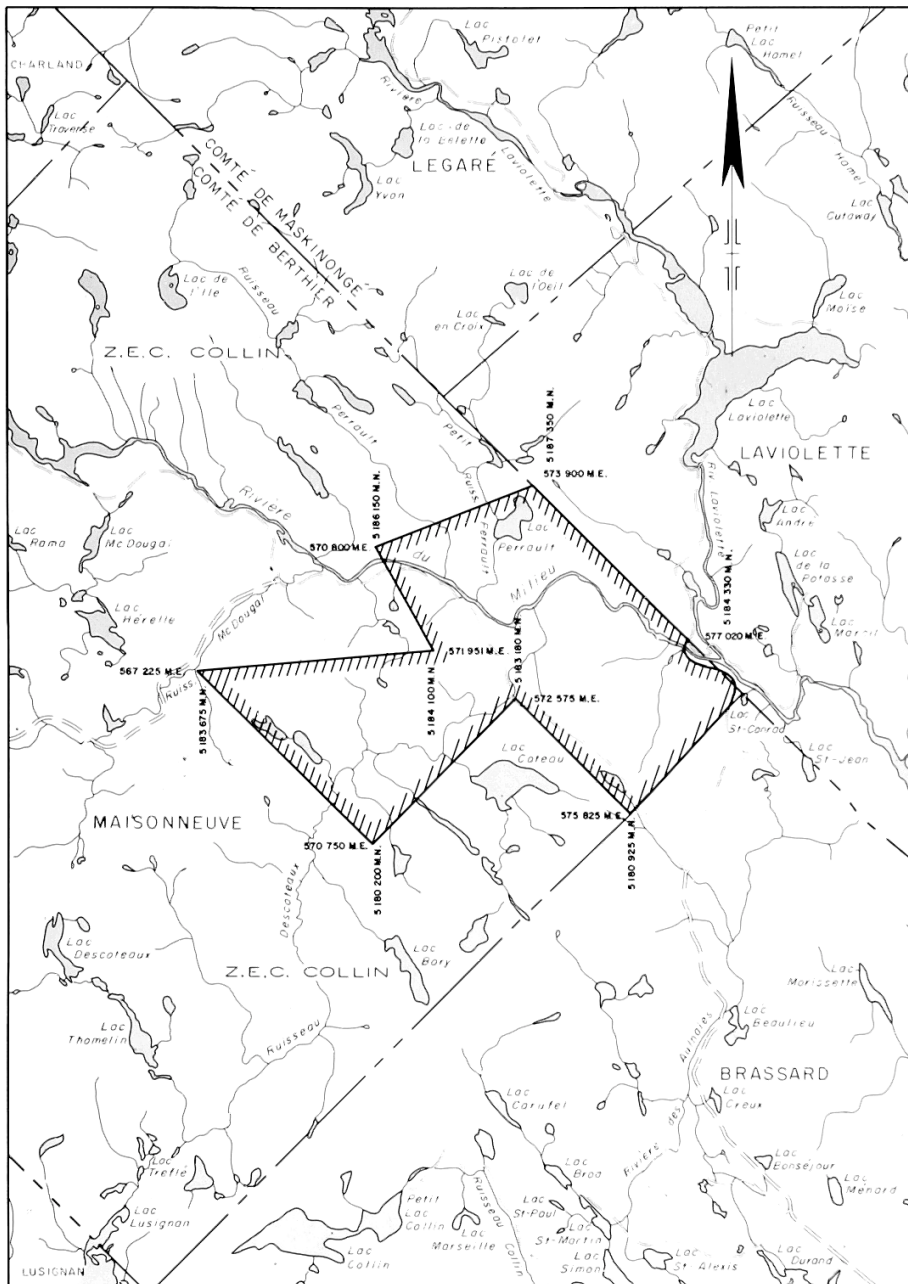
SCHEDULE CI








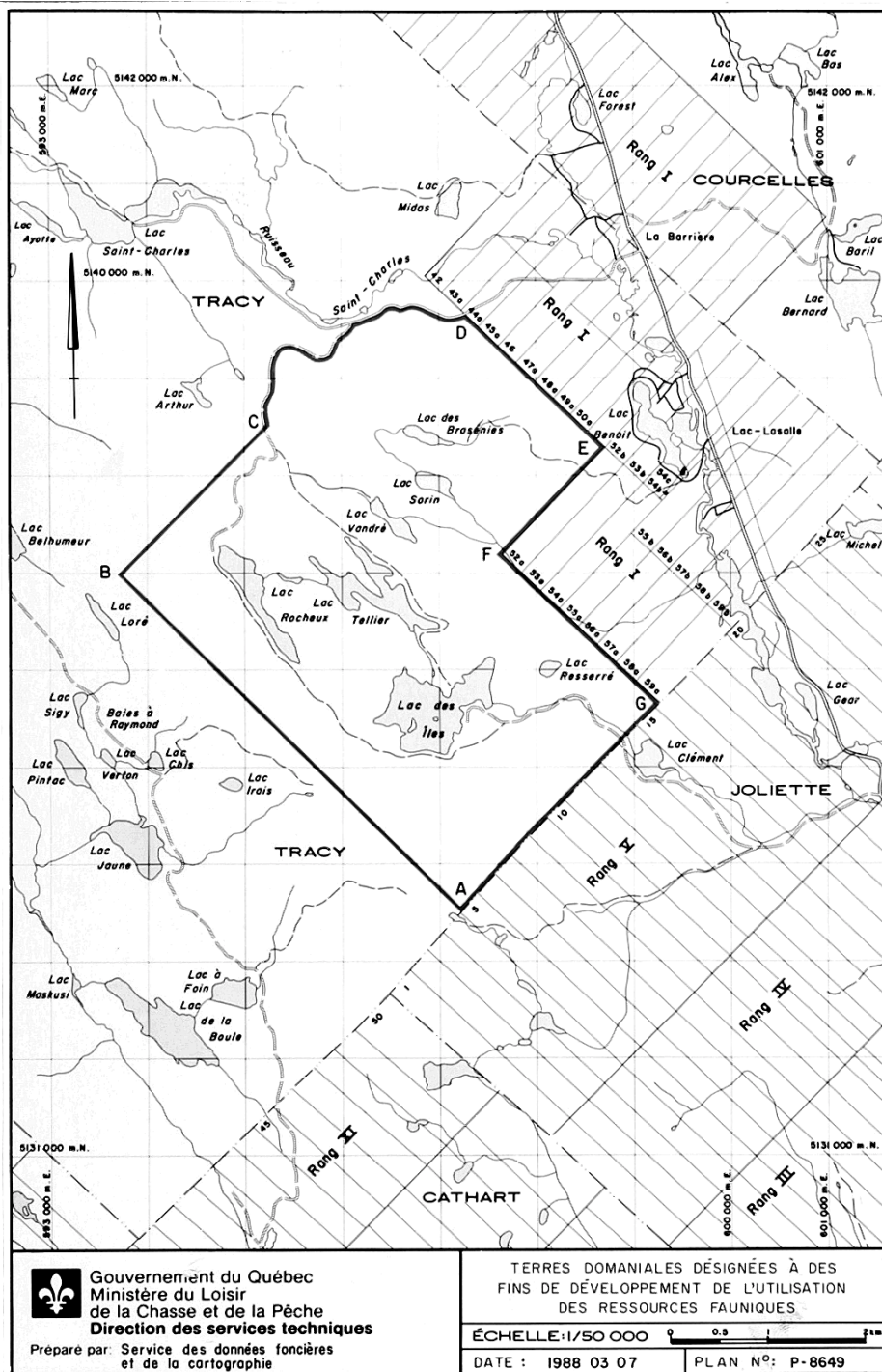
SCHEDULE CIII



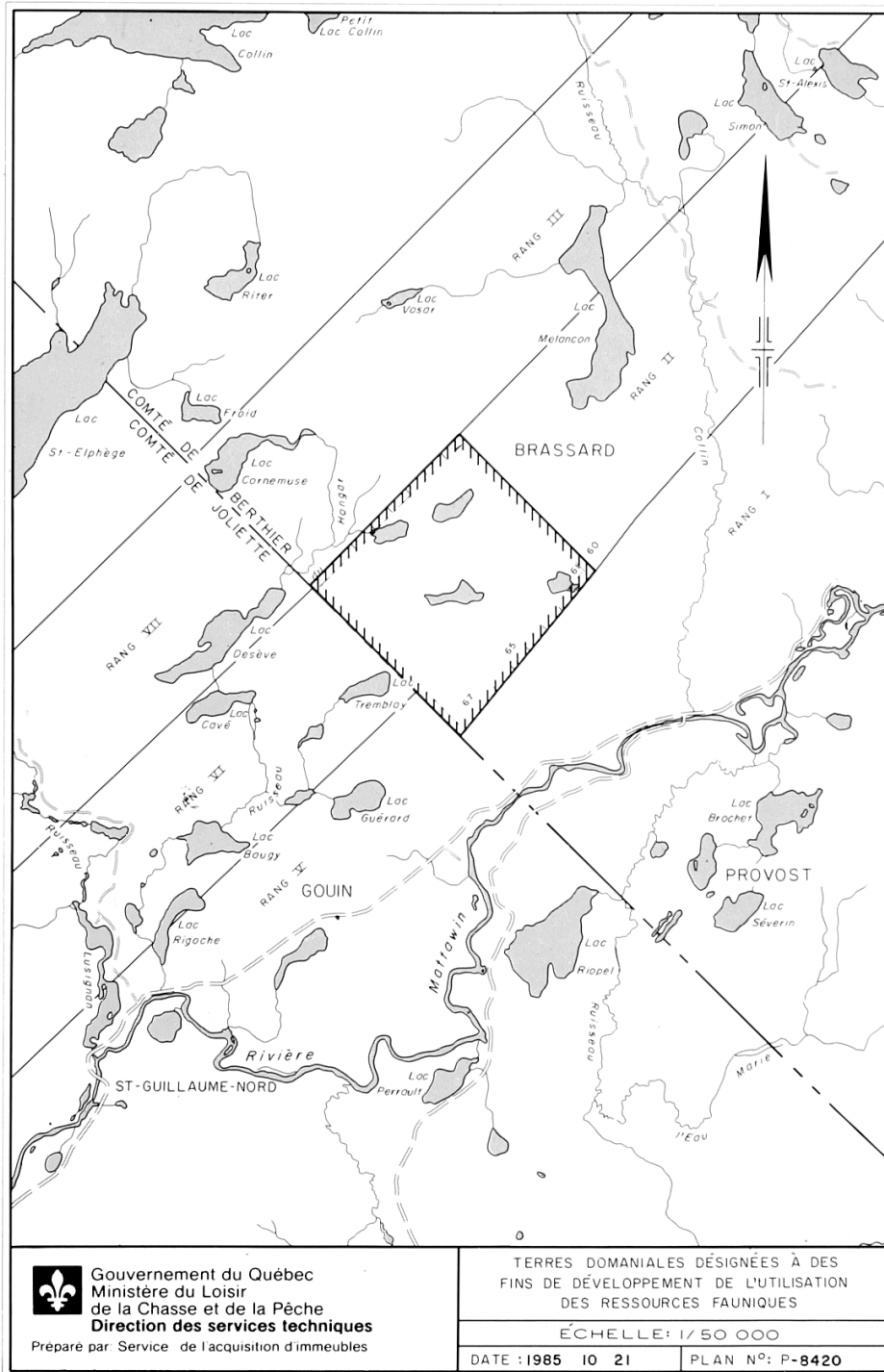
 <p>Gouvernement du Québec Ministère du Loisir de la Chasse et de la Pêche Direction des services techniques Préparé par Service de l'acquisition d'immeubles</p>	TERRES DOMANIALES DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT DE L'UTILISATION DES RESSOURCES FAUNIQUES	
	ÉCHELLE: 1/100 000	
	DATE: 1985 10 21	PLAN N°: P.8415



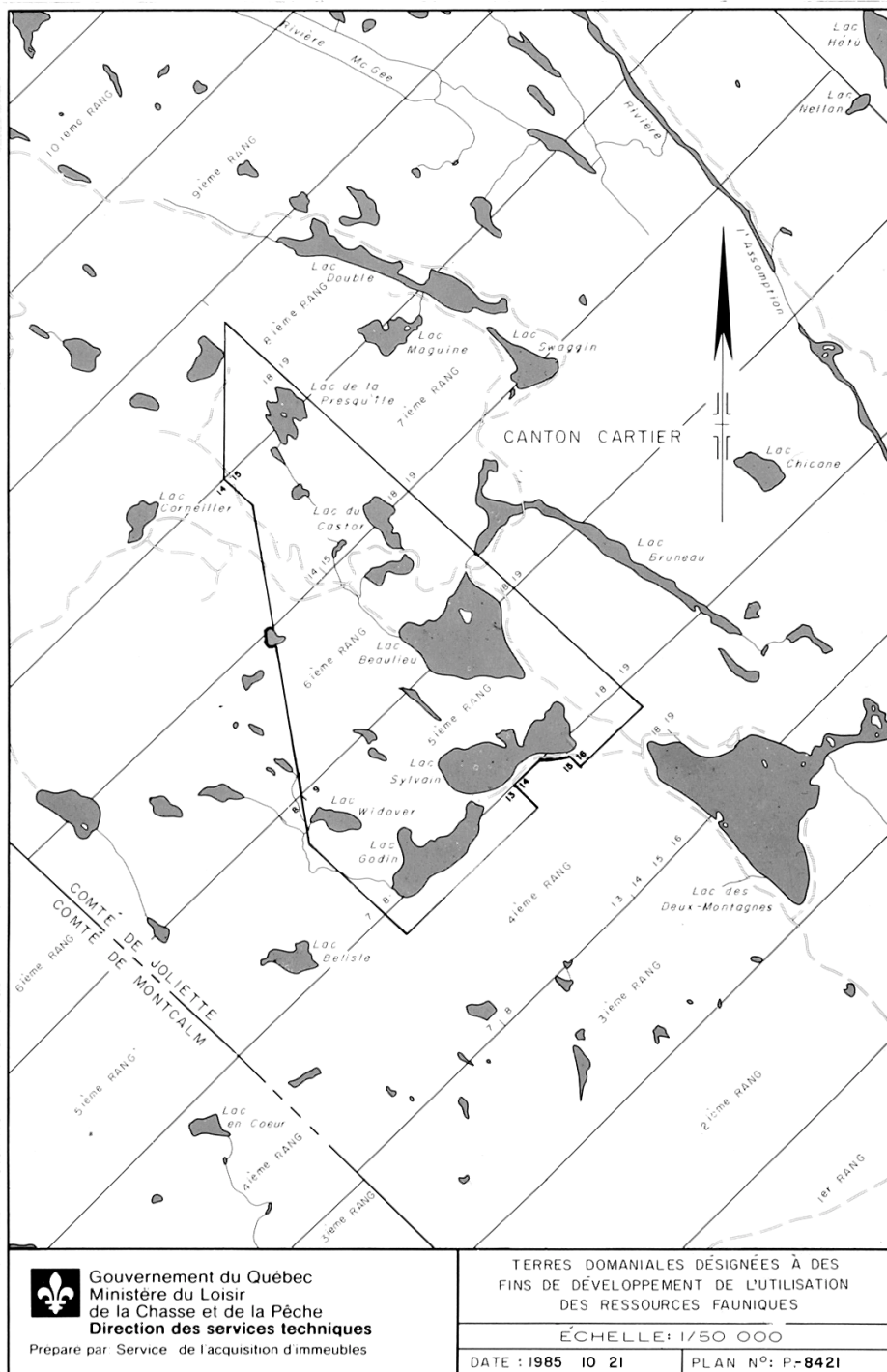
SCHEDULE CIV




SCHEDULE CV



SCHEDULE CVI



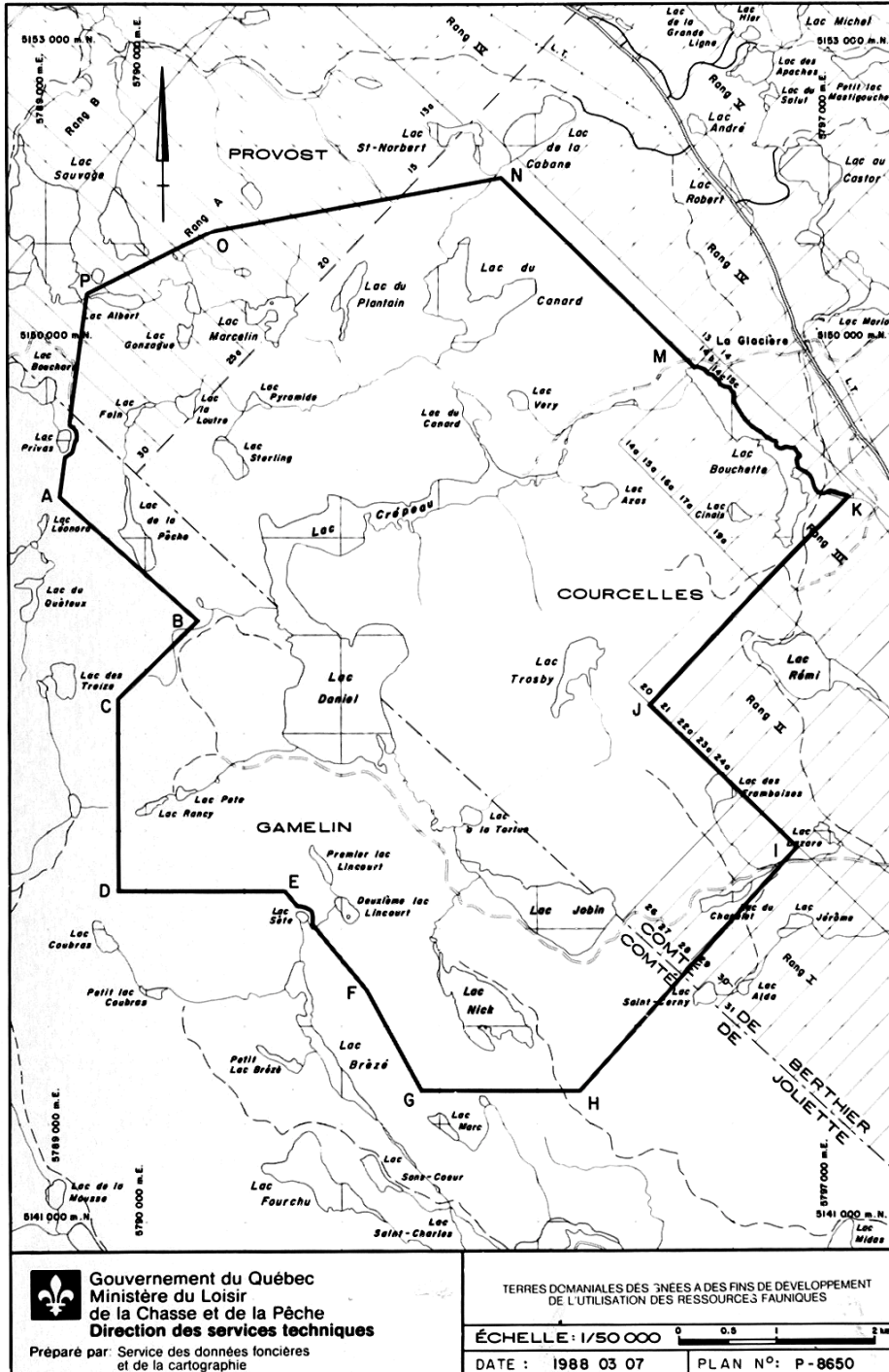
 **Gouvernement du Québec**  
 Ministère du Loisir  
 de la Chasse et de la Pêche  
**Direction des services techniques**  
 Prépare par Service de l'acquisition d'immeubles

TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNTIQUES

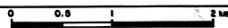
ÉCHELLE: 1/50 000

DATE : 1985 10 21      PLAN N°: P-8421

SCHEDULE CVII

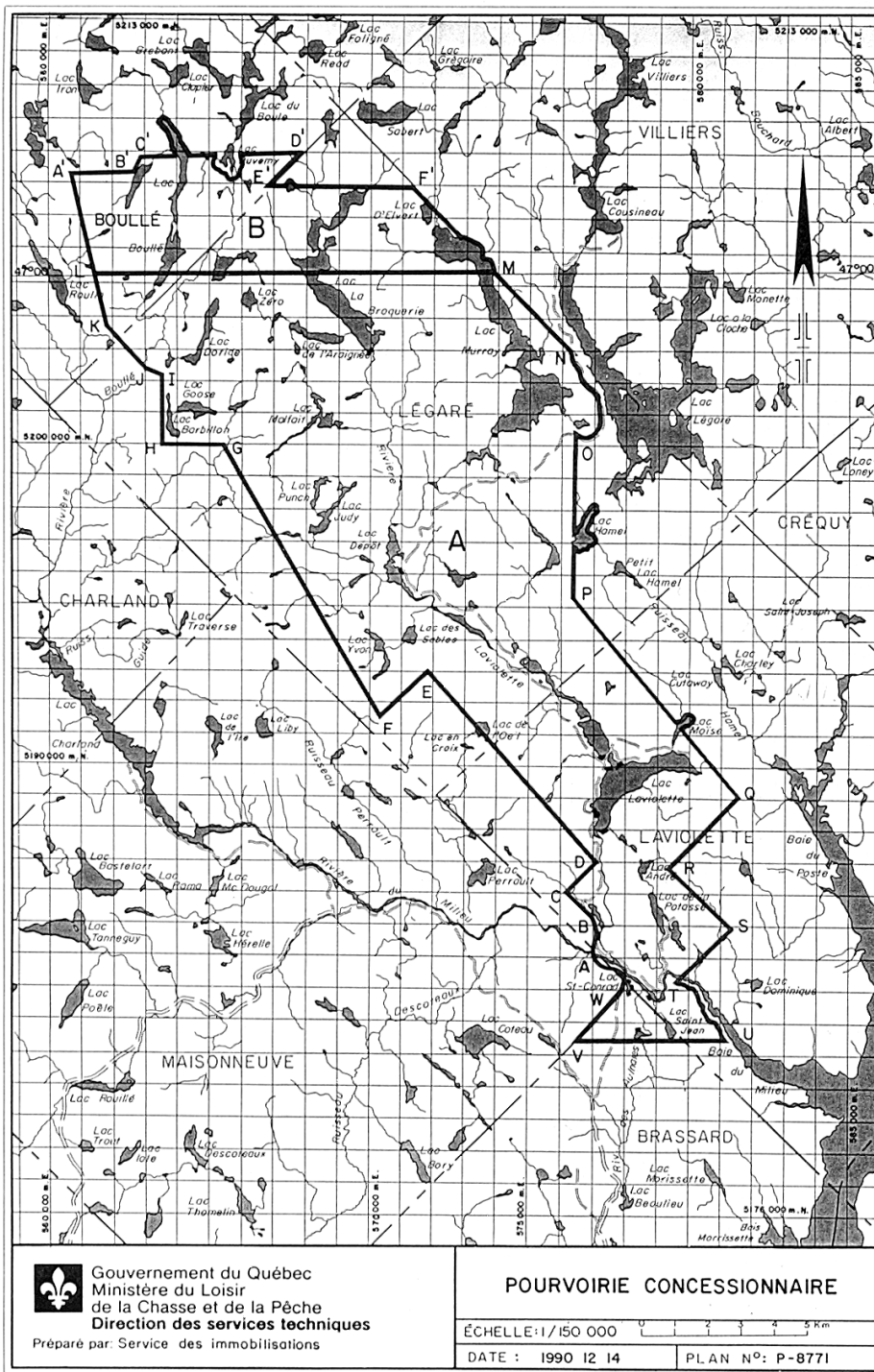


 **Gouvernement du Québec**  
**Ministère du Loisir**  
**de la Chasse et de la Pêche**  
**Direction des services techniques**  
 Préparé par: Service des données foncières  
 et de la cartographie

TERRES DOMANIALES DES 'NÉES À DES FINS DE DÉVELOPPEMENT  
 DE L'UTILISATION DES RESSOURCES FAUNIQUE'S'  
 ÉCHELLE: 1/50 000   
 DATE: 1988 03 07 PLAN N°: P-8650

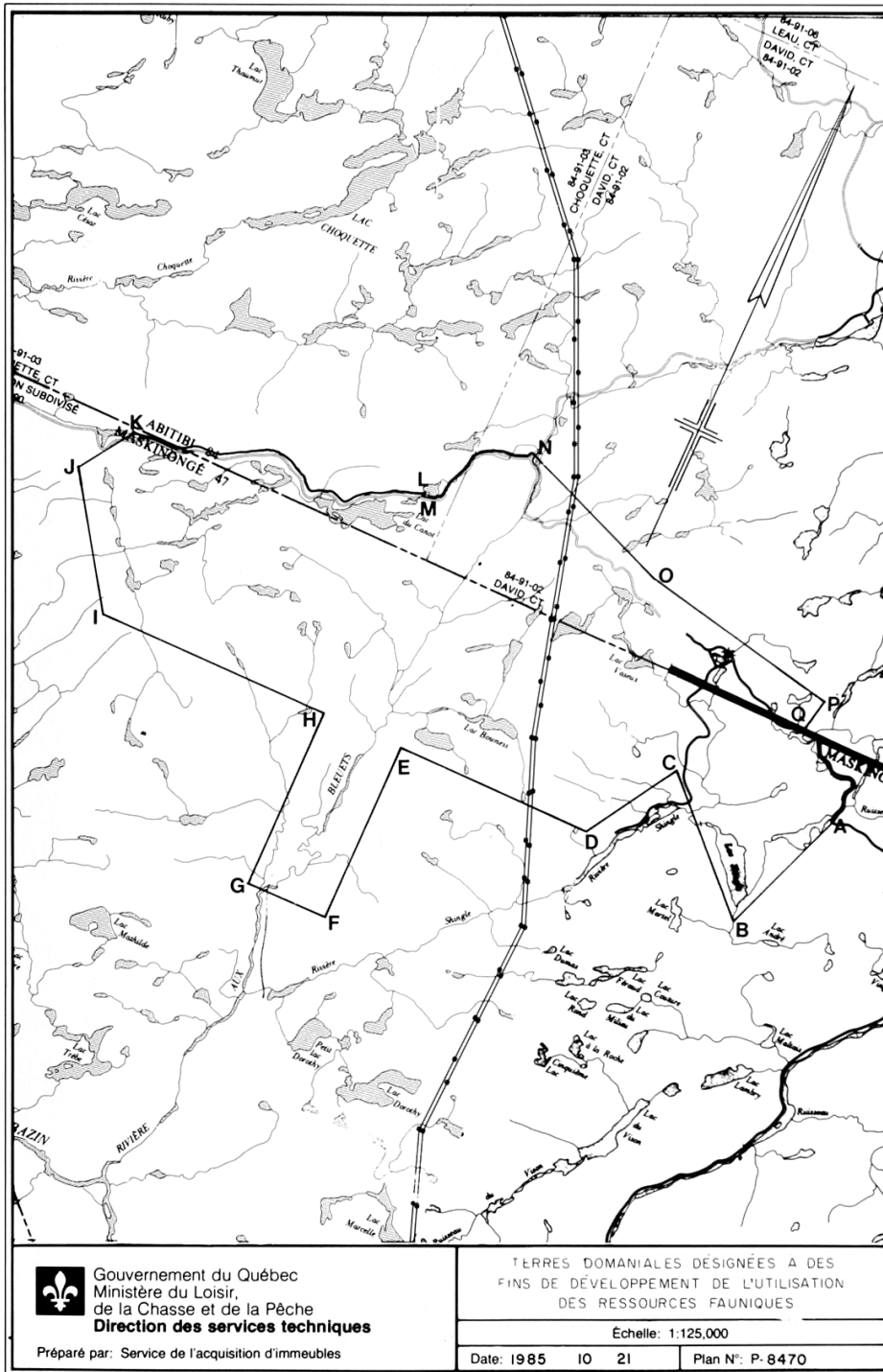


SCHEDULE CVIII





SCHEDULE CX



Gouvernement du Québec  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
**Direction des services techniques**

Préparé par: Service de l'acquisition d'immeubles

TERRES DOMANIALES DESIGNÉES A DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES

Echelle: 1:125,000

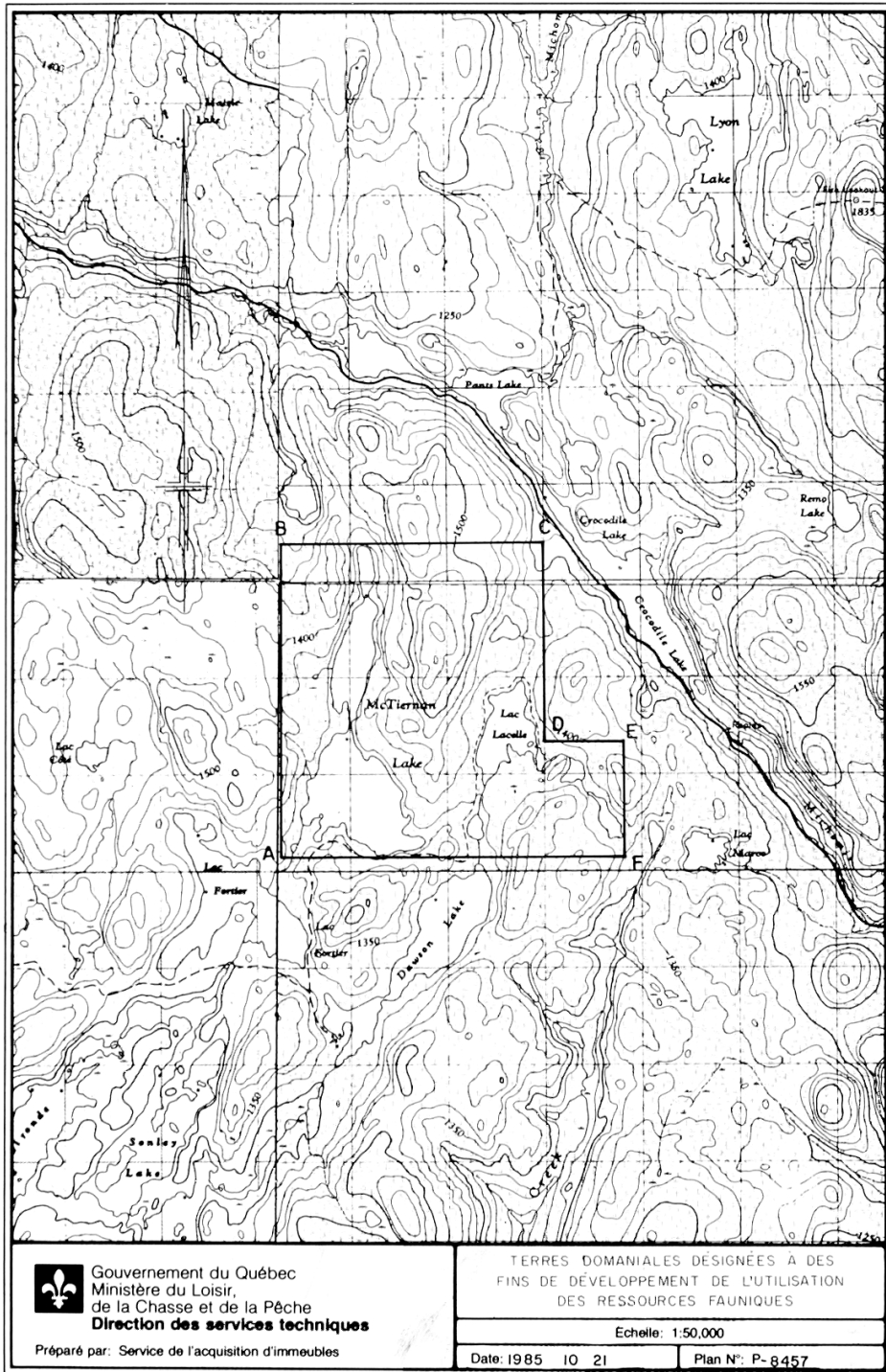
Date: 19 85 10 21 Plan N°: P-8470








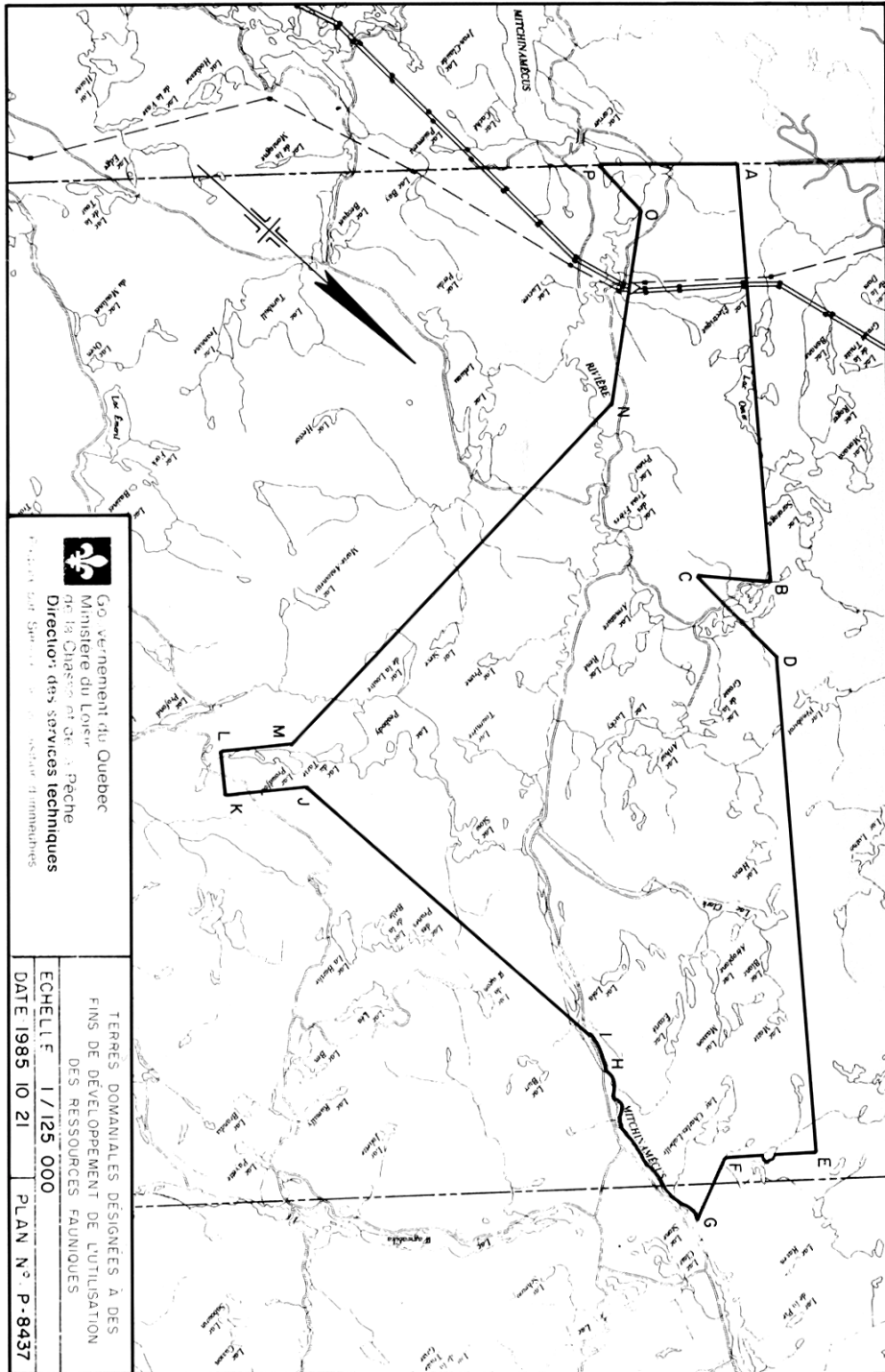
SCHEDULE CXII





 Gouvernement du Québec  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
**Direction des services techniques**  
 Préparé par: Service de l'acquisition d'immeubles

TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNTIQUES  
 Echelle: 1:50,000  
 Date: 1985 10 21      Plan N°: P-8457

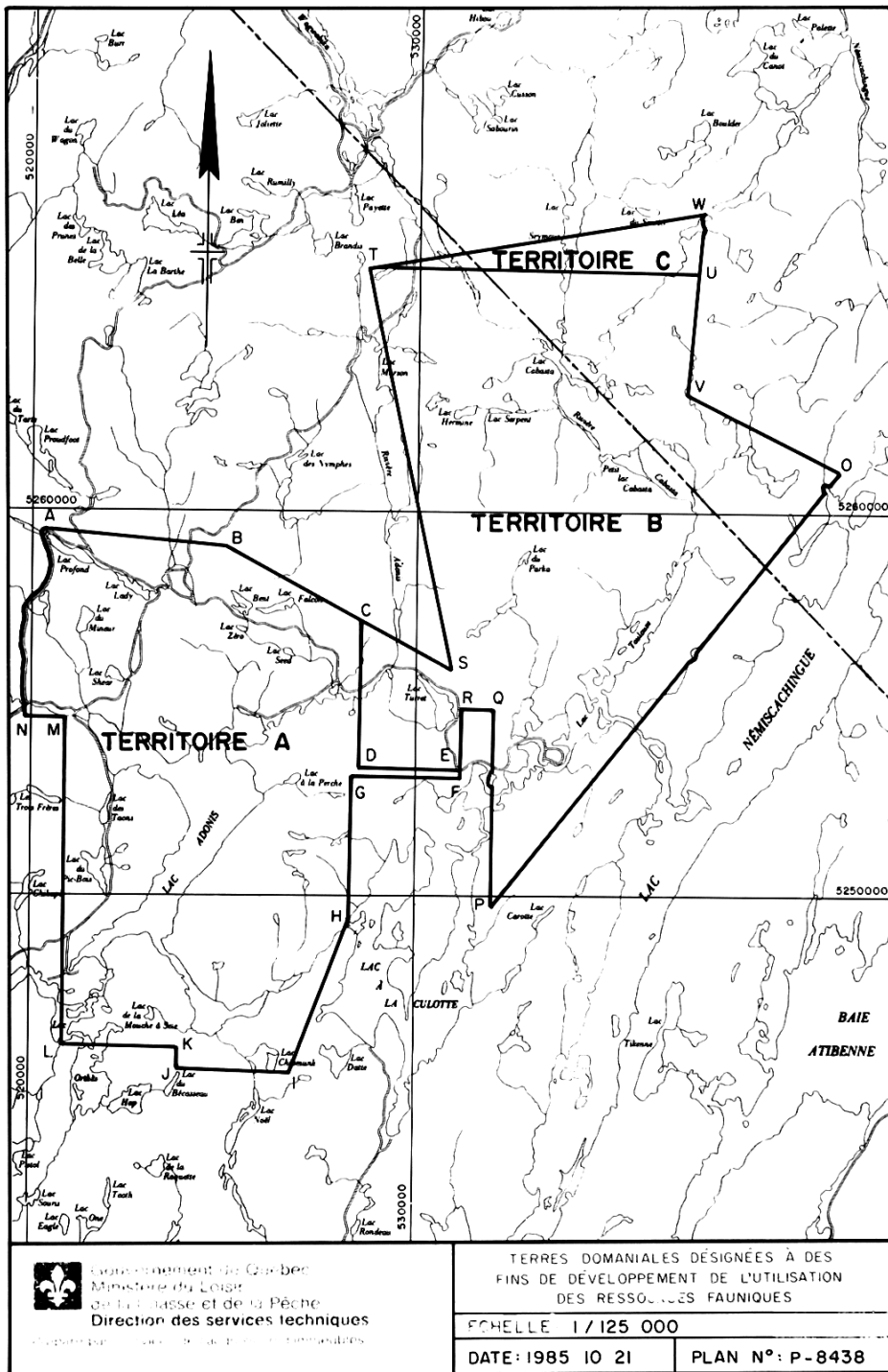
SCHEDULE CXIII



  
 Gouvernement du Québec  
 Ministère du Logement  
 et des Châteaux et de la Pêche  
 Direction des services techniques  
 Direction des Services de l'industrie d'immobilier

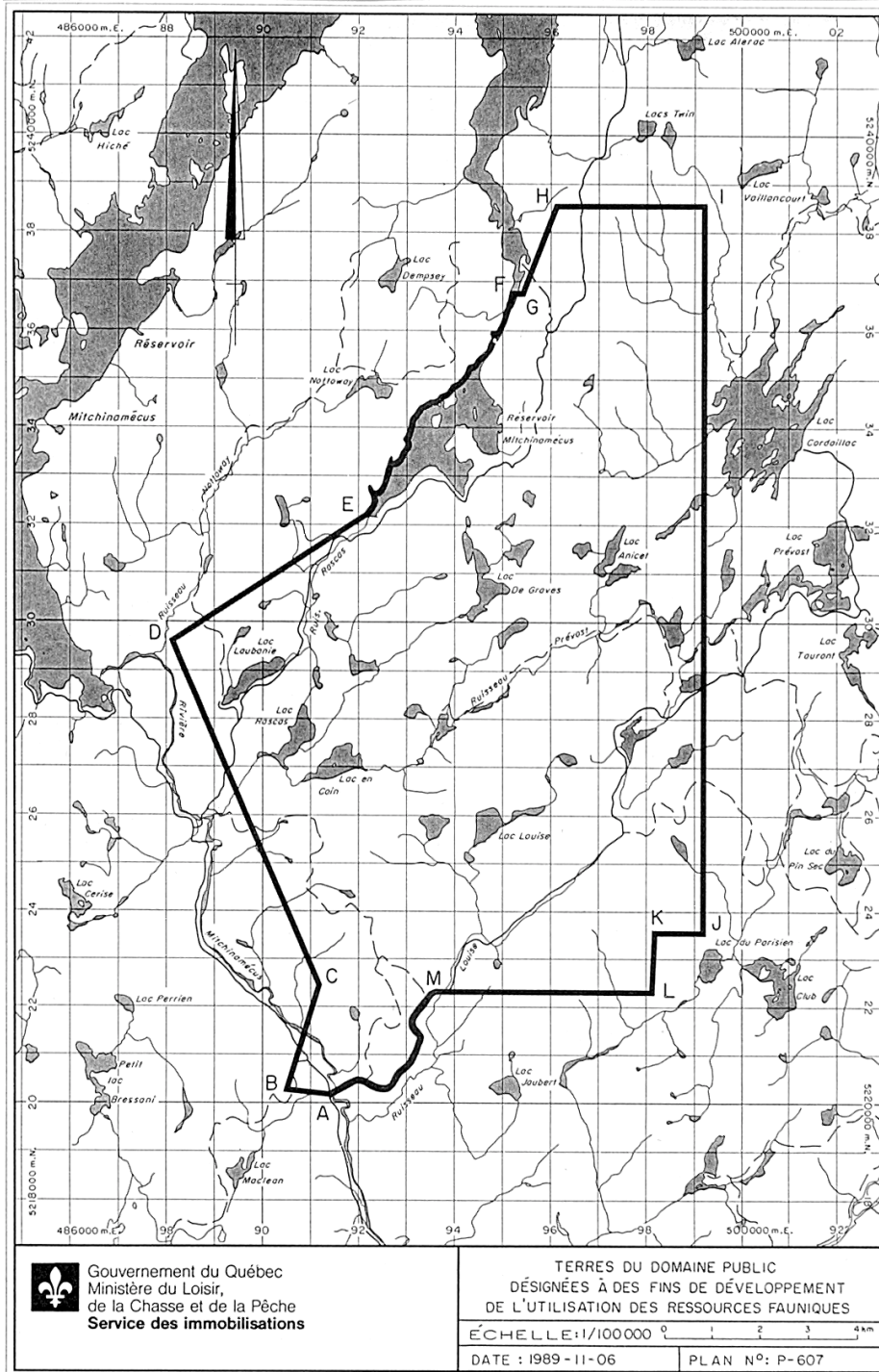
TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNISTIQUES  
 ÉCHELLE 1/125 000  
 DATE 1985 10 21 PLAN N° P-8437

SCHEDULE CXIV



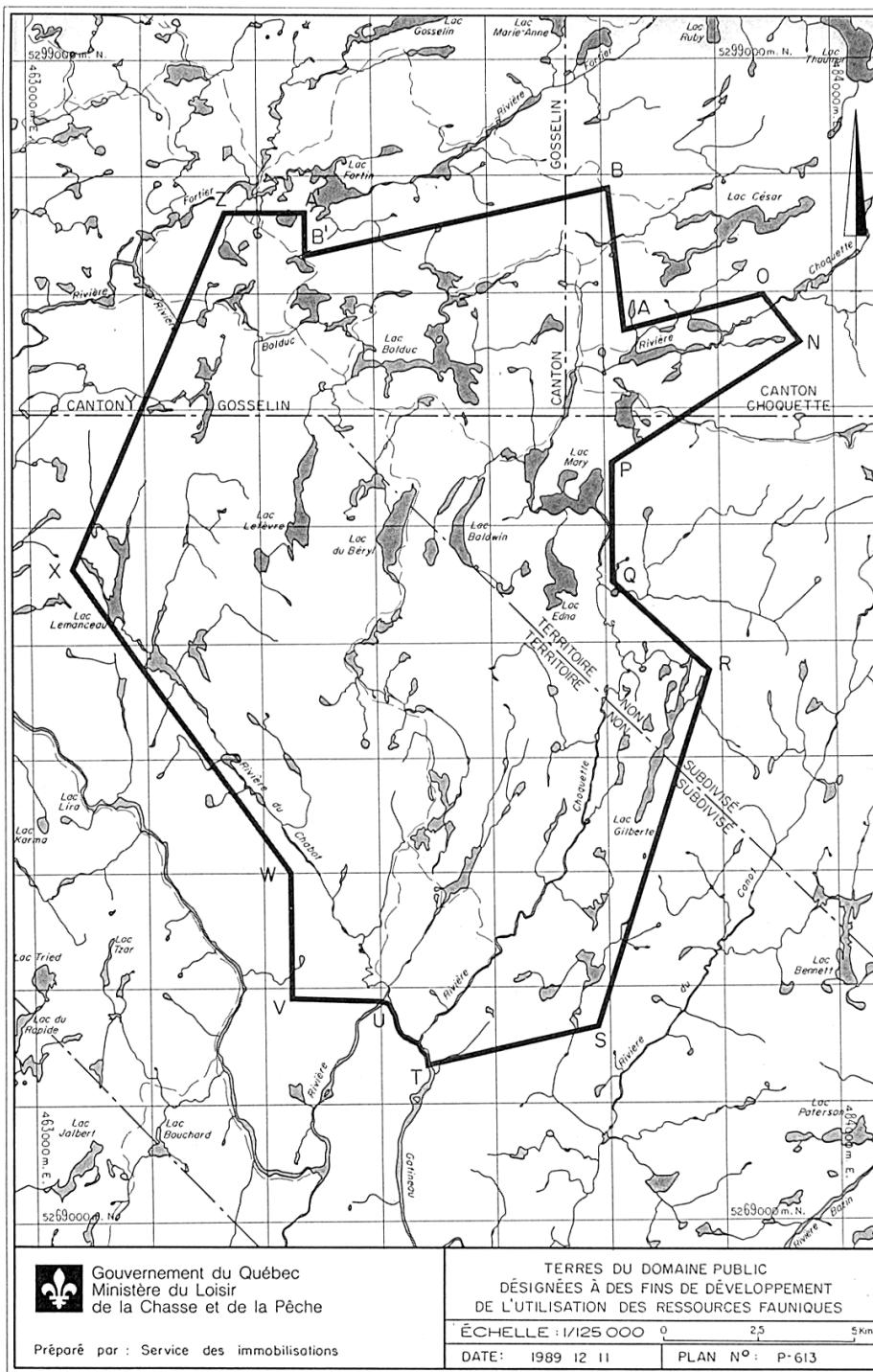


SCHEDULE CXV

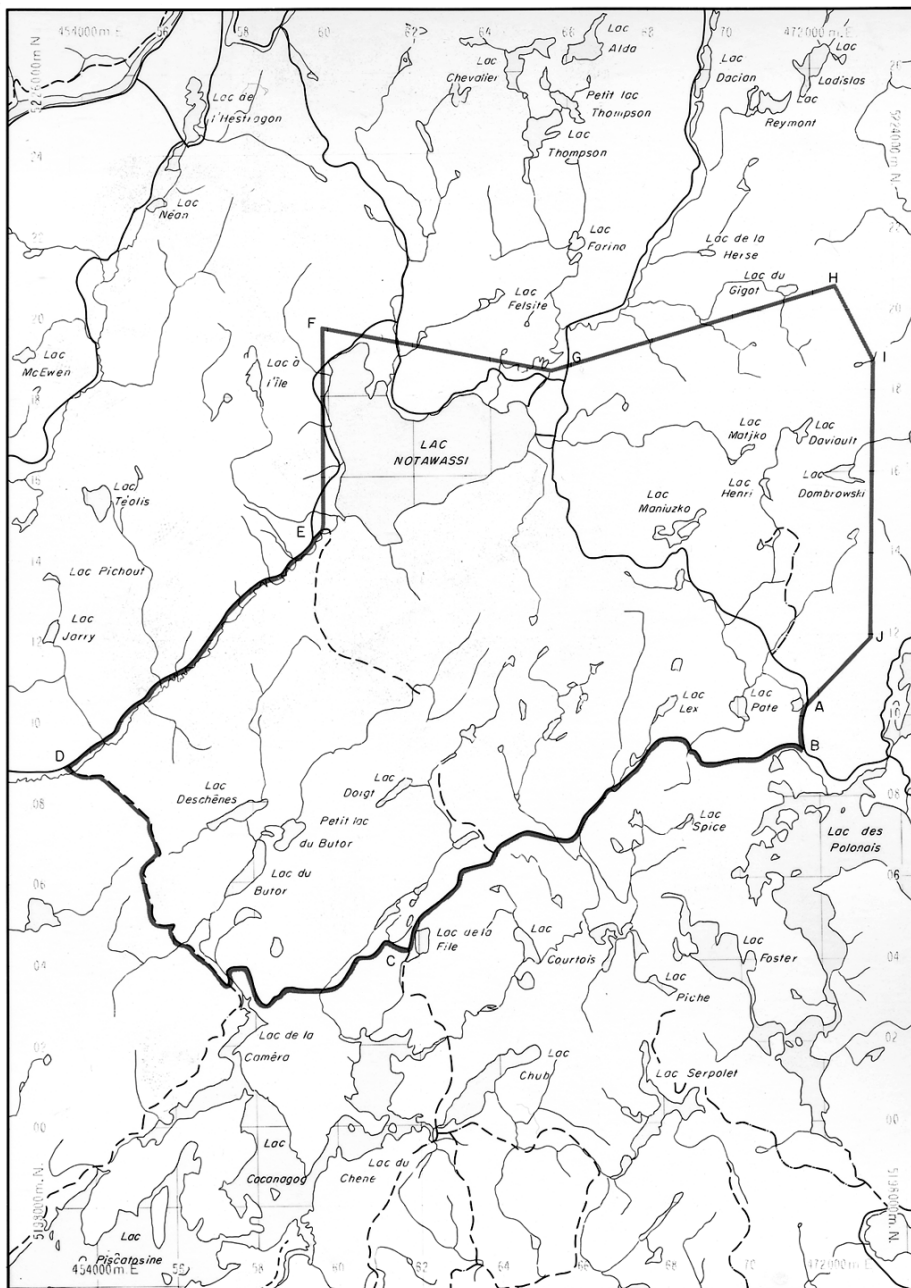



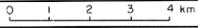


SCHEDULE CXVI

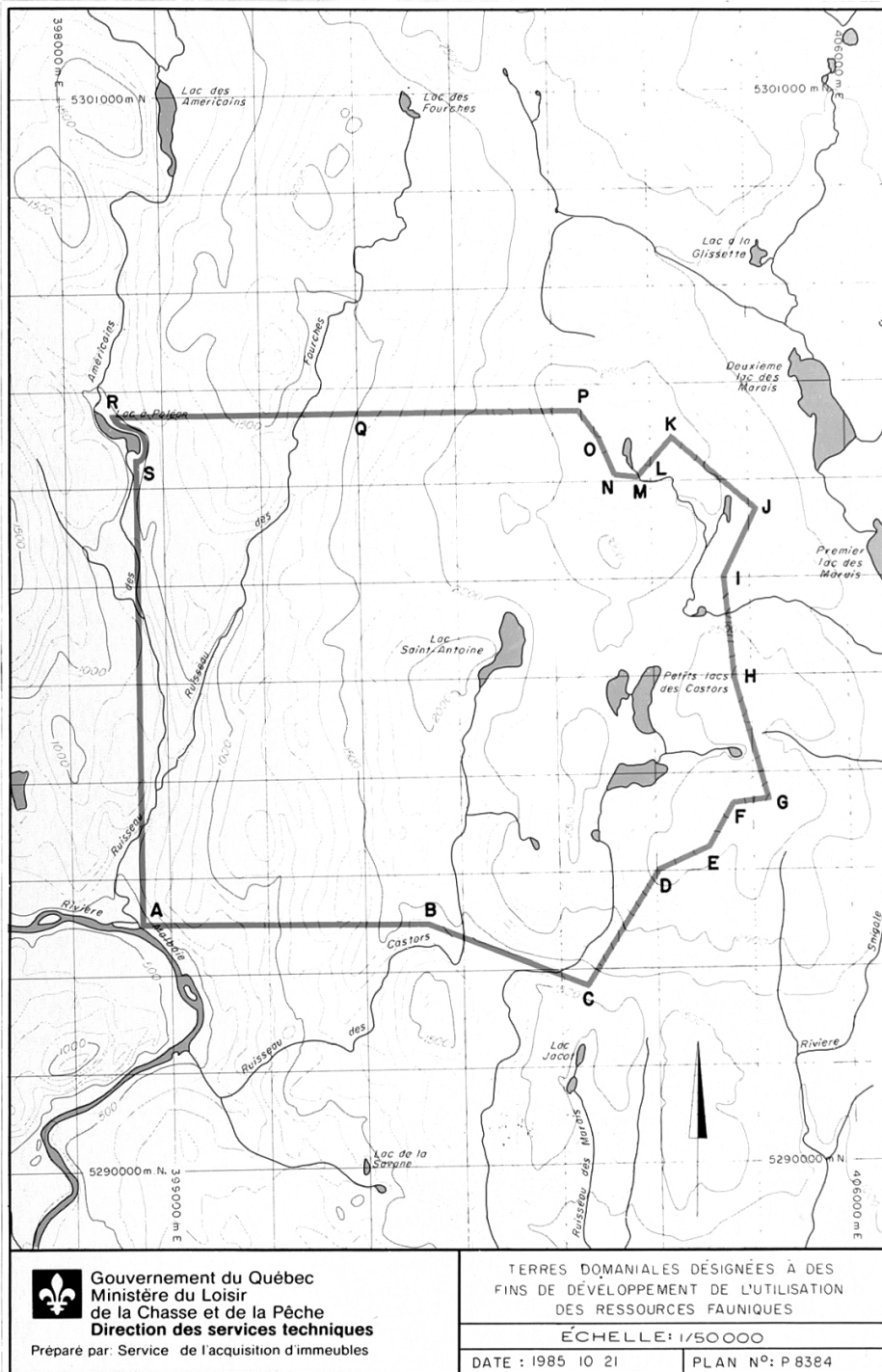


SCHEDULE CXVII



 <p>Gouvernement du Québec Ministère du Loisir de la Chasse et de la Pêche <b>Direction des services techniques</b></p> <p>Préparé par: Service des données foncières et de la cartographie</p>	TERRES DOMANIALES DÉSIGNÉES À DES FINS DE DÉVELOPPEMENT DE L'UTILISATION DES RESSOURCES FAUNIQUEES	
	Échelle 1/125 000	
DATE: 1988-03-10		PLAN NO: P-8655

SCHEDULE CXVIII



Gouvernement du Québec  
 Ministère du Loisir  
 de la Chasse et de la Pêche  
 Direction des services techniques

Préparé par: Service de l'acquisition d'immeubles

TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES

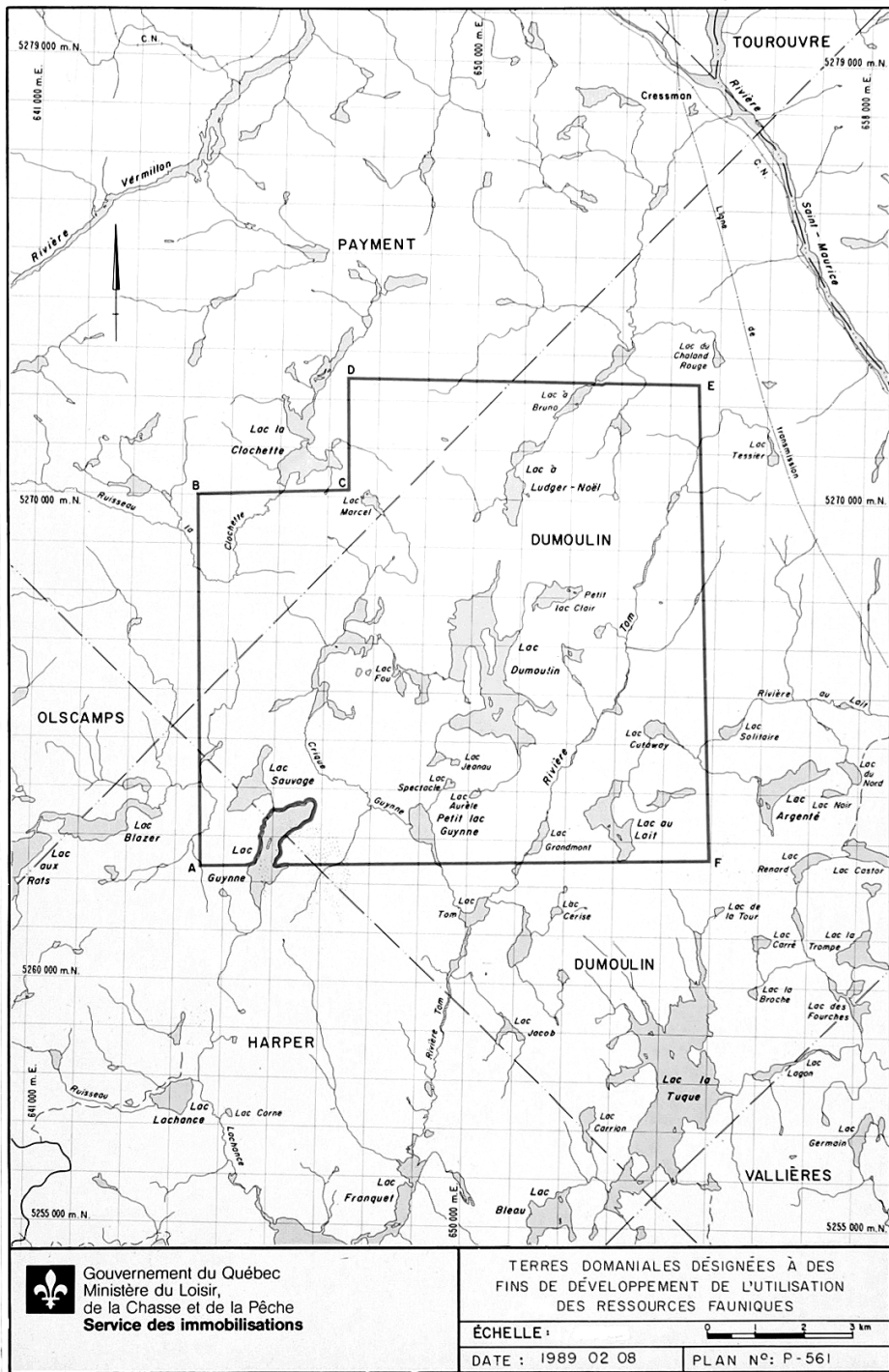
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DATE : 1985 10 21

PLAN N°: P 8384



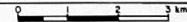
SCHEDULE CXIX



Gouvernement du Québec  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
**Service des immobilisations**

TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNTIQUES

ÉCHELLE :



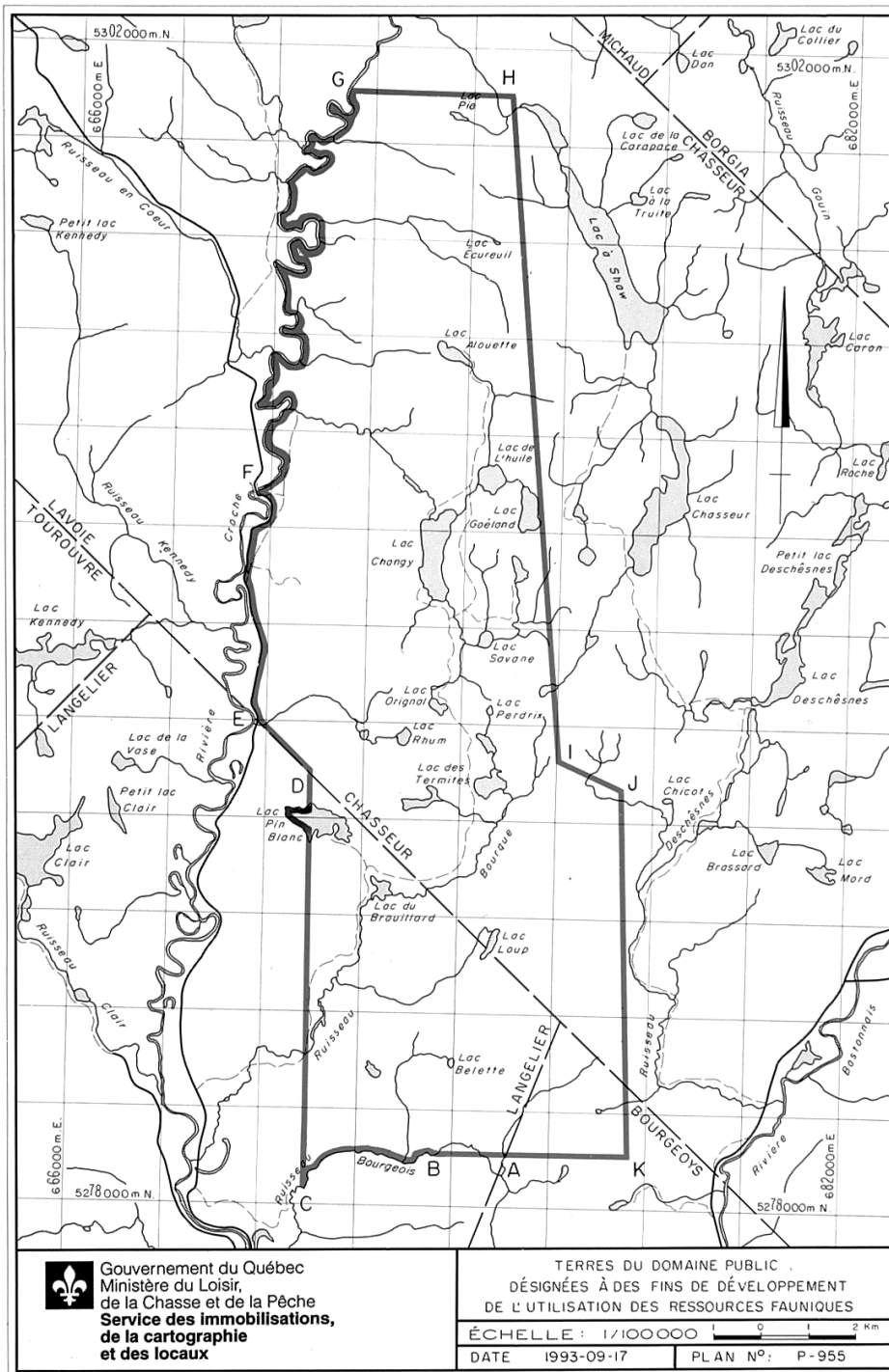
DATE : 1989 02 08

PLAN N°: P-561





SCHEDULE CXXI



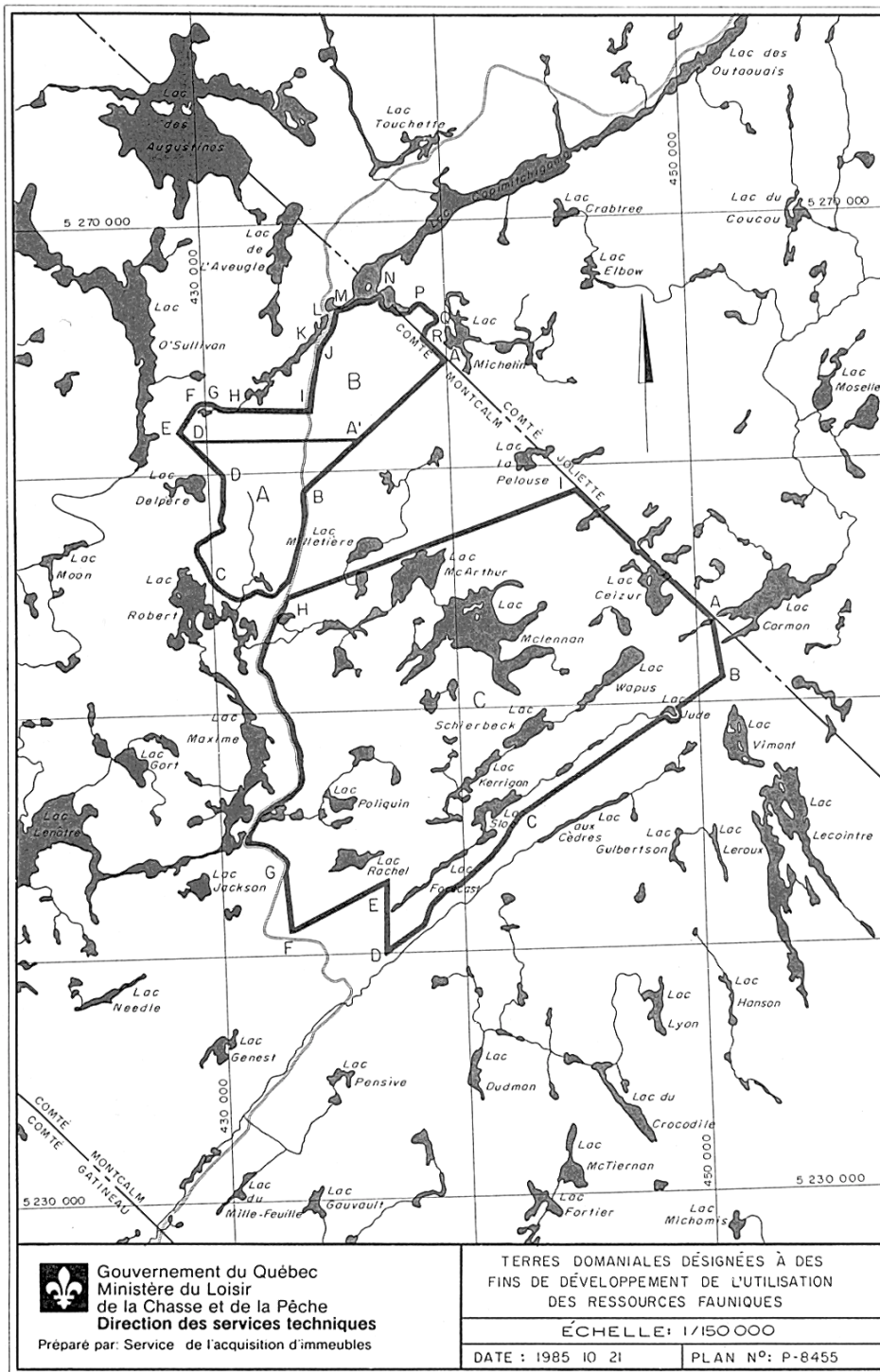









SCHEDULE CXXIV




**Gouvernement du Québec**  
 Ministère du Loisir  
 de la Chasse et de la Pêche  
 Direction des services techniques  
 Préparé par: Service de l'acquisition d'immeubles

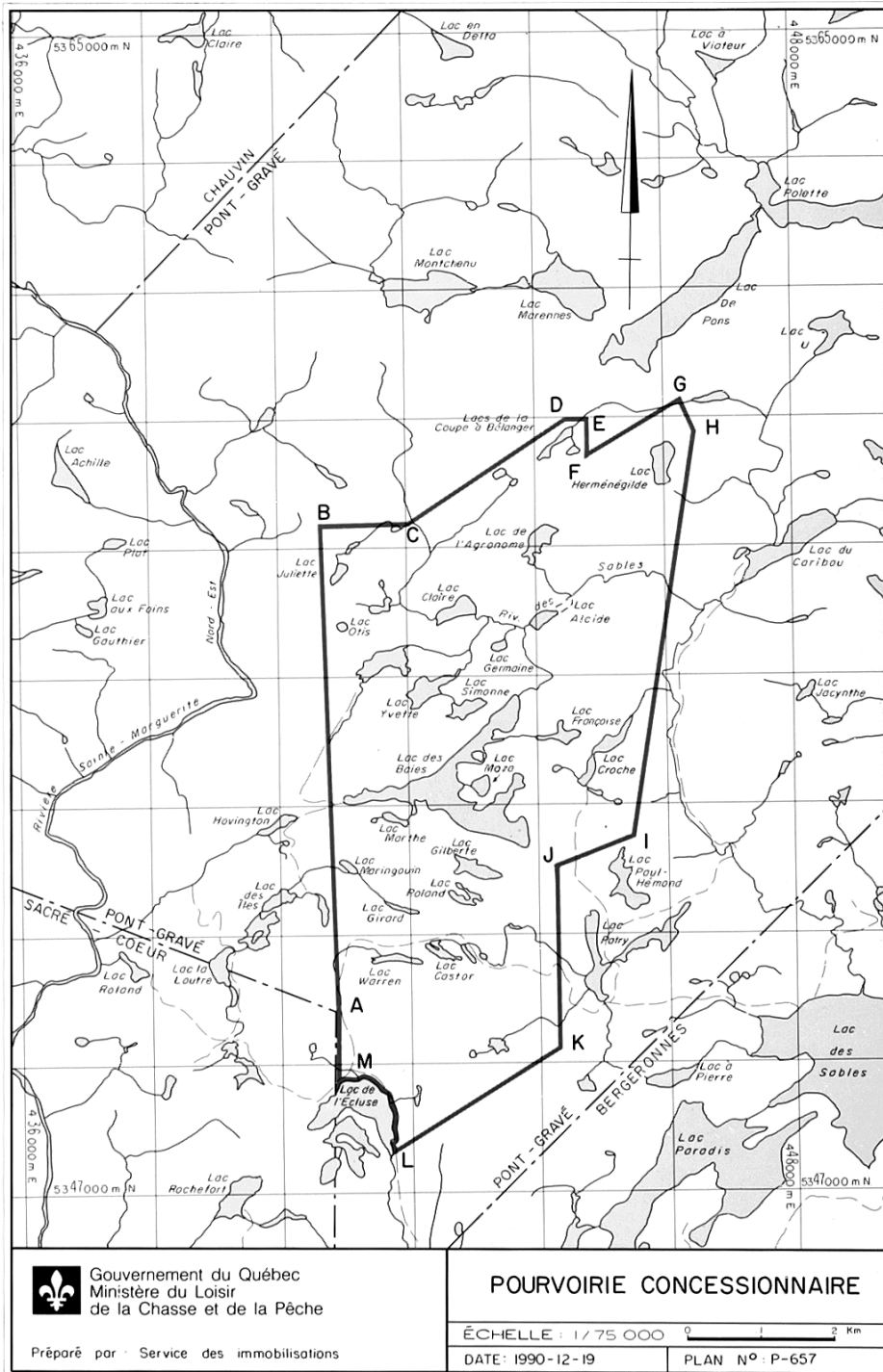
TERRES DOMANIALES DÉSIGNÉES À DES  
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 DES RESSOURCES FAUNTIQUES

ÉCHELLE: 1/150 000

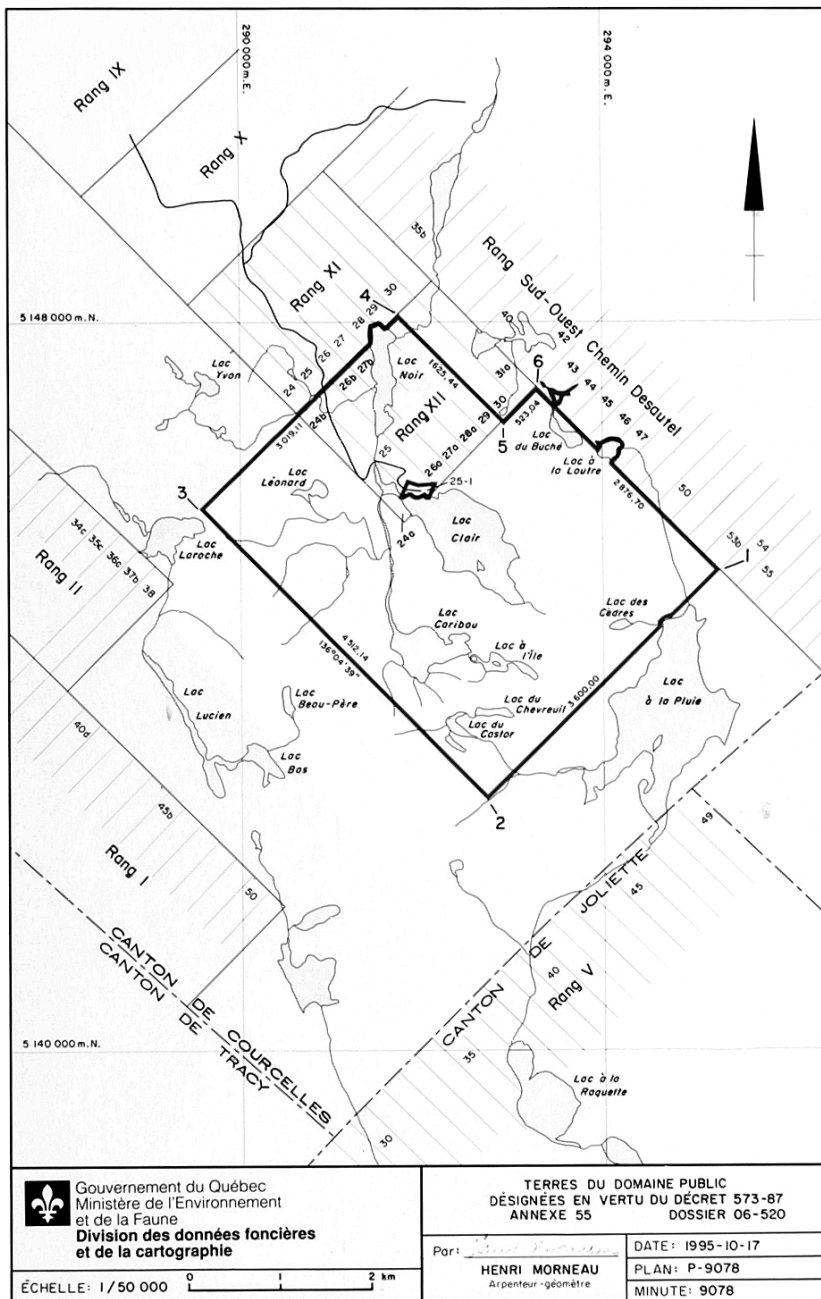
DATE : 1985 10 21


PLAN N°: P-8455

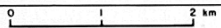
SCHEDULE CXXV



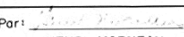
SCHEDULE CXXVI



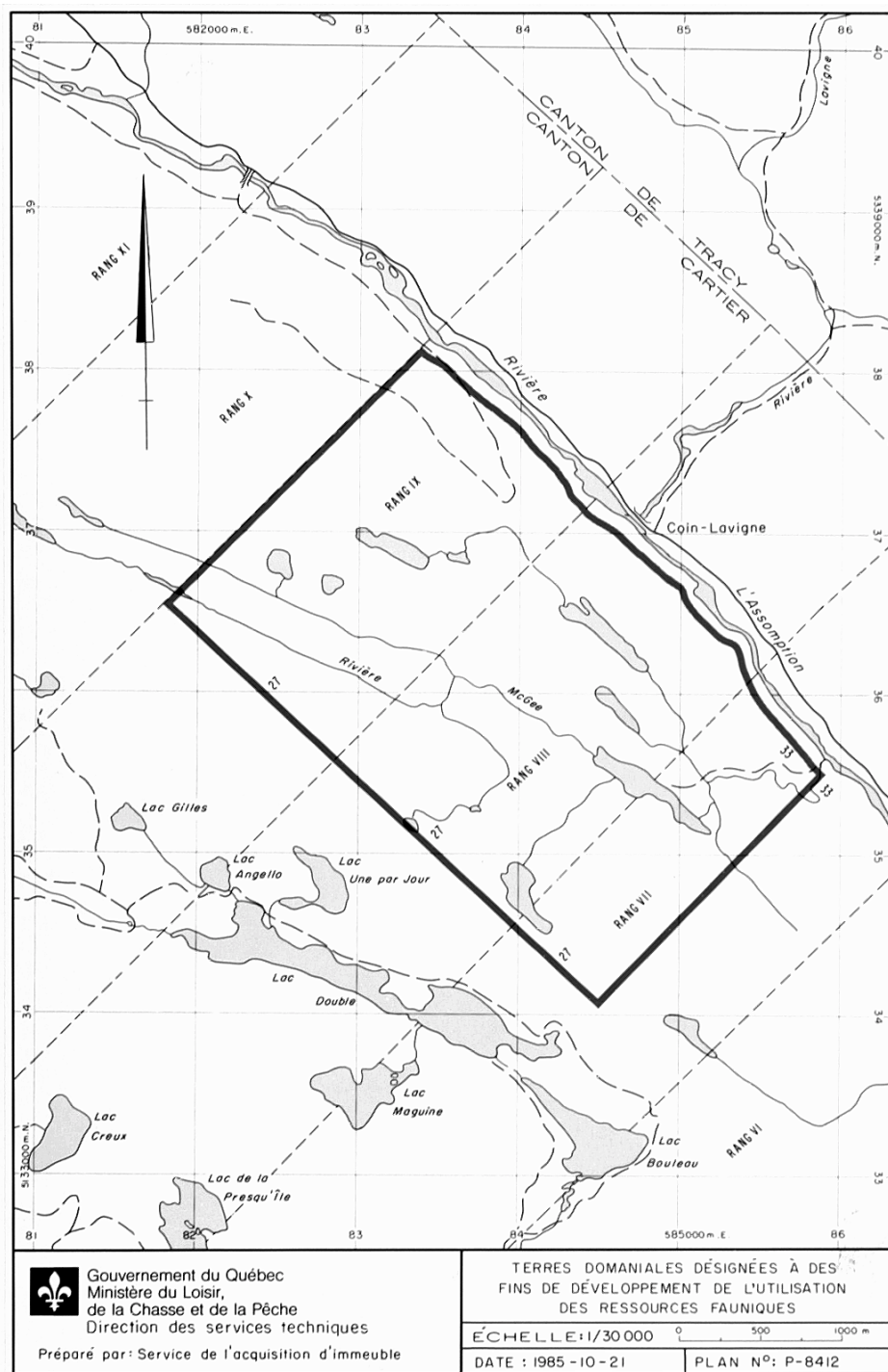

 Gouvernement du Québec  
 Ministère de l'Environnement  
 et de la Faune  
 Division des données foncières  
 et de la cartographie


ÉCHELLE: 1/50 000
 

TERRES DU DOMAINE PUBLIC  
 DÉSIGNÉES EN VERTU DU DÉCRET 573-87  
 ANNEXE 55 DOSSIER 06-520

Par: 	DATE: 1995-10-17
HENRI MORNEAU Arpenteur-géomètre	PLAN: P-9078
	MINUTE: 9078

SCHEDULE CXXVII

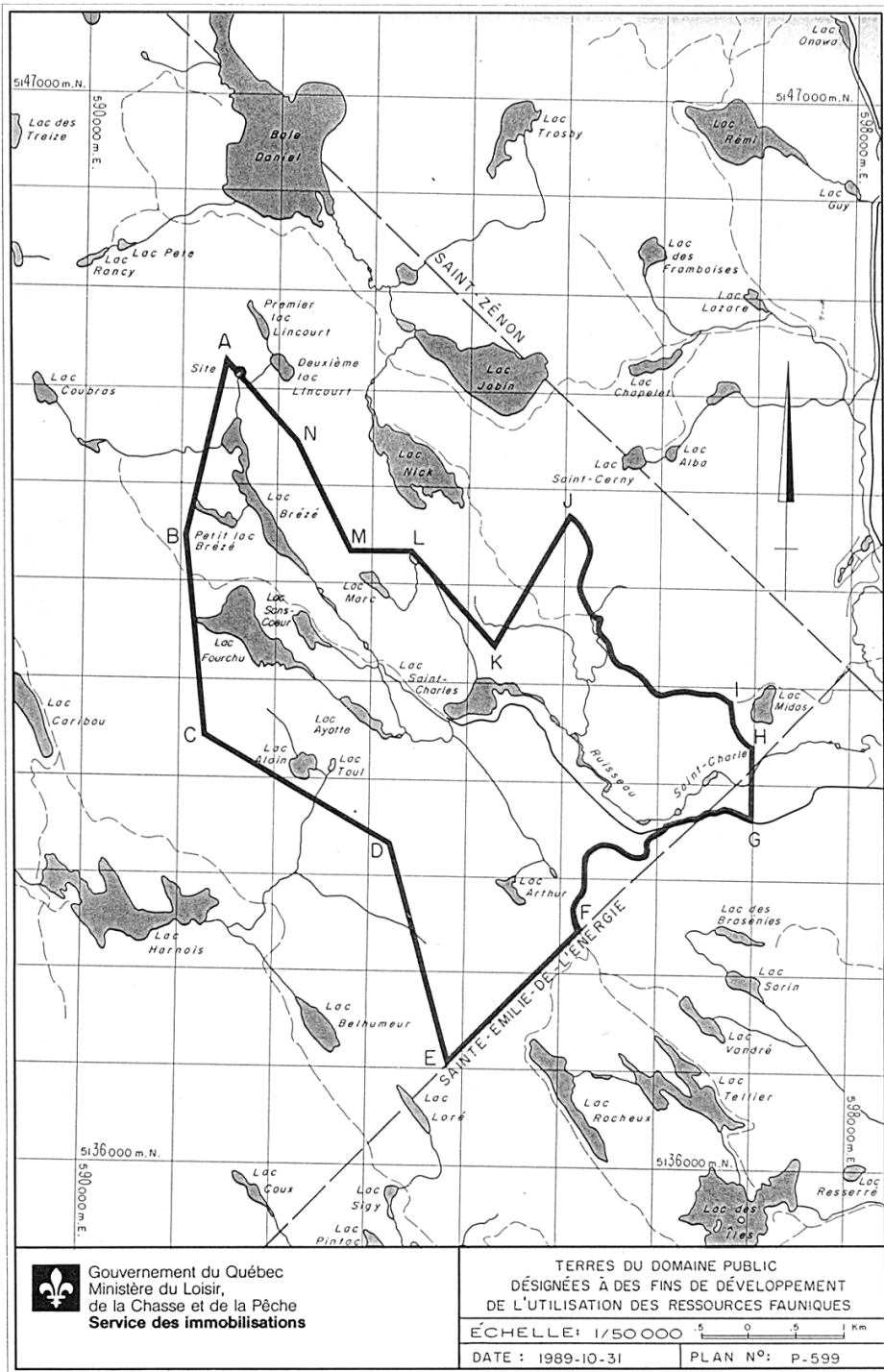



 Gouvernement du Québec  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
 Direction des services techniques  
 Préparé par: Service de l'acquisition d'immeuble

TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES  
 ÉCHELLE: 1/30 000 0 500 1000 m  
 DATE : 1985 -10 -21 PLAN N°: P-8412

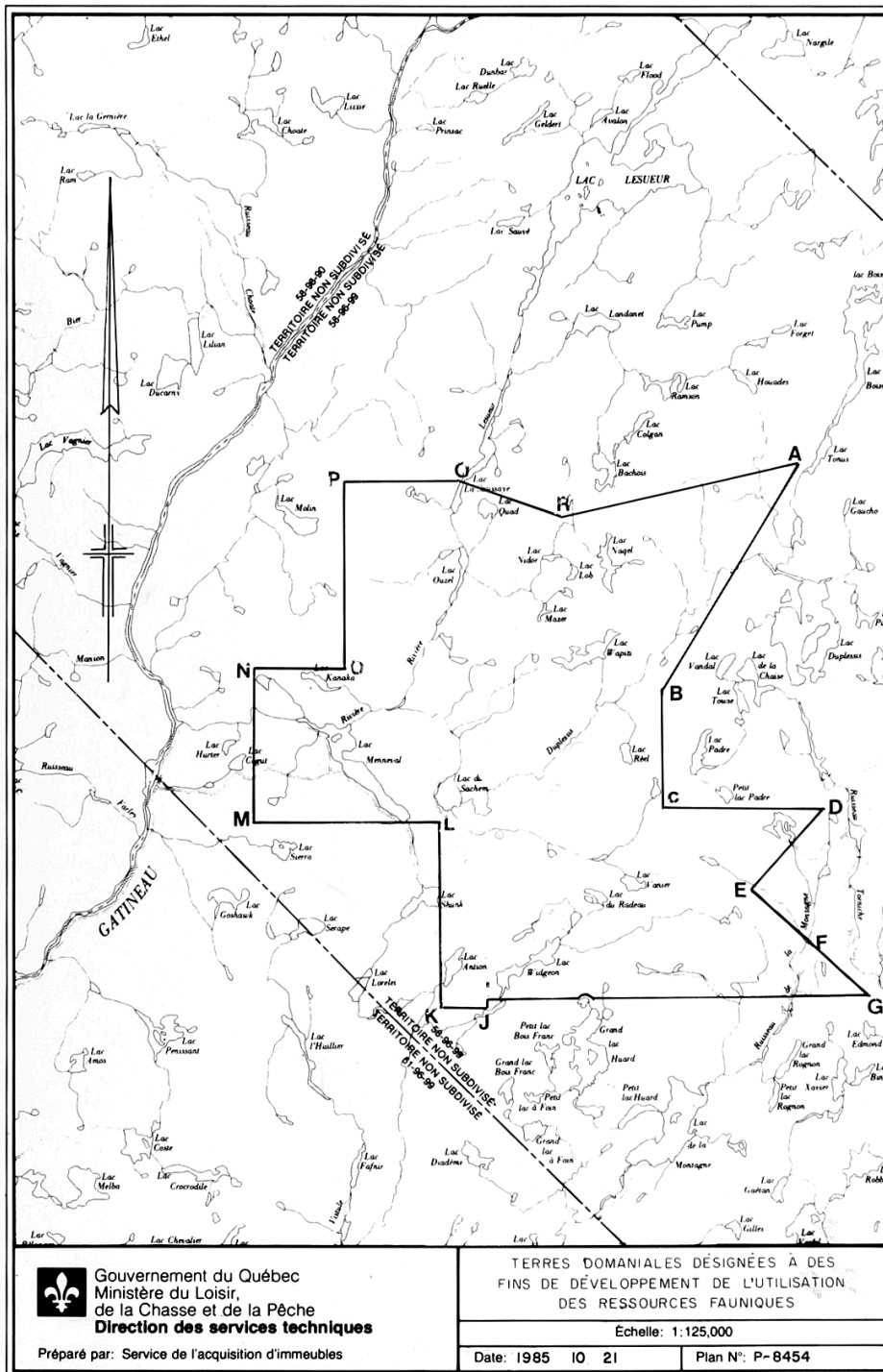


SCHEDULE CXXVIII





SCHEDULE CXXX



Gouvernement du Québec  
 Ministère du Loisir,  
 de la Chasse et de la Pêche  
**Direction des services techniques**

Préparé par: Service de l'acquisition d'immuebles

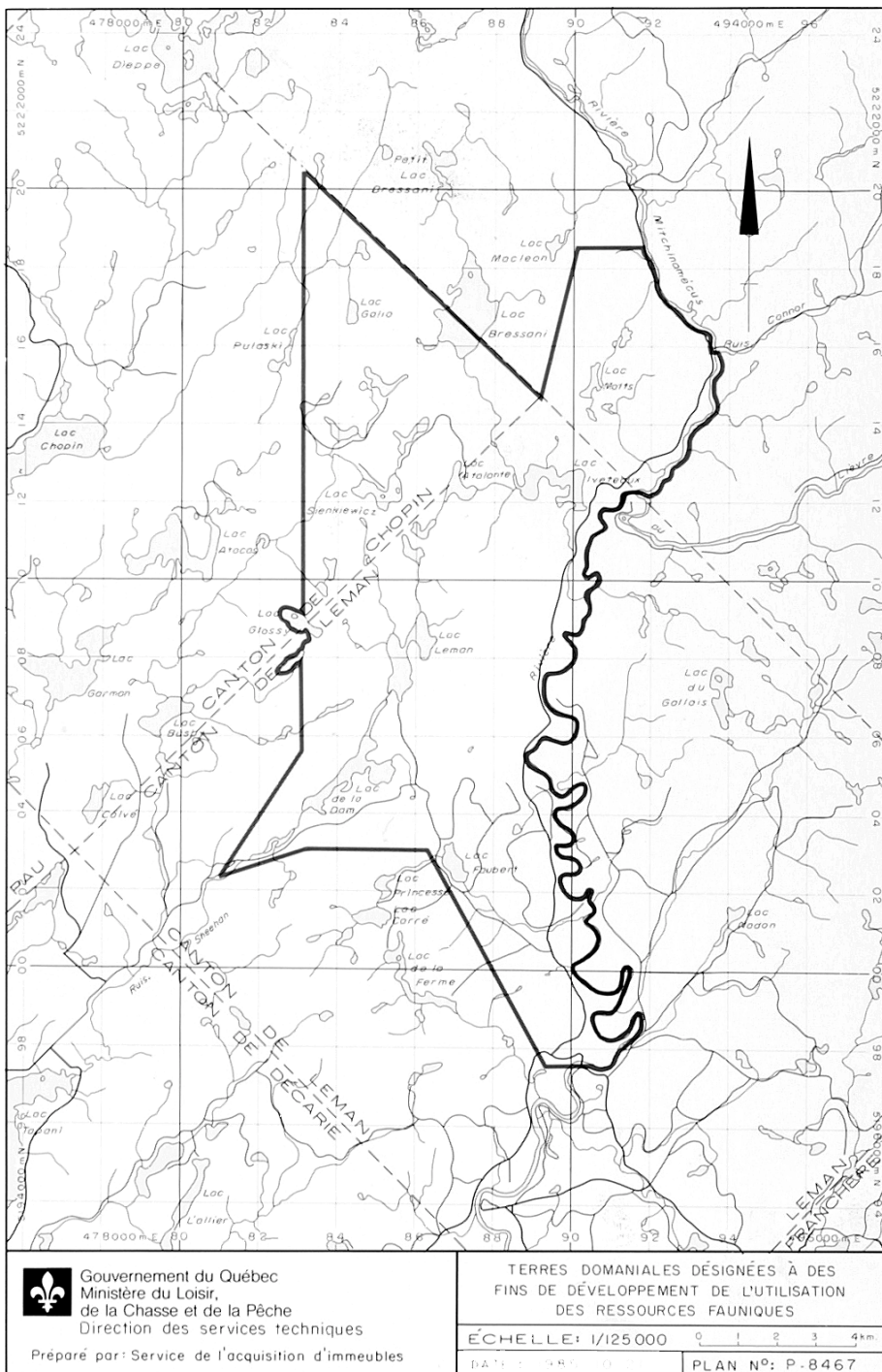
TERRES DOMANIALES DÉSIGNÉES À DES  
 FINS DE DÉVELOPPEMENT DE L'UTILISATION  
 DES RESSOURCES FAUNIQUES

Échelle: 1:125,000

Date: 1985 10 21

Plan N°: P-8454

**SCHEDULE CXXXI**





**M.O., 2001-010****Order of the Minister responsible for Wildlife and Parks dated 4 April 2001**

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

Regulation to amend the Regulation respecting trapping and the fur trade

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING the second, third and fourth paragraphs of section 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), amended by section 57 of chapter 36 of the Statutes of 1999, which provide that the Société de la faune et des parcs du Québec may make regulations on the matters contained therein;

CONSIDERING the fifth paragraph of section 56 of that Act, which provides that a regulation made by the Société under that section must be submitted to the Minister for approval;

CONSIDERING section 164 of that Act, amended by section 118 of chapter 36 of the Statutes of 1999, which provides in particular that a regulation made by the Société under section 56 of that Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the making of the Regulation respecting trapping and the fur trade by Minister's Order No. 99026 dated 31 August 1999, which provides for conditions for trapping an animal or a class of animals;

CONSIDERING that the Société adopted the Regulation to amend the Regulation respecting trapping and the fur trade, attached hereto, by resolution of the board of directors No. 01-36 dated March 28, 2001;

ORDERS:

THAT the Regulation to amend the Regulation respecting trapping and the fur trade, attached hereto, be approved.

Québec, 4 April 2001

GUY CHEVRETTE,  
*Minister responsible for  
Wildlife and Parks*

**Regulation to amend the Regulation respecting trapping and the fur trade\***

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s. 56, 2nd, 3rd and 4th pars. ; 1999, c. 36, s. 57)

1. Section 17 of the Regulation respecting trapping and the fur trade is amended by substituting the following for the 1st, 2nd and 3rd paragraphs:

“17. The holder of a general or professional trapping licence may, in one year, capture

(1) 2 black bears in FAMUs number 1 to 7, 10 to 18, 20, 21, 24 to 39, 41 to 66, 68, 69 and 73 to 86; and

(2) 4 black bears in FAMUs number 8, 9, 19, 22, 23, 40, 70, 71 and 72.

Black bears captured by the holder of a trapping licence for a new FAMU are counted as bears captured by a holder of a general trapping licence.

The holder of a general or professional trapping licence may, in one year, capture

(1) 2 Canada lynxes in FAMUs number 20 to 22, 26 to 28, 35 to 66 and 78;

(2) 3 Canada lynxes in FAMUs number 8 to 15, 17 to 19, 30 to 34 and 75 to 77; and

(3) 4 Canada lynxes in FAMU 74.

Canada lynxes captured by the holder of a trapping licence for a new FAMU are counted as lynxes captured by the holder of a general trapping licence.

However, the holder of a professional trapping licence who has obtained authorization to trap on a territory referred to in subparagraph 4 of the first paragraph of section 16 of the Regulation respecting trapping activities and the fur trade may use the bag limits provided for in the first and third paragraphs by the holder of a professional trapping licence who has given such authorization and has not reached his bag limits. Those bag limits may be reached in whole or in part on one of the territories referred to in subparagraph 1 or 4 of the first paragraph of section 16 of that Regulation.”.

\* The Regulation respecting trapping and the fur trade, made by Minister's Order No. 99026 dated 31 August 1999 (1999, G.O. 2, 2992) was last amended by the Regulation approved by Minister's Order No. 2000-024 dated 11 July 2000 (2000, G.O. 2, 4054).

2. The following is added after paragraph 7 of Schedule I:

“(8) “Type 8”: spring traps designed to permanently hold an animal alive by the leg, equipped with two parallel jaws more than 9 millimetres thick or not touching each other over all their length when closed or without a metal contact surface with the animal; the jaws must not have teeth, hooks, claws, barbs or other projections.”.

3. Schedule II is amended

### SCHEDULE III

(s. 11)

#### TRAPPING PERIODS IN FAMUs

FAMUs	Black bear	Muskrat	Long-tailed weasel, least weasel, coyote, grey squirrel (grey or black), red squirrel, ermine, wolf, striped skunk, raccoon, arctic fox (white or blue), red fox (silver, crossbred or red)	Beaver, river otter, American mink	American marten, Fisher	Canada lynx
1, 2, 3, 4, 5, 6, 7 (note 1), 11, 13, 30, 31, 32, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56	15-05/30-06 18-10/15-12	18-10/30-04	18-10/01-03	18-10/15-03	18-10/01-03	18-10/15-01
8, 9, 20, 21, 22, 29, 33, 34, 35, 38 (note 1), 40	15-05/30-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	25-10/15-01
10, 12, 14, 15	15-05/05-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	25-10/15-01
16, 79, 80, 81, 82	15-05/30-06 25-10/15-12	25-10/15-04	25-10/01-03	15-11/01-03	25-10/31-01	—
17	18-10/15-12	18-10/30-04	18-10/01-03	18-10/15-03	18-10/01-03	18-10/15-01
18	15-05/30-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-03	15-11/01-12	25-10/15-01
19 (note 2)	15-05/30-06 25-10/15-12	25-10/25-11 01-03/15-04	25-10/01-03	25-10/01-03	25-10/01-03	25-10/15-01
23	15-05/30-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	—
24, 85, 86	15-05/30-06 25-10/15-12	25-10/15-04	25-10/01-03	08-11/01-03	08-11/31-01	—

(1) by substituting the numbers “5, 8” for the numbers “3, 5” in Column II of sections 5, 9 and 11; and

(2) by adding the number “, 8” after the number “5” in Column II of sections 20 and 21.

4. Schedule III attached to this Regulation is substituted for Schedule III.

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

FAMUs	Black bear	Muskrat	Long-tailed weasel, least weasel, coyote, grey squirrel (grey or black), red squirrel, ermine, wolf, striped skunk, raccoon, arctic fox (white or blue), red fox (silver, crossbred or red)	Beaver, river otter, American mink	American marten, Fisher	Canada lynx
25, 83, 84	15-05/30-06 25-10/15-12	25-10/15-04	25-10/01-03	08-11/01-03	25-10/31-01	—
26, 27, 28	15-05/30-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	25-10/31-01
36	25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-03	25-10/01-03	25-10/15-01
37	15-05/30-06 25-10/15-12	25-10/15-04	25-10/01-03	25-10/01-03	25-10/01-03	25-10/15-01
39	18-10/15-12	18-10/30-04	18-10/01-03	18-10/15-03	18-10/15-01	18-10/15-01
57, 58, 59 (note 3), 60 (note 3), 61, 62, 63, 64, 65, 66	15-05/30-06 15-09/15-12	11-10/15-05	11-10/01-03	11-10/15-03	11-10/01-03	11-10/15-01
67	—	—	—	—	—	—
68 (note 4)	—	01-11/30-04	01-11/01-03	01-11/15-03	—	—
69	—	—	01-12/15-12 (note 5)	—	—	—
70, 71, 72 (note 1), 73	15-05/30-06 18-10/15-12	01-11/30-04	18-10/01-03	01-11/01-03	15-11/15-01	01-11/15-01
74 (note 1), 75, 76 (note 1), 77	15-05/30-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-03	25-10/31-12	25-10/15-01
78	15-05/30-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-03	25-10/31-01	25-10/15-01

Note 1: In the wildlife sanctuaries of FAMUs number 7, 38, 72, 74 and 76, bear trapping is permitted only.

Note 2: In the Plaisance Wildlife Sanctuary (FAMU 19), only the trapping of muskrat, beaver and American mink is permitted.

Note 3: In the Port-Cartier-Sept-Îles Wildlife Sanctuary (FAMUs 59 and 60), the bear trapping period in the fall extends from 11 October to 15 November.

Note 4: In FAMU 68, only the trapping of muskrat, river otter, beaver and red fox is permitted; trapping in the wildlife sanctuary is prohibited.

Note 5: In FAMU 69, only the trapping of red fox is permitted.





## Draft Regulations

### Draft Regulation

Public Service Act  
(R.S.Q., c. F-3.1.1)

#### Holding of competitions — Amendments

Notice is hereby given, in accordance with the second paragraph of section 50.1 of the Public Service Act (R.S.Q., c. F-3.1.1), that the Regulation to amend the Regulation respecting the holding of competitions, the text of which appears below, may be made by the Conseil du trésor with or without amendment upon the expiry of 30 days following this publication.

The purpose of the draft Regulation is to make amendments that determine the norms for using candidate inventories. Its purpose is also to simplify and update certain provisions related to the notices of competitions and to the qualifications list.

Further information may be obtained by contacting Martine Gauthier at the Secrétariat of the Conseil du trésor, édifice H, 875, Grande-Allée Est, Québec (Québec) G1R 5R8, by telephone at (418) 528-6614, by fax at (418) 646-8131 or by e-mail at [martine.gauthier@sct.gouv.qc.ca](mailto:martine.gauthier@sct.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 30-day period, to the Minister of State for Administration and the Public Service, Minister responsible for Administration and the Public Service and Chair of the Conseil du trésor, édifice H, 875, Grande-Allée Est, Québec (Québec) G1R 5R8.

SYLVAIN SIMARD,  
*Minister of State for Administration and the Public Service,  
Minister responsible for Administration and the Public  
Service and Chair of the Conseil du trésor*

### Regulation to amend the Regulation respecting the holding of competitions\*

Public Service Act  
(R.S.Q., c. F-3.1.1, s. 50.1, 1st par., subpars. 1, 2, 3, 5  
and 7; 1999, c. 58, s. 2; 2000, c. 8, s. 135)

1. Section 1 of the Regulation respecting the holding of competitions is amended by adding the words “and to candidate inventories established under the Act” at the end.

2. Section 2 is amended by inserting the words “or to the establishment of a candidate inventory” after the word “competition” in the first paragraph.

3. Section 7 is amended by inserting the words “or a candidate inventory” after the word “competition”.

4. Section 8 is amended by substituting the following for the first paragraph:

“8. In the case of the holding of a competition for promotion or the establishment of a candidate inventory for promotion, eligibility may be restricted, taking into account the criteria listed in section 7, to persons belonging to the administrative unit for which the competition is held or for which the candidate inventory is established and to persons on reserve who would otherwise belong to that administrative unit.”

5. The heading of Division IV is amended by striking out the words “POUR LA TENUE DE CONCOURS” in the French text.

6. The following is substituted for section 12:

“12. The period allowed for the filing of applications for a competition or a candidate inventory shall be at least five working days. The closing date shall be indicated in the notice of competition.”

\* The Regulation respecting the holding of competitions, made by Order in Council 2290-85 dated 7 November 1985 (1985, *G.O.* 2, 4072) was last amended by the Decision of the Conseil du trésor bearing number 192495 dated 29 September 1998 (1998, *G.O.* 2, 4251). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

7. The headings of Divisions V and VI are amended by striking out the words “À UN CONCOURS” in the French text.

8. Section 21 is amended by inserting the words “or in the candidate inventory” after the word “competition” in the first paragraph.

9. Section 22 is amended by adding the following paragraph at the end:

“A person who is eligible for a candidate inventory shall be responsible for updating his application form and the required supporting documents.”.

10. The following is substituted for section 27:

“27. The result a person obtains following an examination or part of an examination in a competition or a candidate inventory may be transferred to any competition or candidate inventory where the following two conditions are met:

(1) the content of the examinations or parts of the examination is identical; and

(2) the period between the dates of those examinations or parts of the examination does not exceed twelve months.”.

11. The following is inserted after Division VII:

#### “DIVISION VII.1

##### USE OF CANDIDATE INVENTORIES

31.1. A candidate inventory may be used for a period of two years from the date of its establishment. Notwithstanding the foregoing, the period for using the candidate inventory may be extended, each extension corresponding to one year, by taking the following criteria into consideration:

(1) the number of applicants eligible for the candidate inventory or whose eligibility is established by the evaluation, as the case may be, who have not yet been declared qualified;

(2) the number of positions likely to be filled after competitions are held from the candidate inventory; and

(3) the appropriateness of the evaluation procedure used in relation to the nature of the position.

31.2. A candidate inventory may only be used for the purposes set forth in the notice of competition.”.

12. Division VIII, including sections 32 to 34, is revoked.

13. Section 40 is amended

(1) by substituting “either one of the lists may be used” for “the list which first took effect shall have priority for purposes of using the lists for a given staffing method” in the first paragraph; and

(2) by deleting the third paragraph.

14. Section 13 of this Regulation does not apply in respect of a qualifications list that took effect before the coming into force of this Regulation until the date provided for its expiry at the time of the coming into force of this Regulation.

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

4211

## Draft Decree

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

### Installation of petroleum equipment — Amendments

Notice is hereby given that the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour has received a petition for amendments to the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r. 33) from the contracting parties governed by the Decree and that, under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) and under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the “Decree to amend the Decree respecting the installation of petroleum equipment”, 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 Decree is to update certain conditions of employment which have remained unchanged since 19 April 2000.

To do so, it proposes to update and clarify certain definitions, to adjust the duration of the regular workday according to the work to which the employee is assigned, to specify the type of work to which the shift premium applies, to determine the conditions to be applied when

an employee is called back to work after the end of a regular workday, to add 25 December to the list of holidays and to adjust accordingly the indemnities to which employees are entitled, to reduce from 5 to 4 the ratio of the number of Class A employees, to increase the employee's share in the fringe benefits fund by \$1.20 and to increase the employer's and employee's contribution to the employees' pension plan from \$0.20 to \$0.32. Finally, the Draft Decree proposes to extend the duration of the Decree to 31 December 2001 with an automatic renewal clause.

The Decree was already the subject of an economic impact analysis in 1999 and this Draft Decree is currently being studied. During the consultation period, the impact of the amendments sought will be clarified. According to the 2000 annual report of the Comité paritaire de l'installation d'équipement pétrolier, the Decree governs 50 employers, 10 artisans and 349 employees.

Further information may be obtained by contacting Mr. Michel Roberge, Direction des décrets, ministère du Travail, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1, telephone: 418-528-9701, fax: 418-528-0559, e-mail: michel.roberge@travail.gouv.qc.ca.

Any interested person with comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

ROGER LECOURT,  
*Deputy Minister of Labour*

## **Decree to amend the Decree respecting the installation of petroleum equipment\***

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

1. Section 1.01 of the Decree respecting the installation of petroleum equipment is amended:

(1) by substituting the following for paragraphs 1 and 2:

“(1) “equipment”: tanks, piping, meters, safety devices, leakage detection devices, compressors, elevators, oil interceptors as well as their parts and accessories installed with operators or users as defined in the Petroleum Products Regulation, made by Order in Council No. 753-91 dated 29 May 1991, and intended for:

(a) the operation of an establishment where motor vehicles are kept, maintained or repaired;

(b) the operation of an establishment or filling centre where a petroleum product or its derivatives are sold, distributed, exchanged in bulk or stored;

(c) to tanks of tank trucks used for the transport of petroleum products or by-products and related parts and accessories;

(2) “installation”: all operations required for setting up and activating equipment, including excavation, backfilling, cement and welding framework as well as the construction of pump islands and the compressor base-plate;”;

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

“(2.1) “service”: the maintenance, inspection, alteration, connection, adjustment, replacement, restoration, repair, welding and checking of equipment on site;”;

(3) by substituting the following for paragraph 4:

“(4) “service mechanic”: employee who is a service attendant on a regular basis;”;

(4) by substituting the following for paragraph 6:

“(6) “installation mechanic”: employee who is an installation attendant on a regular basis;”;

(5) by deleting paragraph 8;

(6) by substituting the following for paragraph 11:

“(11) “spouse” means either of two persons who:

- i. are married and cohabiting;
- ii. are living together in a de facto union and are the father and mother of the same child;
- iii. are of opposite sex or the same sex and have been living together in a de facto union for one year or more;”.

2. Section 2.01 of the Decree is amended by adding, at the end, the following words:

\* Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r. 33) was last amended by the Regulation made by Order in Council No. 462-2000 dated 5 April 2000 (2000, G.O. 2, 2013). For previous amendments, please refer to the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

“as well as the removal and flushing of soil contaminated by a petroleum product and its derivatives”.

3. The following is substituted for section 3.02:

“**3.02.** The regular workday is as follows:

(1) for installation employees: eight hours scheduled between 6:30 a.m. and 5 p.m., with one hour off without pay for the noon meal;

(2) for service employees: eight hours scheduled between 7:30 a.m. and 7 p.m., with one hour off without pay for the noon meal;

(3) for all other employees: eight hours scheduled between 8 a.m. and 5 p.m., with one hour off without pay for the noon meal.”.

4. The following is substituted for section 3.04:

“**3.04.** In addition to the hours of the regular workday, time spent by the employee travelling from the employer’s establishment to the job site and back again, and between job sites, is paid time and a half.”.

5. The following is substituted for section 3.10:

“**3.10.** Shift premium: An installation employee working on the second or third shift is paid an hourly premium of \$0.35.”.

6. The following are substituted for sections 4.02 and 4.03:

“**4.02.** The first 4 overtime hours worked over and above the regular workday and those worked on Saturday are paid time and a half.

**4.03.** Except for the hours worked as provided for in section 3.04, overtime hours worked on Sunday and on holidays as well as hours worked over and above those specified in section 4.02 are paid double time.

Hours worked on a holiday also entitle employees to indemnity for that holiday as provided for in section 6.03.”.

7. The following are substituted for section 4.05:

“**4.05.** When an employee is called back to work after his or her regular workday, that employee is entitled to be paid double time.

**4.05.1.** An employee who reports to work at his place of employment at the express demand of his employer or in the regular course of his employment and who works

fewer than three consecutive hours, except in the case of a fortuitous event, is entitled to an indemnity equal to three hours’ wages at the prevailing hourly rate, except where the application of sections 4.02, 4.03 or 4.05 provides him with a higher amount.

The first paragraph does not apply where the nature of the work or the conditions of execution require the employee to be present several times in the same day, for less than three hours each time.”.

8. The following is substituted for section 5.01:

“**5.01.** The 24th of June is a statutory general holiday under the National Holiday Act (R.S.Q., c. F-1-1).”.

9. Section 5.02 is amended by inserting “25,” after “24,”.

10. Section 6.03 is amended by substituting “4.4%” for “4%”.

11. Section 6.03.1 is amended by substituting “10.76%” for “10.36”.

12. The following is substituted for section 9.01:

“**9.01.** (1) The minimum hourly rate payable to the service mechanic, the installation mechanic, the shop mechanic and the tank truck mechanic is established as follows for each class of employment:

<b>Class of Employment</b>	<b>As of (insert here date of coming into force of this Decree)</b>
A	\$23.05
B	\$19.05
C	\$15.95

(2) The labourer is paid according to the number of hours accumulated since the date on which he is hired. The minimum hourly rate payable is established as follows as of (insert here date of coming into force of this Decree):

starting:	\$13.24
after 2000 hours:	\$13.65
after 4000 hours:	\$14.10
after 6000 hours:	\$14.69.

(3) The minimum hourly rate payable to a student is \$9.42.

(4) For each 4 employees in his employ, the employer has an employee paid at the Class A rate.



For the purposes of this paragraph, the multiple of 4 is deemed to be reached as soon as the number of employees reaches a number lower than 1 below the multiple of 4.”.

**13.** Section 10.04 of the French text is amended by inserting, after the word “travail”, the words “ou sur le chantier”.

**14.** The following is substituted for sections 11.02 to 11.04:

“**11.02.** The employer contributes to the fringe benefits plan managed by the Comité paritaire de l’installation d’équipement pétrolier du Québec, the sum of \$14 per week for each of his employees, except for the student.

**11.03.** The employer deducts from the pay of each of his employees, except for the student, the sum of \$14 per week, for the fringe benefits fund.

**11.04.** In order for an amount of money to be paid by the employer under section 11.02 or for an amount of money to be deducted from the wages of an employee under section 11.03, an employee must have worked 24 hours or more during the week, including overtime hours.

Where an employee works less than 24 hours during the week, the amount paid by the employer or that deducted from the wages of the employee are respectively \$0.35 for each hour worked.”.

**15.** Section 11.06 is revoked.

**16.** Section 11.08 is amended by substituting the following for paragraph 1:

“(1) The employer pays into the pension plan of employees, except for students, the amount of \$0.32 for each hour worked by the employees. The employer deducts from the pay of his employees the amount that each of them elects to pay each year as contribution. However, that amount may not be lower than \$0.32 for each hour worked.”.

**17.** The following is substituted for section 12.01:

“**12.01.** This Decree remains in force until 31 December 2001. It is then renewed automatically from year to year thereafter, unless one of the contracting parties opposes it by sending written notice to the Minister of Labour and to the other contracting party during the month of August of the year 2001 or during the month of August of any subsequent year.”.

**18.** This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

4208

## Draft Regulation

Land Surveyors Act  
(R.S.Q., c. A-23)

### Land surveyors

#### — Standards of practice relating to the delimitation of the water domain

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre des arpenteurs-géomètres du Québec, at its meetings held on 24 and 25 February 2000, adopted the Regulation respecting the standards of practice relating to the delimitation of the water domain.

The Regulation, the text of which appears below, will be examined by the Office des professions du Québec pursuant to section 95 of the Professional Code. Then, it shall be submitted, with the recommendation of the Office, to the Government which, pursuant to the same section, may approve it with or without amendment upon the expiry of 45 days following this publication.

The purpose of the Regulation is to standardize and clarify the basic standards of practice for the carrying out of survey work requiring official or private delimitation in the water domain, that is, establishing the limit of a piece of land, a zone or an administrative entity bounded by a watercourse or a body of water. It re-establishes the cohesion necessary for the proper interpretation of practical clauses pursuant to various regulations in force. It consists in a formalization of good practice in that field.

The Regulation specifies and clarifies the terminology used for the delimitation of the water domain by making a distinction between the main hydrologic contexts to which different types of limits recognized by the law and practice apply. The elements of the method are organized so as to remedy every problem that may arise within the delimitation of the water domain according to the same survey logic.

According to the Ordre des arpenteurs-géomètres du Québec,

1. with respect to the protection of the public, the Regulation allows the right of ownership to be better exercised along watercourses and bodies of water because

it provides approved and recognized methods of delimitation according to the main current regulations originating from provincial or municipal authorities and clarifies the reference terms. The use of those methods will allow owners to be better informed on the limits of their piece of land. Furthermore, the Gouvernement du Québec, municipalities and other interested public bodies will be able to make enlightened decisions as regards land use and development;

2. the only impact of the Regulation on the public and businesses, in particular small and medium-size businesses, is that it provides owners of land or their assigns with more precise information.

Further information on the proposed Regulation may be obtained by contacting Yvon Chabot, Executive Director and Secretary, Ordre des arpenteurs-géomètres du Québec, 2954, boulevard Laurier, bureau 350, Sainte-Foy (Québec) G1V 4T2, by telephone at (418) 656-0730 or by fax at (418) 656-6352.

Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. Those comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order that adopted the Regulation and to interested persons, departments and agencies.

JEAN-K. SAMSON,  
*Chairman of the Office  
des professions du Québec*

## **Regulation respecting standards of practice relating to the delimitation of the water domain**

Land Surveyors Act  
(R.S.Q., c. A-23, s. 49)

### **DIVISION I GENERAL**

1.1. In this Regulation, unless the context indicates otherwise,

(a) "Order" means the Ordre des arpenteurs-géomètres du Québec;

(b) "land surveyor" means every person who is entered on the roll of the Order as a land surveyor;

(c) "piece of land" means immovable property such as a parcel of land, with or without buildings, an immovable held in divided co-ownership or a private portion of an immovable held in divided co-ownership.

### **DIVISION II DELIMITATION**

2.1. The delimitation of the water domain consists in a survey operation or in measurements intended to determine or indicate the limits of a piece of land, whether public or private, or to establish administrative limits or limits of controlled zones or reserved areas where they are bounded by a lake, a river or other bodies of water in Québec. This Regulation applies to all surveys of lands or scalings for boundary purposes, for laying out lots, establishing the site of servitudes, staking lots, preparing certificates of localization, carrying out cadastral operations or any operation defined or referred to in section 34 of the Land Surveyors Act (R.S.Q., c. A-23).

2.2. In any survey operation with respect to the water domain, a land surveyor must ensure that sufficient territory around the piece of land is covered to support his expert opinion, by paying special attention to vegetation.

2.3. For any delimitation of the water domain, a land surveyor must keep the observations and calculations that support the results. The survey operation must be recorded in clearly drawn up field notes that indicate the methodology used and precisely shows the state of the site.

2.4. For any delimitation of the water domain, a land surveyor may base whole or part of his expert opinion on a delimitation that was previously carried out by another land surveyor on the land or in the surroundings, even for other purposes. In such a case, he shall determine if the previous delimitation was carried out in accordance with this Regulation or equivalent rules, methods and procedures. He must indicate in the report and the plan the name of the land surveyor and the reference to the document used.

### **DIVISION III DELIMITATION OPERATIONS**

3.1. For any delimitation operation requiring the localization of the high-water line or the natural high-water line within the meaning of article 919 of the Civil Code of Québec, a land surveyor must first determine if water is tidal or non-tidal.

3.1.1. For tidal water, the land surveyor shall

(a) locate the nearest tide-gauge station upstream and downstream from the site to survey or, where there is no current or in the case of a maritime body of water, the nearest tide-gauge stations on either side;

(b) calculate the average of the highest tides observed at each station for the month of March of each year for a period of at least 19 years, which corresponds to the duration of a metonic cycle;

(c) determine the average elevation calculated for the site to survey by interpolating it in proportion to the distance to each tide-gauge station;

(d) mark off on the ground or illustrate on a map or a plan the elevation determined at the site to survey and the high-water line that he shall plot accordingly. If need be, he shall determine the difference between the elevation and the bathymetric chart datum in force, the geodesic elevations or any other system of reference.

**3.1.2.** For non-tidal water, the land surveyor shall

(a) determine the high-water line at the elevation point which the watercourse in spate comes to when it has crested without overflowing its banks or shores;

(b) recognize that limit by analyzing or observing, depending on the circumstances, the edge of terrestrial vegetation in the direction of the body of water or the watercourse, or the line showing the change from terrestrial vegetation to aquatic vegetation, and the water levels previously determined;

(c) use, if necessary, the testimonies of riparian owners, aerial photographs or digital images taken at different specified times, and any study or document that might be useful.

**3.2.** During any operation to delimit the high-water line or a floodplain carried out to implement a municipal by-law adopted pursuant to the *Politique de protection des rives, du littoral et des plaines inondables*, made by Décret 1980-87 dated 22 December 1987 (1988, *G.O.* 2, 365) or the *Politique de protection des rives, du littoral et des plaines inondables*, made by Décret 103-96 dated 24 January 1996 (1996, *G.O.* 2, 1263), a land surveyor shall proceed as follows:

**3.2.1.** In the case of the protective strip of land along the shore:

a land surveyor shall examine the municipal by-law in question and first determine the lower limit of the

protective strip according to the directions of the by-law. Then, he shall determine the upper limit of the protective strip, that is the limit that is the farthest from the body of water or watercourse, at the distance prescribed by the municipal by-law from the lower limit on the bank or shore.

**3.2.2.** In the case of a floodplain whose limits were previously set by official cartography:

a land surveyor shall plot from the map the relative coordinates of the significant points of the floodplain limit as shown on the official map of the sector.

**3.2.3.** In other circumstances provided for in such a by-law:

a land surveyor shall determine the limit of the floodplain or of any other zone indicated that is affected by the water domain according to the directions of the by-law in question by interpreting the terms, measurements, methods and procedures referred to in light of this Regulation.

**3.3.** To delimit the spring high-water line within the meaning of the Regulation respecting environmental impact assessment and review (R.R.Q., 1981, c. Q-2, r. 9), a land surveyor shall calculate the average of the highest water level reached for each year between 21 March and 21 June, over a minimum period of five years.

**3.4.** In all other circumstances where a land surveyor carries out any delimitation or surveys according to limits established along a watercourse or a body of water, he shall follow the appropriate directions in the law, regulation or order in question, or the instructions in force of the authority, the jurisdiction or the public body which requires such delimitation, always by interpreting the terms, measurements, methods and procedures referred to in light of this Regulation and in a manner feasible on the site in order to achieve the goals expressed in the text in question.

#### **DIVISION IV COMING INTO FORCE**

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

## Draft Regulation

Code of Civil Procedure  
(R.S.Q., c. C-25)

### Taking of witnesses' depositions in civil matters

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 respecting the taking of witnesses' depositions in civil matters, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation will replace the Regulation respecting the use of sound recording apparatus for recording the depositions of witnesses (R.R.Q., 1981, c. C-25, r. 10). It is intended, in particular, to allow the use of new technologies to take the depositions of witnesses.

The Regulation will have no significant impact on businesses or the public.

Further information may be obtained by contacting Mr. Simon Marcotte, 1200, route de l'Église, 7<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1; tel. (418) 643-4354, fax: (418) 643-6639.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1.

PAUL BÉGIN,  
*Minister of Justice*

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## Regulation respecting the taking of witnesses' depositions in civil matters

Code of Civil Procedure  
(R.S.Q., c. C-25, a. 324)

1. The depositions of witnesses before the courts in civil matters may be taken by stenotypy, by stenography, by means of an apparatus commonly called "stenomask", or by means of sound only or sound and picture recording apparatus.

The taking of depositions before the court by means of sound only or sound and picture recording apparatus shall be done by the personnel of the court or by any

person designated by the clerk or assistant clerk. The taking of depositions outside the court using such apparatus shall be done by a stenographer.

The recording shall make it possible to listen to and, where applicable, to watch the depositions, as well as to transcribe, preserve and issue true copies of the depositions.

2. This Regulation replaces the Regulation respecting the use of sound recording apparatus for recording the depositions of witnesses (R.R.Q., 1981, c. C-25, r. 10).

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

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## Draft Regulation

Code of Penal Procedure  
(R.S.Q., c. C-25.1)

### Taking of witnesses' depositions in penal matters

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 respecting the taking of witnesses' depositions in penal matters, the text of which appears below, may be made by the Minister of Justice upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is, in particular, to allow the use of new technologies to take the depositions of witnesses.

The draft Regulation will have no significant impact on businesses or the public.

Further information may be obtained by contacting Mr. Simon Marcotte, 1200, route de l'Église, 7<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1; tel.: (418) 643-4354, fax: (418) 643-6639.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1.

PAUL BÉGIN,  
*Minister of Justice*

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## **Regulation respecting the taking of witnesses' depositions in penal matters**

Code of Penal Procedure  
(R.S.Q., c. C-25.1, a. 204)

1. The depositions of witnesses before the courts in penal matters may be taken by stenotypy, by stenography, by means of an apparatus commonly called "stenomask", or by means of sound only or sound and picture recording apparatus.

The taking of depositions before the court by means of sound only or sound and picture recording apparatus shall be done by the personnel of the court or by any person designated by the clerk.

The recording shall make it possible to listen to and, where applicable, to watch the depositions, as well as to transcribe, preserve and issue true copies of the depositions.

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

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## Treasury Board

Gouvernement du Québec

### T.B. 196312, 10 April 2001

An Act respecting health services and social services (R.S.Q., c. S-4.2)

#### Regional boards and health and social services institutions — Certain terms of employment applicable to officers

Regulation to amend the Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions

CONSIDERING that the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions was made by Order in Council 1218-96 dated 25 September 1996;

CONSIDERING sections 159 and 205 of the Act to amend the Act respecting health services and social services and amending various legislative provisions (1998, c. 39) to the effect that the Regulation is deemed to have been made by the Minister of Health and Social Services under section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

CONSIDERING that the title of the Regulation was replaced by “Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions”, approved by C.T. 193821, dated 21 September 1999;

CONSIDERING that it is necessary to amend the Regulation;

CONSIDERING that the Minister of State for Health and Social Services and Minister of Health and Social Services, in a ministerial order, ordered that the Regulation to amend the Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions be made;

CONSIDERING that, pursuant to section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2), such a regulation must be submitted to the Conseil du trésor for approval;

THE CONSEIL DU TRÉSOR DECIDES :

To approve the Regulation to amend the Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions, attached hereto;

To request that the Regulation be published in the *Gazette officielle du Québec*.

ALAIN PARENTEAU,  
*Clerk of the Conseil du trésor*

### Regulation to amend the Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions\*

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 487.2)

1. The table of contents of the Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions is amended:

(1) by adding the following after Division 2 of Chapter 1:

	<b>Section</b>
<b>“DIVISION 2.1 ASSOCIATIONS</b>	
§1. <i>Professional relations</i>	3.1
§2. <i>Professional contribution of senior officers</i>	3.3
§3. <i>Professional contribution of intermediate officers</i>	3.11”;

\* The Regulation respecting certain terms of employment applicable to officers or regional boards and health and social services institutions, enacted by Order in Council 1218-96 dated 25 September 1996 (1996, *G.O.* 2, 4202), was last amended by the regulation approved by T.B. 194784 dated 8 May 2000 (2000, *G.O.* 2, 2949). For previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

(2) by adding the following after Division 4 of Chapter 1:

**“DIVISION 5**  
COMPENSATORY LEAVE 6.8

**DIVISION 6**  
GROUP RRSP 6.11”;

(3) by adding the following after Division 2 of Chapter 2:

**“DIVISION 3**  
OFFICER PHYSICIANS

*§1. Appointment* 8.1

*§2. Exclusivity* 8.4”;

(4) by substituting the following for Division 2 of Chapter 3:

**“DIVISION 2**  
EVALUATION CLASSES AND SALARY CLASSES

*§1. Evaluation classes* 11

*§2. Salary classes and annual adjustment* 12”;

(5) by adding the following after Division 8 of Chapter 3:

**“DIVISION 9**  
FLOATING HOLIDAYS AND PREMIUMS 29.1”;

(6) by adding the following after Division 3 of Chapter 4.3:

**“CHAPTER 4.4**  
DEVELOPMENT 76.109”;

(7) by substituting the following for Division 1 of Chapter 5:

**“DIVISION 1**  
GENERAL PROVISIONS”;

(8) by inserting the following after Subdivision 1 of Division 5 of Chapter 5:

*“§1.1 Remuneration of a reinstated officer* 104

*§1.2 Miscellaneous provisions* 105”;

(9) by substituting the following for Chapter 6:

**“CHAPTER 5.1**  
END-OF-ENGAGEMENT MEASURES

**DIVISION 1**  
DISMISSAL, NON-RENEWAL OF  
ENGAGEMENT, TERMINATION OF  
ENGAGEMENT, SUSPENSION WITHOUT  
PAY, DEMOTION 129

**DIVISION 2**  
SEVERANCE PAY 129.5

**CHAPTER 6**  
APPEAL PROCEDURES

**DIVISION 1**  
DISAGREEMENTS 130

**DIVISION 2**  
DISMISSAL, NON-RENEWAL OF  
ENGAGEMENT, TERMINATION OF  
ENGAGEMENT, SUSPENSION  
WITHOUT PAY, DEMOTION 130.6

**DIVISION 3**  
LISTS OF ARBITRATORS, EXPERT  
PHYSICIANS AND ARBITRATION FEES 130.22”.

2. Section 1 is amended by adding the following at the end:

“It also applies, with the exception of section 23 and of Subdivision 7 of Chapter 3, to the officer physicians contemplated in section 8.1.”.

3. The following is substituted for section 2:

“2. A person who, while not appointed to a position of officer with the employer, temporarily carries out the duties of an officer shall benefit from the conditions listed below:

— the professional contribution, management policies and leave for activities in the North prescribed in Chapter 1;

— the remuneration prescribed in Chapter 3, except for sections 16 to 23 inclusively;

— the collective insurance plans prescribed in Chapter 4, for the duration of the employment, if the person temporarily holds a position of officer at more than 25% of full-time for an anticipated period of at least twelve months. In all other cases, a person carrying out the duties of an officer shall be eligible only for the monetary compensation provided for in the second paragraph of section 37;

— the parental rights plan prescribed in Chapter 4.1 for the duration of the employment;

— the development measures prescribed in Chapter 4.4;

— the right of appeal prescribed in Divisions 1 and 3 of Chapter 6.

If the person contemplated in the first paragraph is a union member or unionizable non-member employed by the employer, the person shall continue to benefit from all applicable terms of employment. However, if the person holds an interim position of officer shall benefit from the remuneration prescribed in the first paragraph of section 23 if the employment conditions governing that person do not provide for reinstatement into a position of officer.”.

4. The following is substituted for section 3 :

“3. In this Regulation, unless otherwise indicated by the context :

“administrative reorganization” means an administrative operation resulting from the effect of an Act or of a decision on the part of the Minister or a concerned employer and involving the elimination of one or more positions of officer; this includes, among other things, the amalgamation of employers, the integration of one or more employers with another employer, a grouping of employers, a pooling of supervisory resources or the services of several employers, a grouping of an employer’s administrative units or the closure of an employer; (*réorganisation administrative*)

“Centre de référence des directeurs généraux et des cadres” means the organization established under section 521 of the Act; (*Centre de référence des directeurs généraux et des cadres*)

“continuous service” means the duration of the employment relationship with one or more employers in the public and parapublic sectors, including start-up institutions, as a senior administrator or officer without interruption in the employment relationship for a period of more than six months; (*service continu*)

“demotion” means the moving of an officer to a position in a lower evaluation class; (*rétrogradation*)

“dismissal” means the termination by an employer of the contractual employment of an officer, at any time and for just and sufficient cause; (*congédiement*)

“employer” means a regional board or a public or private institution covered by section 475 of the Act; (*employeur*)

“employers’ association” means the Association des centres jeunesse du Québec, the Association des CLSC et des CHSLD du Québec, the Association des établissements privés conventionnés – santé et services sociaux, the Association des établissements de la réadaptation en déficience physique du Québec, the Association des hôpitaux du Québec, the Conférence des régies régionales de la santé et des services sociaux du Québec, the Fédération québécoise des centres de réadaptation pour personnes alcooliques et autres toxicomanes, and the Fédération québécoise des centres de réadaptation pour personnes en déficience intellectuelle; (*association d’employeurs*)

“evaluation class” means a ranking unit of the classification system used for the positions of senior administrators and officers that corresponds to an evaluation point range reflecting the relative value of positions; (*classe d’évaluation*)

“home base” means the home base determined by the employer according to the following criteria :

(1) the place where the officer usually carries out his duties;

(2) the place where the officer regularly receives his instructions;

(3) the place where the officer reports his activities; (*port d’attache*)

“intermediate officer” means a person whose position is considered to involve an intermediate level of supervision based on the tasks of the position in the employer’s organization plan, and whose evaluation class is consistent with the classification terms and conditions established by the Minister; (*cadre intermédiaire*)

“non-renewal of engagement” means the termination by the employer of the contractual employment relationship with the officer at the end of an engagement, but excludes a layoff; (*non-renouvellement*)

“officer” means a person having line, staff or advisory responsibilities related to the planning, organization, direction, coordination and control functions who is appointed to a regular full-time or part-time management position; (*cadre*)

“officers’ association” means the Association des cadres supérieurs de la santé et des services sociaux, the Association des gestionnaires des établissements de santé et des services sociaux inc. and the Association des cadres de la santé et des services sociaux du Québec; (*association de cadres*)

“on reserve” means the situation of an officer who has chosen the reinstatement option following the elimination of his position in accordance with Chapter 5 on employment stability measures; (*disponibilité*)

“parapublic sector” means all public institutions as defined in section 98 of the Act respecting health services and social services, private institutions covered by section 475 of the Act, regional boards established under section 339 of the Act, school boards and general and vocational public colleges; (*secteur parapublic*)

“parental leave” means any leave prescribed in Chapter 4.1 on the parental rights plan; (*congé parental*)

“position” means a set of tasks provided for in the employer’s organization plan and classified in accordance with the evaluation system for senior administrator or officer positions established by the Minister; a position may be full-time or part-time; (*poste*)

“probation” means the period during which an employer verifies whether the officer exhibits skill and an ability to adapt in carrying out his duties; (*probation*)

“promotion” means the transfer of an officer to a position in a higher evaluation class; (*promotion*)

“public sector” means government departments or public agencies whose staff is governed by the Public Service Act (R.S.Q., c. F-3.1.1); (*secteur public*)

“recall list” means a recall list, a reserve list, a list of substitute persons or any other list that serves as such in accordance with the collective agreements in force with the employer; (*liste de rappel*)

“reinstatement” means the transfer of an officer to whom the employment stability measures apply to another position of senior administrator, officer, union member or unionizable non-member; (*replacement*)

“retirement plan” means the Government and Public Employees Retirement Plan (RREGOP) instituted pursuant to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Teachers Pension Plan (RRE) instituted pursuant to the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11) or the Civil Service Superannuation Plan (RRF) instituted pursuant to the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12); (*regime de retraite*)

“salary” means the portion of direct monetary compensation of an officer corresponding to the salary class established for the position, including adjustments to salary classes and salary progression; (*salaire*)

“senior administrator” means an executive director, an assistant executive director or a senior managerial advisor; (*hors-cadre*)

“senior officer” means an officer appointed by the board of directors of an employer whose position is considered to involve a higher level of supervision based on the tasks of the position in that employer’s organization plan, and whose evaluation class is consistent with the classification terms and conditions established by the Minister; (*cadre supérieur*)

“suspension without pay” means a temporary stoppage of the work loads of an officer, of the corresponding salary and of the related indemnities, premiums and allowances, as a result of a decision by the employer, for disciplinary reasons; (*suspension sans solde*)

“termination of engagement” excludes a layoff and means the severance by the employer, during the course of the engagement, of the contractual employment relationship with a person as an officer, as well as the transfer of a senior officer, without severance of the contractual employment relationship and during the course of the engagement, to a position of intermediate officer, and the transfer of an officer decided by the employer and involving a reduction of the weekly work load; (*résiliation d’engagement*)

“transfer” means the transfer of an officer to a position in the same evaluation class. (*mutation*)”.

5. Chapter 1 of the Regulation is amended by inserting the following after section 3:

## “DIVISION 2.1 ASSOCIATIONS

### §1. Professional relations

3.1 Two professional relations advisory committees are hereby created, to discuss problems related to the interpretation and application of terms of employment, proposed modifications to the terms of employment and any other related matter.

3.2 The two committees shall be composed of representatives of the employers’ associations and of the Minister. The first shall include representatives of the Association des cadres supérieurs de la santé et des services sociaux and the second shall include representatives of the Association des gestionnaires des établissements de santé et de services sociaux inc. and of the Association des cadres de la santé et des services sociaux du Québec. A committee may be convened at the request of any party.



## §2. Professional contribution of senior officers

**3.3** On April 1st of each year, the employer shall provide the Association des cadres supérieurs de la santé et des services sociaux with an up-to-date list of the senior officers employed by it, indicating the following information for each such senior officer:

- surname, given name and social insurance number;
- place of work;
- position held;
- the evaluation class of that position.

The list may be an update of the list sent to the association in the previous year.

**3.4** The employer shall deduct, from the salary of every senior officer employed by it, the amount of the professional contribution fixed by the Association des cadres supérieurs de la santé et des services sociaux. However, a senior officer may pay the said contribution in another way, provided he notifies the association in writing, with a copy to the employer.

**3.5** The employer shall, within fifteen days after the end of each of the 13 accounting periods in the financial year, pay the amounts collected during that period to the Association des cadres supérieurs de la santé et des services sociaux, indicating, for each senior officer from whom a contribution has been collected, his surname, given name and social insurance number, the position held, the period covered by the contribution and the amount collected.

**3.6** A senior officer is not required to pay the contribution prescribed in section 3.4 for a period of thirty days following the date on which he is appointed.

Before the expiry of the period stipulated in the first paragraph, a senior officer who does not intend to contribute to the association shall notify the association of his decision in writing. The officer shall send a copy of the notice to his employer.

The employer shall begin to deduct the contribution from the senior officer's salary during the first complete salary period following the period prescribed in the first paragraph, unless the senior officer has stated his intention not to contribute in accordance with the second paragraph.

**3.7** The situation of existing senior officers as contributors or non-contributors on 25 April 2001 is hereby continued.

**3.8** A senior officer may, at any time, decide not to pay the contribution by means of a written notice sent to the association, with a copy to the employer.

Subject to receipt of the notice prescribed in the first paragraph, the employer shall cease to deduct the contribution from the senior officer's salary in the first complete salary period following the 90th day after receipt of the notice.

**3.9** A senior officer who does not pay the contribution may change his decision at any time by notifying the association in writing. He shall send a copy of the notice to the employer.

An employer who receives a copy of the notice provided for in the first paragraph shall begin to deduct the contribution from the senior officer's salary in the first complete salary period following receipt of the copy of the notice.

**3.10** An employer is relieved of the obligation to deduct the contribution from the salary of a senior officer as soon as it ceases to pay that salary or an amount in lieu thereof, in particular following termination of the employment relationship, suspension without pay or leave without pay. The employer shall inform the Association des cadres supérieurs de la santé et des services sociaux that it has ceased to deduct the contribution from the senior officer's salary at the same time as it sends the amounts collected for the accounting period in which the stoppage occurred.

## §3. Professional contribution of intermediate officers

**3.11** On April 1 of each year, the employer shall provide every intermediate officers' association that so requests with an up-to-date list of the intermediate officers employed by it, indicating the following information for each such intermediate officer:

- surname, given name and social insurance number;
- place of work;
- position held;
- the evaluation class of that position.

The list may be an update of the list sent to all associations of intermediate officers in the previous year.

**3.12** The employer shall deduct, from the salary of every intermediate officer employed by it, the amount of the professional contribution fixed by an association of intermediate officers in accordance with this subdivision,

provided the said association can prove that at least 50% of the intermediate officers employed by the employer were members of that association of intermediate officers on April 1 of the current year.

Before continuing to deduct the professional contribution, the employer shall ensure that, on February 1st of each year, at least 50% of the intermediate officers employed by it are members of the association.

An officer may pay the contribution in another way, provided he notifies the association in writing, with a copy to the employer.

**3.13** An employer that does not deduct the professional contribution from the salaries of the intermediate officers employed by it, in accordance with the provisions of the first and second paragraphs of section 3.12, shall, at the request of the association of intermediate officers, collect the professional contribution required by the association from the salary of every intermediate officer who is a member of the said association of intermediate officers, provided the officer has authorized such a deduction from his salary by notifying the association in writing of his intention to contribute, and has sent a copy of the notice to the employer.

**3.14** Sections 3.5 to 3.10 apply, adapted as required, to the deduction of the professional contributions of intermediate officers by the employer for payment to the appropriate association of intermediate officers, in accordance with the provisions of section 3.12 or section 3.13.”

**6.** The following is substituted for section 4 :

“**4.** An employer shall have management policies pertaining to the terms of employment of its officers, subject to the terms of employment established by regulation. Such policies must be approved by the board of directors.”

**7.** The following is substituted for section 5 :

“**5.** The management policies shall pertain in particular to the following elements :

1. fill a position of officer ;
2. performance appraisal ;
3. development ;
4. the officer’s record ;
5. annual vacation ;

6. personal leave ;

7. public holidays ;

8. leave without pay, leave for professional business and leave for public office ;

9. compensation for overtime in exceptional circumstances ;

10. an appeal from the application of the management policies.”

**8.** Chapter 1 is amended by inserting the following after section 5 :

“**5.1** The management policies pertaining to annual vacation, public holidays and leave without pay, as prescribed in section 5, shall comply with the following guidelines :

(1) For the purpose of calculating annual vacation and notwithstanding section 3, continuous service shall include service as a senior administrator, as an officer or as a union member or unionizable non-member, with one or more employers including start-up institutions, without interruption of the employment relationship for a period of more than six months.

(2) For the purposes of annual vacations and public holidays, a part-time officer shall receive a compensatory indemnity in addition to the salary paid on each payday. The indemnity, expressed as a percentage, shall correspond to the amounts prescribed for full-time officers.

(3) For the purposes of leave without pay, if it is consistent with the leave provided for in the collective agreements governing the health services and social services sector, measures concerning contributions to the pension plan consistent with the measures provided for in the collective agreements applied by the employer must be provided.

**5.2** The employer, its officers and their representatives acknowledge that the workplace must be free of all forms of violence, and in order to achieve this, they agree to work together to avoid or obtain the cessation of violence, using all appropriate means including the preparation of a policy.

**5.3** The employer, its officers and their respective representatives shall work together, using appropriate means, in order to avoid or obtain the cessation of any sexual harassment brought to their knowledge.

Sexual harassment consists in repetitive and undesired behaviour of a sexual nature, expressed in words, actions or gestures, that is of a type likely to compromise the dignity or the physical or psychological integrity of a person, or to lead, for the person, to unfavourable working conditions or dismissal.

**5.4** In compliance with the Charter of Human Rights and Freedoms (R.S.Q., c. C-12), the employer, its officers and their respective representatives shall work together, using appropriate means, in order to obtain the cessation of discrimination against officers.

Discrimination exists wherever a distinction, exclusion or preference has the effect of destroying, compromising or limiting a right conferred on an officer by this Regulation or by the Act.

Notwithstanding the foregoing, a distinction, exclusion or preference based on the skills or qualities required to carry out the tasks of a position is deemed to be non-discriminatory.”

9. The following is substituted for section 6 :

“6. The employer shall consult its officers and their representatives prior to determining or modifying the management policies prescribed in sections 5, 5.1 and 5.2.”

10. Chapter 1 of the Regulation is amended by inserting the following after section 6.7:

#### “DIVISION 5 COMPENSATORY LEAVE

**6.8** From 1 January 2000, compensatory paid leave shall be introduced for certain officers. The leave shall correspond to 0.83% of the number of hours paid for work as an officer during the period from 1 January to December 31 in a given year. The leave may not exceed 2 days each year.

The leave shall be used with the agreement of the employer or shall be replaced, in whole or in part, by a lump sum where it has not been used in the 12 months following the year in which it was earned. In the latter case, for each day of unused leave, the lump sum shall correspond to 0.415% of the salary or benefits received for work as an officer during the year in which the leave was earned or of the salary that the officer would have received had he not been participating in the deferred salary leave plan.

If the employee dies, the employer shall pay an amount equivalent to the days of leave earned but not used, without exceeding four days.

**6.9** The leave contemplated in section 6.8 applies to an officer who participates in the Régime de retraite des employés en fonction au Centre hospitalier Côte-des-Neiges.

The leave contemplated in section 6.8 also applies to an officer who is reinstated or assigned to a position other than an officer’s position after 31 December 2000 if he participates in a pension plan other than Government and Public Employees Retirement Plan for non-unionizable employees or the Régime de retraite de l’administration supérieure (RRAS). In such a case, the leave applies from the effective date of the reinstatement or assignment, for such time as the officer continues to participate in the insurance plans provided for in Chapter 4.

**6.10** The leave contemplated in section 6.8 also applies to any officer who, where applicable, participates in the Pension Plan of Peace Officers in Correctional Services (RRAPSC).

#### DIVISION 6 GROUP RRSP

**6.11** Within thirty days of the request for a salary deduction, the employer shall deduct the amount indicated by the officer as a deduction for the purposes of contributing to a group registered retirement savings plan proposed by the relevant officers’ association.

The deduction may be for a specified amount or percentage from each salary payment, or a single annual amount. The employer shall also make the necessary adjustments to the income taxes deducted at source, as permitted by the tax regulations.

The employer shall cease to deduct such amounts thirty days after receiving a written notice to that effect from the officer.

**6.12** The employer shall remit the contributions on a monthly basis to the body designated by the officers’ association concerned and shall attach a statement indicating the name, address, date of birth, social insurance number and amount collected for each officer.”

11. Section 7 is deleted.

12. Chapter 2 is amended by inserting the following after section 8:

**“DIVISION 3  
OFFICER PHYSICIANS**

*§1. Appointment*

**8.1** To hold the position of professional services director, professional and hospital services director, public health director, assistant professional services director, assistant professional and hospital services director, assistant clinical professional and hospital services director, assistant public health director or emergency medical coordinator, an officer must be a physician and must be appointed in accordance with the provisions of sections 173, 202 or 372 of the Act.

**8.2** All officers contemplated in section 8.1, except for public health directors, are appointed for a term not exceeding four years. An appointment may be renewed for a further period not exceeding four years, unless the board of directors notifies the appointee in writing of its intention not to renew the appointment, at least 60 days before the date on which the term expires.

**8.3** An officer contemplated in section 8.2 may leave his position 60 days after sending a written notice to that effect to board of directors.

*§2. Exclusivity*

**8.4** Subject to the rules and standards established by the board of directors pursuant to section 234 of the Act and to the agreements entered into by the minister and the Fédération des médecins spécialistes du Québec or the Fédération des médecins omnipraticiens du Québec, an officer contemplated in section 8.2 whose services have been engaged on a full-time basis may, with the authorization of the institution’s board of directors, dispense medical services outside the periods for which his services have been engaged, after fulfilling the requirements of his position. Such authorization shall be the subject of a resolution of the board of directors, and may include other conditions.

The board of directors of an institution shall not authorize an officer contemplated in the first paragraph, whose services have been engaged on a full-time basis, to dispense medical services in the institution unless the institution has a shortage of physicians.

An officer contemplated in the first paragraph whose services have been engaged on a part-time basis may dispense medical services in the institution in which he holds a position of officer outside the periods for which his services have been engaged, after fulfilling the requirements of his position and with the authorization

of the institution’s board of directors. Such authorization shall be the subject of a resolution of the board of directors, and may include other conditions.”.

**13.** The following is substituted for section 10:

**“10.** In general, no remuneration or compensation shall be paid to an officer for the overtime occasionally required in carrying out his regular duties.

An officer who is required by his employer or by circumstances to work overtime beyond his regular working hours shall receive, in the form of leave, compensation equal to the number of overtime hours worked.

An officer who agrees to replace another officer or non-officer outside his regular working hours shall be paid according to the provisions that apply to the position of the person he replaces.”.

**14.** The following is substituted for Division 2 of Chapter 3:

**“DIVISION 2  
EVALUATION CLASSES AND SALARY CLASSES**

*§1. Evaluation classes*

**11.** The evaluation class of a position of senior officer consistent with a standard position is determined by the executive director of the institution, in accordance with the evaluation system and with the classification and evaluation conditions for officer and senior administrator positions established by the Minister.

If the senior officer considers that the conditions set out in the first paragraph have not been complied with, he may, within 10 days following receipt of the evaluation class of his position, ask the Minister to make a ruling. The Minister shall determine the evaluation class of the position or shall order a third party to determine the evaluation class. There is no appeal from the decision made by the Minister or the third party.

**11.1** The evaluation class of a position of senior officer that is consistent with a standard position must be confirmed by the Minister where the result of the evaluation of the position determined in accordance with the first paragraph of section 11 is Class 23 or higher or Class C or higher if the position evaluated is an officer’s position contemplated in section 8.1

**11.2** The evaluation class of a position of senior officer that is not consistent with a standard position shall be determined in a draft evaluation forwarded by the

executive director of the institution to the senior officer together with the data relating to the application of the factors and sub-factors used to determine the evaluation class of the position.

Within 30 days following the transmission of the draft evaluation, the senior officer may make representations to the executive director. He may be accompanied by a representative. On or before the expiry of the 30 days, the draft evaluation and the representations of the senior officer, if any, shall be presented to the Minister by the executive director. The Minister shall then determine the evaluation class of the position. The decision shall be binding upon the senior officer and the executive director and there shall be no appeal from the decision.

**11.3** The evaluation class for a position of intermediate officer consistent with a standard position shall be determined by the executive director of the institution or of the regional board, if the employer is a regional board. The evaluation class shall be determined in accordance with the evaluation system and with the classification conditions for officer and senior administrator positions prescribed by the Minister.

If intermediate officer considers that the conditions set out in the first paragraph have not been complied with, he may, within 10 days following receipt of the evaluation class of his position, ask the Minister to make a ruling. The Minister shall determine the evaluation class of the position or shall order a third party to determine the evaluation class. There is no appeal from the decision made by the Minister or the third party.

**11.4** The evaluation class of a position of intermediate officer that is not consistent with a standard position shall be determined in a draft evaluation. The draft evaluation shall be forwarded to the intermediate officer by the executive director of the institution or of the regional board, if the employer is a regional board. The data relating to the application of the factors and sub-factors used to determine the evaluation class of the position shall be forwarded at the same time as the draft evaluation.

Within 30 days following the transmission of the draft evaluation, the intermediate officer may make representations to the executive director. He may be accompanied by a representative. If the intermediate officer accepts the draft evaluation, the executive director shall make the evaluation class effective for that position in the manner set out in section 17.1.

At the expiry of the 30 days, if an agreement has not been reached by the executive director and the interme-

diat officer, the draft evaluation and the representations of the intermediate officer, if any, shall be presented to the Minister by the executive director. The Minister shall then determine the evaluation class of the position. The decision shall be binding upon the senior officer and the executive director and there shall be no appeal from the decision.

**11.5** The evaluation class of a position of officer physician contemplated in section 8.1, or for a position of senior officer in a regional board, shall be determined by the Minister.

## *§2. Salary classes and annual adjustment*

**12.** The salary classes adjusted by 1.5% on January 1, 1999 and by 2.5% on January 1, 2000, January 1, 2001 and January 1, 2002 correspond to the evaluation classes established in accordance with sections 11 and 11.1. The adjusted salary classes are shown in Appendix I.

For part-time officers, the salary determined in the first paragraph is reduced proportionally to the hours of the position.

**12.1** For officers contemplated in section 8.1, a salary rate corresponding to the evaluation classes established in accordance with section 11.4 shall be adjusted by 1% on January 1, 1998, and on April 1, 1998. The adjustment rates for the salary classes established in section 12 are also applicable. The adjusted salary classes are shown in Appendix A. The salary rate of an officer contemplated in section 8.1 is reduced, when the officer holds a part-time position, proportionally to the time for which his services are engaged by the employer, without such services being less than 20% of full time.

**12.2** The salary rate of an officer contemplated in section 8.1 who holds a specialist certificate issued by the Collège des médecins du Québec and who carries out his duties in one of the territories covered by Ministerial Order 92-01 dated 17 January 1992, establishing the list of territories with insufficient numbers of health professionals, shall be increased by 20%. It shall be increased by 40% if the officer performs his duties in a remote territory included in geographical sectors III, IV and V of regional disparities, as defined in the collective agreements in force in the health services and social services sector.

The 20% increase in the salary rate of an officer contemplated in the first paragraph shall be replaced by a 40% increase after three years of continuous services if the officer performs his duties in the regions Abitibi-Témiscamingue, Côte-Nord or Gaspésie-Îles-de-la-Madeleine.



**12.3** The 20% and 40% increases established pursuant to section 12.2 shall be paid, up to a maximum of \$210,000 per calendar year, to an officer holding a specialist certificate issued by the Collège des médecins du Québec who also dispenses medical services in accordance with section 8.4. The amount includes both the increased salary of the officer and the remuneration for medical acts.

**12.4** The salary rate of an officer contemplated in section 8.1 who is a general physician and who carries out his duties as officer in one of the territories covered by Ministerial Order 92-01 dated 17 January 1992 establishing the list of territories with insufficient numbers of health professionals, shall be increased by 15%.

The salary rate of an officer contemplated in the first paragraph shall be increased by 25% after four years of continuous service and by 30% after seven years of continuous services, except if the officer carries out his duties in the municipalities of Alma, Rimouski or Rimouski-Est, or in the regional county municipalities of Antoine-Labelle, Kamouraska or Rivière-du-Loup, excluding the municipalities of Saint-Cyprien, Saint-Hubert, Saint-François-Xavier-de-Viger and Saint-Paul-de-la-Croix.

If an officer contemplated in the first paragraph carries out his duties in a remote territory included in geographical sectors III, IV and V of regional disparities, as defined in the collective agreements in force in the health services and social services sector, the increase in the salary rate shall be 25%, and 30% after four years of continuous service.

**12.5** For the purposes of sections 12.2 and 12.3, continuous service in the case of an officer physician means, notwithstanding section 3, the consecutive years in which he carries out his duties as an officer or the continuous years in which, as a physician, his main continuous is carried out in one of the territories with insufficient numbers of health professionals covered by Ministerial Order 92-01 dated 17 January 1992.”

**15.** The following is substituted for section 13:

“**13.** At the time the salary classes are adjusted, the salary of an officer shall be increased, where applicable, by a rate equal to the rate of adjustment of the salary classes as determined pursuant to section 12 or 12.1. The increase shall not have the effect of taking the officer’s salary above the maximum for the salary class of the position he holds.

In the case of an officer contemplated in section 24, the salary adjustment shall take into account the salary adjustment paid pursuant to section 24.4 for the current year.”

**16.** The following is substituted for section 14:

“**14.** A salary increase shall be granted to an officer on April 1 of each year, unless his performance for the year ending on March 31 is judged to be unsatisfactory. The employer’s evaluation, with reasons, shall be sent to the officer in writing during the reference period. There is no appeal from the evaluation.

The salary increase shall be 4% of the officer’s salary on March 31, provided such increase does not take the officer’s salary above the maximum for the salary class of the position he holds.

An officer available for reinstatement who carries out the activities stipulated in the reinstatement plan shall be entitled to a salary increase as though he had worked for the employer on a full-time basis.

An officer whose position has been eliminated and who has elected for pre-retirement leave shall not receive a salary increase.

The salary increase of an officer who has held his position for less than one year on the date on which the salary increase applies, or who has changed employers during the reference period, shall be established according to the time actually worked in that position or in another officer or senior administrator position with the same employer or another employer during the year preceding April 1.

An officer who has not worked for the whole of the year preceding April 1 because he is disabled, on leave without pay, on leave with deferred pay or on phased retirement, shall be eligible for the salary increase according to the time actually worked during that year. However, for the purposes of computing the percentage of salary increase, a disabled officer is considered to have been at work for the first six months of disability.

For an officer holding a part-time position on April 1 who has worked for less than 50% of the time in the reference period, the salary increase shall be equal to 2% of his salary on March 31.”

**17.** The following is substituted for section 15:

“**15.** Where a person accedes to a position of officer from a position of union member or unionizable non-

member, or from outside the health and social services sector, that person shall receive as a salary the higher of the following two amounts :

— the minimum for the salary class to which the person accedes ; or

— 110% of the annual salary the person received before the appointment, taking into account the parameters established in the second, third and fourth paragraphs ; however, this amount, subject to section 24, shall not exceed the maximum for the salary class of the position to which the person accedes.

For the purpose of determining the appointee's new salary, his regular annual salary at the time of the appointment shall be used as a basis, with the addition, where applicable, of any responsibility bonuses, supplements and additional remuneration related to post-school education received by the person. The employer shall also take into account the experience of the person at the time of the appointment, by granting the pay increase that the person would have received, proportionally to the time elapsed between the date of the last pay increase and the time of the appointment.

If the person appointed is already employed by an employer and his employment title as a union member or unionizable non-member before his appointment does not take into account his academic training, the employer shall place the person at the salary step corresponding to his experience and education in the appropriate salary scale for employees who are union members or unionizable non-members in the sector on the date of the appointment, provided that the ensuing salary is higher than the salary the person was receiving before the appointment. Otherwise, the salary the person was receiving at the time of the appointment is used as a basis for establishing the new salary.

For the purpose of determining the salary of an appointee person who was not employed by a regional board or health services and social services sector institution, the employer shall place the person at the salary step corresponding to his experience and education in the appropriate salary scale for employees who are union members or unionizable non-members in the sector on the date of the appointment.

If there is no appropriate salary scale for the purposes of the third and fourth paragraphs, the employer shall determine the person's salary from within the salary class for the position to which the person is appointed.

**15.1** The salary of a person who accedes to a position of senior officer is fixed by the board of directors from

within the salary class for the position to which the person is appointed.

For officer physicians contemplated in section 8.1, the board of directors shall apply the salary rate corresponding to the evaluation classes applicable to the positions of the officer physicians.”.

**18.** Subdivision 2 of Division 4 of Chapter 3 is amended by inserting the following after section 17 :

“**17.1** The date on which a modification to an evaluation class for a position of officer comes into force shall be fixed according to one or other of the following criteria :

1. the date established by the Minister, if the modification is the result of a change made to the classification and evaluation system and conditions for senior administrator and officer positions ;

2. the date on which the officer is appointed, if the modification is the result of an administrative reorganization ;

3. the date of the event, if the modification is the result of a change made by the employer to the duties of the position of officer ;

4. the date of the request for a modification made by the officer following changes in his responsibilities.

Notwithstanding the foregoing, the results of the updating of the evaluation class for a position of intermediate officer consistent with a standard position shall come into force on March 31 if the classification of the position is established according to a factual or verifiable variable confirmed in the annual statistical reports produced by the employer.”.

**19.** The following is substituted for section 18 :

“**18.** The salary of a promoted intermediate officer shall be the higher of the following two amounts :

— the minimum for the salary class of the position to which he accedes ;

— 110% of the salary he was receiving before the promotion ; however, this amount, subject to section 24, shall not exceed the maximum point for the salary class of the position to which he accedes.

**18.1** The salary of a promoted senior officer is fixed by the board of directors within the senior salary class.”.

20. The following is substituted for the heading preceding section 21 :

“REASSIGNMENT TO A NON-OFFICER POSITION”.

21. The following is substituted for section 21 :

“21. An officer reassigned to a position of union member or unionizable non-member shall receive a salary corresponding to the classification established by the employer in compliance with the salary provisions applicable to the position.

If the salary the officer was receiving before the reassignment is higher than the salary established pursuant to the first paragraph, the former salary is maintained provided it falls within the salary scale for the new position and does not exceed the maximum of the scale; in this latter case, the salary shall be reduced to the maximum of the scale.

If the salary of the officer is reduced following the reassignment:

— for the first three years following the reassignment, the officer shall receive, in the form of lump sum payments, the full difference between the salary he was receiving prior to the reassignment and the new annual salary to which he is entitled;

— for the fourth year following the reassignment, the officer shall receive, in the form of a lump sum payment, two-thirds of the difference between the salary he was receiving prior to the reassignment and the new annual salary to which he is entitled in that fourth year;

— for the fifth year following the reassignment, the officer shall receive, in the form of a lump sum payment, one-third of the difference between the salary he was receiving prior to the reassignment and the new annual salary to which he is entitled in that fifth year.”.

22. The following is substituted for section 22 :

“22. An officer who agrees, temporarily and in addition to his regular position, to hold another full-time or part-time position of officer or senior administrator with the same employer or another employer shall receive lump sum remuneration, provided however that the positions held in plurality are separate positions in the employer’s organization plan. The lump sum remuneration shall be established by the employer in question, taking into account the extent and similarity of the tasks and the difference between the evaluation class of the second position and that of the regular position held by the officer. It may vary between 14% and 24% of the officer’s salary.

The officer may not hold a second position that falls under his own direct or indirect authority.

The plurality of positions may be held by more than one officer. In such a case, the total amount of the remuneration contemplated in the first paragraph shall not, under any circumstances, exceed 24% of the maximum for the salary scale of the second position.

There is no appeal from the lump sum remuneration established for a plurality of positions held by one or more officers. The same applies where the plurality is divided among several officers.

The plurality of positions may last for a period ranging from two to 18 months. However, where an officer replaces a senior administrator or officer on disability leave or parental leave, the replacement may be for the duration of the period of absence.”.

23. The following is substituted for section 23 :

“23. An officer holds an interim position when he agrees to hold a position temporarily for his employer in an operational hierarchical line where it is necessary for the position to be held continuously. The salary class for such a position shall be higher than that for his regular position. The officer cannot simultaneously hold his own position during that period. For the interim period, the officer shall receive a lump sum payment representing the difference between his salary and the higher of the following two amounts:

— 110% of his salary, not exceeding the maximum for the salary class of the interim position;

— the minimum for the salary class of the interim position.

An officer may hold an interim position for a period ranging from two to 18 months. However, where he is replacing a senior administrator or officer on disability leave or parental leave, the replacement may be for the duration of the period of absence.”.

24. The following is substituted for section 23.1 :

“23.1 The terms and conditions of the performance premium are established annually by the Minister, taking into account the parameters fixed by the Conseil du trésor.”.

25. The following is substituted for section 26 :

“26. The compensations, bonuses and allowances prescribed in this division and in Division 9 do not form part of the officer’s salary.”.

26. The following is substituted for section 27:

“27. An employer who demands that an officer be available outside his work schedule shall pay a lump sum compensation to the officer corresponding to one hour of work at the regular rate per shift of availability or, where applicable, a proportion of this amount per shift of availability.

An officer who is required to work during the period of availability shall be paid or compensated in accordance with the provisions of section 10.”.

27. The following is inserted after section 29 of Chapter 3:

“§9. *Floating holidays and premiums*

29.1 An officer who, on a regular basis, directly supervises a large group of employees working in psychiatry, secure custody, intensive supervision or the assessment of information shall receive the same holidays and premiums as those employees. The terms and conditions of the collective agreements in the health and social services sector for such holidays and premiums shall apply, adapted as required, to the officer.”.

28. The following is substituted for subparagraphs 1 and 2 of the definition of the term “salary” in section 30:

“(1) remuneration paid for annual vacations, floating holidays and statutory holidays;

(2) the lump sum resulting from the application of sections 17, 20 and 21 and sections 104.1 to 104.3;”.

29. The following is substituted for section 31:

“31. For the purpose of calculating the benefits payable under this chapter, the salary of an officer holding a part-time position of officer is computed on the basis of the officer’s average salary for the 12 weeks preceding the event giving entitlement to a benefit and for which no disability period, annual vacation, leave without pay or parental leave has been authorized.”.

30. The following is substituted for section 32:

“32. An officer reassigned to a position of union member or unionizable non-member may, on the date of the reassignment and provided he has held a position of officer or senior administrator for at least 12 months, conserve his group insurance plans.”.

31. Section 34.2 of the Regulation is amended:

(1) by inserting the following after the first paragraph:

“An officer who is suspended without pay shall maintain his participation in the group insurance plans in accordance with the conditions for maintenance stipulated in the second, fourth and fifth paragraphs of section 33.”;

(2) by substituting the following for the last paragraph:

“Following an arbitrator’s decision in his favour, the officer is entitled to be reimbursed for the contribution normally paid by the officer for the plans in which he maintained his participation and, where applicable, to be reimbursed for the premium he paid to maintain his participation in the survivor’s pension plan, retroactively to the date of his dismissal, non-renewal of engagement or termination of engagement.

If, pursuant to sections 130.12 and 130.14, the decision orders the reintegration of the officer in his position, and if a disability has begun since the date of the date of the dismissal, non-renewal of engagement or termination of engagement, the disability shall then be recognized and the officer shall pay his premiums for the long-term salary insurance plans retroactively to that same date.”.

32. The following is substituted for section 37:

“37. An officer who holds a regular position of officer at 25% or less of full-time is not eligible for the group insurance plans provided for in this chapter, unless he is appointed temporarily, in addition to his regular position, to a position of officer at more than 25% of full-time with the same employer, for an anticipated period of at least 12 months. In such a case he shall be eligible for the insurance plans for all his work over the duration of his employment.

An officer who is not eligible for the group insurance plans shall receive a compensatory lump sum equivalent to 6% of the salary he receives for all his work.”.

33. The following is substituted for the part of section 40 preceding paragraph 1:

“40. Subject to sections 32 and 34.2, the an officer’s adherence to the uniform insurance plan ends on the earlier of the following dates:”.

34. The following is substituted for section 46:

“46. For the duration of the disability period that falls within the first 104 weeks, short-term salary insurance plan benefits shall be paid to the officer by the employer upon presentation of vouchers establishing the disability.

The officer shall immediately notify the employer if he cannot be present at work because of a disability, and shall agree to submit to any medical examination to be performed by the employer's physician. The cost of such an examination shall be borne by the employer.

An officer who has been disabled for a period of at least five months shall also allow the employer or the employer's representative, the insurer or any other consulting firm to disclose the vouchers establishing the disability for the purpose of assessing the possibility of offering him a position in accordance with the provisions of this chapter."

35. The following is inserted after section 46:

"**46.1** If the employer decides to interrupt payment of the short-term salary insurance plan benefit to an intermediate officer following a medical opinion issued by the employer's physician in accordance with the provisions of the second paragraph of section 46, he shall notify the intermediate officer in writing. The intermediate officer then has ten days from receipt of the notice in which to express his disagreement, also in writing.

The intermediate officer or employer can then, within five days, request that the employer's physician and the intermediate officer's physician reconcile their opinions. The two physicians have 15 days from the date of the request of the employer or the intermediate officer to produce a written report. If they fail to agree or if the 15-day deadline has expired, the intermediate officer and the employer have seven days to agree on the choice of an expert physician from a list of names drawn up under section 130.22 or, if both agree, whose name does not appear on the list. If the parties fail to agree on the choice of an expert physician, either may ask the Minister in writing to designate an expert physician from the list. The Minister shall appoint the expert physician within 10 days after receiving the request. The expert physician appointed shall perform his duties in accordance with a procedure and time limits that may differ from those prescribed in Division 1 of Chapter 6, provided his decision is made not later than 15 days after his appointment.

The expert physician may base his decision on the documents forwarded to him, and may meet and examine the senior administrator if he considers it relevant. His decision is final, without appeal and binding on the employer and the intermediate officer.

The costs of the parties and the fees and honorarium of the expert physician shall be paid in accordance with the provisions of section 130.24 for cases covered by

Division 1 of Chapter 6. The intermediate officer shall be on leave without pay for the duration of the procedures described in the first and second paragraphs until a final decision is made by the expert physician.

This procedure differs from the arbitration procedure used to establish invalidity after 104 weeks, as stipulated in section 65, and must in no case be confused with that procedure."

36. The following is substituted for subparagraph 2 of the second paragraph of section 51:

"2. additional plans:

(a) deleted;

(b) a mandatory long-term salary insurance plan;

(c) an optional additional life insurance plan."

37. The following is substituted for the first paragraph of section 52:

"**52.** The cost of the mandatory basic plans shall be shared between the Government and all the participants in the plans, according to the terms of the agreement between the Québec government and the associations representing participants in the group insurance plans for management employees in the public and parapublic sectors, for the duration of the agreement."

38. The following is inserted after section 57:

"**57.1** An officer already considered to be disabled who is forced to be absent from work for a second time due to a disability resulting from the same disease or accident, before the end of the first 104 weeks of disability but after successfully undergoing rehabilitation, is considered to have suffered a recurrence of the disability.

In such a case, the officer shall continue to receive a benefit equal to 90% of the salary to which he would have been entitled had he been at work in his position, up to 104 weeks from the beginning of the disability, and the provision set out in the second paragraph of section 57 shall apply

**57.2** Where a new disability begins before the end of the first 104 weeks of the first period of disability but after the officer has successfully undergone rehabilitation, the officer is considered to be disabled in the position he occupied at the beginning of the new period of disability. However, he shall continue to receive a benefit equal to 90% of the salary to which he would have been entitled had he been at work in the position he occupied at the



beginning of the first period of disability, up to 104 weeks from the beginning of the first period of disability, and the provision set out in the second paragraph of section 57 shall apply.

At the end of the first 104 weeks of the first period of disability, an officer whose rehabilitation takes place in a position related to his rehabilitation plan shall be reassigned to that position in accordance with the first paragraph of section 62.

The provisions of Division 5 apply from the date of the reassignment up to 104 weeks from the beginning of the new period of disability, for the salary of the position to which the officer is reassigned.”.

39. The following is substituted for section 60:

“60. An officer shall accumulate vacation time during the time he works in a position related to his rehabilitation plan.”.

40. The following is substituted for the first paragraph of section 62:

“62. The officer shall be reassigned by an employer to a position related to his rehabilitation plan at the end of the 104th week of disability or, where applicable, at the end of his rehabilitation if the rehabilitation ends after the 104th week, and he shall receive the salary of that position from the date of the reassignment, and shall be governed, subject to section 32, by the provisions applicable to that position.”.

41. The first subparagraph of section 63 is replaced by the following:

“– four representatives designated jointly by the Association des directeurs généraux des services de santé et des services sociaux du Québec, the Association des cadres supérieurs de la santé et des services sociaux, the Association des gestionnaires des établissements de santé et de services sociaux inc. and the Association des cadres de la santé et des services sociaux du Québec;”.

42. The following is substituted for section 68:

“68. An officer who does not satisfy the definition of disability after the first 104 weeks following the beginning of the disability must accept a position offered to him by an employer in his administrative region or by an employer in another administrative region located less than 50 kilometres by road from his home base and his residence, except during the period where he has submitted his disagreement to the insurer or to a medical arbitration court, or if the position does not involve a

weekly work load that is less than that of the position he held at the beginning of his disability.

An officer reassigned to another position in accordance with the first paragraph shall receive the salary for that position and is governed, subject to section 32, by the provisions applicable to that position.

Premiums and contributions to the group insurance plans and retirement plans shall be established on the basis of the new salary.

If the officer refuses the position offered, the employer may terminate his employment 15 days after sending him a notice of intention. A copy of the notice shall be sent to the sectorial committee mentioned in section 63. During this period, the employer shall allow the sectorial committee to make any intervention that may be necessary pursuant to section 64.”.

43. The following is substituted for section 69:

“69. During the waiting period for a position, where the employer and the officer agree with the insurer’s decision, or from the date on which the decision of the Tribunal d’arbitrage medical is rendered to the effect that the officer does not satisfy the definition of disability, the officer shall receive a salary equal to the benefit, and premiums and contributions to the insurance and retirement plans shall be established on the basis of that salary. During that period, the employer may temporarily use the services of the officer for duties that take into account the officer’s training and experience. The officer shall accumulate vacation time and continuous service during the time worked.”.

44. The following is substituted for section 74:

“74. The sick leave days accumulated by a union member or by a unionizable non-member who is appointed as an officer after 31 December 1973 are governed by the provisions applicable to the group of employees of which he was or could have been a part before his appointment as an officer.”.

45. Subparagraph 2 of section 75 is replaced by the following:

“(2) for the purposes of making up the difference between the salary insurance benefit and the officer’s net salary:

In this case, the disabled officer may use his sick-leave fund to make up the difference between the short-term salary insurance benefit provided for in section 43 and the net salary he would be receiving if he were not

on disability leave; the net salary corresponds to the gross salary that he would be receiving if he were at work, less federal and provincial income taxes and contributions to the Q.P.P., the employment insurance plan and the retirement plan;

Days or parts of days used in accordance with the second paragraph shall be subtracted from the sick-leave fund;”.

**46.** The following is substituted for the second paragraph of section 76.13:

“Compensation for maternity leave shall be based on the salary of an officer including the lump sums paid pursuant to sections 17, 20 and 21 and sections 104.1 to 104.3, without any additional remuneration.”.

**47.** The following is substituted for section 76.17:

“**76.17** The weekly salary of a part-time officer is the average weekly salary of the last 20 weeks preceding the maternity leave for which no leave without pay was authorized. If, during that period, the officer received benefits representing a percentage of her salary, it is the salary used to calculate the benefits that shall determine the compensation for maternity leave. These provisions constitute one of the provisions expressly referred to in section 76.1.”.

**48.** The following is substituted for section 76.28:

“**76.28** A full-time officer who has accumulated 20 weeks of service with her employer or with one of the employers referred to in section 76.30 is entitled to compensation equal to 93% of her weekly salary for twelve weeks if she is not eligible for employment insurance benefits because she has not held insurable employment for at least 700 hours during the period of reference prescribed by the employment insurance plan.”.

**49.** The following is substituted for the first paragraph of section 76.29:

“**76.29** A part-time officer who has accumulated 20 weeks of service with her employer or with one of the employers referred to in section 76.30 is entitled to compensation equal to 95% of her weekly salary for twelve weeks. If she is exempt from pension plan and employment insurance contributions, the compensation rate is 93%.”.

**50.** The following is substituted for section 76.45:

“**76.45** Upon the birth of his child, an officer is entitled to a paid paternity leave not exceeding five working

days. The leave may be interrupted, but shall be taken between the date of delivery and the fifteenth day following the date of the mother’s or the child’s return home. One of those five days may be taken for the child’s baptism or registration. An officer is also entitled to paternity leave if his child is stillborn and the delivery takes place after the beginning of the twentieth week preceding the expected delivery date.”.

**51.** The following is substituted for section 76.61:

“**76.61** Leave without pay or partial leave without pay of a maximum duration of one year shall be granted to an officer if his minor child or the minor child of his spouse is sick or handicapped or has social or emotional problems and requires the officer’s presence. During the leave, the officer may continue to participate in the group insurance plans according to the provisions set out in Chapter 4.

An officer may be absent without pay for five days per year to fulfil obligations relating to the care, health or education of his minor child or the minor child of his spouse, in cases where his presence is required due to unforeseeable circumstances or circumstances beyond his control. He must have taken all reasonable steps within his power to assume these obligations otherwise and to limit the duration of the leave. The leave may be divided into days. A day may also be divided if the employer consents thereto. The officer must advise his employer of his absence as soon as possible.”.

**52.** The following is substituted for the second and third paragraphs of section 76.72:

“It includes the lump sum related to a change of position leading to a salary decrease pursuant to sections 17, 20 and 21 and sections 104.1 to 104.3.

It does not include the additional remuneration for plurality of positions or interim or the compensation, bonuses and allowances provided for in Divisions 5, 6, 8 and 9 of Chapter 3.”.

**53.** The following is substituted for the first paragraph of section 76.73:

“**76.73** During the period of leave, an officer is not entitled to any compensation, premium or allowance provided for in Division 8 or 9 of Chapter 3. During the period of work, he is entitled to all such compensation, premiums and allowances.”.

**54.** The following is substituted for the first paragraph of section 76.104:

**76.104** During an officer's progressive pre-retirement, the contribution of the employer and that of the officer to the group insurance plans shall be maintained based on the time worked by the officer before the agreement comes into effect. The same rule applies to health and accident insurance plans, but based on an officer's normal full-time schedule."

55. The following is inserted after section 76.108:

#### **“CHAPTER 4.4 DEVELOPMENT**

**76.109** The employer shall promote the maintenance and development of its officers' skills.

**76.110** Every officer shall prepare an annual development plan and submit it to his employer for approval.

**76.111** The development plan shall provide for activities designed to support the officer in the achievement of the organization's objectives and his own career goals. In particular, it may provide for a continuous training program, participation in a reference group, leave with or without pay, a service loan to another employer or a practical training period in another workplace. Where necessary, the officer and the employer shall agree on conditions for the granting of leave and for the officer's return to work.

**76.112** The employer shall set aside financial resources every year to cover the activities provided for in the officer's development plan."

56. The following is substituted for Division 1 of Chapter 5:

#### **“DIVISION 1 GENERAL PROVISIONS**

**77.** This chapter applies to an officer who has completed his probation period with an employer and who, following an administrative reorganization, is transferred to a position with another employer or whose position is eliminated.

**77.1** There is no appeal from a decision by the employer to implement an administrative reorganization."

57. The following is substituted for section 85:

**“85.** Within 12 months following the date of appointment of an officer in accordance with sections 83 and 84, an employer who observes that the transferred officer is incapable of carrying out the duties of his new

position shall notify the officer in writing, 30 days in advance, that he will be placed on reserve. The employer shall send a copy of the notice to the appropriate officers' association. The officer shall choose one of the options prescribed in the second paragraph of section 94. In such a case, the time spent with the new employer, in the new position of officer, shall be excluded from the officer's reinstatement period. There shall be no appeal from the decision made by the employer."

58. The following is substituted for section 88:

**“88.** Within 12 months following the date of appointment of an officer to a new available position of officer, where the new employer observes that the transferred officer is incapable of carrying out the duties of his new position, it shall notify the officer in writing, 30 days in advance, that he will be placed on reserve. The employer shall send a copy of the notice to the appropriate officers' association. The officer shall choose one of the options prescribed in the second paragraph of section 94. In such a case, the time spent with the new employer, in the new position of officer, shall be excluded from the officer's reinstatement period. There shall be no appeal from the decision made by the employer."

59. Section 93 of the Regulation is amended:

(1) by substituting the following for the first and second paragraphs:

**“93.** During the period preceding the elimination of the position or positions, the employer shall consult with the officers concerned on the measures to be taken to reorganize the employer's staff, including adaptation, training, promotion, transfer, demotion, substitution of an officer affected by the operation by an officer not affected by the operation, with the same employer or another employer, and departure from the sector. The employer shall also consult with the officers and their representatives on the adaptation measures required for the proposed reorganization.

During this period, the employer shall reinstate an officer in a position of officer or senior administrator that corresponds to his training and experience and that involves a weekly work load at least equal to that of the position previously occupied by the officer, taking into account the normal requirements of the position to be filled and of the reinstatement plan where it is available. The officer shall accept the offered position. If the officer refuses the position, the employer may lay him off."

(2) by substituting the following for the fifth paragraph:

“Reinstatement under the second or fourth paragraph of an officer who is disabled, on parental leave, on leave without pay or on deferred salary leave shall come into force only on the date on which the period of disability or leave ends.”.

**60.** The following is substituted for the fourth and fifth paragraphs of section 94:

“An officer who has failed to communicate his choice to his employer by the date on which his position is eliminated is deemed to have chosen reinstatement in the sector.

The employer shall inform the regional board concerned of the choice made by the officer in accordance with the second and fourth paragraphs.

The choice of an officer who is disabled, on parental leave, on leave without pay or on deferred salary leave shall be made and come into force on the date on which the period of disability or leave ends. An officer whose position is eliminated during a period of disability shall continue to receive his salary insurance benefits as long as he is disabled.”.

**61.** Section 95 of the Regulation is amended:

(1) by substituting the following for the second paragraph:

“During the reinstatement period, with the authorization of his employer and, where applicable, of the other employer, an officer whose position has been abolished may replace an officer whose position has not been abolished, either with his employer or with another employer. In such a case, the officer whose position has not been abolished and who agrees to replace an officer whose position has been abolished shall benefit from the remaining portion of the reinstatement period.

During the reinstatement period, the employer shall maintain the officer’s salary and, subject to section 34.1, all his terms of employment as an officer, provided the officer does not refuse, without valid reason, to provide the services required by the employer in duties that take into account the officer’s training and experience and his reinstatement plan, if any. A part-time officer shall receive a salary proportional to the hours actually worked in the twelve months preceding the date on which his position is abolished. The salary paid to the officer cannot be less than the salary paid for the regular work load prescribed for his position.”;

(2) by substituting the following for the seventh paragraph:

“Any period during which the services of the officer are loaned to another employer in the public and parapublic sectors shall be excluded from the reinstatement period for a period not exceeding 36 months, for the equivalent in time of the portion of the service loan period that is at the expense of the other employer.”.

**62.** The following is substituted for subparagraph 2 of section 97:

“2. within six months from the date on which his position is eliminated, prepare his reinstatement plan, with the help of the Centre de référence if necessary, and submit it for approval to his employer, which shall convey its decision to the officer within 30 days following receipt of the reinstatement plan; the officer may modify his reinstatement plan, with the employer’s agreement. If the employer fails to convey its response by the end of this period, the plan is automatically accepted, unless the employer notifies the officer that it is impossible to make a decision, and that the period will have to be extended to no more than 60 days. The notice shall be given in writing and shall include reasons for the extension;”.

**63.** The following is substituted for section 102:

“**102.** An officer who has chosen reinstatement within the sector may change his initial choice and elect for departure from the sector as stipulated in Division 6 of this chapter. In such a case, the stipulated end-of-engagement indemnity and amount for pre-retirement leave shall not be reduced if the change of choice is made before the officer has received 12 months of salary from his original employer since the date on which he was placed on reserve. If the change of choice is made after such time, the end-of-engagement indemnity and amount for pre-retirement leave shall be reduced proportionally to the salary received over and above the 12-month period.

The change of choice shall be conveyed to the regional board concerned by the officer’s employer.”.

**64.** The following is added at the end of section 103:

“An employer who puts an end to the employment stability measures of an officer pursuant to the first paragraph shall inform the regional board concerned.”.

**65.** The following is substituted for section 104:

“**§1.1 Remuneration of a reinstated officer**

**104.** An officer who is reinstated pursuant to sections 93, 108 and 110 is governed by the terms of employment

prescribed for his new position, subject to section 32. His salary shall be established in accordance with the salary provisions applicable to the position in which he is reinstated.

**104.1** An officer whose salary is reduced following reinstatement in a position in a lower salary class or with a lower salary scale, with no reduction in his weekly work load, shall receive the full difference between the salary he was receiving on the date of reinstatement and the salary paid to him in his new position, in the form of lump sum payments, up to the end of the three-year period following the date on which his position was eliminated. If the officer's reinstatement period is interrupted by disability, a service loan, parental leave, leave without pay or a trial period following reinstatement, as provided for in sections 95 and 100, and the staggered reinstatement period provided for in section 99, the end of the three-year period following the date on which his position is eliminated shall be postponed accordingly, up to a maximum of six years after the date of elimination of the position. However, in the case of a disabled officer, the end of the period shall be postponed by a period equal to the period of disability.

During the period contemplated in the first paragraph, the total of the officer's salary and lump sum payment shall not be less than the salary he would have received if he had remained in the reinstated position. For the first year following that period, the lump sum paid to the reinstated officer shall equal two-thirds of the difference between the salary he would have received at the end of the three-year period had he not been reinstated, and the salary for the position in which he was reinstated. The same applies for the second year following the three-year period, except that the lump sum shall equal one-third of the difference.

**104.2** An officer who, in the first 18 months of reinstatement, obtains or is reinstated in a position involving a weekly work load that is less than that of his original position, shall receive the salary of the new position proportionally to the worked in that position.

If the salary of an officer contemplated in the first paragraph is reduced because the officer is reinstated in position in a lower salary class or having a lower salary scale, the difference in salary attributable to that reduction shall be paid to the officer proportionally to the number of hours worked in the new position, in accordance with the terms and conditions set out in section 104.1.

**104.3** A reinstated officer who has not obtained a position pursuant to section 108 or section 110 after a reinstatement period of 18 months may obtain or be reinstated in a position involving a weekly work load

that is less than that of the position he previously held. The reinstatement may be with his employer or with another employer, in a position of officer, union member or unionizable non-member, on the following conditions :

(1) An agreement is entered into by the officer and his employer if the reinstatement takes place with the original employer, or by the officer, his employer and the new employer if the reinstatement takes place with another employer. The agreement shall stipulate that the officer, for the remaining portion of his reinstatement period, shall not refuse without valid reason to provide the services requested by his original employer or his new employer, on the conditions stipulated in the third paragraph of section 95, for a number of hours corresponding to the number of hours in his original position, less the number of hours in his new position ;

(2) an officer who is reinstated with his original employer is required to apply for every position of officer, union member or unionizable non-member corresponding to his training and experience and involving a weekly work load that is at least equal to that of his original position. The officer must accept the position offered if it is a position of officer or, if it is a position of union member or unionizable non-member, he must accept it if reinstatement into such a position was provided for in his initial reinstatement plan, in accordance with subparagraph 2 of section 97.

An officer reinstated in this way shall receive, in the form of lump sum payments, the full difference between the salary he was receiving on the date of reinstatement and the salary paid to him in his new position. The lump sum payments shall be made in accordance with the terms and conditions set out in section 104.1.

**104.4** An officer contemplated in section 104.3 who, after a period of 18 months of reinstatement, obtains or is reinstated to a position with a lower weekly work load than his original position, with or without a reduction in his salary class, and who elects not to enter into an agreement in accordance with subparagraphs 1 and 2, shall benefit from the terms and conditions set out in section 104.2.”.

**66.** The following is substituted for section 105 :

“**§1.2 Miscellaneous provisions**

**105.** An officer who is reinstated in a position of union member or unionizable non-member :

(1) may continue to benefit from the group insurance plans in accordance with section 32 ;



(2) shall maintain his sick-leave fund and may use it according to the provisions of Division 8 of Chapter 4;

(3) deleted;

(4) shall continue to be entitled, for a period of 24 months, to the services of the Centre de référence.”.

**67.** The following is substituted for section 108:

“**108.** The employer shall reinstate an officer who has chosen reinstatement in a position of officer, senior administrator, union member or unionizable non-member that corresponds to his training and experience and involves a weekly work load at least equal to that of the position he previously held, taking into account the normal requirements of the position to be filled and his reinstatement plan if available. The officer must accept the position offered if it is a position of officer, or if it is a position of union member or unionizable non-member, he must accept it if reinstatement into such a position is provided for in his reinstatement plan.

The employer shall inform the appropriate regional board of the reinstatement of an officer whose position had been abolished, and of the conditions of the reinstatement.”.

**68.** The following is substituted for section 110:

“**110.** An officer who has chosen the reinstatement option may find himself a job with another employer in a position of officer, senior administrator, union member or unionizable non-member that corresponds to his training and experience and involves a weekly work load at least equal to that of the position he previously held, taking into account the normal requirements of the position to be filled and his reinstatement plan if available. The officer must accept the position offered if it is a position of officer, or if it is a position of union member or unionizable non-member, he must accept it if reinstatement into such a position is provided for in his reinstatement plan.

The original employer of the officer who finds another job shall inform the appropriate regional board of the officer’s reinstatement and of the conditions applicable thereto.”.

**69.** The following is substituted for section 111:

“**111.** An officer who is reinstated with another employer shall be subject to a trial period not exceeding twelve months. During the trial period, he shall maintain his employment relationship with his original employer.

An officer who is reinstated into a position of union member or unionizable non-member shall maintain his employment relationship with his original employer until he acquires job security in his new position or, where applicable, in another position of union member or unionizable non-member.”.

**70.** The following is substituted for section 114:

“**114.** An officer who, during his reinstatement period, is reinstated with another employer located more than 150 kilometres from the head office of his original employer, from his home base and from his residence, shall receive a mobility allowance from his original employer equivalent to three months of the salary he was receiving on the date of reinstatement. The officer shall ask for payment of this bonus at the end of his trial period.”.

**71.** The following is substituted for the first paragraph of section 116:

“**116.** An officer who has chosen an end-of-engagement indemnity shall receive an indemnity equivalent to four months of salary per year of continuous service, including service as a union member or unionizable non-member, with one or several employers in the public or parapublic sectors. However, the minimum amount of the indemnity shall be six months’ salary and the maximum shall be 24 months’ salary. The indemnity is calculated on the basis of the salary the officer was receiving on the date on which his position was eliminated or the date on which he changed his choice. A part-time officer shall receive an indemnity proportional to the hours worked in the last twelve months preceding the date on which his position was eliminated. However, the indemnity cannot be less than the salary paid for the regular work load prescribed for his position.”.

**72.** The following is substituted for section 120:

“**120.** The end-of-engagement indemnity shall be paid in the following ways and in the following order:

(1) A retirement allowance corresponding to the maximum amount that may be transferred into a retirement instrument under the applicable tax legislation, and taking into account any sick days that qualify under this heading. The allowance is payable no later than 30 days after the officer’s departure;

(2) A mandatory contribution by the employer to the officer’s retirement plan, to compensate for the actuarial reduction applicable to the officer when he becomes eligible for his retirement pension with such a reduction. If the employer’s contribution does not compensate fully

for the actuarial reduction, the officer may use the amount of the retirement allowance described in subparagraph 1 as full or partial compensation. Such compensation is valid as long as the retirement plan provides therefor;

(3) An additional retirement allowance, for the amount by which the end-of-engagement indemnity exceeds both the transferable retirement allowance and the employer's contribution, payable to the officer in two equal instalments, the first in the 30 days following the officer's departure and the second on 15 January of the following year. However, the employer may agree with the officer to pay the whole of the additional retirement allowance no later than 30 days following his departure."

**73.** The following is substituted for the first paragraph of section 124:

"**124.** The total amount to be paid, that is the sum of the salary paid during his pre-retirement leave and the amount paid in end-of-engagement indemnity, at the time of his retirement, to the officer who has chosen departure from the sector, shall be equivalent to 24 months of the salary he was receiving on the date on which his position was eliminated, adjusted if applicable. A part-time officer shall benefit from the same conditions proportionally to the hours worked during the 12 months preceding the date on which his position is eliminated. However, the amount paid cannot be less than the salary paid for the regular work load prescribed for that position. If an officer chooses pre-retirement leave and retirement, after spending time in reinstatement, the total amount paid shall be reduced in accordance with section 102."

**74.** The following is substituted for section 128.1:

"**128.1** An officer to whom this subdivision applies shall not participate in the short-term salary insurance plan as prescribed in subparagraph 3 of section 49, or in the mandatory basic long-term salary insurance plan or the additional mandatory long-term salary insurance plan. In the 12 months preceding the pre-retirement leave, a disabled officer shall receive the salary to which he would have been entitled had he been at work."

**75.** The following is substituted for Chapter 6:

## **"CHAPTER 5.1 END-OF-ENGAGEMENT MEASURES**

### **DIVISION 1 DISMISSAL, NON-RENEWAL OF ENGAGEMENT, TERMINATION OF ENGAGEMENT, SUSPENSION WITHOUT PAY, DEMOTION**

**129.** The decision to dismiss, not to renew the engagement of or to terminate the engagement of an

officer, to suspend him without pay or to demote him must be made by the board of directors in the case of a senior officer or by the executive director in the case of an intermediate officer.

**129.1** At least 15 days before the date of the meeting, the employer shall notify the senior officer, in writing, that the subject of the senior officer's dismissal, non-renewal of engagement, termination of engagement, suspension without pay or demotion has been entered on the agenda of a meeting of the board of directors for consideration.

At the same time as the written notice mentioned in the first paragraph, the employer shall provide the senior officer with a written copy of his evaluation together with the reasons for his dismissal, non-renewal of engagement, termination of engagement, suspension without pay or demotion.

The senior officer may express his views and make representations through the Association des cadres supérieurs de la santé et des services sociaux, at the meeting of the board of directors.

**129.2** In the case of an intermediate officer, the employer shall notify the officer in writing that it intends to recommend the officer's dismissal, non-renewal of employment, termination of engagement, suspension without pay or demotion. A period of 15 days must elapse between the notice and the decision of the executive director to dismiss the intermediate officer, not to renew his engagement or terminate his engagement.

Upon receipt of the notice mentioned in the first paragraph, the intermediate officer may ask his employer, in writing, to provide a copy of his evaluation together with the reasons justifying the notice. The employer shall provide the officer with this information in writing within five days of receipt of the request.

During the period stipulated in the first paragraph, the intermediate officer may express his views and make representations to the executive director, through his association.

**129.3** The decision to dismiss an officer, not to renew his engagement, to terminate his employment, to suspend him without pay or to demote him, made pursuant to section 129, shall be communicated to the officer in a written notice.

**129.4** The notice concerning the decision not to renew the engagement of an officer or to terminate his engagement must be sent to the officer at least 60 days before the end of his employment.

In the case of a dismissal, the date of the end of his employment shall be the date on which the officer receives the notice sent pursuant to section 129.3.

## **DIVISION 2 SEVERANCE PAY**

**129.5** To terminate an engagement, an employer may pay severance pay to an officer who has completed his probation period, provided the officer has renounced all right of recourse in writing.

**129.6** The severance pay shall be equal to one month of salary per year of continuous service as an officer or senior administrator with one or several employers. In no case shall it exceed 12 months of salary.

A part-time officer shall receive the severance pay established in the first paragraph proportionally to the hours worked in the last 12 months preceding his departure. However, the amount paid shall not be less than the regular work load prescribed for his position.

Severance pay shall be paid monthly by the employer or in accordance with the conditions of the payroll system, from the date of the officer's departure. It shall cease when the officer obtains another position in the public or parapublic sector with a monthly salary equal to or in excess of the severance pay for the same period. It shall also cease when the officer begins to receive remuneration from the Régie de l'assurance-maladie du Québec that is equal to or in excess of the severance pay for the same period.

**129.7** Where an officer obtains employment in the public or parapublic sector before he has received all the severance pay stipulated in section 129.6, and is paid a salary that is less than the salary he was receiving on the date of his departure, the original employer, upon presentation of vouchers, shall periodically pay him the difference between the two salaries, up to the total amount of severance pay, or until the officer's new salary is equal to or in excess of the salary he was receiving on the date of his departure.

Where an officer receives remuneration from the Régie de l'assurance-maladie du Québec before he has received all the severance pay stipulated in section 129.6, and where the said remuneration is less than the salary he was receiving on the date of his departure, the original employer, upon presentation of vouchers, shall periodically pay him the difference between his salary and the remuneration, up to the total amount of severance pay or until his new remuneration is equal to or in excess of the salary he was receiving on the date of his departure, whichever occurs first.

**129.8** The severance pay shall be the subject of a resolution by the employer's board of directors.

**129.9** An officer who receives severance pay may choose to replace it with paid leave. The duration of the leave shall be the number of months obtained by applying the first paragraph of section 129.6. The paid leave shall cease if the officer obtains another position in the public or parapublic sector. In such a case, sections 129.6 and 129.7 shall apply.

During the paid leave, the officer shall maintain his status as an officer. Vacation time accumulated during the leave is deemed to have been taken. The officer shall not benefit from the salary insurance plans. If the officer becomes disabled during this period, he shall continue to receive the salary corresponding to the severance pay to which he would have been entitled, until such severance pay runs out or until he obtains another position.

## **CHAPTER 6 APPEAL PROCEDURES**

### **DIVISION 1 DISAGREEMENTS**

**130.** Any disagreement between an officer and his employer resulting from the interpretation or application of the provisions of this Regulation, except for those of Chapter 5.1 concerning end-of-engagement measures, shall be submitted to an arbitrator.

**130.1** The officer shall submit a written notice of disagreement to his immediate superior within 30 days of becoming aware of the fact and within six months of the occurrence of the fact giving rise to the disagreement.

The employer and the officer shall meet within 30 days of receipt of the notice of disagreement, to discuss the disagreement and, if possible, to reach an agreement. At the meeting, the officer may be accompanied by a representative of his association.

If the disagreement persists at the end of the 30-day period, the officer shall, in the next 20 days, notify his employer in writing that he intends to submit the disagreement to an arbitrator.

**130.2** The request for arbitration must contain full information about the officer's position, the name of his representative, unless he has elected to represent himself, the nature of the disagreement and all related documentation. A copy of the request for arbitration shall be sent to the Minister.

The employer shall provide the officer with copies of the documents required to present the request for arbitration and to ensure his defence, subject to the obligations and powers conferred on public bodies by the Act respecting Access to documents held by public bodies and the Protection of personal information. A request for arbitration shall not be invalid for the sole reason that it does not contain all the necessary information.

Within 10 days following receipt of the request for arbitration, the employer shall provide the officer's representative with the name of its own representative, in writing. The name shall be given to the officer if he has no representative.

At the end of this period, the parties have 15 days to agree upon the choice of an arbitrator from the list drawn up in accordance with section 130.22.

If the parties are unable to agree on the choice of an arbitrator, or if the arbitrators whose names appear on the list are not available, one of the parties shall ask the Minister, in writing, to appoint an arbitrator. The request shall contain a copy of the request for arbitration originally made by the officer, together with the name of the officer's representative and the name of the employer's representative.

Within 30 days following receipt of the request, the Minister shall appoint an arbitrator from the list prepared in accordance with section 130.22 to hear the disagreement, and shall inform the parties in writing.

**130.3** The arbitrator shall determine the procedure for the hearing, taking into account the established principles of natural justice and the exercise of the powers stipulated in Division III of Chapter IV of the Labour Code (R.S.Q., c. C-27), subject to the provisions of this chapter.

Notwithstanding section 100.6 of the Labour Code, the Minister cannot be assigned to appear as a witness.

The arbitrator shall notify the parties at least 10 days before the date of the first hearing.

If the duly summoned representative of a party is not present, the arbitrator may nevertheless proceed with the hearing.

The arbitrator shall ensure that the request for arbitration was made within the prescribed time frame, shall check that the steps taken by the employer in the decision-making process were in conformity with the law and this Regulation, and shall judge the admissibility and nature of the disagreement.

The arbitrator shall receive the observations of the parties and take the disagreement under advisement. Where applicable, each party shall send a written copy of its observations to the other party.

**130.4** The arbitrator shall analyze the disagreement and decide whether or not the employer's decision is consistent with the Act and this Regulation.

The arbitrator must render his decision in writing, giving reasons, and sign it, within 30 days following the date of the end of the hearings. This period may be extended with the prior agreement in writing of the parties. The decision shall not be invalid solely by reason of being made after the stipulated period.

The arbitrator shall send a copy of his decision to the parties and to the Minister.

An officer who withdraws his disagreement, in particular when an agreement is reached before the arbitrator renders a decision, shall inform his employer and the arbitrator in writing.

If the arbitrator considers that the employer's decision is consistent with the Act and with this Regulation, he shall maintain it.

If the arbitrator considers that the employer's decision is not consistent with the provisions of the Act and of this Regulation, he shall render his decision by exercising the powers stipulated in the first paragraph of section 130.3.

In no case shall the arbitrator's decision have the effect of amending, adding to or subtracting from the provisions of the Act and of this Regulation.

**130.5** The decision of the arbitrator is final and enforceable, and shall be binding upon the officer and the employer.

## **DIVISION 2**

### **DISMISSAL, NON-RENEWAL OF ENGAGEMENT, TERMINATION OF ENGAGEMENT, SUSPENSION WITHOUT PAY, DEMOTION**

**130.6** An officer who has completed his probation period with an employer, or an officer on parental leave or disability leave, shall make a written complaint to his employer in the case of dismissal, non-renewal of engagement, termination of engagement, suspension without pay or demotion, if he believes the decision was not made in accordance with the provisions of sections 129 to 129.5, or if he contests the validity of the decision. However, there is no appeal from the layoff of an officer following termination of the employment relationship

as a result of a decision made by the employer pursuant to Chapter 5.

The complaint must reach the employer or be mailed no later than 45 days after receipt of the notice stipulated in 129.4 or the date of the end of employment, whichever is later. The officer shall also send a copy of the complaint within the same period to the officers' association of which he is a member.

An arbitrator shall be appointed in accordance with the procedure stipulated in section 130.2. The arbitrator shall proceed in accordance with section 130.3.

**130.7** The arbitrator shall decide the validity of the employer's decision and its just and sufficient nature. He shall render his decision with 30 days following the date of the end of the hearings. This period may be extended with the prior written agreement of the representatives or, if not, with the prior written agreement of the officer and the employer. The decision shall not be invalid solely because it was made after this period.

**130.8** The arbitrator shall render the decision in writing, giving reasons, and shall sign it.

**130.9** The arbitrator shall send a copy of his decision to the officer, the employer, their representatives and the Minister.

**130.10** The decision is enforceable and cannot be appealed. It shall be binding upon the officer and the employer.

The decision of the arbitrator shall be homologated by the Superior Court at the request of the officer or of the employer, at the expense of the employer.

**130.11** Following a complaint submitted by an officer, the arbitrator shall decide to maintain the decision of the employer if he considers it to be justified. In the case of a suspension without pay, an arbitrator who maintains the employer's decision may change the duration of the suspension.

**130.12** Following a complaint submitted by an officer concerning a dismissal, non-renewal of engagement or termination of engagement with severance of the contractual employment relationship, the arbitrator, if he considers the employer's decision to be unjustified, shall establish compensation for the loss of salary suffered by the officer. When calculating the amount of the compensation, the arbitrator shall take into account any salary or benefit received by the officer since the date on which his employment terminated.

He shall also order the employer and the officer to agree on a solution to dispose of the dispute, within 30 days following the date of his decision. The agreement may provide for:

(1) reintegration of the officer in his position or in another position corresponding to his training and work experience, taking into account the requirements of the position to be filled;

(2) damages, which may be for an amount equal to three to 12 months of salary for the officer. In such a case the officer shall benefit from the reinstatement services available to officers who have elected for reinstatement in accordance with section 94, for a period of 36 months;

(3) the application of the employment stability measures prescribed for administrative reorganizations, in accordance with Chapter 5.

A copy of the agreement shall be sent to the arbitrator and to the Minister, not later than five days after the end of the period mentioned in the second paragraph.

**130.13** If no agreement has been reached at the end of the period mentioned in the second paragraph of section 130.13, the employer and the officer shall submit to the arbitrator, within 10 days following the end of that period, their positions and arguments concerning the reinstatement of the officer, the damages described in subparagraph 2 of the second paragraph of section 130.12 and the application to the officer of the employment stability measures for administrative reorganizations.

**130.14** After studying the arguments of the employer and the officer, the arbitrator shall order the employer to apply one of the following measures:

(1) reintegration of the officer from the date of the order mentioned in the second paragraph of section 130.12. The employer must then reintegrate the officer in his position or in any other position corresponding to his training and work experience, taking into account the requirements of the position to be filled;

(2) payment to the officer of damages calculated by the arbitrator, taking into account the prejudice suffered by the officer. The amount of the damages shall be equal to between three and 12 months of salary for the officer. In addition, the officer, for reinstatement purposes, shall benefit from the reinstatement services available to officers who have elected for reinstatement in accordance with section 94, for a period of 36 months from the date of the arbitrator's order contemplated in this section;



(3) the application of the employment stability measures stipulated for administrative reorganizations, in accordance with Chapter 5.

**130.15** Following a complaint submitted by a senior officer who has been transferred to a position of intermediate officer without elimination of the position originally occupied by him, the arbitrator, if he considers the decision of the employer to be unjustified, shall order the employer to reintegrate the officer into his position, with compensation for the loss of salary suffered.

**130.16** Following a complaint submitted by an officer whose weekly work load has been reduced, the arbitrator, if he considers the decision of the employer to be unjustified, shall order the employer to apply the following measure: maintenance of the officer's weekly work load with compensation for the loss of salary suffered, from the date on which the benefit was reduced.

**130.17** Following a complaint submitted by an officer who has been suspended without pay or demoted, the arbitrator, if he considers the decision of the employer to be unjustified, shall order the employer to apply the following measure: reintegration of the officer into his position, with compensation for the loss of salary suffered.

**130.18** The compensations and damages payable to an officer as a result of an arbitrator's decision shall be paid in their entirety by the employer concerned, within 30 days following the arbitrator's decision.

**130.19** An officer who withdraws his complaint shall notify his employer in writing and shall send a copy of the notice to the arbitrator and to his association.

**130.20** Where an agreement is reached before the arbitrator renders his decision, it shall be the subject of a resolution by the employer's board of directors. Copies of the resolution and of the agreement must be sent to the arbitrator within 15 days following the adoption of the resolution. The agreement must contain a clause withdrawing the complaint and a renunciation by the officer of all other recourses. The benefits granted under such an agreement shall in no case be equivalent to less than 3 months or more than 12 months of salary for the officer.

**130.21** An officer who submits a complaint for dismissal, non-renewal of engagement or termination of engagement shall maintain his participation in the collective insurance plans, in accordance with section 34.2.

### DIVISION 3

#### LISTS OF ARBITRATORS, EXPERT PHYSICIANS AND ARBITRATION FEES

**130.22** Two lists containing the names of arbitrators, one for senior officers and one for intermediate officers, shall be drawn up by the Minister with the employers' associations and officers' associations concerned. The list established for intermediate officers shall contain a list of expert physicians for the purposes of the medical arbitration procedure provided for in section 46.1.

The signatories of the list for senior officers shall be the Minister, the employers' associations and the Association des cadres supérieurs de la santé et des services sociaux.

The signatories of the list for intermediate officers shall be the Minister, the employers' associations, the Association des gestionnaires des établissements de santé et de services sociaux inc. and the Association des cadres de la santé et des services sociaux du Québec.

**130.23** The lists provided for in section 130.22 may be updated on April 1 of each year, at the request of one of the signatories. All the signatories concerned must consent to the modifications.

**130.24** Each party shall pay its own expenses. In cases covered by Division 1 of this chapter, the arbitrator's fees and expenses shall be paid by the losing party or the party that withdraws. Where an agreement is reached before the arbitrator renders his decision, the agreement must provide for the arbitrator's fees and expenses to be divided between the parties. It must contain a clause withdrawing the complaint and a renunciation of any other recourse by the officer. Where the arbitrator considers his decision to be divided, he shall establish the proportion of his fees and expenses to be paid by each of the parties. In cases covered by Division 2 of this chapter, the arbitrator's fees and expenses shall be paid by the employer."

76. Section 131 is amended.

(1) by substituting the following for paragraph 1:

"(1) the Regulation respecting certain conditions of employment of officers of regional councils and of health and social services establishments, made by Order in Council 988-91 dated 10 July 1991 and amended by Order in Council 1180-92 dated 12 August 1992, except to the extent that they apply to the territory of the Cree Board of Health and Social Services of James Bay;"

(2) by inserting the following after paragraph 4:

“(4) the Regulation respecting the appointment and remuneration of directors of professional services and directors of public health, made by Order in Council 1094-94 dated 13 July 1994;”;

(3) by substituting the following for paragraph 5:

“(5) the Regulation respecting the dismissal, non-renewal of employment, termination of employment, suspension without pay, demotion and severance pay of officers of regional boards and health and social services institutions made by Order in Council 1843-94 dated 21 December 1994;”.

77. The following is inserted after section 133.2:

“**133.3.** Sections 12.2 to 12.5 have effect from 1 July 2000, section 27 has effect from 1 January 2001 and section 37 has effect from 1 July 2001.”.

78. The following is inserted after section 133.3:

“**133.4** On the conditions set out below, the employer shall pay certain officers a lump sum corresponding to 0.83% of the salary or benefits received during the period extending from 1 October 1995 to 31 December 1999.

The lump sum, calculated proportionally to the period of participation in the insurance plans applicable pursuant to Chapter 4 shall be paid to the following persons:

(1) officers employed on 31 December 1999 who continue to participate in the Civil Service Superannuation Plan (RRF) or the Teachers Pension Plan (RRE) after that date without availing themselves of the right to transfer to the Government and Public Employees Retirement Plan with regard to non-unionizable employees, pursuant to the provisions of that plan;

(2) officers reinstated or reassigned to a non-officer position who, during the reference period, did not participate in the Government and Public Employees Retirement Plan with regard to non-unionizable employees but who maintained their participation in the insurance plans applicable pursuant to Chapter 4;

(3) officers contemplated in subparagraph 2 who resign, retire or die during the reference period;

(4) officers who, on 1 January 2000, participate, where applicable, in the Pension Plan of Peace Officers in Correctional Services (RRAPSC) or the Régime de

retraite des employés en fonction au Centre hospitalier Côte-des-Neiges, and officers who, during the reference period, participated in one of those pension plans but have resigned, retired or died.

Notwithstanding the first paragraph, the salary taken into consideration for officers who participated in a deferred salary leave plan during the reference period is the salary they would have received had they not participated in the plan.”.

79. The following is inserted after section 134:

“**134.** The expression “régimes d’assurance collective” is substituted for the expression “régimes collectifs d’assurance” wherever the latter expression occurs in the French version of this Regulation.”.

80. The following is substituted for the title of Appendix A:

“SALARY CLASSES OF OFFICER PHYSICIANS”.

81. The expression “work load” is substituted for the expression “work benefit” wherever the latter expression occurs in the English version of the Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions, approved by T.B. 194784 dated 8 May 2000, and in all amendments thereto.

82. This Regulation shall come into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

**T.B. 196313**, 10 April 2001

An Act respecting health services and social services (R.S.Q., c. S-4-2)

**Regional boards and health and social services institutions**

— **Certain terms of employment applicable to senior administrators**

— **Amendments**

Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of regional boards and health and social services institutions

CONSIDERING that the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional boards and of public health and social services institutions was made by Order in Council 1217-96 dated 25 September 1996;

CONSIDERING sections 159 and 205 of the Act to amend the Act respecting health services and social services and amending various legislative provisions (1998, c. 39) to the effect that the Regulation is deemed to have been made by the Minister of Health and Social Services under section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

CONSIDERING that the title of the Regulation was replaced by “Regulation respecting certain terms of employment applicable to senior administrators of regional boards and health and social services institutions”, approved by T.B. 193820, dated 21 September 1999;

CONSIDERING that it is necessary to amend the Regulation;

CONSIDERING that the Minister of State for Health and Social Services and Minister of Health and Social Services, in a ministerial order, ordered that the Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of regional boards and health and social services institutions be made;

CONSIDERING that, pursuant to section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2), such a regulation must be submitted to the Conseil du trésor for approval;

THE CONSEIL DU TRÉSOR DECIDES:

1. To approve the Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of regional boards and health and social services institutions, attached hereto;

2. To request that the Regulation be published in the *Gazette officielle du Québec*.

ALAIN PARENTEAU,  
*Clerk of the Conseil du trésor*

## **Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of regional boards and health and social services institutions\***

An Act respecting health services and social services (R.S.Q., c. s-4.2, s. 487.2)

1. The table of contents of the Regulation respecting certain terms of employment applicable to senior administrators of regional boards and health and social services institutions is amended.

(1) by adding the following after Division 3 of Chapter 1:

	<b>SECTION</b>
<b>“DIVISION 4</b>	
PROFESSIONAL RELATIONS	4.8
<b>DIVISION 5</b>	
COMPENSATORY LEAVE	4.9”;

(2) by adding the following after Division 2 of Chapter 2:

<b>“DIVISION 3</b>	
MOVING EXPENSES	24.1”;

(3) by substituting the following for Division 2 of Chapter 3:

<b>“DIVISION 2</b>	
EVALUATION CLASSES AND SALARY CLASSES	
§1. <i>Evaluation classes</i>	27
§2. <i>Salary classes and annual adjustment</i>	28”;

(4) by inserting the following after Subdivision 1 of Division 8 of Chapter 4:

<b>“§1.1 <i>Transfer of sick-leave fund</i></b>	85.1”;
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(5) by inserting the following after Division 3 of Chapter 4.3:

\* The last amendments to the Regulation respecting certain terms of employment applicable to senior administrators of regional boards and health and social services institutions, enacted by Order in Council 1217-96 dated 25 September 1996 (1996, *G.O.* 2, 4202), were made by the Regulation approved by T.B. 194783 dated 8 May 2000 (2000, *G.O.* 2, 2949). For previous amendments, see the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

**“CHAPTER 4.4  
PROFESSIONAL DEVELOPMENT 87.109”;**

(6) by substituting the following for Division 1 of Chapter 5:

**“DIVISION 1  
GENERAL PROVISIONS**

**§1. Scope 88**

**§2. Appeals 88.1”;**

(7) by inserting the following after Subdivision 1 of Division 4 of Chapter 5:

**“§1.1 Remuneration of reinstated senior administrator 106**

**§1.2 Miscellaneous provisions 107”;**

(8) by substituting the following for heading of Division 3 of Chapter 7:

**“LIST OF ARBITRATORS, EXPERT PHYSICIANS AND ARBITRATION FEES”.**

2. Section 3 is deleted.

3. The following is substituted for section 4:

**“4. In this Regulation, unless otherwise indicated by the context,**

**“administrative reorganization” means an administrative operation resulting from the effect of an Act of a decision on the part of the Minister or a concerned employer and involving the elimination of one or more positions of senior administrator; this includes, among other things, the amalgamation of employers, the integration of one or more employers with another employer, a grouping of employers, a pooling of supervisory resources or the services of several employers, a grouping of an employer’s administrative units or the closure of an employer; (réorganisation administrative)**

**“assistant executive director” means a senior administrator holding a management position ranked as such by the Minister; (directeur général adjoint)**

**“association” means the Association des directeurs généraux des services de santé et des services sociaux du Québec; (association)**

**“Centre de référence des directeurs généraux et des cadres” means the organization established under sec-**

**tion 521 of the Act; (Centre de référence des directeurs généraux et des cadres)**

**“continuous service” means the duration of the employment relationship with one or more employers in the public and parapublic sectors, including start-up institutions, as a senior administrator or officer without interruption in the employment relationship for a period of more than six months; (service continu)**

**“dismissal” means the termination by an employer of the contractual employment contract as a senior administrator at any time and for cause; (congédiement)**

**“employer” means a regional board or a public institution; (employeur)**

**“employers’ association” means the Association des centres jeunesse du Québec, the Association des CLSC et des CHSLD du Québec, the Association des établissements privés conventionnés – santé et services sociaux, the Association des établissements de la réadaptation en déficience physique du Québec, the Association des hôpitaux du Québec, the Conférence des régies régionales de la santé et des services sociaux du Québec, the Fédération québécoise des centres de réadaptation pour personnes alcooliques et autres toxicomanes, and the Fédération québécoise des centres de réadaptation pour personnes en déficience intellectuelle; (association d’employeurs)**

**“evaluation class” means a ranking unit of the classification system used for the positions of senior administrators and officers that corresponds to an evaluation point range reflecting the relative value of positions; (classe d’évaluation)**

**“executive director” means a senior administrator holding a full-time or part-time regular management position ranked as such by the Minister; (directeur général)**

**“home base” means the head office of the employer or the place where the senior administrator usually carries on his duties, if different from the head office of the employer; (port d’attache)**

**“non-renewal of engagement” means the termination by the employer of the employment relationship with a senior administrator at the end of an engagement, but not a layoff; (non-rengagement)**

**“officer” means a person having line, staff or advisory responsibilities related to the planning, organization, direction, coordination and control functions who is appointed to a regular full-time or part-time management position; (cadre)**

“on reserve” means the situation of a senior administrator who has chosen reinstatement following the elimination of his position in accordance with Chapter 5 on employment stability measures; (*disponibilité*)

“parapublic sector” means the grouping of all public institutions as defined in section 98 of the Act respecting health services and social services, private institutions governed by section 475 of the Act, regional boards established under section 339 of the Act, school boards and general and vocational public colleges; (*secteur parapublic*)

“parental leave” means any leave prescribed in Chapter 4.1 on the parental rights plan; (*congé parental*)

“position” means a set of tasks provided for in the employer’s organization plan and classified in accordance with the evaluation system for senior administrator or officer positions established by the Minister; a position may be full-time or part-time; (*poste*)

“public sector” means government departments or public agencies whose staff is governed by the Public Service Act (R.S.Q., c. F-3.1.1); (*secteur public*)

“reinstatement” means the transfer of a senior administrator to whom employment stability measures apply to another position of senior administrator, officer, union members or unionizable non-member; (*remplacement*)

“retirement plan” means the Government and Public Employees Retirement Plan (RREGOP) established under the Act respecting the Government and Public Employees Retirement plan (R.S.Q., c. R-10), the Teachers Pension Plan (RRE) established under the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11) or the Civil Service Superannuation Plan (RRF) established under the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12); (*régime de retraite*)

“salary” means the portion of direct monetary compensation of an officer corresponding to the salary class established for the position, including adjustments to salary classes and salary progression; (*salaire*)

“senior administrator” means an executive director, an assistant executive director and a senior managerial advisor; (*hors-cadre*)

“senior managerial advisor” means a senior administrator holding a full-time or part-time management position ranked as such by the executive director; (*conseiller-cadre à la direction générale*)

“termination of engagement” means the termination by the employer of the employment contract of a senior administrator before the end of the contract. (*résiliation d’engagement*.)”

4. Chapter 1 is amended by adding the following after section 4.7:

#### “DIVISION 4 PROFESSIONAL RELATIONS

4.8 Representatives of the association, of the employers’ associations and of the Minister shall meet at the request one of their number to discuss problems related to the interpretation and application of the terms of employment of senior administrators, proposed modifications to the terms of employment and any other related matter.

#### DIVISION 5 COMPENSATORY LEAVE

4.9 From 1 January 2000, compensatory paid leave shall be introduced for certain officers. The leave shall correspond to 0.83% of the number of hours paid for work as a senior administrator during the period from 1 January to December 31 in a given year. The leave may not exceed 2 days each year.

The leave shall be used with the agreement of the employer or shall be replaced, in whole or in part, by a lump sum where it has not been used in the 12 months following the year in which it was earned. In the latter case, for each day of unused leave, the lump sum shall correspond to 0.415% of the salary or benefits received for work as a senior administrator during the year in which the leave was earned or of the salary that the senior administrator would have received had he not been participating in the deferred salary leave plan.

If the employee dies, the employer shall pay an amount equivalent to the days of leave earned but not used, without exceeding four days.

4.10 The leave contemplated in section 4.9 applies to a senior administrator who participates in the Régime de retraite des employés en fonction au Centre hospitalier Côte-des-Neiges.

The leave contemplated in section 4.9 also applies to a senior administrator who is reinstated or assigned to a position other than an officer’s position after 31 December 2000 if he participates in a pension plan other than Government and Public Employees Retirement Plan for non-unionizable employees or the Régime de retraite de l’administration supérieure (RRAS). In such a case, the



leave applies from the effective date of the reinstatement or assignment for such time as the senior administrator continues to participate in the insurance plans provided for in Chapter 4.

**4.11** The leave contemplated in section 4.9 also applies to any officer who, where applicable, participates in the Pension Plan of Peace Officers in Correctional Services (RRAPSC).”.

5. The following is substituted for section 6:

“6. When an administrative reorganization results in leaving only one position of executive director, the boards of directors involved shall notify, in accordance with section 92, the executive directors who hold the existing positions pursuant to a contract or an engagement resolution, of their intention to eliminate those positions. The new board of directors or the boards of directors that are maintained shall notify, in accordance with section 94, the said executive directors of the effective elimination of their position and shall create a new executive director position.

The new board of directors or the boards of directors that are maintained shall determine whether or not to offer the new executive director position to one of the said executive directors. If they determine to do so, they shall hold a competition in order to select, among them, the one to whom they are to offer the new executive director position. The procedure for the competition shall be established by the new board of directors or the boards of directors that are maintained.

The new board of directors or the boards of directors that are maintained shall appoint, in accordance with the provisions of Subdivision 5 of this Division, the person selected to fill the new position of executive director.

If the new board of directors or the boards of directors that are maintained decide not to proceed according to the procedure provided for in the second paragraph to fill the new position of director general, or if the competition held pursuant to that paragraph does not lead to the selection of an executive director, they shall ask the Minister for authorization to hold a selection competition under Subdivisions 3 and 4 of this Division.

The provisions regarding employment stability measures for senior administrators prescribed in Chapter 5 of this Regulation apply to executive directors whose positions have been eliminated pursuant to this section and who have not been granted or have not applied for the new position of executive director.

If the new board of directors or the boards of directors that are maintained consider it necessary, they may designate an acting executive director.”.

6. The following is substituted for the second paragraph of section 8:

“Except for the cases provided for in the second paragraph of section 6 and in section 16, the Minister’s authorization must be obtained in order to open the selection competition for the position of executive director of a regional board or of a public institution. The authorization shall be requested by the employer no later than 60 days from the date on which the position actually becomes vacant.”.

**6.1** Section 11 is revoked.

7. The following is substituted for section 12:

“12. The board of directors of a regional board or of a public institution shall give written sectoral and public notice of the holding of a competition for the appointment of an executive director.

The sectoral notice shall be forwarded to the Minister, to the Conférence des régies régionales de la santé et des services sociaux, to the employers’ associations and to the associations of senior administrators and officers in the sector, who shall circulate it, at least 30 days prior to the date of the first sitting of the selection committee. The sectoral notice for the competition shall provide for a registration period of at least 25 days from the date it is sent out.

The public notice shall be published in a newspaper distributed in the region served by the regional board or in the region in which the institution is situated, as the case may be, and in a newspaper distributed throughout Québec. The notice must be published at least 20 days prior to the date of the first sitting of the selection committee. It must provide for a registration period of at least 15 days from the date it is sent out.”.

8. The following is substituted for section 13:

“13. In a case of equivalent competency, a senior administrator or officer employed by a regional board, public institution or private institution referred to in section 475 of the Act, by an association of senior administrators or officers in the sector, by an employers’ association or by the Ministère de la Santé et des Services sociaux, shall have hiring priority over other candidates in a competition to obtain a position of executive

director. The sectoral notice and public notice mentioned in section 12 must contain a statement of that fact.”.

9. The following is substituted for the second paragraph of section 15:

“The eligibility list and the substantiated recommendation of the selection committee shall be sent to the board of directors which shall make the final decision.”.

10. The following is substituted for section 16:

“16. There shall be no appeal regarding a decision made by the board of directors concerning the appointment of an executive director.”.

11. The following is substituted for section 17:

“17. Where no candidate is declared eligible by the selection committee or where the board of directors decides to appoint none of the candidates declared eligible, a new competition must be held.”.

12. The following is substituted for section 20:

“20. The resolution of the board of directors respecting the appointment of the executive director and the engagement contract of the executive director shall be sent to the Minister on request, as shall any subsequent change to the contract.”.

13. The following is substituted for the third and fourth paragraphs of section 22:

“The board of directors shall inform the executive director in writing at least 90 days before the end of his engagement contract of its decision to renew or not to renew the contract. The board of directors may not renew the engagement contract of an executive director more than 12 months prior to the expiry date of the contract. In a case of non-renewal of engagement, the board of directors shall proceed as set out in Division 1 of Chapter 6.

The resolution of the board of directors respecting the renewal of the engagement contract of the executive director and the renewed contract shall be forwarded to the Minister on request, as shall any subsequent change to the contract.”.

14. The following is substituted for the second paragraph of section 23:

“In a case of equivalent competency, a senior administrator or an officer employed by a regional board,

public institution or private institution referred to in section 475 of the Act, by an association of senior administrators or officers in the sector, by an employers’ association or by the Ministère de la Santé et des Services sociaux, shall have hiring priority over other candidates in a competition to obtain a position of assistant executive director.

There shall be no appeal regarding a decision made by the board of directors concerning the appointment of an assistant executive director.”.

15. Section 24 is amended by adding the following at the end:

“There shall be no appeal regarding a decision made by the board of directors concerning the appointment of a senior managerial advisor.”.

16. Chapter 2 is amended by adding the following after section 24:

### “DIVISION 3 MOVING EXPENSES

24.1 A senior administrator who accepts a senior administrator’s or officer’s position with his employer or with another employer shall be reimbursed by the employer concerned for his moving expenses when the senior administrator must move more than 50 kilometres by road from his home base and his residence. The same rule applies to an officer who is appointed to a senior administrator’s position.

24.2 An employer must reimburse the moving expenses of an executive director covered by employment stability measures or designated as a senior managerial advisor who is from a school board, or an executive director who is from a general and vocational public college, where it is necessary for the executive director to move a distance of over 50 kilometres by road from his home base and residence.

24.3 The moving expenses referred to in sections 24.1 and 24.2 shall be reimbursed to the senior administrator in accordance with the rules concerning the moving of public servants adopted under the Financial Administration Act (R.S.Q., c. A-6).”.

17. The following is substituted for section 25:

“25. A senior administrator may not receive from his employer, and an employer may not give a senior administrator, for the carrying out of his duties as senior administrator, any form of remuneration other than the remuneration provided for by this Regulation.

Notwithstanding the first paragraph, the board of directors may, in certain special circumstances and with the approval of the Conseil du trésor, give another form of remuneration.”.

**18.** The following is substituted for section 26:

“**26.** In general, no remuneration or compensation shall be paid to the senior administrator for the overtime occasionally required for the carrying out of his normal duties.”.

**19.** The following is substituted for Division 2 of Chapter 3:

**“DIVISION 2**  
EVALUATION CLASSES AND SALARY CLASSES

*§1. Evaluation classes*

**27.** The Minister shall determine the evaluation class of every position of executive director or assistant executive director in accordance with the evaluation system he has established for the evaluation of positions of senior administrators and officers.

**27.1** During the evaluation process provided for in section 27, the Minister shall forward the draft evaluation and the reasons on which it is based to the board of directors and to the executive director or assistant executive director for consultation purposes.

If the board of directors or the executive director or assistant executive director disagrees with the draft evaluation, he or it may apply in writing to be heard. The application must set out the reason for disagreement put forward by the board or directors or by the executive director or assistant executive director, and be submitted within 60 days after the draft evaluation was received.

The Minister, after consulting the Association des directeurs généraux, the Conférence des régies régionales and associations of institutions, shall appoint persons who did not take part in the draft evaluation to hear the board or directors or the executive director or assistant executive director.

The report of the work of those persons, and their recommendation concerning the draft evaluation, shall be forwarded to the Minister within 60 days after the application of the board or directors or of the executive director or assistant executive director was received.

**27.2** The Minister shall make a decision and inform the board or directors and the executive director or assistant executive director of the classification of the position.

**27.3** The executive director shall draw up a draft evaluation of the position of a senior managerial advisor and forward it to the senior managerial advisor together with the data relating to the application of the factors and sub-factors used by the executive director to determine the evaluation class of the position.

Within thirty days following the transmission of the draft evaluation, the senior managerial advisor may make representations to the executive director. He may be accompanied by a representative. On or before the expiry of the 30 days, the draft evaluation and the representations of the senior managerial advisor, if any, shall be presented to the Minister who shall then determine the evaluation class of the position. The decision shall be binding on the senior managerial advisor and on the executive director.

**27.4** Where a board of directors reaches an initial agreement with a senior administrator, it may appoint him to a position of senior managerial advisor. In such a case, the evaluation class of the position shall be the same as that of the position held by the senior administrator before his appointment as senior managerial advisor.

**27.5** The classification of a position of senior manager shall take effect on the date of the occurrence justifying the determination of the class or on the date fixed by the Minister. There shall be no appeal regarding a classification of a position of senior administrator made under sections 27, 27.2 and 27.3.

*§2. Salary classes and annual adjustment*

**28.** The evaluation classes determined under section 27 to 27.5 shall correspond to the salary classes, which shall be adjusted by 1.5% on 1 January 1999, and by 2.5% on 1 January 2000, 1 January 2001 and 1 January 2002. The adjusted salary classes are shown in Schedule 1.”.

**20.** Section 29 is revoked.

**21.** The following is substituted for section 30:

“**30.** On 1 April each year, a salary increase shall be granted to a senior administrator, unless his performance during the year ending on 31 March is deemed unsatisfactory. The employer’s substantiated written assessment shall be sent to the senior administrator during the reference period. There shall be no appeal regarding the content of the assessment.

The salary increase shall represent 4% of the senior administrator’s salary on 31 March, provided that the

increase does not make the salary of the senior administrator higher than the maximum of the salary class for the position.

A reinstated senior administrator who performs the activities provided for in his reinstatement plan is entitled to receive the salary increase as though he had worked for the employer full-time.

A senior administrator whose position has been eliminated and who has chosen pre-retirement leave shall not be eligible for the increase.

Where a senior administrator has held his position for less than 1 year at the effective date of the salary increase or has changed employers during the reference period, the salary increase shall be established according to the time he has worked during the year prior to 1 April in that position or another position of senior administrator or officer with the same employer or another employer.

A senior administrator who has not worked during the whole year preceding 1 April, either because he is disabled or on leave without pay, deferred salary leave or progressive pre-retirement leave, is entitled to the salary increase according to the time worked during the year. However, for the purpose of calculating the percentage of the salary increase, a disabled senior administrator shall be considered as having been at work during the first 6 months of his disability.

Where a senior administrator holds on 1 July or has held during the year preceding this 1 July a part-time position, the rate of the salary increase shall be determined according to his relative annual work load during the year.”.

**22.** The following is substituted for section 31 :

“**31.** The salary of a person who is appointed to a position of senior administrator or is designated to hold such a position temporarily shall be fixed by the board of directors within the salary class for the position of senior administrator.”.

**23.** The following is substituted for section 32 :

“**32.** The employer shall increase the salary of a senior administrator holding a position of senior administrator whose evaluation class is raised, by a percentage equal to 5%, provided that the increase does not make the salary of the senior administrator higher than the maximum for the new salary class. However, the employer shall ensure that the senior administrator receives at least the minimum for the new class. The classifica-

tion shall take effect on the date of the occurrence justifying the determination of the class, or on the date fixed by the Minister.”.

**24.** The following is substituted for section 34 :

“**34.** The salary of a senior administrator appointed to a position of senior administrator or officer in a higher evaluation class, shall be fixed by the board of directors within the new salary class.”.

**25.** The following is substituted for section 35 :

“**35.** The salary of a senior administrator appointed to a position of senior administrator or officer in the same evaluation class shall be fixed by the board of directors within the same salary class.”.

**26.** The following is substituted for section 36 :

“**36.** The salary of a senior administrator appointed to a position of senior administrator or officer in a lower evaluation class shall be reduced, if needed, to the maximum for the salary class of the new position, or maintained, if his salary is already within the range of the new salary class.

Where the salary of a senior administrator is decreased following such an appointment :

— the senior administrator shall receive as a lump sum the total difference between the salary he received prior to the appointment and the new annual salary he is entitled to, for the first 3 years following the appointment ;

— the senior administrator shall receive in the same manner two thirds of the difference between the salary he received prior to the appointment and the new annual salary he is entitled to for the fourth year, during that fourth year ;

— the senior administrator shall receive in the same manner one third of the difference between the salary he received prior to the appointment and the new annual salary he is entitled to for the fifth year, during that fifth year.”.

**27.** The following is substituted for section 37 :

“**37.** A senior administrator who agrees with an employer to be assigned to a position of union member or unionizable non-member shall receive the salary corresponding to the classification determined by the employer in accordance with the salary provisions applicable to that position.

If the salary received by the senior administrator before the assignment is higher than the salary determined in accordance with the first paragraph, that salary shall be maintained provided that it is within the salary range for that position and does not exceed the maximum for that position, in which case it shall be reduced to that maximum.

If the salary of a senior administrator is reduced following such an assignment:

— the senior administrator shall receive as a lump sum the total difference between the salary he received prior to the assignment and the new annual salary he is entitled to, for the first 3 years following the appointment;

— the senior administrator shall receive in the same manner two thirds of the difference between the salary he received prior to the assignment and the new annual salary he is entitled to for the fourth year, during that fourth year;

— the senior administrator shall receive in the same manner one third of the difference between the salary he received prior to the assignment and the new annual salary he is entitled to for the fifth year, during that fifth year.”

**28.** The following is substituted for section 38:

“**38.** A senior administrator who agrees to hold, temporarily and simultaneously, another position of senior administrator or officer in addition to his usual position, shall receive remuneration determined by the employer concerned in the form of a lump sum. The remuneration may vary between 14% and 24% of the salary of the senior administrator concerned. In certain exceptional situations where positions are held cumulatively, the employer may grant higher lump-sum remuneration with the approval of the Conseil du trésor.

No senior administrator may hold cumulatively more than one additional position, and may not hold cumulatively a position under his direct or indirect responsibility.

No executive director may hold, cumulatively, an additional position with the same employer. The same applies to an acting executive director who did not, prior to being designated, hold a position of assistant executive director or senior managerial advisor with the employer.

A position may be held cumulatively for between 2 and 18 months, subject to any extension expressly au-

thorized by the Minister. However, to replace a senior administrator or officer on disability leave, parental leave or public office leave, the position may be held for the duration of the leave.”

**29.** The following is substituted for section 39:

“**39.** A senior administrator is considered to hold a position temporarily for an interim period when he is designated to hold a position of senior administrator or officer that is vacant or whose holder is on leave, and does not hold his usual position simultaneously.

An interim period may last between 2 and 18 months, subject to any extension expressly authorized by the Minister. However, to replace a senior administrator or officer on disability leave, parental leave or public office leave, the position may be held for the duration of the leave.

A senior administrator holding a position for an interim period shall receive the salary fixed by the board of directors within the salary class of the position held.

In certain cases, the board of directors may decide, with the approval of the Conseil du trésor, to pay the person holding a position for an interim period a salary higher than the maximum of the salary class for the interim position held.

A senior administrator holding a position for an interim period shall benefit from all the terms of employment prescribed by regulation.

A senior administrator holding a position for an interim period with another employer, after being granted leave without pay by his employer, shall be governed by Chapter 1, Chapter 3, excepting sections 33 to 38.3 inclusively, Chapters 4, 4.1 and 4.4, and Divisions 1 and 3 of Chapter 7.”

**29.1** The following is substituted for section 39.1:

“**39.1** The terms and conditions of the performance premium are established annually by the Minister, taking into account the parameters fixed by the Conseil du trésor.”

**30.** The following is substituted for section 40:

“**40.** A senior administrator who coordinates social emergency or health emergency measures for an employer shall receive a compensation per shift of availability which shall be paid as a lump sum, on the condition that his employer demands that he be available 7 days a week. The amount of the compensation shall correspond to one hour of work at the normal rate.



The compensation for availability shall have effect from 1 January 2001.”

**31.** The following is substituted for paragraph 2 of the definition of “salary” in section 42:

“(2) the lump sum resulting from the application of sections 33, 36, 37, 106.1 and 106.2;”

**32.** The following is substituted for section 43:

“**43.** The salary of a senior administrator holding a part-time position of senior administrator shall be computed for the purposes of calculating the benefits payable under this Chapter on the basis of the senior administrator’s average salary during the 12 weeks preceding the event that entitled him to a benefit and for which no disability period, annual vacation, leave without pay or maternity leave has been authorized.”

**33.** The following is substituted for section 44:

“**44.** A senior administrator who is assigned to a position of union member or unionizable non-member may retain, on the date of his new assignment and provided that he has held a position of senior administrator or officer for at least 12 months, his group insurance plans.”

**34.** The following is substituted for section 57:

“**57.** Payment of short-term salary insurance benefits shall be made to a senior administrator by the employer upon presentation of vouchers establishing the disability for the duration of the disability falling within the first 104 weeks.

The senior administrator shall immediately notify the employer if he cannot be present at work because of a disability and shall accept any medical examination to be performed by the employer’s physician. The cost of such examination shall be borne by the employer.

A senior administrator who has been disabled for a period of at least 5 months shall also allow the employer or the employer’s representative, the insurer or any other consulting firm, to reveal the vouchers establishing the disability for the purposes of calculating the possibilities of offering him a position in accordance with the provisions of this Chapter.

**57.1** An employer that decides to suspend the payment of short-term salary insurance benefits to a senior administrator on the basis of the medical opinion obtained pursuant to the provisions of the second paragraph section 57, shall notify the senior administrator concerned in writing. The senior administrator shall have

10 days from the date of receipt of the employer’s notice to make his disagreement known in writing.

The senior administrator or the employer may, within five days after the date the notice in which the senior administrator makes his disagreement known was received, request that the employer’s and the senior administrator’s physicians reconcile their conflicting opinions. The two physicians have 15 days from the date of the request made by the employer or the senior administrator to produce a written report. If they fail to agree, or if the 15-day deadline has expired, the senior administrator and the employer have 7 days to agree on the choice of an expert physician from a list of names drawn up under section 154 or, if both agree, whose name does not appear on the list. If the parties fail to agree on the choice of an expert physician, either may ask the Minister in writing to designate an expert physician from the list. The Minister shall appoint the expert physician within 10 days after receiving the request. The expert physician appointed shall perform his duties in accordance with a procedure and time limits that may vary from those prescribed in Division 1 of Chapter 27, provided his decision is made not later than 15 days after his appointment.

The expert physician may base his decision on the documents forwarded to him, and may meet and examine the senior administrator if he considers it relevant. His decision is final, without appeal and binding on the employer and the senior administrator.

The costs of the parties and the fees and honorarium of the expert physician shall be allocated in accordance with the provisions of section 155 for cases covered by Division 1 of Chapter 7. The senior administrator shall be on leave without pay for the duration of the procedure described in the first and second paragraphs, until a final decision is made by the expert physician.

This procedure differs from the arbitration procedure used to establish disability after 104 weeks, as provided for in section 76, and must in no case be confused with that procedure.”

**35.** The following is substituted for the second paragraph of section 59:

“During the period of progressive return to work, the senior administrator shall be deemed to be disabled and shall continue to be subject to his salary insurance plan. He shall receive, for the proportion of time he works, the salary of the position and any bonus, allowance, compensation or lump sum, and he shall accumulate vacation time. For the proportion of time he does not work, he shall receive the applicable salary insurance benefit.”

36. The following is substituted for subparagraph 2 of the second paragraph of section 62:

“(2) additional plans:

- a) deleted;
- b) a mandatory long-term salary insurance plan;
- c) an optional additional life insurance plan.”.

37. The following is substituted for the first paragraph of section 63:

“The cost of the mandatory basic plans shall be shared between the Government and all the participants in the plans according to the agreement signed by the Québec Government and the associations representing the participants in the management employees group insurance plans of the public and parapublic sectors, for the length of the agreement.”.

38. The following is inserted after section 69:

“69.1 A senior administrator who, despite already being considered disabled, must again leave work by reason of a disability resulting from the same illness or accident, before the end of the first 104 weeks of disability but after having completed his rehabilitation, is deemed to have suffered a reoccurrence of the disability.

In such a case, the senior administrator shall continue to receive a benefit equal to 90% of the salary to which he would have been entitled had he continued to work in his position, up to 104 weeks from the beginning of the disability, and the provision set out in the second paragraph of section 68 shall apply.

69.2 Where a new disability begins before the end of the first 104 weeks of the first disability, but after the senior administrator has completed his rehabilitation, the senior administrator is considered to be disabled in the position that he held at the beginning of the new disability. However, the senior administrator shall continue to receive a benefit equal to 90% of the salary to which he would have been entitled had he worked in the position that he held at the beginning of the first disability, up to 104 weeks from the beginning of the first disability, and the provision set out in the second paragraph of section 68 shall apply.

After the first 104 weeks of the first disability, a senior administrator whose rehabilitation took place in a position in relation with his rehabilitation plan shall be assigned to that position in accordance with the first paragraph of section 73.

From the date of the assignment, the provisions of Division 5 shall apply, up to 104 weeks from the beginning of the new disability, with regard to the salary of the position to which the senior administrator is assigned in accordance with the first paragraph of section 73.”.

39. The following is substituted for section 71:

“71. A senior administrator shall accumulate vacation time during the time he works in a position which is in relation with his rehabilitation plan.”.

40. The following is substituted for the first paragraph of section 73:

“73. The senior administrator shall be assigned by an employer to a position in relation with his rehabilitation plan at the end of the 104th week of disability or, if such is the case, at the end of his rehabilitation if the rehabilitation ends after the 104th week, and he shall receive from the date of the assignment the salary of that position and shall be governed, subject to section 44, by the provisions which apply to that position.”.

41. The following is substituted for the first paragraph of section 74 introduced by a hyphen:

“— 4 representatives designated jointly by the Association des directeurs généraux des services de santé et des services sociaux du Québec, the Association des cadres supérieurs de la santé et des services sociaux, the Association des gestionnaires des établissements de santé et de services sociaux inc. and the Association des cadres de la santé et des services sociaux du Québec;”.

42. The following is substituted for section 79:

“79. A senior administrator who does not satisfy the definition of disability after the first 104 weeks from the beginning of the disability must accept a position offered to him by an employer in his administrative region or by an employer in another administrative region located less than 50 kilometres by road from his home base and his residence, except during the period where he has submitted his disagreement with the insurer to a medical arbitration court, or if the position involves a weekly work load that is lower than that of the position he held at the beginning of the disability.

A senior administrator assigned to another position in accordance with the first paragraph shall receive the salary for that position and shall be governed, subject to section 44, by the provisions that apply to that position.

The premiums and contributions to the insurance and retirement plans shall be established on the basis of the new salary.

If the senior administrator refuses the position offered, his employer may terminate his engagement 15 days after sending him a notice of intention. A copy of the notice shall be forwarded to the sectoral committee provided for in section 74. During the 15-day period, the employer must allow the sectoral committee to intervene as necessary in accordance with section 75.”

43. The following is substituted for section 85:

“85. The sick-leave days accumulated by a union member or by a unionizable non-member appointed as a senior administrator after 31 December 1973 are governed by the provisions that apply to the group to which the senior administrator originally belonged or could have belonged before his appointment as a senior administrator.”

44. The following is added to Division 8 of Chapter 4 after section 85:

*§1.1 Transfer of the sick-leave fund*

“85.1 On the date on which the employment relationship is terminated, a senior administrator may choose either to transfer his sick-leave fund to an employer in the parapublic sector or to be reimbursed in accordance with the terms and conditions set out in paragraph 4 of section 86.

Where the senior administrator’s sick-leave fund is transferred to an employer in the parapublic sector, a document stating the number of days of sick leave transferred and the terms and conditions for their use shall be prepared by the senior administrator’s employer and forwarded to the new employer in the parapublic sector.

85.2 An employer must allow a senior administrator formerly employed by an employer in the parapublic sector to transfer his sick-leave fund, as of the date of termination of the employment relationship, where the senior administrator has so chosen. In such a case, the terms and conditions for reimbursement for that sick-leave fund shall be maintained.”

45. The following is substituted for paragraph 2 of section 86:

“(2) for the purposes of making up the difference between the salary insurance benefit and the net salary of the senior administrator:

In such case, the disabled senior administrator may use his sick-leave fund to make up the difference between the short-term salary insurance benefit provided for in section 54 and the net salary he would receive if he were not on disability leave; the net salary corresponds to the gross salary that he would receive if he were at work, less federal and provincial income taxes, and contributions to the Québec Pension Plan, the employment insurance plan and the retirement plan;

Days or parts of days used in accordance with the second paragraph shall be subtracted from the sick-leave fund;”

46. The following is substituted for section 87.17:

“87.17 The weekly salary of a part-time senior administrator is the average weekly salary of the last 20 weeks preceding the maternity leave during which no leave without pay was authorized. If, during that period, the senior administrator received benefits representing a percentage of her salary, it is the salary used to calculate the benefits that shall determine the compensation for maternity leave. These provisions constitute one of the provisions referred to in section 87.1.”

47. The following is substituted for section 87.28:

“87.28 A full-time senior administrator who has accumulated 20 weeks of service with her employer or with one of the employers referred to in section 87.30 is entitled to compensation equal to 93% of her weekly salary for twelve weeks if she is not eligible for employment insurance benefits because she has not held insurable employment for at least 700 hours during the period of reference prescribed by the employment insurance plan.”

48. The following is substituted for section 87.29:

“87.29 A part-time senior administrator who has accumulated 20 weeks of service with her employer or with one of the employers referred to in section 87.30 is entitled to compensation equal to 95% of her weekly salary for twelve weeks. If she is exempt from pension plan and employment insurance contributions, the compensation rate is 93%.”

49. The following is substituted for section 87.45:

“87.45 Upon the birth of his child, a senior administrator is entitled to a paid paternity leave not exceeding five working days. The leave may be discontinuous. It shall be taken between the date of delivery and the fifteenth day following the date of the mother’s or the child’s return home. One of those five days may be

taken for the child's baptism or registration. A senior administrator is also entitled to paternity leave if the child is still-born and if the delivery takes place after the beginning of the twentieth week prior to the expected date of birth."

50. The following is substituted for section 87.61 :

"**87.61** Leave without pay or partial leave without pay of a maximum duration of one year shall be granted to a senior administrator whose minor child, or the minor child of whose spouse, is sick or handicapped or has social or emotional problems and requires the senior administrator's presence. During the leave, the senior administrator may continue to participate in the group insurance plans in accordance with the provisions of Chapter 4.

A senior administrator may be absent without pay for five days a year, to fulfill obligations relating to the care, health or education of his minor child or the minor child of his spouse in cases where his presence is required due to unforeseeable circumstances or circumstances beyond his control. He must have taken all reasonable steps within his power to assume these obligations otherwise and to limit the duration of the leave. The leave may be divided into days. A day may also be divided if the employer consents thereto. The senior administrator must advise his employer of his absence as soon as possible."

51. The following is inserted after section 87.108 :

**"CHAPTER 4.4**  
**PROFESSIONAL DEVELOPMENT**

**87.109** The employer shall encourage senior administrators to maintain and develop their professional skills.

**87.110** A senior administrator shall draw up an annual professional development plan and submit it to the employer for approval.

**87.111** The development plan shall provide for activities intended to help the senior administrator meet the objectives of the organization and the objectives of his career plan. The plan may, in particular, provide for an on-going development program, participation in a reference group, leave with or without pay, a loan to another employer or a training period in another work environment. Where applicable, the senior administrator and the employer shall agree on the conditions on which leave is granted and governing the senior administrator's return to work.

**87.112** The employer shall provide for financial resources, annually, to allow the senior administrator to

pursue the activities provided for in his professional development plan."

52. The following is substituted for Division 1 of Chapter 5 :

**"DIVISION I**  
**GENERAL PROVISIONS**

**§1. Scope**

**88.** Employment stability measures shall apply to a senior administrator whose position is eliminated.

**§2. Appeals**

**88.1** There shall be no appeal from a decision by an employer to eliminate a position following an administrative reorganization.

**88.2** There shall be no appeal from the layoff of a senior administrator following a termination of the employment relationship resulting from a decision made by the employer pursuant to this Chapter."

53. The following is substituted for the fifth paragraph of section 93 :

"Reinstatement of a senior administrator who is disabled, on parental leave, leave without pay or deferred salary leave shall come into force on the date of which the disability period or leave ends."

54. Section 94 is amended

(1) by substituting the following for the first paragraph :

"**94.** If a senior administrator cannot be reinstated during that period, the employer shall notify him in writing of the elimination of his position. The notice shall be sent to the senior administrator at least 30 days before the date on which the position is to be eliminated. A copy of the notice stating the position is to be eliminated shall be sent to the regional board and to the Association des directeurs généraux des services de santé et des services sociaux."

(2) by substituting the following for the fourth and fifth paragraphs :

"A senior administrator who has failed to communicate his choice to his employer by the date of elimination of his position is deemed to have chosen reinstatement in the same sector.

The employer shall forward the choice made by the senior administrator under the second or fourth paragraph to the regional board concerned.

The choice of a senior administrator who is disabled, on parental leave, on leave without pay or leave with pay or on deferred salary leave shall be made and come into force on the date on which the disability period or leave ends. A senior administrator whose position is eliminated during a disability period shall continue to receive his salary insurance benefits as long as he is disabled.”

**55.** The following is substituted for section 95:

“**95.** A senior administrator who opts for the maintenance of his employment contract shall have the status of senior managerial advisor for the remainder of the contract, from the date of elimination of his position. His salary and, subject to section 46.1, all his terms of employment as senior administrator shall be maintained. He shall enjoy the same benefits as a senior administrator who has opted for reinstatement in the same sector.

The senior administrator may change his choice and opt for departure from the sector as provided for in Division 5. In such a case, the end-of-engagement indemnity and the pre-retirement leave provided for in Division 5 shall not be reduced if the new choice is made while the senior administrator is still entitled to receive at least 24 months’ salary. If the new choice is made when the senior administrator is entitled to receive less than 24 months’ salary, the amounts of the indemnity or leave shall be reduced in proportion to the salary paid under the maintenance of employment option from the date on which the senior administrator is entitled to receive only 24 months’ salary.

A senior administrator who opts for the maintenance of his employment contract shall be laid off at the end of the period of maintenance of the employment contract except if he is disabled on that date, in which case the layoff shall be postponed to the end of his period of disability.”

**56.** Section 98 is amended

(1) by substituting the following for the second paragraph:

“Subject to section 46.1, the employer shall maintain all the terms of employment of the senior administrator during the reinstatement period, provided that the senior administrator does not refuse, without valid reason, to provide the services required by the employer in duties that take into account the senior administrator’s training and experience and his reinstatement plan, if any.”;

(2) by substituting the following for the fifth paragraph:

“During the reinstatement period, the senior administrator shall retain all the benefits of the group insurance plans prescribed in Chapter 4. Any disability period of more than 3 weeks shall be excluded from the reinstatement period.”;

(3) by substituting the following for the eighth paragraph:

“Any period where the services of the senior administrator are loaned to another employer in the public or parapublic sector at the expense of this other employer shall be excluded from the reinstatement period for a period not exceeding 36 months, for the equivalent in time of the portion of the service loan that is at the expense of this other employer.

Notwithstanding section 4, for the purposes of the eighth paragraph the term “employer” includes the employers referred to in section 87.30 and the third paragraph of section 118.”

**57.** Section 100 is amended

(1) by deleting paragraph 1;

(2) by substituting the following for paragraphs 2 and 3:

“(2) elaborate within 6 months from the date on which his position is eliminated his reinstatement plan with the help, if needed, of the Centre de référence and submit it for approval to his employer who shall convey his decision to the senior administrator within 30 days following receipt of the reinstatement plan; the senior administrator may modify his reinstatement plan in agreement with the employer. If the employer fails to convey its decision before 30 days, the plan shall be automatically accepted unless the employer has notified the senior administrator that it is unable to make its decision and must extend the time for conveying its decision up to a maximum of 60 days. The notification shall be given in writing and set out the reasons for the extension”;

(3) commit to search for a position.

**58.** The following is substituted for section 104:

“**104.** A senior administrator who has chosen reinstatement within the sector may change his initial choice and opt for departure from the sector as prescribed in Division 5 of this Chapter. In such case, the end-of-engagement indemnity and the amount granted for pre-



retirement leave prescribed in Division 5 shall not be reduced if the change of choice is made before the senior administrator has received 12 months' salary from his original employer since the date of the placement on reserve. If change of choice occurs after that time, the end-of-engagement indemnity and the amount granted for pre-retirement leave shall be reduced in proportion to the salary received in addition to the 12 months' salary.

The change of choice shall be notified to the regional board concerned by the employer of the senior administrator.”.

59. Section 105 is amended

(1) by deleting paragraph 1;

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

“The employer who has put an end to the employment stability measures of a senior administrator in accordance with the first paragraph shall inform the regional board concerned.”.

60. The following is substituted for section 106:

“§1.1 *Remuneration of reinstated senior administrators*

**106.** A senior administrator reinstated pursuant to sections 93, 97, 110 and 112 is governed by the terms of employment provided for his new position subject to section 44. His salary shall be determined according to the salary-related provisions applicable to the position in which he is reinstated.

**106.1** A senior administrator whose salary is reduced following reinstatement in a position in a lower salary class or with a lower salary scale, with no reduction in his weekly work load, shall receive the whole difference between the salary he received on the date of reinstatement and the salary paid to him in his new position, as a lump sum, until the end of the three year period following the date of elimination of his position. If the senior administrator's period of reinstatement is interrupted because of a disability, service loan, parental leave, leave without pay referred to in sections 98, 102 and 103 or trial period referred to in sections 111 and 114, the end of the three-year period following the date of elimination of his position shall be postponed accordingly, up to a maximum of six years after the date of elimination of the position. However, for a senior administrator on disability leave, the end of the period shall be set postponed for a time equal to the period of disability leave.

During the period referred to in the first paragraph, the sum of the salary and the lump sum may not be less than the salary that the senior administrator would have received had he remained in his reinstated position. For the first year following that period, the lump sum paid to the reinstated senior administrator shall equal two-thirds of the difference between the salary he would have received at the end of the three-year period had he not been reinstated, and the salary for the position in which he was reinstated. The same applies for the second year following the three-year period, except that the lump sum shall equal one-third of the difference.

**106.2** A senior administrator who is reinstated in a position involving a lower weekly work load in a lower salary class or having a lower salary scale, shall receive the difference between the new salary and the salary he received on the date of reinstatement, reduced proportionally to the number of hours worked in the new position. The difference shall be paid in accordance with the terms and conditions set out in section 106.1.

**106.3** If the reinstatement of the senior administrator results in a decrease in his salary solely because of a reduction in his weekly work load, the salary paid to him for the new position shall correspond to the number of hours worked in the new position.”.

61. The following is substituted for section 107:

“§1.2 *Miscellaneous provisions*

**107.** A senior administrator who is reinstated in a position of union member or unionizable non-member

(1) may continue to be entitled to the group insurance plans in accordance with section 44;

(2) shall maintain his sick-leave fund and may use it according to the provisions prescribed in Division 8 of Chapter 4;

(3) deleted;

(4) shall continue to be entitled, for a period of 24 months, to the services of the Centre de référence.”.

62. The following is added at the end of section 110:

“The employer shall inform the regional board concerned of the reinstatement of the senior administrator and the terms of the reinstatement.”.

63. The following is added at the end of section 112:

“The employer shall inform the regional board concerned of the reinstatement of the senior administrator and the terms of the reinstatement.”.

64. The following is substituted for section 113:

“**113.** A senior administrator who is reinstated with another employer shall undergo a trial period of not more than 12 months. During the trial period, he shall retain his employment relationship with his original employer.

A senior administrator who is reinstated in a position of union member or unionizable non-member shall retain his employment relationship with his original employer until he obtains job security in his new position or, where applicable, in another position of union member or unionizable non-member.”.

65. The following is substituted for the last sentence of section 114:

“There shall be no appeal under this Regulation against the decision made by the new employer.”.

66. The following is substituted for section 115:

“**115.** The original employer shall dispose of the senior administrator’s sick-leave fund in accordance with sections 86.1 and 86.2 after the trial period has been completed with the new employer.”.

67. The following is substituted for section 116:

“**116.** A senior administrator who is reinstated with another employer located more than 150 kilometres from his home base and his residence, during his reinstatement period, shall receive from his original employer a mobility bonus equivalent to 3 months of the salary he was receiving at the date of reinstatement. The senior administrator shall ask for payment of this bonus at the end of his trial period.”.

68. The following is substituted for the first paragraph of section 118:

“**118.** A senior administrator who has chosen an end-of-engagement indemnity shall receive an indemnity equivalent to 4 months of salary per year of continuous service, including service as union member or unionizable non-member, with 1 or several employers in the public or parapublic sector. However, the minimum amount of that indemnity shall be 6 months salary and the maximum shall be 24 months salary. The indemnity shall be calculated based on the salary that the senior administrator was receiving at the date on which his position was

eliminated or the date on which he changed his choice. A part-time senior administrator shall benefit from the indemnity in proportion to the hours works during the 12 months prior to the date of elimination of his position. However, the indemnity cannot be less than the salary paid for the regular work load prescribed prescribed for his position.”.

69. The following is substituted for section 122:

“**122.** The end-of-engagement indemnity shall be paid in the following ways and in the following order:

(1) a retirement allowance corresponding to the maximum amount that may be transferred into a pension retirement instrument under the applicable tax legislation, and taking into account any sick days that qualify under this heading. The allowance is payable no later than 30 days after the senior administrator’s departure;

(2) a mandatory contribution by the employer to the senior administrator’s pension plan to compensate for the actuarial reduction applicable to him when he becomes eligible for his retirement pension with such a reduction. If the employer’s contribution does not compensate fully for the actuarial reduction, the senior administrator may use the amount of the retirement allowance described in paragraph 1 as full or partial compensation. Such compensation is valid for as long as the pension plan provides therefor;

(3) an additional retirement allowance, for the amount by which the end-of-engagement indemnity exceeds both the transferable retirement allowance and the employer’s contribution, payable to the senior administrator in two equal payments: the first in the 30 days following the senior administrator’s departure and the second on 15 January of the following year. However, the employer may agree with the senior administrator to pay the whole of the additional pension allowance no later than 30 days following his departure.”.

70. The following is substituted for section 126:

“**126.** The total amount to be paid, that is the sum of the salary paid during his pre-retirement leave and the amount paid in end-of-engagement indemnity, at the time of the retirement, to the senior administrator who has chosen departure from the sector, shall be equivalent to 24 months of the salary he was receiving on the date on which his position was eliminated, adjusted if applicable. A part-time senior administrator shall benefit from the indemnity in proportion to the hours works during the 12 months prior to the date on which his position is eliminated. However, the amount paid may not be less than the salary paid for the regular work load pre-

scribed for his position. If a senior administrator chooses pre-retirement leave and retirement after spending time in reinstatement, the total amount paid shall be reduced in accordance with section 104.”.

71. The following is substituted for section 130.1 :

“**130.1** A senior administrator to whom this subdivision applies shall not participate in the short-term salary insurance plan as prescribed in paragraph 3 of section 60, or in the mandatory basic long-term salary insurance plan or the additional mandatory long-term salary insurance plan. In the 12 months preceding the pre-retirement leave, a disabled senior administrator shall receive the salary to which he would have been entitled had he been at work.”.

72. The following is substituted for section 139 :

“**139.** The severance pay provided for in section 134 or the severance pay provided for in section 135 shall be the subject of a resolution of the board of directors of the employer.”.

73. The following is substituted for section 141 :

“**141.** A senior administrator who receives severance pay under section 134 or 135 may choose to replace it with paid leave. The duration of the leave shall be the number of months obtained by applying the first paragraph of section 136. The paid leave shall cease if the senior administrator obtains another position in the public or parapublic sector. In such a case, sections 134 or 135 and 138 shall apply.

During the paid leave, the senior administrator shall maintain his status as a senior managerial advisor. Vacation time accumulated during the paid leave is deemed to have been taken. The senior administrator shall not benefit from the salary insurance plans. If the senior administrator becomes disabled during this period, he shall continue to receive the salary corresponding to the severance pay to which he would have been entitled until it is exhausted.

A senior administrator is deemed to have resigned on the date on which his leave expires.”.

74. The following is substituted for section 142 :

“**142.** Where there is a misunderstanding between a senior administrator and his employer concerning the interpretation and application of the provisions of this Regulation, except for the provisions of Division 1 of Chapter 6, the senior administrator shall address a written notice of misunderstanding to his employer within

30 days of his becoming aware of the situation and within a period not exceeding 6 months of the occurrence of the fact which gives rise to the misunderstanding.”.

75. The following is substituted for section 143 :

“**143.** The employer and the senior administrator shall meet together within 30 days following receipt of the notice of misunderstanding to discuss the misunderstanding and, where possible, come to an agreement. The senior administrator may be accompanied to this meeting by an association representative.

If the misunderstanding persists at the end of these 30 days, the senior administrator shall, within the following 20 days, notify the employer in writing that he intends to submit the misunderstanding to an arbitrator.”.

76. Section 144 is amended :

(1) by substituting the following for the first, second and third paragraphs :

“Such arbitration request shall include the full particulars respecting the senior administrator’s position, the name of his representative, unless he elects to represent himself, the nature of the misunderstanding and supporting documents. A copy of the arbitration request must be forwarded to the Minister.

The employer shall provide the senior administrator with copies of the documents required by the senior administrator to submit his arbitration request and to ensure his defence, subject to the obligations and powers of public bodies set out in the Act respecting access to public documents and the protection of personal information (R.S.Q., c. A-2.1). An arbitration request shall not be invalidated solely because it fails to include all of the particulars requested.

Within 10 days of receiving the arbitration request, the employer shall provide the name of the employer’s representative in writing to the representative of the senior administrator.”;

(2) by substituting the following for the last paragraph :

“Within 30 days of receiving the application, the Minister shall designate the arbitrator who shall hear the misunderstanding and so shall notify the parties in writing.”.

77. The following is substituted for the fourth and fifth paragraphs of section 145 :

“The arbitrator shall ascertain that the arbitration request was filed within the prescribed period, verify whether the procedure followed by the employer in making the decision is consistent with the Act and with this Regulation, and assess the admissibility and the nature of the misunderstanding.

The arbitrator shall receive the observations of the parties and take the misunderstanding under advisement. The parties shall exchange copies of their respective written observations, if any.”.

**78.** Section 146 is amended

(1) by substituting the following for the first paragraph:

“**146.** The arbitrator shall analyze the misunderstanding, verify the validity of the employer’s decision, and assess its consistency with the Act and this Regulation.”;

(2) by substituting the following for the fourth paragraph:

“Where the senior administrator ceases to claim that there is a misunderstanding, in particular when an agreement occurs prior to the arbitrator’s decision, the senior administrator shall so notify the employer and the arbitrator in writing.”.

**79.** The following is substituted for section 148:

“**148.** Where a senior administrator contests his employer’s decision to dismiss him, not to renew his appointment or to terminate his employment, either because he considers that such decision is in violation of Division 1 of Chapter 6 or because he disagrees with its validity, he shall notify the employer, within 45 days of the date of dismissal, non-renewal or appointment or termination of employment, of his decision to submit the issue to an arbitrator. An arbitrator shall be designated in accordance with the procedure defined under section 144.

The arbitrator so designated shall proceed in accordance with section 145.”.

**80.** The following is substituted for section 153:

“**153.** Where an agreement occurs before the arbitrator delivers his decision, the agreement shall be the subject of a resolution of the board of directors of the employer.

Copies of that resolution and of the agreement shall be sent to the arbitrator within 15 days following the adoption of the resolution.

Such agreement shall include a clause withdrawing the complaint and the senior administrator’s waiver of any other claim. Any benefits granted under such agreement shall in no case exceed those prescribed in section 151.”.

**81.** The following is substituted for the heading of Division 3 of Chapter 7:

“**DIVISION 3**  
LIST OF ARBITRATORS, EXPERT PHYSICIANS  
AND ARBITRATION FEES”.

**82.** The following is substituted for section 154:

“**154.** A list of arbitrators and expert physicians shall be drawn up by the Minister, the employers’ associations and the association. The list may be updated on April 1st of each year at the request of one of the signatories. Any amendment made to the list of arbitrators shall be approved by all of the signatories.”.

**83.** The following is substituted for paragraph 1 of section 156:

“(1) The Regulation respecting certain terms of employment applicable to executive directors of regional boards and of public health and social services institutions made by Order in Council 1179-92 dated 12 August 1992 and amended by Orders in Council 1403-92 dated 23 September 1992, 782-93 dated 2 June 1993, 430-94 dated 23 March 1994, 1841-94 dated 21 December 1994 and 1007-95 dated 19 July 1995;”.

**84.** The following is inserted after section 158.2:

“**158.3** On the conditions set out below, the employer shall pay certain senior administrators a lump sum corresponding to 0.83% of the salary or benefits received during the period extending from 1 October 1995 to 31 December 1999.

The lump sum, calculated proportionally to the period of participation in the insurance plans applicable pursuant to Chapter 4 shall be paid to the following persons:

(1) senior administrators employed on 31 December 1999 who continue to participate in the Civil Service Superannuation Plan (RRF) or the Teachers Pension Plan (RRE) after that date without availing themselves of the right to transfer to the Government and Public Employees Retirement Plan with regard to non-unionizable employees, pursuant to the provisions of that plan;

(2) senior administrators reinstated or reassigned to a non-officer position who, during the reference period, did not participate in the Government and Public Employees Retirement Plan with regard to non-unionizable employees but who maintained their participation in the insurance plans applicable pursuant to Chapter 4;

(3) senior administrators contemplated in subparagraph 2 who resign, retire or die during the reference period;

(4) senior administrators who, on 1 January 2000, participate, where applicable, in the Pension Plan of Peace Officers in Correctional Services (RRAPSC) or the Régime de retraite des employés en fonction au Centre hospitalier Côte-des-Neiges, and officers who, during the reference period, participated in one of those pension plans but have resigned, retired or died.

Notwithstanding the first paragraph, the salary taken into consideration for senior administrators who participated in a deferred salary leave plan during the reference period is the salary they would have received had they not participated in the plan.”.

**85.** The following is inserted after section 159:

“**159.1** The expression “régimes d’assurance collective” is substituted for the expression “régimes collectifs d’assurance” wherever the latter expression occurs in the French version of this Regulation.”.

**86.** The following is substituted for the title of the English version of the Regulation respecting certain terms of employment applicable to senior administrators of regional boards and health and social services institutions, approved by T.B. 194783 dated 8 May 2000: “Regulation respecting certain terms of employment applicable to senior administrators of regional boards and of public health and social services institutions”.

**87.** The expression “work load” is substituted for the expression “work benefit” wherever the latter expression occurs in the English version of the Regulation referred to in section 85 and in all amendments thereto.

**88.** This Regulation shall come into force on the date of its publication in the *Gazette officielle du Québec*.

## Municipal Affairs

Gouvernement du Québec

### **O.C. 404-2001, 11 April 2001**

An Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56)

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8)

Constitution of the new municipal housing bureaus of the cities of Montréal, Québec, Hull-Gatineau, Longueuil and Lévis

WHEREAS under section 254 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56), a municipal housing bureau shall be constituted in each of the cities of Montréal, Québec, Hull-Gatineau, Longueuil and Lévis constituted by that Act;

WHEREAS for each of those cities, the municipal bureau succeeds, on 1 January 2002, to any other municipal bureau existing on their territories;

WHEREAS it is necessary to proceed with the constitution of those new bureaus in time for 1 January 2002;

WHEREAS under the first paragraph of section 57 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8; 1999, c. 40, s. 273), a petition for the issue of letters patent constituting a municipal housing bureau must be filed by a municipality;

WHEREAS the new cities of Montréal, Québec, Hull-Gatineau, Longueuil and Lévis cannot file a petition themselves before 1 January 2002, the date on which they will be constituted;

WHEREAS under section 255 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais, the Government may, by order, establish any rule derogating from the first paragraph of section 57 or section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8; 1999, c. 40, s. 273 and 2000, c. 42, s. 279) that is necessary to ensure in each new city, the constitution of the new bureau and the appointment of its directors and officers;

WHEREAS such an order must be made before 1 January 2002, and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date indicated therein;

WHEREAS it is expedient to entrust the Société d'habitation du Québec with the responsibility to file petitions for the constitution of new municipal housing bureaus and it is necessary to proceed with the constitution of a board of directors for each bureau before 1 January 2002;

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

THAT the petition for the constitution of a new municipal housing bureau be filed by the Société d'habitation du Québec for each of the new cities of Montréal, Québec, Hull-Gatineau, Longueuil and Lévis;

THAT directors be appointed by the Minister of Municipal Affairs and Greater Montréal instead of each new city for the time specified in the petition;

THAT this Order come into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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Gouvernement du Québec

### **O.C. 405-2001, 11 April 2001**

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

Authorization to the Minister of Municipal Affairs and Greater Montréal to require Village de Sainte-Anne-du-Lac and Municipalité d'Adstock to file a joint application for amalgamation

WHEREAS, under section 125.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), enacted by section 1 of chapter 27 of the Statutes of 2000, the Minister of Municipal Affairs and Greater Montréal may, with the authorization of the Government, require local municipalities to file with the Minister a joint



application for amalgamation within the time prescribed by the Minister;

WHEREAS it is expedient to authorize the Minister to require Village de Sainte-Anne-du-Lac and Municipalité d'Adstock to file with the Minister a joint application for amalgamation;

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

THAT the Minister of Municipal Affairs and Greater Montréal be authorized to require Village de Sainte-Anne-du-Lac and Municipalité d'Adstock, in accordance with section 125.2 of the Act respecting municipal territorial organization, to file with the Minister a joint application for amalgamation.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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Gouvernement du Québec

### **O.C. 406-2001, 11 April 2001**

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

Amalgamation of Village de Maskinongé and Parioisse de Saint-Joseph-de-Maskinongé

WHEREAS each of the municipal councils of Village de Maskinongé and Parioisse de Saint-Joseph-de-Maskinongé 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 objection was sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS, under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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 be constituted through the amalgamation of Village de Maskinongé and Parioisse de Saint-Joseph-de-Maskinongé, on the following conditions:

1. The name of the new municipality shall be "Municipalité de Maskinongé".

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 29 January 2001; that description appears 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 Municipalité régionale de comté de Maskinongé comprises the territory of the new municipality.

5. Until the term of the majority of candidates elected in the first general election begins, the new municipality shall be governed by a provisional council made up of all the council members of the former municipalities in office at the time of the coming into force of this Order in Council. The quorum shall be half the number of members in office plus one. The mayors of the former municipalities shall alternate as mayor and deputy mayor at each sitting of the provisional council. The mayor of the former Village de Maskinongé shall act as mayor of the new municipality for the first sitting.

An additional vote shall be allotted, within the provisional council, to the mayor of the former municipality of the council on which there is a vacancy at the time of the coming into force of this Order in Council, as well as for any seat that becomes vacant on the provisional council, after that coming into force, that was previously occupied by a member of the council of that former municipality.

Throughout the term of the provisional council, the elected municipal officers shall receive the same remuneration as they were receiving before the coming into force of this Order in Council.

Throughout the term of the provisional council, the mayors of the former municipalities shall continue to sit on the council of Municipalité régionale de comté de Maskinongé 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 at the room of the Centre communautaire of the former Village de Maskinongé at 11, rue Marcel.

7. Voting for the first general election shall be held on the first Sunday of the fourth month following the coming into force of this Order in Council. The second general election shall be held in 2004.

8. For the first general election, the council of the new municipality shall be composed of seven members, that is, a mayor and six councillors. The councillors' seats shall be numbered from 1 to 6.

For the first general election and for any by-election held before the second general election, the only persons eligible for seats 1, 2 and 3 shall be the 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 members of the council of the former Village de Maskinongé and the only persons eligible for seats 4, 5 and 6 shall be the persons who would be eligible if such election were an election of the members of the council of the former Paroisse de Saint-Joseph-de-Maskinongé.

9. Gisèle Lemyre, secretary-treasurer of the former Paroisse de Saint-Joseph-de-Maskinongé, shall act as secretary-treasurer of the new municipality until the council, composed of the persons elected in the first general election, decides otherwise in accordance with the law.

Marie-Josée Cournoyer, secretary-treasurer of the former Village de Maskinongé, shall act as deputy secretary-treasurer of the new municipality until the council, composed of the persons elected in the first general election, decides otherwise in accordance with the law.

10. Any budget adopted by each of the former municipalities 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 those former municipalities had 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 of the former municipalities in proportion to their standardized property value as it appears in the financial statements of those municipalities for the fiscal year preceding the one during which this Order in Council comes into force.

11. Subject to section 21, the terms and conditions for apportioning the cost of shared services provided for in an intermunicipal agreement 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.

12. The working fund of the former Paroisse de Saint-Joseph-de-Maskinongé shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets and the amount uncommitted on that date shall be added to the surplus accumulated on behalf of the former municipality and dealt with in accordance with the provisions of section 13.

13. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used for the benefit of the ratepayers of the former municipality on behalf of which it was accumulated; it may be used to carry out public works in the sector made up of the territory of the former municipality, to reduce taxes applicable to all the taxable immovables in the sector or to repay debts charged to all the sector.

14. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall continue to be charged to all the taxable immovables of the sector made up of the territory of that former municipality.

15. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the balance in principal and interest of the loan contracted by the former Village de Maskinongé under By-law 01-97-249 shall become, in a proportion of 9.19%, charged to all the taxable immovables in the territory of the new municipality on the basis of their value as it appears on the assessment roll in effect each year and shall remain, in a proportion of 90.81%, charged to all the taxable immovables served by the works paid for by that by-law on the basis of their value as it appears on the assessment roll in effect each year.

The taxation clauses of this by-law shall be amended accordingly.

16. Any debt or gain that may result from legal proceedings, for an act performed by a former municipality, shall be charged or credited to all the taxable immovables of the sector made up of the territory of that former municipality.

17. For the first five fiscal years following the last one for which separate budgets were adopted, the expenditures for the maintenance of roads and for landslides on the territory of the former Paroisse de Saint-Joseph-de-Maskinongé and the expenditures for any landslide that may occur on the territory of the former Village de Maskinongé shall be met by all the taxable immovables of the sector made up of the territory of the former municipality on the basis of their value as it

appears on the assessment roll in effect each year. Moreover, any amount paid by the Government or by one of its departments under a compensation program for assistance for taking charge of the local road system or any program replacing such program, and any other amount paid as a subsidy for the local road system, intended for the sector made up of the territory of the former Paroisse de Saint-Joseph-de-Maskinongé shall be used exclusively for the maintenance or improvement of the road network of that sector.

18. 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 in order 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 new 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 must 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.

19. For the first five fiscal years following that during which separate budgets were adopted, a proportion of 38% of the amount granted under the neutrality program of the Ministère des Affaires municipales et de la Métropole shall be used to reduce the repayment in principal and annual interest on the loans contracted by the former Village de Maskinongé and a proportion of 62% of that amount shall be used to reduce the repayment in principal and annual interest on the loans contracted by the former Paroisse de Saint-Joseph-de-Maskinongé.

20. Subsidies granted under the Programme d'aide financière au regroupement municipal (PAFREM) shall be affected, in a proportion of 50%, to the constitution of a reserve for the development of the industrial park. The other 50% of the amount shall be used to repay in principal and interest the loans contracted by the former municipalities according the following proportions:

- the former Village de Maskinongé: 38% ;
- the former Paroisse de Saint-Joseph-de-Maskinongé: 62%.

21. The terms and conditions for apportioning the costs of the intermunicipal agreement related to the

water supply and providing services to be rendered between the former Village de Maskinongé and the former Paroisse de Saint-Joseph-de-Maskinongé, signed on 12 March 1997, shall continue to apply for the first five fiscal years following the last one for which separate budgets were adopted.

22. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

#### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF MUNICIPALITÉ DE MASKINONGÉ, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE MASKINONGÉ

The current territory of Paroisse de Saint-Joseph-de-Maskinongé and of Village de Maskinongé, in Municipalité régionale de comté de Maskinongé, comprising in reference to the cadastres of the parishes of Saint-Joseph-de-Maskinongé and Saint-Antoine-de-la-Rivière-du-Loup, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, autoroutes, streets, railway rights-of-way, islands, islets, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the centre line of Rivière Maskinongé with the westerly extension of the dividing line between lots 224 and 229 of the cadastre of Paroisse de Saint-Antoine-de-la-Rivière-du-Loup; thence, successively, the following lines and demarcations: in reference to that cadastre, easterly, the said extension and the line dividing lots 224 and 225 from lots 229, 228, 227 and 226, that line extended across Route Beauséjour that it meets; southeasterly, the line dividing lots 194 and 158 from lots 193 and 159, that line extended across the right-of-way of a railway (Lot 1053) and a public road shown on the original (Rang du Petit-Bois) and crossing Route 138 that it meets; southwesterly, the northwestern limit of the public road bordering to the southeast lots 158, 157, 155, 152, 151 and 150 to its meeting point with the northwesterly extension of the northeastern line of Lot 124; southeasterly, the said extension and the northeastern line of the said lot, that line crossing Autoroute Félix-Leclerc that it meets; southerly, the eastern line of lots 124 and 125; southeasterly, part of the northeastern line of Lot 126 to the northwestern line of Lot 20; successively northeasterly and southeasterly, part of the said northwestern line then the northeastern line of the said lot; in a general southwesterly direction, the northwest shore of Lac Saint-Pierre (St. Lawrence River) to the dividing line between the cadastres of the parishes of Saint-Joseph-de-Maskinongé and Saint-Barthélemy; in

a general northwesterly direction, the broken dividing line between the cadastres of the said parishes to the apex of the western angle of Lot 1032 of the cadastre of Paroisse de Saint-Joseph-de-Maskinongé, that line passing by the centre line of the right-of-way of Route du Grand-Saint-Jacques (shown on the original) and crossing the right-of-way of a railway (Lot 1267) and the roads, routes and Autoroute Félix-Leclerc that it meets; successively northeasterly, northwesterly, again northeasterly and southeasterly, the broken dividing line between the cadastres of the parishes of Saint-Joseph-de-Maskinongé and Saint-Justin to the centre line of Rivière Maskinongé, that broken line passing by the centre line of Rivière l'Ornière (bordering to the northeast Lot 991 of the cadastre of Paroisse de Saint-Joseph-de-Maskinongé) and crossing the roads, routes and other watercourses that it meets; finally, northeasterly, the centre line of Rivière Maskinongé upstream to the starting point, that latter line being also the dividing line between the cadastres of the parishes of Saint-Antoine-de-la-Rivière-du-Loup and Saint-Justin.

The said limits define the territory of Municipalité de Maskinongé, in Municipalité régionale de comté de Maskinongé.

Ministère des Ressources naturelles  
Direction de l'information foncière sur le territoire public  
Division de l'arpentage foncier

Charlesbourg, 29 January 2001

Prepared by: JEAN-FRANÇOIS BOUCHER,  
*Land surveyor*

M-258/1

4217

Gouvernement du Québec

### **O.C. 407-2001, 11 April 2001**

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

Amalgamation of Village de Sawyerville and Canton d'Eaton

WHEREAS each of the municipal councils of Village de Sawyerville and Canton d'Eaton 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;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application with the amendments proposed by the Minister of Municipal Affairs and Greater Montréal which were approved by the applicant municipalities' councils;

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 be constituted through the amalgamation of Village de Sawyerville and Canton d'Eaton, on the following conditions:

1. The name of the new municipality shall be "Municipalité d'Eaton".

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 12 October 2000; that description is attached as Schedule A 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 du Haut-Saint-François.

5. Until the majority of candidates elected in the first general election begin their mandate, the new municipality shall be governed by a provisional council made up of all the members of the council of the former Canton d'Eaton and two members of the council of the former Village de Sawyerville, that is, the mayor of that village and the councillor in seat number 2. If one of those members is absent, the councillor in seat number 4 of that village shall sit on the provisional council as a replacement.

An additional vote shall be allotted, within the provisional council, to the mayor of the former municipality of the council on which there is a vacancy at the time of coming into force of this Order in Council as well as for any seat that becomes vacant on the provisional council, after that coming into force, that was previously occupied by a member of the council of that former municipality.

The majority of the members in office at any time shall constitute the quorum of the provisional council.

The mayor of the former Canton d'Eaton shall be the mayor of the new municipality until the mayor elected in the first general election begins his mandate.

If the mayor's seat in the former township is vacant, the deputy mayor of that former township shall act as mayor of the provisional council. If the deputy mayor's seat is vacant, a councillor chosen by and among the councillors of that former township shall be designated to act as mayor of the provisional council.

The mayors of the former Canton d'Eaton and the former Village de Sawyerville shall continue to sit on the council of the regional county municipality until the majority of the candidates elected in the first general election begin their mandate.

6. The by-law respecting the remuneration of the elected officers of the former Canton d'Eaton shall apply to the members of the provisional council except for the remuneration of the mayor of the former Village de Sawyerville which shall be that which was in force in that former village.

7. The first sitting of the provisional council shall be held at the Centre communautaire de Johnville.

8. Voting for the first general election shall be held on the first Sunday of November 2001. The second general election shall be held in 2005.

9. For the purposes of the first general election, the territory of the new municipality shall be divided into six electoral districts.

10. François Pothier, director general and secretary-treasurer of the former Canton d'Eaton, shall act as director general and secretary-treasurer of the new municipality. Lise Houle, secretary-treasurer of the former Village de Sawyerville, shall act as deputy treasurer of the new municipality.

11. If a budget was adopted by a municipality for the fiscal year during which this Order in Council comes into force:

(1) the budget shall remain applicable;

(2) the expenditures and revenues of the new municipality, for the remaining part of the fiscal year during which this Order in Council comes into force, shall continue to be accounted for separately on behalf of each of the former municipalities as if the amalgamation had not taken place;

(3) an expenditure recognized by the council of the new municipality as resulting from the amalgamation shall be charged to each of the former municipalities in proportion, for each, to their standardized property value in relation to the total of those of the former municipalities as they appeared in the financial statements of those former municipalities for the fiscal year preceding that during which this Order in Council comes into force;

(4) the amount paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures recognized by the council under paragraph 3 and financed directly by that amount, shall be credited to the general fund of the new municipality in the first budget adopted by the new municipality with respect to all of its territory.

12. Subject to section 11, the subsidy granted under the Programme d'aide financière au regroupement municipal (PAFREM) shall be paid into the general fund of the new municipality.

13. 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.

14. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality, either to repay loans contracted by that municipality, to carry out works in the sector, to reduce taxes applicable to all the taxable immovables located in that sector or to settle any debt referred to in section 19.

The amounts reserved from the surplus for specific purposes by resolution of the council shall be used for those purposes to the benefit of the former municipality on behalf of which those amounts were accumulated, in accordance with the provisions of the first paragraph.

15. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall remain charged to all the taxable immovables of the sector made up of the territory of that former municipality.

16. The annual repayment of instalments in principal and interest of all loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council shall remain charged to the sector

made up of the territory of the former municipality that made those loans, in accordance with the taxation clauses of those by-laws. If the municipality decides to amend the taxation clauses of those by-laws in accordance with law, those amendments may only affect the taxable immovables located in the sector made up of the territory of that former municipality.

17. Any available balance of a loan by-law 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 originally set, to reduce the balance of the loan.

If the available balances are used to repay the annual instalments in principal and interest on the loans, the rate of the tax imposed to pay them shall be reduced so that the income from the taxes is equal to the balance owed, less the available balance used.

18. Any debt or gain that may result from legal proceedings and the fees incurred for those proceedings, for an act performed by a former municipality, shall continue to be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

19. The amount of the future provisions entered in the ledgers of the former municipalities on 1 January 2000, following the coming into force of the new accounting standards contained in the Manuel de la présentation de l'information financière municipale, shall remain charged or credited to all the taxable immovables in the sector made up of the territory of those former municipalities. They shall be amortized or apportioned in accordance with the new standards.

20. 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 in order to replace all the zoning and subdivision by-laws applicable to its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the new municipality, provided that such a by-law comes into force within two years of the coming into force of this Order in Council.

Such a by-law must be approved, in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), by the qualified voters of the whole territory of the new municipality.

21. All the movable and immovable property belonging to each of the former municipalities shall become the property of the new municipality.

22. Insofar as the law and the budgets allow it, the new municipality shall continue to support or subsidize for the next ten years non-profit leisure organizations and local organizations that were already supported by a former municipality.

23. The new municipality is bound to maintain the toponymy of the localities of its territory.

24. The following by-laws of the former Canton d'Eaton shall continue to apply to the whole territory of the new municipality from the coming into force of this Order in Council until they are amended, invalidated or revoked:

— By-law 353-99, adding the powers of director general to those of secretary-treasurer;

— By-law 268-99, delegating to the secretary-treasurer director general the power to authorize expenditures and to make contracts on behalf of the municipality;

— By-law 367-2000 concerning the day fixed for council sittings;

— By-law 241-85 concerning keeping good order during council sittings.

25. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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#### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF MUNICIPALITÉ D'EATON, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DU HAUT-SAINT-FRANÇOIS

The current territory of Canton d'Eaton and Village de Sawyerville, in Municipalité régionale de comté du Haut-Saint-François, comprising in reference to the cadastres of the townships of Eaton and Ascot, the lots or parts of lots 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 within the limits described hereafter, namely:



### Outside perimeter

Starting from the meeting point of the dividing line between the cadastres of the townships of Eaton and Newport with the dividing line between the cadastres of the townships of Eaton and Westbury: thence, successively, the following lines and demarcations: southerly, the dividing line between the cadastres of the townships of Eaton and Newport, that line crossing Route 108, Chemin de Learned Plain, Route 212, Rivière Eaton Nord, Chemin de Grove Hill, Rivière Eaton, Route 210 and the right-of-way of a railway (lot 1 of the cadastre of Canton d'Eaton shown on the original) that it meets; westerly, successively, the dividing line between the cadastre of Canton d'Eaton and the cadastres of the townships of Clifton and Compton, then part of the dividing line between the cadastres of the townships of Ascot and Compton to the dividing line between ranges 3 and 4 of the cadastre of Canton d'Ascot, that line crossing Route 253, roads Hodge and Johnson, Route 251, Rivière aux Saumons and roads Corriveau and Kendall that it meets; in reference to the cadastre of the said township, northerly, successively, part of the dividing line between the said ranges, that line extended across Chemin Orr and Rivière aux Saumons that it meets then the line passing by the west side of the rights-of-way of roads Bower and Bartlett located on the dividing line between the said ranges to the apex of the northwestern angle of lot 10D of Rang 3; easterly, part of the northern line of the said lot to the dividing line between lots 11C and 12D and lots 11D and 12E of Rang 3; northerly, the dividing line between the said lots to the southwest side of the right-of-way of Route 108; northwesterly, the southwest side of the right-of-way of the said route to the southerly extension of the west side of the right-of-way of Chemin Spring; northerly, successively, the said extension and the west side of the right-of-way of the said road then part of the dividing line between ranges 3 and 4 passing by the eastern shore of the islands met in Rivière Saint-François, to the centre line of the said river; in a general northeasterly direction, the centre line of the said river upstream to the western extension of the northern line of lot 18A of Rang 3; easterly, successively, the said extension and the northern line of the said lot; northerly, part of the dividing line between ranges 2 and 3, extended across Rivière Saint-François, to the apex of the northwestern angle of lot 21E of Rang 2; easterly, successively, the northern line of lots 21E, 21D and 21B of Rang 2 then the northern line of lots 21D, 21C, 21B, and 21A of Rang 1, that line extended across Rivière Saint-François and Chemin Spring that it meets; southerly, part of the dividing line between the cadastres of the townships of Ascot and Eaton to the apex of the northwestern angle of lot 28B of

Rang 7 of the cadastre of Canton d'Eaton, that line crossing Chemin Gagnon that it meets; in reference to that cadastre, easterly, part of the dividing line between ranges 7 and 8 to the dividing line between lots 23B and 24A of Rang 8, that line extended across Chemin de Sand Hill that it meets; northerly, the dividing line between lot 23B and lots 24A and 24B of Rang 8; easterly, part of the dividing line between ranges 8 and 9 to the dividing line between lots 21C and 22A of Rang 9; northerly, successively, the dividing line between the said lots of Rang 9, the line dividing lots 21B, 21D and 21F from lot 22A of Rang 10 then the line dividing lot 21B from lots 22A and 22B of Rang 11 to the dividing line between the cadastres of the townships of Eaton and Westbury, those lines corresponding to the dividing line between lots 21 and 22 of ranges 9, 10 and 11 of the original survey of Canton d'Eaton, extended across Chemin de Westleyville that it meets; finally, easterly, part of the dividing line between the cadastres of the said townships to the starting point, that line crossing Chemin de l'Aéroport, Route 253, Rivière Eaton, Chemin du Bassin and the right-of-way of a railway (lot 29 shown on the original) that it meets.

### Inside perimeter

Starting from the apex of the northeastern angle of lot 8D of Rang 9 of the cadastre of Canton d'Eaton; thence, successively, the following lines and demarcations: in reference to the said cadastre, southerly, the eastern line of lots 8D and 8A of Rang 9, that line extended across Route 108 and Chemin de Learned Plain that it meets then the eastern line of lots 8D, 8J, 8C and 8A of Rang 8 to the dividing line between ranges 8 and 7, those latter lines corresponding to the eastern line of lot 8 of Rang 8 of the original survey of Canton d'Eaton, that line extended across Rivière Eaton, Rue Beaudoin and the right-of-way of a railway (lot 30 shown on the original) that it meets; westerly, part of the dividing line between the said ranges to the apex of the southwestern angle of lot 13B of Rang 8, that line extended across the right-of-way of a railway (lot 29 shown on the original), routes 253 and 108 and Lac Bouchard that it meets; northerly, successively, the western line of lots 13B, 13C and 13E of Rang 8, those lines extended across roads Gamache and Grenier that it meets then the western line of lots 13A and 13B of Rang 9, those lines extended across Rue Principale Ouest that it meets; finally, easterly, part of the dividing line between ranges 9 and 10 to the starting point, that line extended across Route 253, Rivière Eaton, Chemin du Bassin and two railway rights-of-way (lots 31 and 29 shown on the original) that it meets.

The said perimeters define the territory of Municipalité d'Éaton, in Municipalité régionale de comté du Haut-Saint-François.

Ministère des Ressources naturelles  
Direction de l'information foncière sur le territoire public  
Division de l'arpentage foncier

Charlesbourg, 12 October 2000

Prepared by: \_\_\_\_\_  
JEAN-PIERRE LACROIX,  
*Land surveyor*

E-115/1

4218

Gouvernement du Québec

### **O.C. 408-2001, 11 April 2001**

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

Amalgamation of Village de Saint-Siméon and Paroisse de Saint-Siméon

WHEREAS each of the municipal councils of Village de Saint-Siméon and Paroisse de Saint-Siméon 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;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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 be constituted through the amalgamation of Village de Saint-Siméon and Paroisse de Saint-Siméon, on the following conditions:

1. The name of the new municipality shall be "Municipalité de Saint-Siméon".

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 11 July 2000; 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 Charlevoix-Est.

5. Until the majority of candidates elected in the first general election begin their mandate, the new municipality shall be governed by a provisional council made up of all the council members of both former municipalities in office at the time of coming into force of this Order in Council. An additional vote shall be allotted, within the provisional council, to the mayor of the former municipality on whose council there is a vacancy at the time of coming into force of this Order in Council, as well as for any seat that becomes vacant on the provisional council after that coming into force and that was previously occupied by a member of council of that former municipality.

The mayor of the former Village de Saint-Siméon shall act as mayor of the provisional council and the mayor of the former Paroisse de Saint-Siméon shall act as deputy mayor.

The majority of the members in office at any time shall constitute the quorum of the provisional council.

The by-law respecting the remuneration of the elected officers of the former Village de Saint-Siméon shall apply to the members of the provisional council and to those elected in the first general election until the council decides otherwise.

For the term of the provisional council, the mayors of the former municipalities shall remain qualified to sit on the council of Municipalité régionale de comté de Charlevoix-Est.

6. The first sitting of the provisional council shall be held at the Centre des loisirs de Saint-Siméon.

7. The first general election shall be held on the first Sunday of November 2001. The second general election shall be held in 2005.

For the first general election, the council of the new municipality shall be made up of seven members, that is, a mayor and six councillors. The councillors' seats shall be numbered from 1 to 6 from the first general election.

8. For the first general election and for any partial election held before the second general election, the only persons eligible for seats 1, 3 and 5 are the persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if such an election were an election of the members of the council of the former Paroisse de Saint-Siméon, and the only persons eligible for seats 2, 4 and 6 are the persons who would be eligible under that Act if such election were an election of the members of the council of the former Village de Saint-Siméon.

In order to be a candidate for a councillor's seat, the person must have been domiciled for at least 12 months in the sector made up of the territory of the former municipality for which the seat is reserved.

The voters of the new municipality shall participate in the election of the mayor and six councillors in the first general election.

9. Sylvie Foster, secretary-treasurer of the former Village de Saint-Siméon, shall act as secretary-treasurer of the new municipality and Gérald Bouchard, secretary-treasurer of the former Paroisse de Saint-Siméon, shall act as deputy secretary.

10. If a budget was adopted by a former municipality for the fiscal year during which this Order in Council comes into force:

(1) the budget shall remain applicable;

(2) the expenditures and revenues of the new municipality, for the remaining part of the fiscal year during which this Order in Council for amalgamation comes into force, shall continue to be accounted for separately on behalf of each of the former municipalities as if the amalgamation had not taken place;

(3) an expenditure recognized by the council of the new municipality as resulting from the amalgamation shall be charged to each of the former municipalities in proportion, for each, to their standardized property value in relation to the total of those of the former municipalities as they appear in the financial statements of those municipalities for the fiscal year preceding that during which this Order in Council for amalgamation comes into force;

(4) the amount paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures recognized by the council under paragraph 3 and financed directly by that amount, shall constitute a reserve that is paid into the general fund of the new

municipality for the first fiscal year for which it adopts a budget with respect to all of its territory.

11. 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 apply until the end of the last fiscal year for which separate budgets were adopted.

12. The working fund of the former Village de Saint-Siméon shall be dissolved at the end of the last fiscal year for which separate budgets were adopted. Any amount in the fund that was not committed on that date shall be added to any surplus accumulated on behalf of that former municipality and shall be dealt with in accordance with the provisions of sections 13 and 16.

13. A working fund shall be constituted for the new municipality as of the first fiscal year for which it adopts a budget with respect to all of its territory. The fund shall be constituted from a sum of \$40 per capita taken from the surplus accumulated on behalf of each former municipality and from 25% of the amount of the subsidy paid under the Programme d'aide financière au regroupement municipal (PAFREM) for the fiscal year during which this Order in Council comes into force.

If the surplus accumulated on behalf of a former municipality is insufficient to pay that contribution, the new municipality shall, to make up the difference, impose a special tax on all the taxable immovables of the sector made up of the territory of that former municipality according to their value as it appears on the assessment roll in force. For each of the four fiscal years following that for which separate budgets were adopted, 25% of the amount of the subsidy paid each year under the Programme d'aide financière au regroupement municipal (PAFREM) shall be paid into the working fund.

For the purposes of this section, the population of each of the former municipalities shall be that indicated in the Order in Council adopted by the government for the year during which this Order in Council comes into force.

14. The balance of any amount of the subsidy paid under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures recognized by the council as resulting from the amalgamation, shall constitute an amount reserved on behalf of each of the former municipalities based on their respective populations as established by Order in Council of the government for the year during which this Order in Council comes into force. That amount shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality, either to repay

loans contracted by that former municipality, to carry out works in the sector, to reduce taxes applicable to all the taxable immovables located in the sector or to settle any debt referred to in section 21.

15. The excess of the amount taken from the surplus accumulated on behalf of the former Paroisse de Saint-Siméon under section 13 shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality, either to repay loans contracted by that former municipality, to carry out works in the sector, to reduce taxes applicable to all the taxable immovables located in the sector or to settle any debt referred to in section 21.

16. The excess of the amount taken from the surplus accumulated on behalf of the former Village de Saint-Siméon under section 13 shall be used for the benefit of the ratepayers of the sector made up of the territory of that former municipality, either to repay loans contracted by that former municipality, to carry out works in the sector, to reduce taxes applicable to all the taxable immovables located in the sector or to settle any debt referred to in section 21.

17. The aliquot share payable to the Société québécoise d'assainissement des eaux under the agreement signed between the Gouvernement du Québec and the former Paroisse de Saint-Siméon on 28 May 1993 shall remain charged to those who are served by the sewer system of the sector made up of the territory of that former municipality and it shall be paid by means of a compensation rate that the council shall set annually.

The aliquot share payable to the Société québécoise d'assainissement des eaux under the agreement signed between the Gouvernement du Québec and the former Village de Saint-Siméon on 28 May 1993 shall remain charged to those who are served by the sewer system of the sector made up of the territory of that former municipality and it shall be paid by means of a compensation rate that the council shall set annually.

18. The annual repayment of instalments in principal and interest of loans made under the loan by-laws adopted by a former municipality before the coming into force of this Order in Council shall remain charged to the sector made up of the territory of the former municipality that contracted them, in accordance with the taxation clauses of those by-laws. If the new municipality decides to amend the taxation clauses of those by-laws in accordance with law, those amendments may only affect the

taxable immovables located in the sector made up of the territory of that former municipality.

19. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which a separate budget was adopted shall remain charged to all the taxable immovables in the sector made up of the territory of that former municipality.

20. The amount of the future provisions entered in the books of account of each of the former municipalities on 1 January 2000, following the coming into force of the new accounting standards contained in the Manuel de la présentation de l'information financière municipale, shall remain charged or credited to all the taxable immovables in the sector made up of the territory of those former municipalities. They shall be amortized or apportioned in accordance with the new standards.

21. Any debt or gain that may result from legal proceedings for an act performed by a former municipality shall remain charged or credited to all the taxable immovables located in the sector made up of the territory of that former municipality.

22. A municipal housing bureau is constituted under the name of "Office municipal d'habitation de la Municipalité de Saint-Siméon".

That municipal bureau shall succeed to the municipal housing bureau of the former Village de Saint-Siméon, 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 municipality as if it had been incorporated by letters patent under section 57 of that Act, also amended by section 273.

The members of the bureau shall be the members of the municipal housing bureau of the former Village de Saint-Siméon.

23. All movable and immovable property belonging to each of the former municipalities shall become the property of the new municipality.

24. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF MUNICIPALITÉ DE SAINT-SIMÉON, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE CHARLEVOIX-EST

The current territory of Paroisse de Saint-Siméon and Village de Saint-Siméon, in Municipalité régionale de comté de Charlevoix-Est, comprising in reference to the cadastres of Paroisse de Saint-Siméon and Canton de Callières, the lots or parts of lots, the blocks or parts of blocks and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the dividing line between the cadastres of the townships of Callières and Saguenay with the northwest shore of the St. Lawrence River; thence, successively, the following lines and demarcations: in a general southwesterly direction, the northwest shore of the St. Lawrence River to the dividing line between the cadastres of the parishes of Saint-Siméon and Saint-Fidèle; northwesterly, part of the dividing line between the said cadastres to the apex of the eastern angle of lot 2 of the cadastre of Paroisse de Saint-Fidèle; in reference to that cadastre, southwesterly, the southeastern line of lots 2 and 4; northwesterly, the southwestern line of lot 4, that line crossing Chemin de Port-au-Persil that it meets; northeasterly, the northwestern line of lots 4 and 2; northwesterly, part of the dividing line between the cadastres of the parishes of Saint-Siméon and Saint-Fidèle to the apex of the western angle of lot 164 of that first cadastre, that line crossing Route 138, Rivière Noire Sud-Ouest and Lac à Clément that it meets; northeasterly, the dividing line between the cadastres of Paroisse de Saint-Siméon and Canton de Callières and the cadastre of Canton de Chauveau, that line crossing Rivière Noire and Route 170 that it meets; finally, easterly, the dividing line between the cadastres of the townships of Callières and Saguenay to the starting point, that line crossing lakes du Pouce, aux Canards, du Petit-Hector and des Fosses, Petit lac Desbiens, Petit lac à la Truite, Route 138 and Deuxième lac du Séminaire that it meets.

The said limits define the territory of Municipalité de Saint-Siméon, in Municipalité régionale de comté de Charlevoix-Est.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 11 July 2000

Prepared by: JEAN-FRANÇOIS BOUCHER,  
*Land surveyor*

S-163/1

4219

Gouvernement du Québec

**O.C. 410-2001, 11 April 2001**

An Act respecting land use planning and development  
(R.S.Q., c. A-19.1)

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

Amendment to the letters patent establishing  
Municipalité régionale de comté du Bas-Richelieu

WHEREAS under section 166 of the Act respecting land use planning and development (R.S.Q., c. A-19.1), the Government established by letters patent Municipalité régionale de comté du Bas-Richelieu on 1 January 1982;

WHEREAS under section 210.39 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), rendered applicable to that regional county municipality by section 109 of the Act to amend the Act respecting municipal territorial organization and other legislative provisions (1993, c. 65), the Government may, by order, amend the letters patent of Municipalité régionale de comté du Bas-Richelieu;

WHEREAS a request to amend those letters patent was made by the council of that regional county municipality by Resolution 2000-04-77 dated 12 April 2000;

WHEREAS it is expedient to amend the letters patent of Municipalité régionale de comté du Bas-Richelieu;

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

THAT the letters patent establishing Municipalité régionale de comté du Bas-Richelieu be amended by substituting the following for the third paragraph of the operative part:

“The representative of any municipality sitting on the council of Municipalité régionale de comté du Bas-Richelieu shall have one vote for the first block of 9 000 inhabitants or less in his municipality and one additional vote for each additional block of 9 000 inhabitants or less.”.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

4220

Gouvernement du Québec

**O.C. 411-2001, 11 April 2001**

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

Amendment to the letters patent establishing Municipalité régionale de comté de Portneuf

WHEREAS under section 166 of the Act respecting land use planning and development (R.S.Q., c. A-19.1), the Government established by letters patent Municipalité régionale de comté de Portneuf on 1 January 1982;

WHEREAS under section 210.39 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), rendered applicable to that regional county municipality by section 109 of the Act to amend the Act respecting municipal territorial organization and other legislative provisions (1993, c. 65), the Government may, by order, amend the letters patent of Municipalité régionale de comté de Portneuf;

WHEREAS under section 210.39.1 of the Act respecting municipal territorial organization, the Government may amend the constituting order of a regional county municipality where, by reason of section 109 of Chapter 65 of the Statutes of 1993, it contains provisions relating to the establishment, the composition or the rules governing the operation of an administrative committee, for the purpose of striking out, amending or replacing such provisions;

WHEREAS a request for amendment to the letters patent of Municipalité régionale de comté de Portneuf was made by the council by its resolution CR341-11-2000 dated 15 November 2000 to the effect of abolishing its administrative committee;

WHEREAS it is expedient to amend the letters patent of Municipalité régionale de comté de Portneuf;

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

THAT the letters patent establishing Municipalité régionale de comté de Portneuf be amended by striking out the sixth and seventh paragraphs of the operative part.

JEAN-ST-GELAIS,  
*Clerk of the Conseil exécutif*

4221

Gouvernement du Québec

**O.C. 412-2001, 11 April 2001**

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

Correction to Order in Council 17-2001 dated 17 January 2001 concerning Ville de Saint-Jean-Iberville

WHEREAS by Order in Council 17-2001 dated 17 January 2001, the Government authorized the Amalgamation of Ville de Saint-Jean-sur-Richelieu, Ville d'Iberville, Ville de Saint-Luc, Municipalité de L'Acadie and Paroisse de Saint-Athanase;

WHEREAS an error in writing occurred in that Order in Council and it is expedient to correct it;

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

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

THAT section 14 of the operative part of Order in Council 17-2001 dated 17 January 2001 concerning the Amalgamation of Ville de Saint-Jean-sur-Richelieu, Ville d'Iberville, Ville de Saint-Luc, Municipalité de L'Acadie and Paroisse de Saint-Athanase be amended by substituting "Commission de la représentation" for "Commission municipale du Québec" in paragraphs 3 and 5.

JEAN-ST-GELAIS,  
*Clerk of the Conseil exécutif*

4222

Gouvernement du Québec

**O.C. 413-2001, 11 April 2001**

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

Correction to Order in Council 1131-2000 dated 27 September 2000 concerning Ville de Carleton-Saint-Omer

WHEREAS Order in Council 1131-2000 concerning the Amalgamation of Ville de Carleton and Paroisse de Saint-Omer was made on 27 September 2000;



WHEREAS an obvious omission occurred in that Order in Council;

WHEREAS under section 214.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), the Government may correct that omission;

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

THAT section 9 of the operative part of Order in Council 1131-2000 dated 27 September 2000 concerning the Amalgamation of Ville de Carleton and Paroisse de Saint-Omer be amended by inserting “electors and” after “shall be”, in the sixth and tenth lines.

JEAN-ST-GELAIS,  
*Clerk of the Conseil exécutif*

4223

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## Erratum

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### **O.C. 161-2001**, 28 February 2001

An Act respecting the distribution of financial products  
and services  
(R.S.Q., c. D-9.2)

#### **Commission des valeurs mobilières**

##### **— Rules of ethics in the securities sector**

*Gazette officielle du Québec*, Part 2, 14 March 2001,  
Vol. 133, No. 11, page 1334.

On page 1335, Regulation respecting the rules of  
ethics in the securities sector, section 17 should be read:

“17. A representative who receives privileged or  
confidential information from a client, an issuer or a  
third party shall not pass it on, nor shall he trade using  
such information.”.



## Index Statutory Instruments

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

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Constitution of the new municipal housing bureaus of the cities of Montréal, Québec, Hull-Gatineau, Longueuil and Lévis . . . . . (An Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais, 2000, c. 56)	2111	

Determination of the causes and circumstances of death, An Act respecting the... — Identification, transportation, preservation or keeping, custody and return of remittal of dead bodies, objects and documents . . . . . (R.S.Q., c. R-0.2)	1950	M
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