

# Gazette officielle du Québec

## Part 2 Laws and Regulations

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No. 18

### Summary

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## Coming into force of Acts

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Gouvernement du Québec

### **O.C. 461-2001, 25 April 2001**

**An Act respecting the consolidation of the statutes  
and regulations (R.S.Q., c. R-3)  
— Coming into force of the text of the copy  
of the updating**

COMING INTO FORCE of the text of the copy of the updating to 1 April 2000 of the loose-leaf edition of the Revised Statutes of Québec

WHEREAS the Official Publisher has completed the printing of the updating to 1 April 2000 of the loose-leaf edition of the Revised Statutes of Québec;

WHEREAS a copy of the updating to 1 April 2000 of the loose-leaf edition of the Revised Statutes of Québec has been sent to the Lieutenant-Governor and has been deposited in the office of the Secretary General of the National Assembly of Québec, attested to by the signature of the Lieutenant-Governor and of the Minister of Justice, the whole in accordance with the Act respecting the consolidation of the statutes and regulations (R.S.Q., c. R-3);

WHEREAS under section 7 of that Act, the Government shall, after the deposit of the copy, fix the date from which the text of the revised or updated statutes will come into force;

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

THAT the text of the copy of the updating to 1 April 2000 of the loose-leaf edition of the Revised Statutes of Québec, attested to by the signature of the Lieutenant-Governor and of the Minister of Justice and deposited in the office of the Secretary General of the National Assembly of Québec, come into force on 2 May 2001, and have force of law with the reservation that any provision of an Act comprised in the Revised Statutes of Québec not yet in force on 1 May 2001 pursuant to the provisions of that Act not be brought into force by this Order in Council but come into force only on the date fixed in accordance with the Act containing that provision.

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



## Regulations and other acts

### Notice

Automobile Insurance Act  
(R.S.Q., c. A-25)

#### Groupement des assureurs automobiles — Direct Compensation Agreement for the settlement of automobile claims

WHEREAS under section 173 of the Automobile Insurance Act (R.S.Q., c. A-25) the Groupement des assureurs automobiles is required to establish a Direct Compensation Agreement for the settlement of automobile claims;

WHEREAS said Agreement came into force on May 1, 1978 and was subsequently amended on September 1, 1980, June 1, 1984, October 1, 1987 January 1, 1990, May 7, 1990, December 1, 1991 and June 25, 1994;

WHEREAS amendments having been necessary, they were approved as required on March 27, 2001 by authorized insurance companies in accordance with section 174 of the Automobile Insurance Act;

NOW THEREFORE notice is hereby given that the Direct Compensation Agreement, as amended, the wording of which appears in this issue of the *Gazette Officielle du Québec*, will come into force on June 2, 2001 in accordance with the relevant provisions of the Automobile Insurance Act, namely thirty (30) days following publication of this notice.

FRANCINE PELLETIER,  
*Secretary*

### Direct Compensation Agreement for the settlement of automobile claims\*

Automobile Insurance Act  
(R.S.Q., c. A-25, s. 116 and 173)  
(10th edition)

#### INTRODUCTION

As provided in section 173 of the Automobile Insurance Act, the Groupement des assureurs automobiles must establish a Direct Compensation Agreement. Section 116 also provides that:

“The recourse of the owner of an automobile by reason of property damage sustained in an automobile accident shall not be exercised except against the insurer with whom he subscribed his automobile liability insurance, to the extent that the Direct Compensation Agreement contemplated in section 173 applies.

However, the owner may, if he is not satisfied with the settlement made in accordance with the Agreement, exercise such recourse against the insurer in accordance with the ordinary rules of law to the extent that sections 108 to 114 do not derogate therefrom.”

#### SECTION I DEFINITIONS

1. In this Agreement, unless otherwise provided

“**Act**” means the Automobile Insurance Act (R.S.Q., c. A-25);

“**Collision**” means

a) contact (including any type of impact) between two or more vehicles or parts of vehicle being detached without the involvement of the insured;

b) contact (including any type of impact) between the vehicle and the load of another vehicle while being transported by, falling from or fallen from such vehicle;

\* Direct Compensation Agreement updated as of May 11, 2001, as published and modified in the following regulations: (1978) 110 G.O. 2; (1980) 112 G.O. 2; (1981) 113 G.O. 2; (1984) 116 G.O. 2; (1986) 118 G.O. 2; (1986) 118 G.O. 2; (1987) 119 G.O. 2; (1990) 122 G.O. 2; (1991) 123 G.O. 2; (1994) 126 G.O. 2; (2001) 133 G.O. 2.

*c)* contact (including any type of impact) between two or more vehicles attached to each other and caused by a jack-knife.

“**Damage**” means

- a)* any damage caused to the insured vehicle;
- b)* loss of use;
- c)* loss of or damage to property owned by the insured while being transported in the vehicle.

“**Owner**” means the owner of the vehicle and any lessee for at least one year or under a contract of leasing (section 2, Highway Safety Code).

“**Vehicle**” means an automobile as defined in section 1 of the Act.

## **SECTION II** **APPLICATION**

### **Parties**

2. This Agreement applies

*a)* to all authorized insurers, to parties referred to in section 175 of the Act and all parties having voluntarily subscribed to this Agreement. However, it does not apply to insurers of owners of automobiles exempted from section 84 of the Act (see section 196c) except if such vehicles are insured by a motor vehicle liability policy;

*b)* to insurers of a motor vehicle dealer as defined in the Highway Safety Code (R.S.Q., c. C-24.2) with respect to owned vehicles whether or not they are operated on a public highway.

### **Accidents**

3. This Agreement applies to all property damage resulting from a collision occurring in the province of Quebec involving two or more vehicles or a vehicle and the load of another vehicle, if the owners have been identified.

However, it does not apply to any property damage to an owned vehicle caused by the owner while operating another vehicle, or collisions involving only vehicles owned by the same persons or corporations.

## **SECTION III** **INDEMNITY RULES**

### **Application provisions**

4. The insured is indemnified by his own insurer to the extent of the liability of the operator of the other vehicle subject to the following:

*a)* the liability of the operators is determined in accordance with the Driver’s Fault Chart appended hereto;

*b)* where the following operators are driving customers’ automobiles in their care, custody or control:

- i. any garage operator or his employees;
- ii. any parking lot operator or his employees;
- iii. any motor vehicle dealer referred to in the Highway Safety Code (R.S.Q., c. C-24.2) or his employees;
- iv. any towing business operator.

The insured shall be fully indemnified by his automobile Liability insurer if at the time of the accident he had no control over the automobile, and the accident did not result from the condition of the automobile or from the way it was secured. This rule also applies whenever the insured’s vehicle is being towed by a third party.

### **Payments (automobile liability and collision coverages)**

5. When an insured has automobile liability and collision coverage, the following rules apply:

*a)* if both coverages are provided by the same insurer:

the insurer must first indemnify its own insured in accordance with its contract and then shall apply the Direct Compensation Agreement with respect to any sum payable under such Direct Compensation Agreement;

*b)* if the coverages are provided by different insurers:

damage to the automobile shall be covered by the Collision insurer, which shall then recover from the automobile Liability insurer any sum payable by the latter on the basis of the apportionment of liability shown in the appended Driver’s Fault Chart.



## Limitations

### 6. a) *Property transported*

The insured shall be indemnified by the Liability insurer for loss of or damage to property being transported in the vehicle and owned by the named insured or the operator to a maximum amount of \$2,000 per vehicle. The indemnity to the named insured is primary.

### b) *Loss of use*

Indemnity for loss of use is limited to all necessary and reasonable expenses normally recoverable under ordinary rules of law and for which proof satisfactory to the insurer has been provided.

## Deductible

7. Payments by the automobile Liability insurer shall be made regardless of any deductible.

The collision deductible is equal to the proportion of damage to the vehicle for which the insured is responsible in relation to all damage, multiplied by the deductible.

## Apportionment of liability

8. Whenever the total of the apportionment of liability between the motorists, when considered separately, is more than 100%, the degree of liability determined in the attached Driver's Fault Chart shall be reduced accordingly.

## Combination of vehicles

9. In any collision caused by two or more vehicles attached to each other involving automobiles, each of such vehicle shall be an automobile within the meaning of the Agreement and the insurers of each vehicle shall settle their respective insured's damages in accordance with the Agreement.

## Appraisal

10. Damage to the vehicle shall be appraised by the Collision insurer. In the absence of collision coverage the automobile Liability insurer shall appraise the damage.

## SECTION IV SUBROGATION

11. Automobile Liability insurers are subrogated in the rights of their own insureds against all third parties at fault, whether insured or not, to the extent of the payments made by them.

However insurers waive subrogation against each other except in the following situations :

a) any settlements made with the owners of vehicles in the care, custody and control of the following persons :

- i. any garage operator or his employees ;
- ii. any parking lot operator or his employees ;
- iii. any motor vehicle dealer referred to in the Highway Safety Code (R.S.Q., c. C-24.2) or his employees ;

iv. any towing business operator ;

b) any settlement with the owner of a towed vehicle ;

c) any settlement with the owner of an automobile exempted, other than those provided for in section 11 b, except if such automobile is insured under an automobile liability policy.

In subparagraphs *a* and *b*, subrogation can be exercised only against the insurer of the operator of a customer's vehicle under his care, custody and control or of the operator of a tractor towing such a vehicle.

## SECTION V ARBITRATION

12. Any dispute between the parties bound by this Agreement and resulting from its application shall be determined by the Arbitration Board of the Groupement des assureurs automobiles.

The Arbitration Board shall comprise seven members appointed every year by the Board of Directors of the Groupement des assureurs automobiles. The Board of Directors shall designate the chairman and the two vice-chairmen of the Arbitration Board. The Arbitration Board shall meet within thirty days after a request for arbitration has been received.

Three members of the Arbitration Board shall constitute a quorum, including the chairman or one vice-chairman, said chairman or vice-chairman having a casting vote in case of a tie.

Decisions rendered by the Arbitration Board are final.

## SECTION VI EFFECTIVE DATE

13. This Agreement shall come into force on May 11, 2001 and shall apply to all accidents occurring on or after that date.

## APPENDIX DRIVER'S FAULT CHART

### Chart

1. Liability shall be apportioned as shown in the Driver's Fault Chart. Any admission of liability or prior agreement in this respect shall be null and void.

Collisions subject to the Agreement but not provided for in the Chart shall be settled in accordance with ordinary rules of law.

### Note

2. Except as otherwise provided in the Chart, liability shall be apportioned regardless of the point of contact of the vehicles and of the following circumstances:

- actions of pedestrian;
- speed;
- weather conditions;
- visibility;
- road conditions;
- light, sound or hand signals;
- marked or unmarked road lines.

### Definitions

3. As used in this Agreement:

“**Centerline**” means:

• a single or double, full or broken line in the middle of the roadway; or

• the middle of the roadway or of that portion of the roadway that is left unobstructed by parked vehicles, a snowbank, or other object blocking traffic on an extended portion of the roadway, insofar as two-way traffic in that portion of the roadway is still possible without any difficulty.

“**Chain reaction**” occurrence means a series of successive contacts (including any type of impact) between three or more vehicles travelling in the same direction one behind the other in the same lane.

“**Intersection**” means a place where several public roads, alleys, streets, avenues, boulevards lanes between buildings intersect, including lanes in parking lots. The dotted lines in the diagram indicate the limits of such intersection.

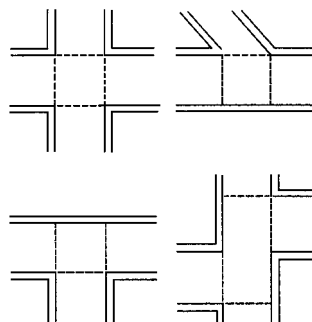
“**Lane change**” means any move whereby a vehicle leaves its own lane to enter another lane.

“**Limited access highway**” means a public highway that may be entered or left only at the specially provided entrances or exits (sections 288 and 319, Highway Safety Code, R.S.Q., c. C-24.2).

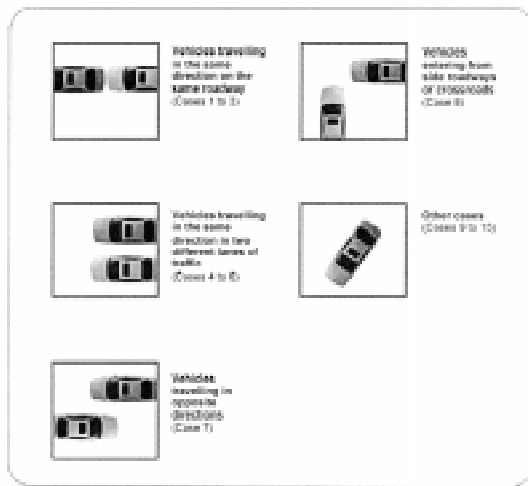
“**Line of vehicles**” means two or more vehicles, one behind the other. Vehicles partly behind one another shall be deemed to be in the same line of vehicles.

“**Pile-up**” means a series of contacts (including any type of impact) between several vehicles travelling in different lanes or lines.

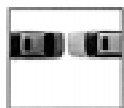
“**Roadway**” means that part of a public highway ordinarily used for vehicular traffic (R.S.Q., c. C-24.2, section 4).



**Driver's Fault Chart**

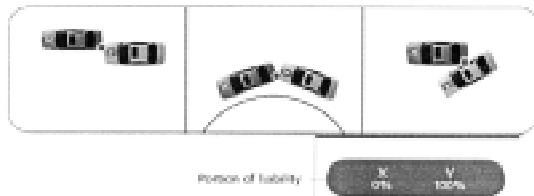


**Driver's Fault Chart**



**Vehicles travelling in the same direction on the same roadway (Cases 1 to 3)**

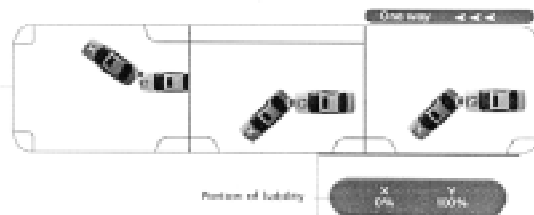
**1 Collision between vehicles in the same lane of traffic**



In this case, the liability of "Y", which strikes preceding "X" from the rear, is total, because of lack of proper control of vehicle.

When vehicle "X" is backing this shall be used against "X" under CASE 11.

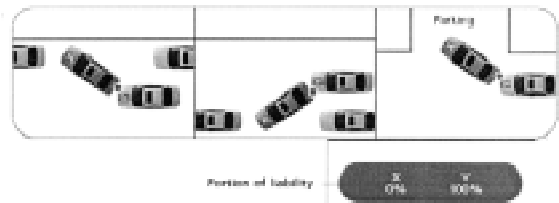
**2 Vehicle turning into a side roadway or driveway**



This case applies when "X" swerves to the left or to the right to enter a side roadway or driveway and is struck from the rear by "Y".

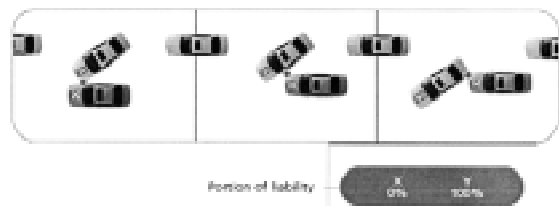
**3 Parking situations**

**a) Vehicle moving to park**



This case applies when "X", in forward motion, enters a parking space on either the left or right side of the roadway, or a parking lot on either side.

**b) Vehicle leaving a parking space**

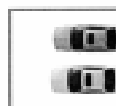


In this case, the action of "Y" leaving the parking space is the determinant cause of the accident.

**c) Vehicle X parked (except as provided under Case 3 d)**

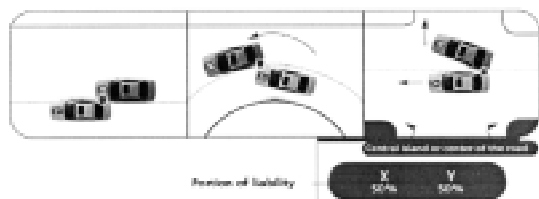


**d) Vehicle illegally parked at night and without lights outside cities, towns or villages (section 385 of the Highway Safety Code, R.S.Q., c. C-24.2)**



**Vehicles travelling in the same direction in two different lanes of traffic (Cases 4 to 6)**

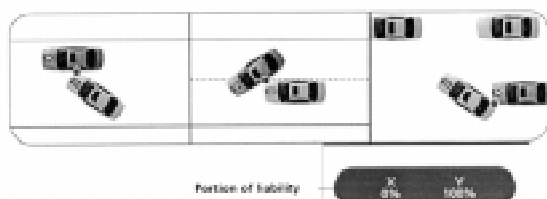
#### 4 Side collision



“X” and “Y” travelling in different lanes sideswipe without changing lanes.

This case applies particularly in cases of passing without changing lanes or in cases where roadway narrows, unless one of the drivers has violated a no passing sign or solid line, in which case CASE 9 applies against such driver.

#### 5 Lane change



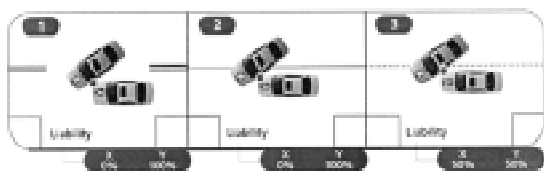
This case applies when “Y” changes lanes for whatever reason.

#### EXCEPTION

On a public highway where the maximum speed allowed is less than 70 km/h, the driver of a road vehicle must yield the right of way to a bus when the driver of the bus is flashing his turn-signal lights for re-entering the lane in which he was moving before he stopped (section 407 of the Highway Safety Code, R.S.Q., c. C-24.2).

#### 6 Passing a vehicle

##### a) Passing prohibited



Liability is determined in accordance with the diagrams.

#### Diagram 1

“X” making a proper left turn into an entranceway while “Y” is attempting to pass despite a solid line or double line.

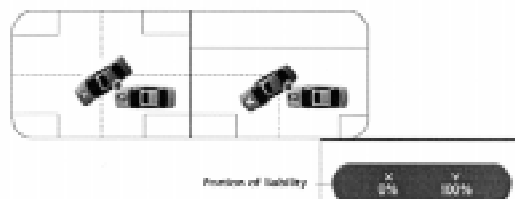
#### Diagram 2

“X” turning left into an entranceway, over a solid single or double line or a double line consisting of a broken line and a solid line, the latter being adjacent to the lane in which “X” is moving (section 326.1 of the Highway Safety Code, R.S.Q., c. C-24.2), while “Y” is attempting to pass.

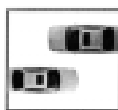
#### Diagram 3

“X” travelling on a roadway having no determined centerline or having a broken line, and turning left into an entranceway while “Y” is attempting to pass.

##### b) Passing at an intersection



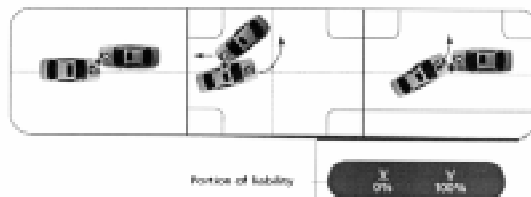
“Y” going over the centerline in an intersection, while “X” is turning left, is fully responsible.



**Vehicles travelling  
in opposite directions**  
(Case 7)

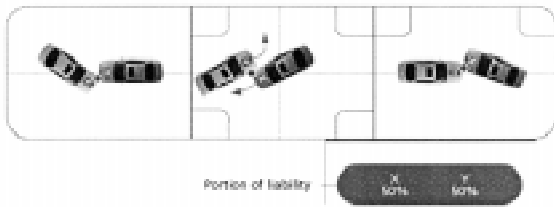
#### 7 Encroachment on the centerline of the roadway

##### a) Vehicle encroaching on the centerline



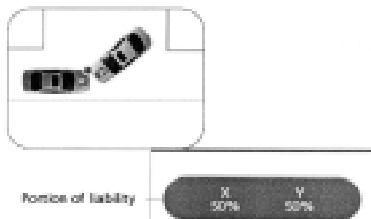
This case applies when “X” is travelling in its own lane and “Y” encroaches on the centerline of the roadway, whether to turn left or not.

**b) Position of vehicles undetermined**

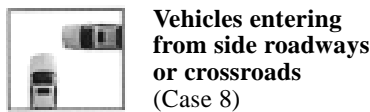


This case must apply wherever the position on the **roadway** in respect to the **centerline** is undetermined or if it cannot be established that a specific vehicle was travelling to its left of the **centerline**. The mere fact of skidding, when other precise information is lacking, is not sufficient to establish that a vehicle was encroaching on the **centerline**.

**c) Vehicle encroaching on solid line**

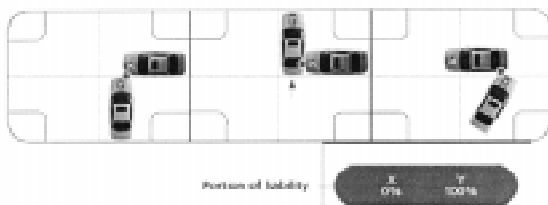


This case applies when “Y” leaves a roadway (a parking lot, an alley or a place not open to public traffic) and “X”, travelling in the opposite direction, encroaches on or crosses a solid line. Settlement is based on an equal division of liability in view of equal fault of both.



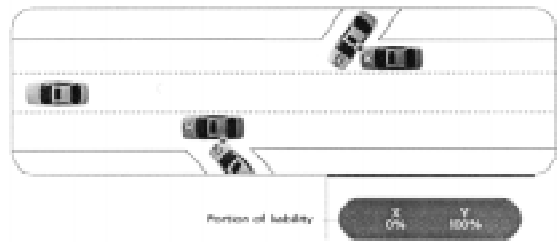
**8 Intersections**

**a) Right of way in own lane**



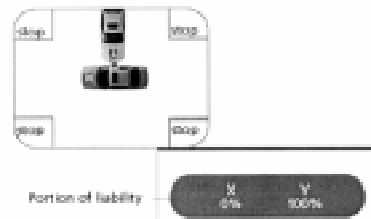
At an intersection where there are no traffic signs, “X” has the right of way in own lane (if remaining within its own lane), and “Y” is therefore fully responsible.

**b) Right of way**



The driver entering a roadway or leaving a limited access highway must yield to other vehicles.

**c) Stop sign and defective or inoperative traffic lights**

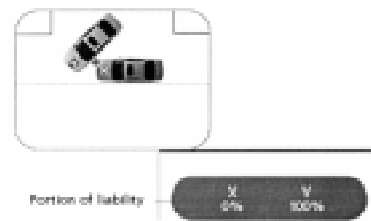


In case of an accident occurring at an **intersection** equipped with a stop sign on each corner, defective or inoperative traffic lights, the driver of the vehicle first in the **intersection** has the right of way unless it is proven:

- a) that “X” failed to stop (“X” to be held fully liable); or
- b) that both “X” and “Y” failed to stop (both to be held equally liable);

(sections 367 and 368 of the Highway Safety Code, R.S.Q., c. C-24.2)

**d) Vehicle leaving a side roadway**



This case applies when “Y” leaves a roadway with no traffic signs or lights (a parking lot, an alley or a place not open to public traffic) and “X” is travelling in its own lane. “Y” is fully responsible.



**Other cases**  
(Cases 9 to 15)

**9 Failure to obey signs or signals**

	Portion of liability	
“Y” neglects or leaves : .....	X	Y
a) a police officer’s signal .....	0%	100%
b) a stop sign, a yield sign, a flashing red light or other similar sign, particularly flares and other signals on the ground .....	0%	100%
c) a traffic light (where there is lack of proof, liability is equally divided) .....	0%	100%
d) a do not enter sign (one way) .....	0%	100%
e) a no passing sign .....	0%	100%
f) a no turn sign, either left or right .....	0%	100%
g) a turn-signal light of a bus in accordance with section 407 of the Highway Safety Code (R.S.Q., c. C-24.2) .....	0%	100%
h) a reserved lane sign indicating that the lane is reserved for use by specific classes of vehicles and prohibiting other vehicles from using it, where applicable .....	0%	100%
i) a sign or control signals displaying a downward green arrow to indicate lanes open to traffic and an X to indicate lanes where traffic is prohibited .....	0%	100%

**10 a) Vehicle turning on a green arrow**



This case applies when “Y” is turning on a non-flashing green arrow while “X” is proceeding on green light (section 364 of the Highway Safety Code, R.S.Q., c. C-24.2).

**b) Right turn on red light**



This case applies when “Y” is turning right on red light in a municipality or administrative area designated by an order-in-council published in the *Gazette officielle du Québec* while “X” is proceeding on green light (section 359.1 of the Highway Safety Code, R.S.Q., c. C-24.2).

**11 Backing or making a U turn**



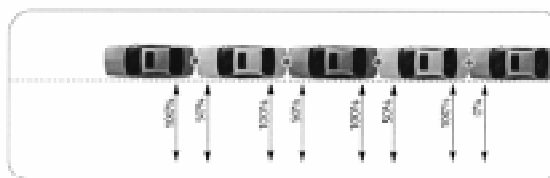
This case applies when “Y” is backing or making a U turn.

**12 Opening a door**



This applies when the door is in motion or when the action has just been completed, unless it is proven that the door was left open to let a person enter into or alight from the vehicle or to place or remove an item after having ascertained that this could be done safely (sections 430 and 431 of the Highway Safety Code, R.S.Q., c. C-24.2).

**13 Chain reaction**



In chain reaction accidents, the owner of the leading vehicle not having had prior contact with another vehicle or object, is completely indemnified for the physical damage sustained by his vehicle.

Owners of all other vehicles following are indemnified for 50% of the front and 100% of the rear end damage, except however the last vehicle for which no indemnity is payable.

Note: A series of successive contacts between parked or stopped vehicles occurring when a moving vehicle strikes the last vehicle in the line, causing the vehicles to smash into each other, is not considered a chain reaction.



**M.O., 2001-004****Order of the Minister of State for Health and Social Services and Minister of Health and Social Services, dated 11 April 2001 to designate a breast cancer detection centre**

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

CONSIDERING that it is expedient to designate a breast cancer detection centre under subparagraph *b.3* of the first paragraph of section 69 of Health Insurance Act (R.S.Q., c. A-29);

ORDERS :

THAT the following breast cancer detection centre be designated for the Gaspésie-Îles-de-la-Madeleine region :

CLSC-CHSLD-CH de la MRC Denis-Riverin  
50, rue Belvédère, C.P. 790  
Sainte-Anne-des-Monts (Québec)  
G0E 2G0.

Québec, on 11 April 2001

*The Minister of State for Health and Social Services and  
Minister of Health and Social Services,*  
RÉMY TRUDEL

4227

**M.O., 2001****Order of the Minister of Justice dated 18 April 2001**

Courts of Justice Act  
(R.S.Q., c. T-16)

Place of sittings of the Court of Québec in the judicial district of Québec

CONSIDERING the first paragraph of section 138 of the Courts of Justice Act (R.S.Q., c. T-16), which provides that the Court of Québec shall sit at the chief-place of the judicial district, at the place fixed by order of the Minister of Justice;

CONSIDERING the second paragraph of the same provision, which provides that the Minister of Justice may, by order, direct that, in addition to the chief-place of the judicial district, the Court shall sit at such place as he may determine and notice of such order shall be published in the *Gazette officielle du Québec* ;

CONSIDERING that, in the judicial district of Québec, the place of the chief-place was fixed at the Court House, 300, boulevard Jean-Lesage, Québec ;

CONSIDERING that, for the best administration of justice in the judicial district of Québec, it is expedient to authorize the Court of Québec, Criminal and Penal Division and Youth Division, to also sit, during the Summit of the Americas held from 20 to 22 April 2001, at the Établissement de détention de Québec, Secteur féminin et Secteur masculin ;

THE MINISTER OF JUSTICE ORDERS :

THAT, under the second paragraph of section 138 of the Courts of Justice Act (R.S.Q., c. T-16), the Court of Québec, Criminal and Penal Division and Youth Division, be also authorized to sit, in addition to the Court House at 300, boulevard Jean-Lesage, Québec, at the Établissement de détention de Québec, Secteur féminin et Secteur masculin, 500, rue de la Faune, Québec, during the Summit of the Americas held from 20 to 22 April 2001 ;

THAT this Order be published in the *Gazette officielle du Québec*.

Sainte-Foy, 18 April 2001

PAUL BÉGIN,  
*Minister of Justice*

4231

**M.O., 2001-012****Order of the Minister responsible for Wildlife and Parks dated 18 April 2001**

Delimiting areas on land in the domain of the State in view of increased utilization of wildlife resources

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING that under section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), amended by section 85 of Chapter 40 of the Acts of 1999 and by section 15 of Chapter 48 of the Acts of 2000, the Minister responsible for Wildlife and Parks may delimit, after consultation with the Minister of Natural Resources, areas on land in the domain of the State in view of increased utilization of wildlife resources and secondarily, the practice of recreational activities ;



CONSIDERING that it is expedient to delimit the areas on land in the domain of the State specified in appendix attached to this Order in view of increased utilization of wildlife resources;

CONSIDERING that the Minister of Natural Resources has been consulted on the issue;

ORDERS that:

The areas on lands in the domain of the State specified in appendix attached to this Order are delimited in view of increased utilization of wildlife resources;

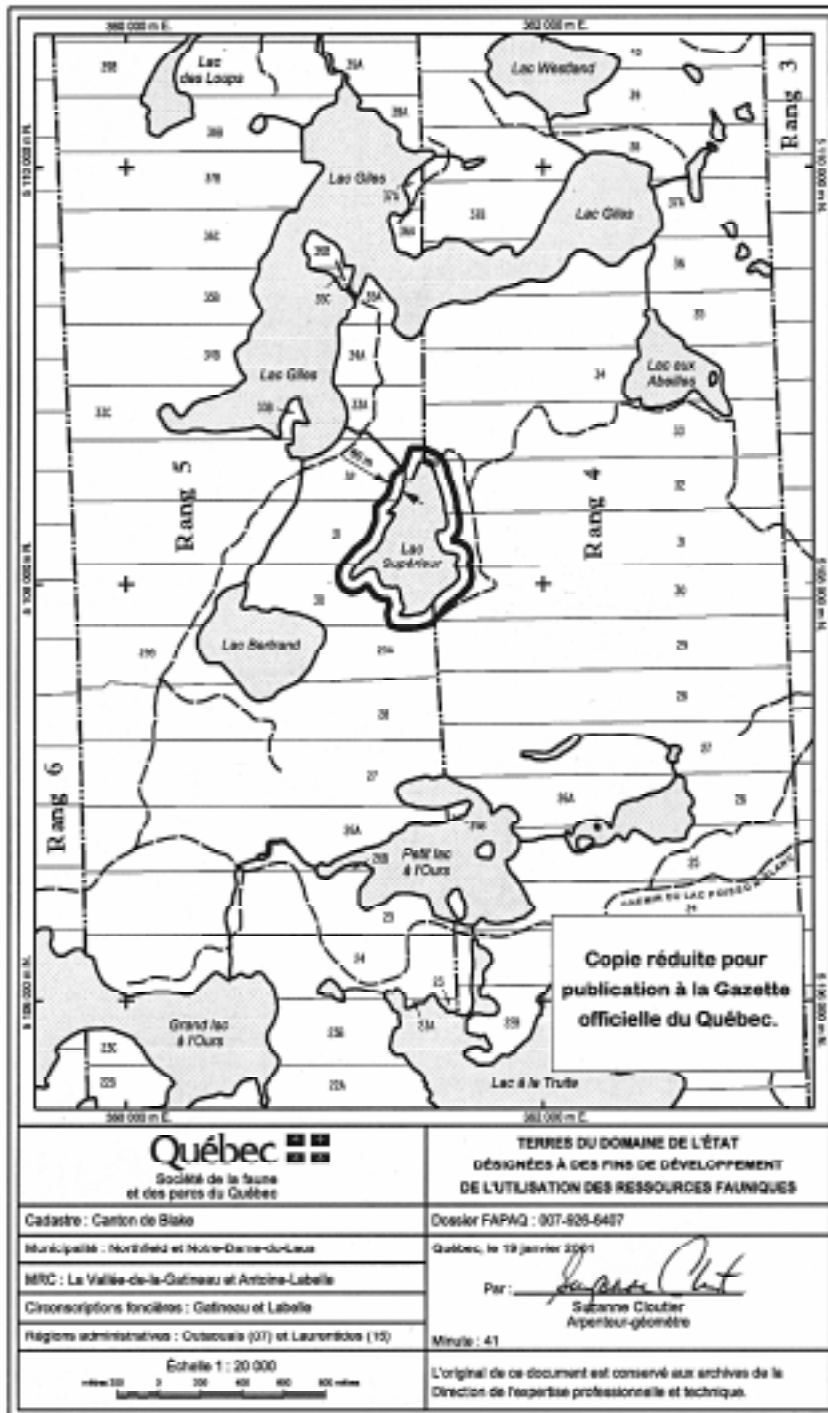
This Order comes into force on the day of its publication in the *Gazette officielle du Québec*.

Québec, 18 April 2001

GUY CHEVRETTE,  
*Minister responsible  
for Wildlife and Parks*

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SCHEDULE



 Société de la faune et des parcs du Québec		TERRES DU DOMAINE DE L'ÉTAT octroyées à des fins de développement DE L'UTILISATION DES RESSOURCES FAUNIQUE	
Cadastre : Canton de Blake		Dossier FAPQ : 907-626-6487	
Municipalité : Northford et Notre-Dame-du-Lac		Québec, le 19 janvier 2001	
MRC : La Vallée-de-la-Gatineau et Antoine-Labelle		Par :  Suzanne Cloutier arpenteur-géomètre	
Circonscriptions foncières : Gatineau et Labelle		Minute : 41	
Régions administratives : Outaouais (07) et Laurentides (10)		L'original de ce document est conservé aux archives de la Direction de l'expertise professionnelle et technique.	
Echelle 1 : 20 000 			

## Draft regulations

### Draft Decree

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

#### Cartage

— Montréal

— 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 cartage industry in the Montréal region (R.R.Q., 1981, c. D-2, r. 6) 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 cartage industry in the Montréal region”, 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 change the jurisdiction, to extend the period during which the Decree is in force to 31 December 2002 and to harmonize certain provisions, with those of the Act respecting labour standards (R.S.Q., c. N-1.1) in particular.

The Draft Decree is currently being studied. During the consultation period, the impact of the amendments sought will be clarified. According to the 1999 annual report of the Comité paritaire de l'industrie du camionnage de la région de Montréal, the Decree governs 161 employers, 115 artisans and 794 employees.

Further information may be obtained by contacting Ms. Michèle Poitras, Direction des décrets, ministère du Travail, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1; telephone: 418-646-2631; fax: 418-528-0559; e-mail: michele.poitras@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 amending the Decree respecting the cartage industry in the Montréal region\*

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

1. Section 2.05 of the Decree respecting the cartage industry in the Montréal region is amended by deleting paragraphs *a* and *b*.

2. Section 3.02 of the French text is amended by substituting the word “*étalées*” for the word “*étalée*”.

3. Section 5.08 is amended by inserting in subsection 1, after the word “*residence*”, the words “*in the performance of his duties*”.

4. Section 5.16 is amended:

(1) by substituting, in paragraph *k* of the French text, the word “*déductions*” for the word “*retenues*”.

(2) by inserting, in paragraph *l* of the French text, the word “*net*” after the word “*salaire*”.

5. Section 5.18 is amended by deleting the last sentence.

6. The following is substituted for section 6.01:

“**6.01.** The following days are statutory general holidays: 1 January, Good Friday, the Monday preceding 25 May, 1 July, the first Monday in September, the second Monday in October and 25 December.

The holiday on Good Friday may be substituted by that of Easter Monday, at the option of the employer, for all or part of his employees.”

7. Section 6.03 is amended by substituting the words “*in accordance with a*” for the words “*unless there is*”.

\* The Decree respecting the cartage industry in the Montréal region (R.R.Q., 1981, c. D-2, r. 6) was last amended by the Regulation made by Order in Council No. 1096-2000 dated 13 September 2000 (2000, *G.O.* 2, 4592). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

8. Section 6.06 is amended by substituting the following for the part of subsection 2 preceding paragraph *a* :

“(2) For Good Friday, the Monday preceding 25 May, 1 July, the first Monday in September and the second Monday in October, the employee receives the indemnity provided for in paragraph 1, provided that:”.

9. Section 7.03 is amended by adding, at the end, the following paragraphs:

“He is also entitled, if he applies therefor, to an additional annual leave without pay equal to the number of days required to increase his annual leave to three weeks.

Such additional leave need not follow immediately the two-week annual leave with pay. However, it may not be divided, or be replaced by a compensatory indemnity.”.

10. Section 7.07 is amended:

(1) by substituting the following for the text preceding paragraph *a* of subsection 1 :

“**7.01.** (1) The employee who completes his fifth or twelfth year of uninterrupted service, after 1 May of the current year, is entitled to additional paid vacation days, determined as follows:”;

(2) by substituting the following for the first sentence of subsection 2 :

“(2) The employee must take the additional days specified in subsection 1 after the anniversary date of his fifth or twelfth year of uninterrupted service.”.

11. Section 9.06 is revoked.

12. Section 11.03 is revoked.

13. The following is substituted for section 12.01 :

“**12.01.** This Decree remains in force until 31 December 2002.”.

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

## Index Statutory Instruments

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

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Delimiting areas on land in the domain of the State in view of increased utilization of wildlife resources . . . . . (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	2146	N
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