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Part 2 Laws and Regulations

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Coming into force of Acts

Gouvernement du Québec

O.C. 734-2001, 20 June 2001

Public Administration Act (2000, c. 8)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Public Administration Act

WHEREAS the Public Administration Act (2000, c. 8) was assented to on 30 May 2000;

WHEREAS under section 255 of the Act it will come into force on the date or dates fixed by the government, except sections 3 to 5, 8 to 11, paragraphs 4 and 11 of section 77 and section 254 which will come into force on 30 May 2000;

WHEREAS Order in Council 1027-2000 dated 30 August 2000 has fixed:

— 6 September 2000 as the date of coming into force of section 144 of the Public Administration Act;

— 1 October 2000 as the date of coming into force of sections 1, 2, 12 to 23, 29 to 36, 38 to 56, 58 to 76, section 77 except paragraphs 4 and 11, sections 78 to 92, section 93 except insofar as it repeals sections 22, 49.6 of the Financial Administration Act (R.S.Q., c. A-6) and Division IX of that Act comprising sections 83 to 85, sections 94 to 98, 100, 103 to 105, 109, 120 to 123, 125 to 143, 145 to 149, 152, 153, 157 to 173, 175, 178 to 182, 186, 188, 191, 201, 219, 221, 222, 224 to 228, 230, 231, 236, 238, 239, 240 except the number and the word “10.2 and” in paragraph 3 and paragraphs 4 and 5, sections 242, 243 except the word and number “or 49.6” and sections 244 to 253 of the Act;

— 1 April 2001 as the date of coming into force of sections 6, 7, 28, 57, section 93 insofar as it repeals section 49.6 and division IX comprising sections 83 to 85 of the Financial Administration Act, section 192, the number and the word “10.2 and” in paragraph 3 of section 240 and the word and number “or 49.6” in section 243 of the Act;

— 1 April 2002 as the date of coming into force of sections 24 to 27 of the Act;

WHEREAS it is expedient to fix the date of coming into force of the other provisions of the Act;

IT IS ORDERED, therefore, upon the recommendation of 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:

THAT 20 June 2001 be fixed as the date of coming into force of section 37, section 93 insofar as it repeals section 22 of the Financial Administration Act (R.S.Q., c. A-6) and sections 99, 101, 102, 106 to 108, 110 to 119, 124, 150, 151, 154 to 156, 174, 176, 177, 183 to 185, 187, 189, 190, 193 to 200, 202 to 218, 220, 223, 229, 232 to 235, 237 and 241 of the Public Administration Act (2000, c. 8).

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

4382

Regulations and other acts

Gouvernement du Québec

O.C. 735-2001, 20 June 2001

An Act respecting the Service des achats du gouvernement
(R.S.Q., c. S-4)

Service des achats du gouvernement

— Signing of certain deeds, documents or writings — Amendments

Regulation respecting the signing of certain deeds, documents or writings of the Service des achats du gouvernement

WHEREAS under section 1 of the Act respecting the Service des achats du gouvernement (R.S.Q., c. S-4), the Minister referred to in that Act is the Minister responsible for the administration of the Act respecting government services to departments and public bodies (R.S.Q., c. S-6.1);

WHEREAS under section 30 of the Act respecting government services to departments and public bodies, the Government shall designate the Minister responsible for the administration of that Act;

WHEREAS by Order in Council 1498-98 dated 15 December 1998, the Minister for Administration and the Public Service was designated minister responsible for the administration of the Act, subject to the application of Order in Council 1127-96 dated 11 September 1996, and responsible for the personnel, activities and programs dedicated to its implementation, as well as for the related credits;

WHEREAS by Order in Council 241-2001 dated 14 March 2001, the Minister for Administration and the Public Service is henceforth designated as the Minister responsible for Administration and the Public Service;

WHEREAS under section 3.3 of the Act respecting the Service des achats du gouvernement, no deed, document or writing is binding on the General Purchasing Director unless it is signed by the Minister, by the Director or by a public servant in the service but in the case of the public servant, only to the extent determined by regulation of the Government;

WHEREAS the Regulation respecting the signing of certain deeds, documents or writings of the Service des achats du gouvernement was made by Order in Council 394-99 dated 14 April 1999;

WHEREAS it is expedient to replace the Regulation by a regulation better adapted to the present administrative situation of the Service des achats du gouvernement;

IT IS ORDERED, therefore, on the recommendation of 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 :

THAT the Regulation respecting the signing of certain deeds, documents or writings of the Service des achats du gouvernement, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the signing of certain deeds, documents or writings of the Service des achats du gouvernement

An Act respecting the Service des achats du gouvernement
(R.S.Q., c. S-4. s. 3.3)

1. The public servants of the Service des achats du gouvernement who hold the positions mentioned in this Regulation on a permanent or interim basis are authorized to sign, on behalf of the General Purchasing Director and with the same effect, the deeds, documents or writings listed after their respective positions.

2. In the absence of the General Purchasing Director, the Director of the Direction des acquisitions de biens et de services, the Director of the Direction de la gestion physique des biens, the Director of the Direction des acquisitions des technologies de l'information or the Director of the Direction du développement des marchés et du service à la clientèle, with the Direction générale des acquisitions, is authorized to sign all contracts that the General Purchasing Director is authorized to sign under the Act respecting the Service des achats du gouvernement (R.S.Q., c. S-4).

3. A director of the Direction générale des acquisitions referred to in section 2 is authorized to sign any supply or service contract for \$500 000 or less.

4. A goods and services purchasing consultant acting within the Direction générale des acquisitions is authorized to sign any supply or service contract for \$50 000 or less.

5. A director of the Direction générale des acquisitions referred to in section 2 or a goods and services purchasing consultant referred to in section 4 and authorized to sign a supply or service contract under any of those sections is also authorized to sign any document related to any supplement in accordance with the provisions of the Regulation respecting supply contracts, construction contracts and service contracts of government departments and public bodies, made by Order in Council 961-2000 dated 16 August 2000.

6. The Director of the Direction de la gestion physique des biens is authorized to sign any sales contract for \$100 000 or less, as well as any amendment to such contract in the amount of \$10 000 or less.

7. The Head of the Service de la gestion des surplus and the Head of the Service de la gestion des biens saisis issus de la criminalité with the Direction de la gestion physique des biens is authorized to sign any sales contract for \$25 000 or less, as well as any amendment to such contract in the amount of \$2500 or less.

8. A surplus management consultant or a seized property gathered from crime management consultant acting as a seller with the Direction de la gestion physique des biens is authorized to sign any sales contract for \$5000 or less, as well as any amendment to such contract in the amount of \$500 or less.

9. This Regulation replaces the Regulation respecting the signing of certain deeds, documents or writings of the Service des achats du gouvernement, made by Order in Council 394-99 dated 14 April 1999.

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

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Gouvernement du Québec

O.C. 768-2001, 20 June 2001

An Act respecting the civil aspects of international and interprovincial child abduction
(R.S.Q., c. A-23.01)

Administration of the Act — China, special administrative region of Macao only, and Turkey

Administration of the Act respecting the civil aspects of international and interprovincial child abduction to China, special administrative region of Macao only, and to Turkey

WHEREAS under section 41 of the Act respecting the civil aspects of international and interprovincial child abduction (R.S.Q., c. A-23.01), the Government, upon the recommendation of the Minister of Justice and, as the case may be, of the Minister responsible for Canadian Intergovernmental Affairs or the Minister of International Relations, shall designate by order published in the *Gazette officielle du Québec* any State, province or territory in which he considers that Québec residents may benefit from measures similar to those set out in the Act;

WHEREAS that section also provides that the order indicate the date of the taking of effect of the Act for each State, province or territory designated in it;

WHEREAS China, special administrative region of Macao only, and Turkey have become parties to the Convention on the civil aspects of international child abduction and the Convention came into force on 1 March 1999 and on 1 August 2000 respectively;

WHEREAS the Government considers that Québec residents will benefit in those States from measures similar to those set out in the Act respecting the civil aspects of international and interprovincial child abduction;

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

THAT China, special administrative region of Macao only, and Turkey be designated as States to which the Act respecting the civil aspects of international and interprovincial child abduction shall apply and the Act take effect in respect of China, special administrative region of Macao only, on 1 March 1999, and in respect of Turkey, on 1 August 2000.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

4379

Gouvernement du Québec

O.C. 773-2001, 20 June 2001

Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2)

Programme relatif à une délégation de gestion de terres publiques intramunicipales en faveur des municipalités régionales de comté de la région administrative de l'Outaouais

WHEREAS the Government and the Conseil régional de développement de l'Outaouais, as part of the government policy on regional development, have agreed on a proposed specific agreement on intramunicipal territory in the public domain;

WHEREAS the parties involved discussed the delegation of powers and responsibilities to the regional county municipalities in the region with respect to intramunicipal lands in the public domain;

WHEREAS the Government made a proposal to the Conseil régional de développement de l'Outaouais with a view to signing the specific agreement;

WHEREAS on 23 August 1999, the Conseil régional approved, by resolution, the content of the specific agreement proposed by the Government which defines the measures, provisions and commitments agreed on by the parties;

WHEREAS one of the principal measures contemplated in the proposed specific agreement, which should further the socio-economic development of the region's communities, is the delegation of the management of intramunicipal lands in the public domain to the regional county municipalities of the Outaouais region;

WHEREAS under section 17.13 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2), the Minister may, with the approval of the Government, prepare programs for the development of lands in the domain of the State that are under his authority in order to foster regional development;

WHEREAS under section 17.14 of that Act, the Minister may, for the purposes of such programs, entrust the management of lands in the domain of the State and property located on them to a legal person designated by the Minister, which may then exercise or carry out the Minister's powers and responsibilities under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1), amended by chapter 56 of the Statutes of 2000, to the extent and according to the terms and conditions set out in the program;

WHEREAS that section allows the Minister to determine which powers provided for in section 71 of the Act respecting the lands in the domain of the State may be exercised by the legal person by means of by-laws, to the extent and according to the terms and conditions set out in the program;

WHEREAS under sections 14.11 to 14.12.2 of the Municipal Code of Québec (R.S.Q., c. C-27.1), every municipality may participate in the programs prepared by the Minister of Natural Resources and has the necessary powers to meet the commitments and assume the responsibilities under the programs with respect to any designated land in the domain of the State;

WHEREAS it is expedient to approve the program which authorizes the Minister of Natural Resources to delegate to the regional county municipalities in the administrative region of Outaouais the management of intramunicipal lands in the public domain identified in the territorial management agreements to be signed under the program;

WHEREAS it is expedient to entrust the management of the program to the Minister of Natural Resources;

WHEREAS the program planning is administered by the Minister in conjunction with the other departments and government bodies involved;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources:

THAT the Programme relatif à une délégation de gestion de terres publiques intramunicipales en faveur des municipalités régionales de comté de la région administrative de l'Outaouais, attached to this Order in Council, be approved;

THAT the administration of the program be entrusted to the Minister of Natural Resources, on the assumption that the program planning be administered by the Minister, in conjunction with the other departments and government bodies involved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

PROGRAMME RELATIF À UNE DÉLÉGATION
DE GESTION DE TERRES PUBLIQUES
INTRAMUNICIPALES EN FAVEUR DES
MUNICIPALITÉS RÉGIONALES DE COMTÉ DE
LA RÉGION ADMINISTRATIVE DE L'OUTAOUAIS

1. OBJECTIVE OF THE PROGRAM

To promote regional development by developing intramunicipal lands in the public domain in the administrative region of Outaouais and by entrusting their management to the regional county municipalities in that region.

2. DEFINITIONS

For the purposes of this Program, unless the context indicates otherwise,

2.1. “territorial management agreement” means a multisectoral act of delegation whereby the Government transfers management powers and responsibilities provided for in the agreement to a regional county municipality (RCM) on certain conditions; (*convention de gestion territoriale*)

2.2. “agreement” means the specific agreement between the Government and the Conseil régional de développement de l’Outaouais (CRD de l’Outaouais) on the management and development of the Outaouais intramunicipal territory in the public domain; (*entente*)

2.3. “Minister” means the Minister of Natural Resources; (*ministre*)

2.4. “Program” means this program, prepared under Division II.2 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2). (*programme*)

3. CONDITIONS OF ELIGIBILITY

To be eligible for the Program, a regional county municipality in the administrative region of Outaouais shall

3.1. adopt a resolution whereby the municipality states its acceptance of the agreement and of all the terms and conditions, commitments and obligations under the agreement and the Program;

3.2. establish, by by-law, a development fund under sections 688.7 to 688.9 of the Municipal Code of Québec (R.S.Q., c. C-27.1); and

3.3. create, by by-law, a multiresource committee in charge of advising the RCM and representing all interests related to the preservation of natural environments

and to the development and use of the territory covered by the delegation. Furthermore, the voting powers of the committee should be apportioned fairly to prevent the committee’s decision from being directed by particular interests or groups.

4. TERRITORIAL JURISDICTION

4.1. The intramunicipal lands in the public domain on which the powers and responsibilities delegated under this Program shall be exercised are the lots, parcels of lots and any other part of the domain of the State including the buildings, improvements and movable property therein, which are located in the administrative region of Outaouais, within the limits of the municipal territory of the region and are under the Minister’s jurisdiction. The lands are shown on the “Terres publiques intramunicipales déléguées” map for the Outaouais region dated November 2000.

4.2. The following are expressly excluded from the territory covered:

(1) the water domain, that is, the beds of lakes and rivers up to the normal high water mark, including the water powers;

(2) lands in the public domain flooded following the construction and maintenance of a dam or any work related to the dam or required for its operation;

(3) any right-of-way of a route or highway under the management of the Minister of Transport of Québec, including in particular its infrastructure and all the works useful for its development or management; and

(4) any other land identified by the Minister.

4.3. Where land under the responsibility of an RCM is required for public use or interest or for any other purpose by order of the Government, or where land was incorrectly identified as included in intramunicipal lands in the public domain, the Minister may, after notification, exclude that land from the Program.

Such exclusion by the Minister could eventually lead to a fair compensation for any improvement made on that land by the RCM, at its own expense, without assistance from development funds or any government financial assistance program since the signing of the territorial management agreement, as well as for any actual damage, without further compensation or indemnity for any loss of expected profits or revenues.

5. DELEGATED POWERS AND RESPONSIBILITIES

For the purposes of the Program, the Minister may delegate to an RCM the powers and responsibilities with respect to land planning and management referred to in sections 5.1 and 5.2. That delegation is subject to the terms and conditions provided for in section 7.

The powers and responsibilities so delegated shall be exercised on all the lands identified by the Minister in a list attached to the territorial management agreement.

In addition to those lands, the Minister may, after notification, delegate the management of any other intramunicipal land in the public domain under his jurisdiction.

5.1. Planning

With respect to planning, the Minister shall delegate to the RCM the responsibility for planning the development and use of the public territory (intramunicipal lands in the public domain and its natural resources) covered by the territorial management agreement signed by the RCM for at least five years. To that end, the RCM shall comply with the deadline fixed by the Minister and take into account the concerns of the population and users of the territory and resources. The RCM shall forward its planning to the Minister for approval before any other consultation. The RCM shall review the planning, make any necessary changes, ensure follow-up and include it in its development plan.

The Minister may intervene to help find a concerted solution that would lead to the adoption of the planning should the RCM be unable to reach a consensus on the carrying out of the planning. If need be, the Minister may impose an arbitration procedure.

5.1.1. The planning must:

(1) define the territory's vocation without changing that of the special interest lands identified by the Government in the public land use plan;

(2) indicate the general rules, terms and conditions for harmonizing and integrating the uses of the territory;

(3) take into account the Government's territory development guidelines and its special concerns communicated during the preparation of the said planning; and

(4) take into account the regional strategic plan of the CRD de l'Outaouais.

5.2. Land management

For the purposes of this Program, the Minister shall entrust the management of intramunicipal lands in the public domain to an RCM that exercises the following powers and responsibilities under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1), amended by chapter 56 of the Statutes of 2000, and the regulations related thereto:

(1) manage the land rights already granted other than leases for the utilization of water powers. To that end, the RCM shall manage and respect the rights granted until they expire, renew them and cancel them if the beneficiary fails to meet his obligations;

(2) grant and manage new land rights other than leases for the utilization of water powers, renew them, ensure the follow-up, amend them with the consent of the parties involved and cancel them if the beneficiary fails to meet his obligations;

(3) manage the buildings, improvements and movable property located on the lands covered by the delegation and, if need be, dispose of them according to the regulatory provisions;

(4) sell land, grant rights under emphyteutic contracts, transfer land gratuitously for public use in accordance with the regulations. However, the RCM shall first obtain the Minister's consent before granting those rights;

(5) grant servitudes and any other right;

(6) grant temporary occupation and visitor's licences;

(7) collect and keep all income, including expenses arising from the management of lands covered by the delegation;

(8) renounce the right of ownership of the Minister in favour of the occupant of the land in the course of a cadastral renovation in accordance with sections 40.1 et seq. of the Act respecting the lands in the domain of the State and according to the criteria established by the Minister for such a renunciation;

(9) rectify any deed of alienation granted by the RCM and waive or amend the restrictive clauses in a deed of alienation granted by the RCM, in accordance with sections 35.1 and 40 of the Act respecting the lands in the domain of the State, or change the purposes therein;

(10) acquire by mutual agreement (gift, purchase, trade), to the benefit of the domain of the State, private lands, buildings, improvements and movable property. However, the RCM shall obtain the Minister's consent prior to such a transaction;

(11) publish a declaration stating that the land forms part of the domain of the State in accordance with sections 19 et seq. of the Act respecting the lands in the domain of the State;

(12) authorize the construction of roads other than forest and mining roads in accordance with sections 55 et seq. of the Act respecting the lands in domain of the State;

(13) control the use and occupation of the territory

— by treating situations of illegal occupation and use, including in particular illegal dumping sites and gates within the meaning of the Act respecting the lands in the domain of the State, according to strict rules and methods in keeping with the Government's position that no privilege may be granted to anyone who illegally occupies or uses land in the domain of the State;

— by treating situations of precarious occupation according to the Regulation respecting the regularization of certain kinds of occupation of lands in the public domain, made under the Act respecting the lands in the domain of the State by Order in Council 233-89 dated 22 February 1989 and its amendments;

(14) institute penal proceedings in its own name for an offence committed on the territory covered by the management delegation, provided for in the Act respecting the lands in the domain of the State and its regulations, or in the by-laws adopted by the RCM in accordance with section 6;

(15) exercise all the recourses and powers conferred upon the Minister under sections 60 to 66 of the Act respecting the lands in the domain of the State; and

(16) cause the limit between the domain of the State and private property to be determined and the signature of the owner to be affixed to the documents pertaining to cadastral operations, boundary marking or any motion for the judicial recognition of the right over property concerning the lands in the domain of the State covered by the management delegation, in accordance with land survey instructions issued by the Minister, as provided for in section 17 et seq. of the Act respecting the lands in the domain of the State.

6. REGULATORY POWERS

For the purposes of this Program, the Minister shall determine that an RCM may exercise, by means of by-laws adopted under subparagraph 5 of the second paragraph of section 14.12 of the Municipal Code of Québec (R.S.Q., c. C-27.1) and according to the conditions set out in section 6.1 of this Program, the powers referred to in subparagraphs 3, 7, 8, 9, 10 and 11 of the first paragraph and the second paragraph of section 71 of the Act respecting the lands in the domain of the State.

6.1. Conditions applicable to regulatory powers

The by-laws of the RCM, whose coming into force is subject to the rules prescribed by the Municipal Code of Québec, shall be first submitted to the Minister who may approve them, having ascertained that they are in keeping with the Government's principles and objectives and their regional consistency. More specifically, the RCM shall comply with the following principles:

(1) it shall keep the delegated intramunicipal lands in the public domain open to the public, in particular by allowing the free movement of persons;

(2) it shall preserve public access to the State water domain;

(3) it shall impose a tariff based on the market value; and

(4) it shall grant no privilege to a person who illegally occupies or uses land in the domain of the State, except to regularize a precarious situation eligible for a title under the Regulation respecting the regularization of certain kinds of occupation of lands in the public domain, made under the Act respecting the lands in the domain of the State by Order in Council 233-89 dated 22 February 1989 and its amendments.

By-laws respecting administration expenses shall pertain only to the cases already provided for in the regulations made under the Act respecting the lands in the domain of the State.

7. GENERAL

7.1. An RCM entrusted with the management of intramunicipal lands in the public domain by the Minister under this Program, shall, in respect of all the following items, comply with the corresponding terms and conditions:

Access to the domain of the State: the RCM shall maintain public access to the domain of the State and the public water domain;

Alienation of land: the Minister's agreement to a land alienation may be transmitted either in the course of the development and use planning referred to in section 5.1, or by a specific notice for projects not referred to in that planning;

Land surveying: any land surveying on lands in the public domain or affecting their limits, including boundary marking, and in particular the one required for an alienation, shall be carried out in accordance with sections 17 et seq. of the Act respecting the lands in the domain of the State and with the instructions of the Minister;

Native peoples: the land rights granted by the RCM shall comply with government policy concerning Native peoples;

Multiresource committee: the RCM shall see that the representation referred to in section 3.3 is preserved. It shall request the committee's written advice on the following matters, that is, the development and use planning for the territory for which the RCM is responsible, the use of the development fund and, if need be, the taking into account of that planning in every development plan;

Costs and expenses related to land management: all the costs and expenses related to the land management shall be charged, as the case may be, to the RCM, the acquirer, the applicant or the beneficiary of the right. Those costs and expenses include land surveying on land in the public domain, cadastral registration, boundary marking and the publication of rights for any transaction carried out by the RCM;

Land rights granted by the State: the RCM shall respect the rights granted by the State in accordance with the titles issued until they expire, renew them unless the beneficiary of the right is at fault and make sure, in exercising the powers and responsibilities delegated under the program, not to restrict in any way the exercise of a right granted or to be granted by the State;

Land rights related to vacation: land rights related to vacation shall respect the vacation development objectives set out in the Guide de développement de la villégiature sur les terres du domaine public prepared in April 1994 and in the Plan régional de développement de villégiature de l'Outaouais prepared in August 1993 or any other document replacing them;

State and area of intramunicipal lands in the public domain: in exercising delegated powers and responsibilities, the RCM shall accept the lands as they are delimited, designated or surveyed at the time the territorial management agreement is signed, without any guarantee by the Minister as to their state or area; and

Rules and procedures: the operating rules and administrative procedures adopted by the RCM shall provide fair granting of rights and alienation of land on the territory covered for all those concerned and recognize the special principles and objectives defined in the territorial management agreement.

7.2. The RCM shall file the following reports:

(1) an annual report at 31 March of each year to the Minister on its activities and the use of the income from start-up assistance, duties or similar income from the management of the applicable territory and income from the development carried out in that territory;

(2) every five years, an activity report to the Minister and the CRD de l'Outaouais on the results obtained versus the objectives set forth in the agreement and the objectives defined in the territorial management agreement, and on the assessment of the RCM's management of the powers and responsibilities delegated to it. In addition, the RCM shall make public the highlights of the report.

The Minister and the RCM shall agree within 12 months of the signing of the territorial management agreement on the objectives to be attained and on assessment criteria; and

(3) a report on the management of the fund including detailed statements of account and a detailed report on the expenditure of the amounts paid into the fund, according to a departmental grid.

7.3. The intramunicipal lands in the public domain covered by the delegation shall be administered and managed by the RCM without financial compensation from the Government.

7.4. The RCM shall collect and keep the income from the management of the intramunicipal lands in the public domain covered by the delegation, including administration expenses, from the date the territorial management agreement is signed. Notwithstanding the preceding, any amount collected by the Government or owed to it on the date of the signing remains its property without adjustment.

7.5. The Minister shall register in the Terrier or in any other register designated by him all alienations and rights granted by the RCM on the lands in question and shall issue attestations in writing of the information entered therein; the RCM shall collect all exigible expenses, including interest income, and shall remit them entirely to the Minister, according to the terms and conditions defined in the territorial management agreement. When the Minister will have implemented a formal procedure to make it possible for the RCM to directly enter rights in the official land register, he will contact the RCM to adapt the relevant terms and conditions in the territorial management agreement.

7.6. An RCM that exercises the powers and responsibilities provided for in this Program acts in its own name and any action it takes is in no way binding on the Government.

Subject to the special provisions of section 6, the RCM shall comply with the Act respecting the lands in the domain of the State and its regulations, as amended.

8. FINAL PROVISIONS

8.1. The territorial management agreement respecting land planning and management has a renewable five-year term.

When the land management delegation expires, the Minister shall again be fully responsible for the management of the intramunicipal lands in the public domain that he had delegated.

The Minister may also terminate the delegation if the RCM fails to comply with the terms and conditions applicable to the delegation.

8.2. Where the Minister is again responsible for the management of intramunicipal lands in the public domain he had delegated, the RCM shall send the Minister all the information required, including, in particular, the up-to-date books and records kept by the RCM for managing the lands. The RCM shall also give the Minister all the records that the Minister entrusted to it.

8.3. Any contestation by the holder of a right that was granted by the RCM and that results from differences in the management methods applied by the RCM and the Minister shall be submitted to the Minister.

4380

Gouvernement du Québec

O.C. 775-2001, 20 June 2001

Forest Act
(R.S.Q., c. F-4.1)

Agreement respecting the transfer of responsibilities for the management of forests in the domain of the State to the Outaouais regional county municipalities on an experimental basis

WHEREAS the Gouvernement du Québec and the Conseil régional de développement de l'Outaouais have agreed to enter into a specific agreement on the management and development of the intramunicipal public territory of the Outaouais in order to promote that territory's contribution to the revitalization, consolidation and economic development of the region and the local communities;

WHEREAS the delegation of powers and responsibilities for management and development is one of the principal measures defined in the specific agreement;

WHEREAS the delegation is based on the compliance with government principles and guidelines concerning the use, development and management of public land and on the attainment of objectives while granting the regional county municipalities (RCM) and local and regional authorities the necessary leeway with respect to the means of implementation;

WHEREAS the said agreement provides that powers and responsibilities concerning forest management may be subject to a delegation of management conditional on the required amendments to the Forest Act (R.S.Q., c. F-4.1), amended by chapter 77 of the Statutes of 1999, by chapters 4, 8, 15, 53 and 56 of the Statutes of 2000 and by chapter 6 of the Statutes of 2001, subject to their coming into force being decided by the Government;

WHEREAS, under the Forest Act, the Minister of Natural Resources holds the powers and responsibilities concerning forest management;

WHEREAS, under section 10.5 of the Municipal Code of Québec (R.S.Q., c. C-27.1), an RCM may enter into an agreement with the Government under which certain responsibilities, specified in the agreement, that are assigned by an Act or regulation to the Government, to a Minister or to a government body, are transferred to the municipality on an experimental basis;

WHEREAS, under section 10.6 of that Code, such agreement must set out the conditions governing the exercise of the responsibility to which it applies, including the

duration thereof, and, where applicable, provide for the renewal of the agreement and determine the rules relating to the financing required for its implementation;

WHEREAS, under section 10.8 of that Code, such an agreement shall prevail over any inconsistent provision of any general law or special Act or of any regulation thereunder;

WHEREAS an inhabited forest demonstration recognized by the Ministère des Ressources naturelles and coordinated by the Corporation de gestion de la Forêt de l'Aigle is located in the territorial jurisdiction of La Vallée-de-la-Gatineau RCM;

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

THAT the Minister of Natural Resources be authorized to sign an agreement, for and on behalf of the Government, with each regional county municipality (RCM) in the Outaouais region under which will be transferred to each RCM on an experimental basis responsibilities for the management of forests in the domain of the State currently established as forest reserves located within the limits of local municipalities; those responsibilities are set out in the Schedule to this Order in Council;

THAT the agreement take effect for a five-year term on the date each territorial management agreement is signed;

THAT the agreement may be automatically renewed if the specific agreement on the management and development of the intramunicipal public territory of the Outaouais is renewed;

THAT the agreement may terminate prematurely in whole or in part if the amendments to the Forest Act (R.S.Q., c. F-4.1), amended by chapter 77 of the Statutes of 1999, by chapters 4, 8, 15, 53 and 56 of the Statutes of 2000 and by chapter 6 of the Statutes of 2001, come into force to introduce therein provisions allowing the RCMs to be entrusted with the delegation of such powers and responsibilities;

THAT the agreement apply to the following RCMs: La Vallée-de-la-Gatineau, Les-Collines-de-l'Outaouais, Papineau and Pontiac;

THAT the agreement be entered into on the following conditions:

(a) each RCM shall, before the signing of any delegation agreement, consent by resolution to all the terms, obligations and conditions of the specific agreement;

(b) in exercising the responsibilities transferred to them, the RCMs shall comply with the provisions of the Forest Act and the regulations made thereunder, as amended, particularly as regards sustainable forest development, preservation of forest production and forest conservation;

(c) the RCMs shall not adopt restrictions favouring the use of the resource on a local level, to the detriment of more promising projects with respect to job creation and future development;

(d) the RCMs shall not carry out or allow forest management activities to be carried out, as defined in section 3 of the Forest Act, in the areas identified as exceptional forest ecosystems in Schedule I.2 of their respective territorial management agreements, without prior authorization from the Minister of Natural Resources;

(e) the RCMs shall prepare, for the approval of the Minister of Natural Resources, a forest management plan that includes a forest production estimate and a five-year program for forest management activities;

(f) the RCMs shall consult with the Société de la faune et des parcs du Québec regarding the forest management plans prepared by the holders of forest management agreements in accordance with the terms and conditions agreed to by the parties;

(g) the RCMs shall become members of forest protection organizations recognized by the Minister of Natural Resources and shall pay their share of the assessment. The RCMs' contributions to the organizations shall apply to the territory where the RCMs have not entered into forest management agreements covering an area of 800 hectares or more. Where such agreements have been entered into, the RCMs shall require the holders to become members of the organizations and pay their share of the assessment;

(h) the RCMs shall file the following reports with the Minister of Natural Resources: on 31 March of each year, an annual report on the activities that have taken place and the use of the income from forest management and a five-year activity report assessing the experimental forest management;

(i) the Minister of Natural Resources shall continue to hold the powers and responsibilities that are not expressly transferred to the RCMs;

(j) the Minister of Natural Resources may, where necessary, specify the scope of the transferred responsibilities for forest management;

THAT the agreements to be entered into with the RCMs comply with the provisions of the specific agreement on the management and development of the intramunicipal public territory of the Outaouais.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

SCHEDULE

Responsibilities defined in the Forest Act (R.S.Q., c. F-4.1), amended by chapter 77 of the Statutes of 1999, chapters 4, 8, 15, 53 and 56 of the Statutes of 2000 and chapter 6 of the Statutes of 2001, relating to forests in the domain of the State and applicable to forest reserves:

— the issuing of forest management permits of the following classes:

- for the harvest of firewood for domestic or commercial purposes;
- for sugar bush management for acericultural purposes; and
- for a wildlife or recreational development project;

— the development of forest reserves and the sale of timber harvested in the territory covered by this agreement. Notwithstanding the foregoing, the sale of pulpwood and timber in the classes covered by agreements between the Outaouais wood producers' and sawmillers' unions and boards shall be negotiated with the unions and boards in question;

— the signing of forest management agreements;

— the issuing of forest management permits for the construction or improvement of forest roads and the issuing of authorizations regarding the width of the right-of-way and the use of timber harvested in connection with the construction or improvement of roads other than forest roads;

— the restriction or prohibition of access to forest roads in the public interest, particularly in case of fire, during thaw periods or for safety reasons;

— the application of forest management standards, in accordance with the Regulation respecting standards of forest management for forests in the public domain made by Order in Council 498-96, dated 24 April 1996, as amended, or the standards prescribed in accordance with the provisions of sections 25.2 and 25.3 of the Forest Act;

— the collection of dues from holders of authorizations, permits or rights issued by the RCMs in accordance with the applicable regulations;

— the monitoring and supervision of forest management, in accordance with the Forest Act and the regulations thereunder. The RCM shall notify the Minister of any offence under the Forest Act or the regulations in force and forward to the Minister the file it has prepared on the matter, including the technical documents needed to describe the offence (maps, area measurements, tree count, ...);

— the supervision of the scaling of harvested timber, in accordance with the standards determined by Government regulation; the RCM shall use the computerized scaling method to forward the data to the Ministère des Ressources naturelles.

4381

Gouvernement du Québec

O.C. 776-2001, 20 June 2001

Public Health Protection Act
(R.S.Q., c. P-35)

Regulation

— Amendments

Regulation to amend the Regulation respecting the application of the Public Health Protection Act

WHEREAS under subparagraph *d* of the first paragraph of section 69 of the Public Health Protection Act (R.S.Q., c. P-35), the Government may, by regulation, determine what documents a permit holder must produce, the kind of operations he must conduct, the reports he must make, the records he must keep and the fees he must pay, as well as the procedures for renewal of permits, except in the case of a holder of an ambulance service permit;

WHEREAS the Government made the Regulation respecting the application of the Public Health Protection Act (R.R.Q., 1981, c. P-35, r. 1) and it is expedient to amend it;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and with section 69 of the Public Health Protection Act, the text of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 22 November 2000, on page 5330, with a notice that it could be made by the Government upon the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Health and Social Services and Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the application of the Public Health Protection Act, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Public Health Protection Act*

Public Health Protection Act
(R.S.Q., c. P-35, s. 69, 1st par., subpar. d)

1. The fourth paragraph of section 107 of the Regulation respecting the application of the Public Health Protection Act is amended

(1) by substituting the words “embalming rooms” for the word “columbaria”; and

(2) by adding the following at the end of the paragraph: “Notwithstanding the foregoing, no fee is payable for the issuance or renewal of a funeral director’s permit where the funeral director’s sole activity is to operate a columbarium.”.

2. This Regulation comes into force on 30 September 2001 for applications for renewal made in accordance with section 106 of the Regulation respecting the application of the Public Health Protection Act (R.R.Q., 1981, c. P-35, r. 1) and on 1 January 2002 for any other purpose.

4383

M.O., 2001-014

Order of the Minister responsible for Wildlife and Parks dated 19 June 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 that the second paragraph of section 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) provides that the Société de la faune et des parcs du Québec may make regulations on the matters set forth therein;

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

CONSIDERING that section 164 of the Act provides in particular that a regulation made by the Société under section 56 of the 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 that the Regulation respecting hunting, which prescribes the conditions for hunting any animal or any class of animals, was made by Minister’s Order 99021 dated 27 July 1999;

CONSIDERING that, by resolution n° 01-42 adopted by the board of directors on May 30, 2001, the Société made the Regulation to amend the Regulation respecting hunting attached hereto;

ORDERS:

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

Québec, 19 June 2001

GUY CHEVRETTE,
Minister responsible for Wildlife and Parks

* The Regulation respecting the application of the Public Health Protection Act (R.R.Q., 1981, c. P-35, r. 1) was last amended by the Regulation made by Order in Council 1599-95 dated 6 December 1995 (1995, *G.O.* 2, 3579). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

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.)

1. Schedule I to the Regulation respecting hunting is amended by adding the number “2” in Column II of subparagraph *ii* of paragraph *d* of section 1.

2. Schedule II is amended

(1) by substituting

(a) the number “150” for the number “300” as regards Area 2;

(b) the number “550” for the number “760” as regards Area 3, part shown on the plan in Schedule X;

(c) the number “1000” for the number “2300” as regards Area 4;

(d) the number “890” for the number “400” as regards Area 5;

(e) the number “1000” for the number “2000” as regards Area 6;

(f) the number “1500” for the number “1200” as regards Area 10, except the part shown on the plan in Schedule XVI;

(g) the number “4500” for the number “3800” as regards Area 10, western part shown on the plan in Schedule XVI;

in section 1; and

(2) by substituting the number “1000” for the number “800” in paragraph *i* of section 3 as regards Area 1.

3. Schedule VI is amended by substituting “From the Tuesday on or closest to 5 September to the Friday on or closest to 13 October” for “From the Tuesday on or closest to 5 September to the Sunday on or closest to 15 October” for the hunting season for moose in the Laurentides Wildlife Sanctuary.

4. Schedule VII is amended by substituting “From the Saturday on or closest to 14 October to the Sunday on or closest to 5 November” for “From the Monday on or closest to 16 October to the Sunday on or closest to 5 November” for the hunting season for ruffed grouse, spruce grouse and snowshoe hare (Type 3 implement) in the Laurentides Wildlife Sanctuary.

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

4368

M.O., 2001-013

Order of the Minister responsible for Wildlife and Parks dated 19 June 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 and third paragraphs of section 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provide that the Société de la faune et des parcs du Québec may make regulations on the matters mentioned 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, 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);

* The Regulation respecting hunting, made by Minister's Order 99021 dated 27 July 1999 (1999, *G.O.* 2, 2451), was last amended by the Regulations approved by Minister's Order 2001-006 dated 26 January 2001 (2001, *G.O.* 2, 1137) and Minister's Order 2001-009 dated 4 April 2001 (2001, *G.O.* 2, 1954). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

CONSIDERING the making of the Regulation respecting trapping and the fur trade by Minister's Order 99026 dated 31 August 1999, which prescribes, in particular, trapping periods for animals or classes 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. 01-43 dated May 30, 2001;

ORDERS:

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

Québec, 19 June 2001

GUY CHEVRETTE

Minister responsible for Wildlife and Parks

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), 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56	15-05/30-06	18-10/30-04	18-10/01-03	18-10/15-03	18-10/15-03	18-10/01-03	18-10/15-01

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 par.)

1. The Regulation respecting trapping and the fur trade is amended by substituting Schedule III attached hereto for Schedule III to the Regulation.

2. Schedule IV attached hereto is substituted for Schedule IV to the Regulation.

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

* The Regulation respecting trapping and the fur trade, made by Minister's Order 99026 dated 31 August 1999 (1999, *G.O.* 2, 2992), was last amended by the Regulations approved by Minister's Orders 2000-024 dated 11 July 2000 (2000, *G.O.* 2, 4054) and 2001-010 dated 4 April 2001 (2001, *G.O.* 2, 2053)

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
8, 9, 20, 21, 22, 29, 33, 34	15-05/30-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-04	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	25-10/01-04	25-10/01-03	25-10/01-03	25-10/15-01
11, 13, 30, 31, 32	15-05/30-06 18-10/15-12	18-10/30-04	18-10/01-03	18-10/01-04	18-10/15-03	18-10/01-03	18-10/15-01
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	15-11/01-03	25-10/31-01	—
17	18-10/15-12	18-10/30-04	18-10/01-03	18-10/01-04	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	25-10/01-04	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	25-10/01-04	25-10/01-03	25-10/01-03	25-10/15-01
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	25-10/01-03	25-10/15-01
23	15-05/30-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-04	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	08-11/01-04	08-11/01-03	08-11/31-01	—
25,	15-05/30-06 25-10/15-12	25-10/15-04	25-10/01-03	08-11/01-04	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	25-10/01-04	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	25-10/01-03	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	25-10/01-03	25-10/15-01
39	18-10/15-12	18-10/30-04	18-10/01-03	18-10/15-03	18-10/15-03	18-10/15-01	18-10/15-01

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
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	11-10/15-03	11-10/01-03	11-10/15-01
67	—	—	—	—	—	—	—
68 (note 4)	—	01-11/30-04	01-11/01-03	01-11/15-03	01-11/15-03	—	—
69	—	—	15-12/31-12 (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	01-11/01-03	15-11/15-01	01-11/15-01
74 (note 1)	15-05/30-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-04	25-10/01-03	25-10/31-12	25-10/15-01
75, 76 (note 1), 77	15-05/30-06 25-10/15-12	25-10/30-04	25-10/01-03	25-10/01-04	25-10/01-03	25-10/31-01	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	25-10/01-03	25-10/31-01	25-10/15-01
83, 84	15-05/30-06 25-10/15-12	25-10/15-04	25-10/01-03	08-11/01-04	08-11/01-03	25-10/01-03	—

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

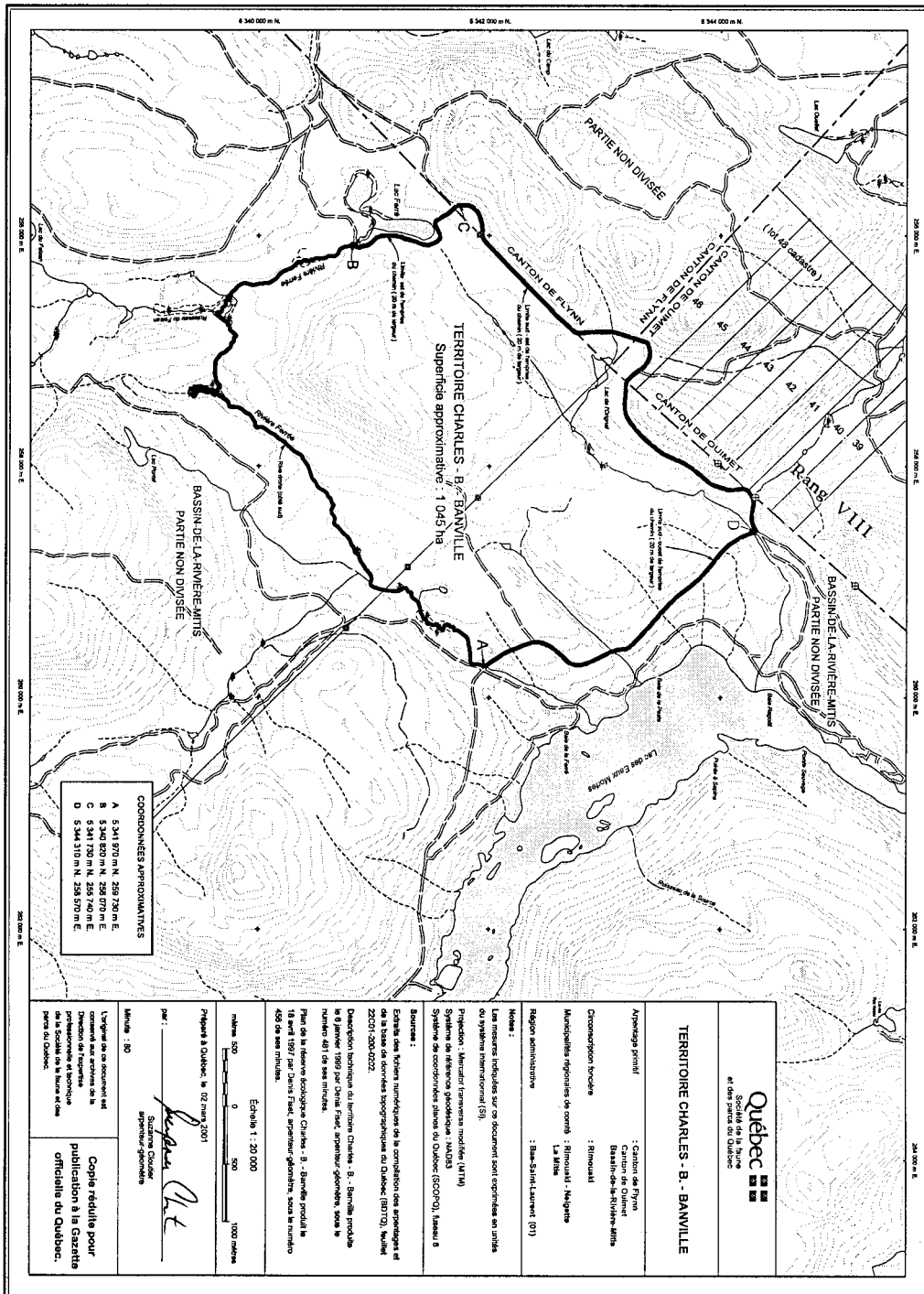
Note 2: In the Plaisance Wildlife Sanctuary (FAMU 19), only the trapping of muskrat, beaver and mink is permitted.

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.

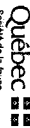

Note 5: In FAMU 69, only the trapping of red fox or coyote is permitted.

SCHEDULE IV



COORDONNÉES APPROXIMATIVES

A	5 341 975 N, 258 728 E
B	5 341 975 N, 258 742 E
C	5 341 725 N, 258 742 E
D	5 344 310 N, 258 570 E

 Société de la faune et des parcs et réserves	
TERRITOIRE CHARLES - B. - BANNVILLE	
Apprentissage privé :	Canton de Flynn
Administration locale :	Canton de Duneak Bassin de la Rivière Annts
Municipalités adjacentes de comté :	Blainville - Mégève Le Massif
Région administrative :	Bas-Saint-Laurent (01)
Notes : Les mesures indiquées sur ce document sont exprimées en mètres du système international (SI). Projection : Métrique transverse modifiée (MTM) Système de référence géodésique : NAD83 Système de coordonnées spatiales du Québec (SCSQ-01), classe 0 Sources : Échelle des "Nouveaux territoires" de la commission des apprentis et de la base de données topographiques du Québec (BD70), feuille Z2C01-200-0202. Description technique du territoire Charles - B. - Bannville modifiée le 3 janvier 1999 par Daniel Fiset, apprentis-géomètres, sous le numéro 487-14-548 minutes. Plan de la réserve écologique Charles - B. - Bannville produit le 10 mai 1997 par Daniel Fiset, apprentis-géomètres, sous le numéro 487-14-548 minutes.	
Échelle 1 : 20 000 mètres 0 500 1000	
Préparé à Québec le 02 mars 2001 par :  Suzanne Cloutier apprentis-géomètre	
L'original de ce document est conservé aux archives de la Direction de l'Apprentissage professionnel et technique dans le Massif et dans le Bas-Saint-Laurent.	
Copie réduite pour publication à la Gazette officielle du Québec.	

M.O., 2001**Order of the Minister responsible for the administration of the Act respecting immigration to Québec dated 22 June 2001**

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2)

Regulation to amend the Regulation respecting the weighting applicable to the selection of foreign nationals

THE MINISTER OF RELATIONS WITH THE CITIZENS AND IMMIGRATION,

CONSIDERING that, under section 3.4 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2), the Minister may, by regulation, establish the weighting of selection criteria for foreign nationals and the passing score and, where expedient, the cutoff score determined in relation to a selection criterion, applicable to the preliminary stage of selection and to the selection, which weighting and scores may vary according to the family situation of the foreign national, according to the classes of foreign nationals and within the same class of foreign nationals;

CONSIDERING that, under that section, the Minister may determine that the regulation applies to applications that are being processed, or to applications filed after a particular date that are being processed, or to those that have not yet reached a particular stage on the date of coming into force of the regulation;

CONSIDERING that, under that section, a regulation made by the Minister is not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) and, notwithstanding section 17 of that Act, may come into force on the date of its publication in the *Gazette officielle du Québec*, or on any later date fixed in the regulation;

CONSIDERING that the Regulation respecting the weighting applicable to the selection of foreign nationals was made by Order dated 9 September 1996 (1996, *G.O.* 2, 4029);

CONSIDERING that it is expedient to further amend the Regulation;

ORDERS :

THAT the Regulation to amend the Regulation respecting the weighting applicable to the selection of foreign nationals, attached to this Order, be made.

JOSEPH FACAL,
*Minister of Relations with the
Citizens and Immigration*

Regulation to amend the Regulation respecting the weighting applicable to the selection of foreign nationals*

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2, s. 3.4)

1. The Regulation respecting the weighting applicable to the selection of foreign nationals is amended by substituting the following for Schedules I, II, III and IV of section 1 :

* The Regulation respecting the weighting applicable to the selection of foreign nationals, made by Order dated 9 September 1996 (1996, *G.O.* 2, 4029), was last amended by Order dated 17 April 2000 (2000, *G.O.* 2, 2169). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

SCHEDULE I**WORKER AND ASSISTED RELATIVE**

Factors	Criteria	Weighting	Maximum per criterion	
1. Training	1.1 Schooling	(a) secondary diploma	3	11
		(b) 1-year postsecondary diploma	4	
		(c) 2-year postsecondary diploma	5	
		(d) 3-year postsecondary diploma	7	
		(e) 1-year undergraduate university degree	7	
		(f) 2-year undergraduate university degree	7	
		(g) 3-year undergraduate university degree	8	
		(h) 4-year or more undergraduate university degree	9	
		(i) master's degree	11	
		(j) doctorate	11	
	1.2 Second specialty	(a) 1 year	2	4
		(b) 2 years or more	4	
	1.3 Preferred training	(a) university	4	4
		(b) other	4	
2. Employment (cutoff score = 8)		A. Assured employment	15	15
		B. Profession in demand in Quebec	12	
		C. EPM (see Schedule II)	8	
3. Experience (cutoff score =1)	3.1 Professional experience	(a) 6 months	1	10
		(b) 1 year	2	
		(c) 1 year and a half	3	
		(d) 2 years	4	
		(e) 2 years and a half	5	
		(f) 3 years	6	
		(g) 3 years and a half	7	
		(h) 4 years	8	
		(i) 4 years and a half	9	
		(j) 5 years and more	10	
4. Adaptability	4.1 Personal qualities		0 to 6	6
	4.2 Motivation		0 to 2	2
	4.3 Knowledge of Québec		0 to 2	2
	4.4 Stay in Québec	(a) full-time studies during one semester	4	6
		(b) full-time studies during at least two semesters or more	6	
		(c) employment whose duration equals at least three months	4	
(d) employment whose duration equals at least six months		6		
(e) training period of at least three months under a bilateral agreement		5		
(f) training period of at least six months under a bilateral agreement	6			

Factors	Criteria	Weighting	Maximum per criterion	
		(g) other stay whose duration equals two weeks and at most three months	1	
		(h) other stay whose duration exceeds three months	3	
	4.5 Relationship with Québec	(a) spouse, son, daughter, father, mother, brother, sister	3	3
		(b) grandfather, grandmother	2	
		(c) relative or friend	1	
5. Age	20 to 22 years		10	10
	23 to 30 years		10	
	31 years		10	
	32 years		10	
	33 years		10	
	34 years		10	
	35 years		10	
	36 years		8	
	37 years		6	
	38 years		4	
	39 years		2	
	40 to 45 years		1	
6. Knowledge of languages	6.1 French	(a) comprehension	8	16
		(b) verbal skills	8	
		(c) reading skills	0	
		(d) studies in French – secondary	2	2
		(e) studies in French – postsecondary	2	
	6.2 English	(a) comprehension	0 to 3	6
		(b) verbal skills	0 to 3	
7. Spouse's characteristics	7.1 Training	(a) secondary	2	5
		(b) at least one year postsecondary diploma	3	
		(c) 3-year university degree	4	
		(d) second specialty or preferred training	1	
	7.2 Professional experience	(a) 6 months to 1 year	1	2
		(b) more than 1 year	2	
	7.3 Age	(a) 20 to 39 years	2	2
		(b) 40 to 45 years	1	
	7.4 Knowledge of French	(a) comprehension	0 to 4	8
		(b) verbal skills	0 to 4	
		(c) reading skills	0	
8. Children	8.1 12 years or less	Per child	2	8
	8.2 13 to 17 years	Per child	1	
9. Financial autonomy capability (cutoff score = 1)		1 month	0	1
		3 months and more	1	

Preliminary Stage	Factors Applicable	Cutoff Scores	Maximum
Applicant without a spouse	All, except 7, 4.1, 4.2, 4.3	50 points	96
Applicant with a spouse	All, except 4.1, 4.2, 4.3	58 points	113

Selection	Factors Applicable	Cutoff Scores	Maximum
Applicant without a spouse	All, except 7	60 points	106
Applicant with a spouse	All	68 points	123

SCHEDULE II

EMPLOYABILITY AND PROFESSIONAL MOBILITY (EPM)*

Factors	Subcriteria	Weighting	Maximum per criterion	
1. Training	1.1 Schooling	(a) secondary diploma	3	11
		(b) 1-year postsecondary diploma	4	
		(c) 2-year postsecondary diploma	5	
		(d) 3-year postsecondary diploma	7	
		(e) 1-year undergraduate university degree	7	
		(f) 2-year undergraduate university degree	7	
		(g) 3-year undergraduate university degree	8	
		(h) 4-year or more undergraduate university degree	9	
		(i) master's degree	11	
		(j) doctorate	11	
			1.2 Second specialty	
(b) 2 years or more	4			
1.3 Preferred training	(a) university		4	4
	(b) other		4	
2. Experience	2.1 Professional experience (cutoff score = 1)	(a) 6 months	1	5
		(b) 1 year	2	
		(c) 1 year and a half	3	
		(d) 2 years	4	
		(e) 2 years and a half	5	
		(f) 3 years	5	
		(g) 3 years and a half	5	
		(h) 4 years	5	
		(i) 4 years and a half	5	
		(j) 5 years or more	5	
3. Age	20 to 22 years		10	10
	23 to 30 years		10	
	31 years		10	
	32 years		10	
	33 years		10	
	34 years		10	
	35 years		10	

* A candidate who obtains a total of points equal to or greater than the passing score concerning him shall receive 8 points in factor 2 of Schedule I; if not, he shall receive 0 points.

Factors	Subcriteria	Weighting	Maximum per criterion	
	36 years		8	
	37 years		6	
	38 years		4	
	39 years		2	
	40 to 45 years		1	
4. Knowledge of languages	1. French	comprehension and verbal skills	0 to 8	8
	2. French studies	(a) secondary diploma (b) postsecondary diploma	2 2	2
	3. English	comprehension and verbal skills	0 to 3	3
5. Stay in Québec and relationship with Québec	a. Stay in Québec	(a) full-time studies during one semester (b) full-time studies during at least two semesters or more (c) employment whose duration equals at least three months (d) employment whose duration equals at least six months (e) training period of at least three months under a bilateral agreement (f) training period of at least six months under a bilateral agreement (g) other stay whose duration equals two weeks and at most three months (h) other stay whose duration exceeds three months	4 6 4 6 5 6 1 3	6
	b. Relationship with Québec	(a) spouse, son, daughter, father, mother, brother, sister (b) grandfather, grandmother (c) relative or friend	3 2 1	3
6. Spouse's characteristics	a. Training	(a) secondary diploma (b) at least one year postsecondary diploma (c) 3-year university degree (d) second specialty or preferred training	1 2 3 1	4
	b. Professional experience	(a) 6 months to 1 year (b) more than 1 year	1 2	1
	c. Age	(a) 20 to 39 years (b) 40 to 45 years	2 1	2
	d. French	(a) comprehension and verbal skills (b) secondary or postsecondary diploma	0 to 2 2	4
	Factors applicable	Cutoff scores	Maximum	
Applicant without a spouse	1 to 5	30 points	56	
Applicant with a spouse	1 to 6	35 points	67	

SCHEDULE III**SELF-EMPLOYED PERSON**

Factors	Criteria	Weighting	Maximum per criterion	
1. Training	1.1 Schooling	(a) secondary diploma	3	11
		(b) 1-year postsecondary diploma	4	
		(c) 2-year postsecondary diploma	5	
		(d) 3-year postsecondary diploma	7	
		(e) 1-year undergraduate university degree	7	
		(f) 2-year undergraduate university degree	7	
		(g) 3-year undergraduate university degree	8	
		(h) 4-year or more undergraduate university degree	9	
		(i) master's degree	11	
		(j) doctorate	11	
	1.2 Second specialty	(a) 1 year	2	4
		(b) 2 years or more	4	
	1.3 Preferred training	(a) university	4	4
		(b) other	4	
3. Experience	3.3 Experience of self-employed person (cutoff score = 7)	(a) 6 months	0	15
		(b) 1 year	0	
		(c) 1 year and a half	0	
		(d) 2 years	7	
		(e) 2 years and a half	9	
		(f) 3 years	11	
		(g) 3 years and a half	13	
		(h) 4 years	15	
		(i) 4 years and a half	15	
		(j) 5 years and more	15	
4. Adaptability	4.1 Personal qualities		0 to 6	6
	4.2 Motivation		0 to 2	2
	4.3 Knowledge of Québec		0 to 2	2
	4.4 Stay in Québec	(a) full-time studies during one semester	4	6
(b) full-time studies during at least two semesters or more		6		
(c) employment whose duration equals at least three months		4		
(d) employment whose duration equals at least six months		6		

Factors	Criteria	Weighting	Maximum per criterion	
		(e) training period of at least three months under a bilateral agreement	5	
		(f) training period of at least six months under a bilateral agreement	6	
		(g) other stay whose duration equals two weeks and at most three months	1	
		(h) other stay whose duration exceeds three months	3	
	4.5 Relationship with Québec	(a) spouse, son, daughter, father, mother, brother, sister	3	3
		(b) grandfather, grandmother	2	
		(c) relative or friend	1	
5. Age	20 to 22 years		10	10
	23 to 30 years		10	
	31 years		10	
	32 years		10	
	33 years		10	
	34 years		10	
	35 years		10	
	36 years		8	
	37 years		6	
	38 years		4	
	39 years		2	
	40 to 45 years		1	
6. Knowledge of languages	6.1 French	(a) comprehension	8	16
		(b) verbal skills	8	
		(c) reading skills	0	
		(d) studies in French – secondary	2	2
		(e) studies in French – postsecondary	2	
	6.2 English	(a) comprehension	0 to 3	6
		(b) verbal skills	0 to 3	
7. Spouse's characteristics	7.1 Training	(a) secondary diploma	2	5
		(b) at least one year postsecondary diploma	3	
		(c) 3-year university degree	4	
		(d) second specialty or preferred training	1	
	7.2 Professional experience	(a) 6 months to 1 year	1	2
		(b) more than 1 year	2	
	7.3 Age	(a) 20 to 39 years	2	2
		(b) 40 to 45 years	1	
	7.4 Knowledge of French	(a) comprehension	0 to 4	8
		(b) verbal skills	0 to 4	
		(c) reading skills	0	

Factors	Criteria	Weighting	Maximum per criterion	
9. Financial autonomy capability		1 month	0	1
		3 months and more	1	
(cutoff score = 1)				
10. Financial resources (cutoff score = 4)	Net assets	(a) \$50 000	0	6
		(b) \$75 000	0	
		(c) \$100 000	4	
		(d) \$125 000	5	
		(e) \$150 000	5	
		(f) \$175 000	5	
		(g) \$200 000	6	
		(h) \$250 000	6	
		(i) \$300 000	6	
		(j) \$350 000	6	
		(k) \$400 000	6	
		(l) \$450 000	6	
(m) \$500 000 or more	6			

Preliminary stage	Factors applicable	Cutoff scores	Maximum
Applicant without a spouse	All, except 7, 4.1, 4.2, 4.3	40 points	84
Applicant with a spouse	All, except 4.1, 4.2, 4.3	48 points	101

Selection	Factors applicable	Cutoff scores	Maximum
Applicant without a spouse	All, except 7	50 points	94
Applicant with a spouse	All	58 points	111

SCHEDULE IV

ENTREPRENEUR

Factors	Criteria	Weighting	Maximum per criterion	
1. Training	1.1 Schooling	(a) secondary diploma	3	11
		(b) 1-year postsecondary diploma	4	
		(c) 2-year postsecondary diploma	5	
		(d) 3-year postsecondary diploma	7	
		(e) 1-year undergraduate university degree	7	
		(f) 2-year undergraduate university degree	7	
		(g) 3-year undergraduate university degree	8	
		(h) 4-year or more undergraduate university degree	9	
		(i) master's degree	11	
		(j) doctorate	11	

Factors	Criteria	Weighting	Maximum per criterion	
	1.2 Second specialty	(a) 1 year (b) 2 years	2 4	4
	1.3 Preferred training	(a) university (b) other	4 4	4
3. Experience	3.2 Management experience (cutoff score = 6)	(a) 6 months (b) 1 year (c) 1 year and a half (d) 2 years (e) 2 years and a half (f) 3 years (g) 3 years and a half (h) 4 years (i) 4 years and a half (j) 5 years and more	0 0 0 0 0 6 7 8 9 10	10
4. Adaptability	4.1 Personal qualities		0 to 6	6
	4.2 Motivation		0 to 2	2
	4.3 Knowledge of Québec		0 to 2	2
	4.4 Stay in Québec	(a) full-time studies during one semester (b) full-time studies during at least two semesters or more (c) employment whose duration equals at least three months (d) employment whose duration equals at least six months (e) training period of at least three months under a bilateral agreement (f) training period of at least six months under a bilateral agreement (g) other stay whose duration equals two weeks and at most three months (h) other stay whose duration exceeds three months	4 6 4 6 5 6 1 3	6
	4.5 Relationship with Québec	(a) spouse, son, daughter, father, mother, brother, sister (b) grandfather, grandmother (c) relative or friend	3 2 1	3
5. Age	20 to 22 years 23 to 30 years 31 years 32 years 33 years 34 years 35 years 36 years 37 years 38 years		10 10 10 10 10 10 10 8 6 4	10

Factors	Criteria	Weighting	Maximum per criterion	
	39 years		2	
	40 to 45 years		1	
6. Knowledge of languages	6.1 French	(a) comprehension	8	16
		(b) verbal skills	8	
		(c) reading skills	0	
		(d) studies in French – secondary	2	
		(e) studies in French – postsecondary	2	
	6.2 English	(a) comprehension	0 to 3	6
		(b) verbal skills	0 to 3	
9. Financial autonomy capacity		1 month	0	1
		3 months and more	1	
(cutoff score = 1)				
10. Financial resources	Net assets	(a) \$50 000	0	10
		(b) \$75 000	0	
		(c) \$100 000	0	
		(d) \$125 000	0	
		(e) \$150 000	0	
		(f) \$175 000	0	
		(g) \$200 000	4	
		(h) \$250 000	5	
		(i) \$300 000	6	
		(j) \$350 000	7	
		(k) \$400 000	8	
		(l) \$450 000	9	
		(m) \$500 000 or more	10	
11. Aptitudes to carry out a business project		(a) Knowledge of Québec	0 to 6	6
		(b) Market prospection	0 to 6	
		(c) Financial resources	0 to 6	
		(d) Feasibility and relevancy	0 to 12	
(cutoff score = 18)				
<hr/>				
Preliminary stage	Factors applicable	Cutoff score	Maximum	
Applicant with or without a spouse	All, except 11, 4.1, 4.2, 4.3	11 points	83	
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Selection	Factors applicable	Cutoff score	Maximum	
Applicant with or without a spouse	All	50 points	123	

SCHEDULE V**INVESTOR**

Factors	Criteria	Weighting	Maximum per criterion	
1. Training	1.1 Schooling	(a) secondary diploma	3	11
		(b) 1-year postsecondary diploma	4	
		(c) 2-year postsecondary diploma	5	
		(d) 3-year postsecondary diploma	7	
		(e) 1-year undergraduate university degree	7	
		(f) 2-year undergraduate university degree	7	
		(g) 3-year undergraduate university degree	8	
		(h) 4-year or more undergraduate university degree	9	
		(i) master's degree	11	
		(j) doctorate	11	
	1.2 Second specialty	(a) 1 year	2	4
		(b) 2 years or more	4	
	1.3 Preferred training	(a) university	4	4
		(b) other	4	
3. Experience	3.2 Management experience (cutoff score = 6)	(a) 6 months	0	10
		(b) 1 year	0	
		(c) 1 year and a half	0	
		(d) 2 years	0	
		(e) 2 years and a half	0	
		(f) 3 years	6	
		(g) 3 years and a half	7	
		(h) 4 years	8	
		(i) 4 years and a half	9	
		(j) 5 years and more	10	
4. Adaptability	4.1 Personal qualities		0 to 6	6
	4.2 Motivation		0 to 2	2
	4.3 Knowledge of Québec		0 to 2	2
	4.4 Stay in Québec	(a) full-time studies during one semester	4	6
		(b) full-time studies during at least two semesters or more	6	
		(c) employment whose duration equals at least three months	4	
		(d) employment whose duration equals at least six months	6	
		(e) training period of at least three months under a bilateral agreement	5	
(f) training period of at least six months under a bilateral agreement	6			
(g) other stay whose duration equals two weeks and at most three months	1			
(h) other stay whose duration exceeds three months	3			

Factors	Criteria	Weighting	Maximum per criterion	
	4.5 Relationship with Québec	(a) spouse, son, daughter, father, mother, brother, sister	3	3
		(b) grandfather, grandmother	2	
		(c) relative or friend	1	
5. Age	20 to 22 years		10	10
	23 to 30 years		10	
	31 years		10	
	32 years		10	
	33 years		10	
	34 years		10	
	35 years		10	
	36 years		8	
	37 years		6	
	38 years		4	
	39 years		2	
	40 to 45 years		1	
6. Knowledge of languages	6.1 French	(a) comprehension	8	16
		(b) verbal skills	8	
		(c) reading skills	0	
		(d) studies in French – secondary	2	2
		(e) studies in French – postsecondary	2	
	6.2 English	(a) comprehension	0 to 3	6
		(b) verbal skills	0 to 3	
12. Investment agreement		In compliance with Regulation	30	30
(cutoff score = 30)				
Selection	Factors applicable	Cutoff score	Maximum	
Applicant with or without a spouse	All	45 points	112	

2. Section 2 is deleted.

3. This Regulation comes into force on 17 September 2001.

Draft Regulations

Draft Regulation

Civil Code of Québec
(1991, c. 64)

An Act respecting registry offices
(R.S.Q., c. B-9)

Land registration

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

The main purpose of the draft Regulation is to provide rules necessary to the computerized operation of the land registration system, including rules related to remote transactions.

The draft Regulation proposes new rules as a complement to those enacted by the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42), in particular the rules related to the renewal of registration of an address.

Lastly, the draft Regulation proposes to use again certain provisions of the Provisional Regulation respecting the land register that remain relevant to govern the computerized land registration system.

The computerization of the land registration system will allow, on the one hand, to solve problems linked to the deterioration of public registers and to the difficulty to keep them and, on the other hand, to have remote access to land registration and to remotely forward documents intended to be published in the registers. The public will also be able to have remote access to land registration. To date, study of the matter has shown no impact on the public.

Further information on the Regulation respecting land registration may be obtained by contacting Odette Lacombe, 150, boulevard René-Lévesque Est, 7^e étage, Québec (Québec) G1R 2B2, by telephone at (418) 646-9606 or by fax at (418) 646-9687.

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

PAUL BÉGIN,
Minister of Justice

Regulation respecting land registration

Civil Code of Québec
(1991, c. 64, a. 3024)

An Act respecting registry offices
(R.S.Q., c. B-9, s. 5)

CHAPTER 1 REGISTERS

DIVISION I GENERAL

1. The following registers shall be kept in the Land Registry Office for every Québec registration division and as part of the land register:

- (1) an index of immovables;
- (2) a register of real rights of State resource development;
- (3) a register of public service networks and immovables situated in territory without a cadastral survey; and
- (4) an index of names.

The following registers shall also be kept in the Land Registry Office:

- (1) a directory of holders of real rights, for every Québec registration division;
- (2) a register of mentions;
- (3) a book of presentation; and

- (4) a directory of addresses.

Registers referred to in this section shall be kept on a computer system.

2. In every registry office established for the registration divisions of Montréal and Laval, a register complementary to the index of names in the form of microfilms or microfiches shall be kept.

That register shall be kept in paper form only.

3. Files opened in accordance with the rules of this Chapter do not need to be signed by the registrar.

DIVISION II **INDEX OF IMMOVABLES**

4. Each land file contained in an index of immovables comprises a heading in which the following information is recorded in addition to the name of the index :

(1) the name of the registration division and of the cadastre in which the immovable that is the subject of the file is situated ;

(2) the lot number on the cadastral plan to which the file relates ;

(3) the date the file was opened ;

(4) the cadastral plan under which the file was opened ;

(5) the correspondence, if any, between the former lot number or the former serial number of the land file and the new lot number ; and

(6) the date, hour and minute of the last updates of the registrations of rights and the indication that cancellations or reductions were made on the file.

5. A land file must allow the addition of the following information after the heading :

(1) the date of presentation of the applications for registration of rights relating to the immovable that is the subject of the file and the registration numbers of the applications ;

(2) a brief statement of the nature of the documents presented to the registrar and the name and quality of the holders and grantors of rights designated therein ;

(3) the registration numbers of notices of addresses given with respect to the immovable that is the subject of the file ;

(4) the indication that cancellations or reductions were made with respect to entries on the file ; and

(5) any comment deemed relevant by the registrar.

6. Notwithstanding section 4, the information referred to in paragraphs 3, 4 and 5 of the same section shall be recorded in the heading of the land file only if the file is opened after the date fixed in the notice of the Minister of Natural Resources stating that the registry office of the registration division in which the immovable that is the subject of the file is situated is fully computerized for land registration purposes or, where the immovable that is the subject of the file is situated in the registration division of Montréal or Laval, after 1 September 1980 or 1 August 1980, as the case may be.

If the file was opened before that date, the information in question shall be recorded at the end of the file that reproduces it pursuant to a ministerial order under section 3 of the Act respecting registry offices (R.S.Q., c. B-9), in a distinct section reserved, on the one hand, for the reproduction of the file and, on the other hand, for entries, mentions or indications related to that file.

DIVISION III **REGISTER OF REAL RIGHTS OF STATE** **RESOURCE DEVELOPMENT**

7. Every land file contained in a register of real rights of State resource development comprises a heading in which the following information is recorded in addition to the name of the register :

(1) the name of the registration division in which the real right that is the subject of the file is exercised ;

(2) the serial number of the file ;

(3) the date the file was opened ;

(4) the nature of the real right in question ;

(5) the correspondence, if any, between the former serial number of the file and its new serial number ;

(6) the correspondence, if any, between that file and the file that was opened, relating to the immovable on which the real right is exercised in the index of immovables or in the register of public service networks and immovables situated in territory without a cadastral survey ; and

(7) the date, hour and minute of the last updates of the registrations of rights and the indication that cancellations or reductions were made on the file.

8. A land file must allow the addition of the following information after the heading:

(1) the date of presentation of the applications for registration of rights relating to the real right that is the subject of the file and the registration numbers of the applications;

(2) a brief statement of the nature of the documents presented to the registrar and the name and quality of the holders and grantors of rights designated therein;

(3) the registration numbers of notices of addresses given with respect to the real right that was the subject of the file;

(4) the indication that cancellations or reductions were made with respect to entries on the file; and

(5) any comment deemed relevant by the registrar.

9. Notwithstanding section 7, the information referred to in paragraphs 3, 4, 5 and 6 of the same section shall be recorded in the heading of the land file only if the file is opened after the date fixed in the notice of the Minister of Natural Resources stating that the registry office of the registration division in which the immovable on which the right is exercised and that is the subject of the file is situated is fully computerized for land registration purposes.

If the file was opened before that date, the information in question shall be recorded at the end of the file that reproduces it pursuant to a ministerial order under section 3 of the Act respecting registry offices, in a distinct section reserved, on the one hand, for the reproduction of the file and, on the other hand, for entries, mentions or indications related to that file.

10. The land files contained in a register of real rights of State resource development shall be assigned a number composed of the following elements, separated by a dash:

(1) the code of the registration division, as recorded in the directory of cadastre codes kept at the Ministère des Ressources naturelles;

(2) the letter *A*; and

(3) a number in a single consecutive series beginning with 1.

DIVISION IV

REGISTER OF PUBLIC SERVICE NETWORKS AND IMMOVABLES SITUATED IN TERRITORY WITHOUT A CADASTRAL SURVEY

11. Each land file contained in a register of public service networks and immovables situated in territory without a cadastral survey comprises a heading in which the following information is recorded in addition to the name of the register:

(1) the name of the registration division in which the network or the immovable is situated;

(2) the serial number of the file;

(3) the date the file was opened;

(4) the general nature of the network or the place where the immovable is situated;

(5) the correspondence, if any, between the former serial number of the file and its new serial number; and

(6) the date, hour and minute of the last updates of the registrations of rights and the indication that cancellations or reductions were made on the file.

12. A land file must allow the addition of the following information after the heading:

(1) the date of presentation of the applications for registration of rights relating to the network or the immovable in respect of which the file was opened and the registration numbers of the applications;

(2) a brief statement of the nature of the documents presented to the registrar and the name and quality of the holders and grantors of rights designated therein;

(3) the registration numbers of notices of addresses given with respect to the network or the immovable in respect of which the file was opened;

(4) the indication that cancellations or reductions were made with respect to entries on the file; and

(5) any comment deemed relevant by the registrar.

13. Notwithstanding section 11, the information referred to in paragraphs 3, 4 and 5 of the same section shall be recorded in the heading of the land file only if the file is opened after the date fixed in the notice of the Minister of Natural Resources stating that the registry office of the registration division in which the network or immovable that is the subject of the file is situated is fully computerized for land registration purposes.

If the file was opened before that date, the information in question shall be recorded at the end of the file that reproduces it pursuant to a ministerial order under section 3 of the Act respecting registry offices, in a distinct section reserved, on the one hand, for the reproduction of the file and, on the other hand, for entries, mentions or indications related to that file.

14. The land files contained in a register of public service networks and immovables situated in territory without a cadastral survey shall be assigned a number composed of the following elements, separated by a dash:

(1) the code of the registration division, as recorded in the directory of cadastre codes kept at the Ministère des Ressources naturelles;

(2) the letter *B*; and

(3) a number in a single consecutive series beginning with 1.

DIVISION V **INDEX OF NAMES**

15. An index of names contains one file for each name of holder or grantor of rights designated in the applications published in that index with respect to immovables situated in the registration division in question.

Where several holders or grantors of rights bear the same name, only one file is opened under that common name.

16. Each file contained in an index of names comprises a heading in which the names of the index, of the registration division in question and of the holder or grantor in respect of which a file was opened and the date, hour and minute of the last update of the registrations of rights made therein are recorded.

17. A land file must allow the addition of the following information after the heading:

(1) the date of presentation of the applications for registration of rights relating to the rights of the holders and grantors in question and the registration numbers of the applications;

(2) a brief statement of the nature of the documents presented to the registrar and the name and quality of the holders and grantors of rights designated therein; and

(3) any comment deemed relevant by the registrar.

DIVISION VI **DIRECTORY OF HOLDERS OF REAL RIGHTS**

18. A directory of holders of real rights contains, for the registration division for which it is kept, one file for every name of holder of real rights of State resource development or of owner of public service networks and immovable situated in territory without a cadastral survey described in the applications published in the registers that the directory completes.

Where several holders of real rights or owners of networks or immovables bear the same name, only one file shall be established under that common name.

19. Each file contained in a directory of holders of real rights comprises a heading in which the names of the directory, of the registration division in question and of the holder or owner in respect of which the file was opened are recorded.

20. A file must allow the addition of the following information after the heading:

(1) the serial number of the file on which the application conferring the quality of the holder of the real right or owner of the network or of the immovable was entered and the registration number of the application;

(2) the nature of the real right or of the network, or the indication that the file concerns an immovable situated in territory without a cadastral survey; and

(3) any comment deemed relevant by the registrar.

21. Any file contained in a directory of holders of real rights reproducing a file pursuant to a ministerial order under section 3 of the Act respecting registry offices shall comprise, at the end, a distinct section reserved, on the one hand, for the reproduction of that file and, on the other hand, for entries or mentions relating to the file so converted.

DIVISION VII **REGISTER OF MENTIONS**

22. The register of mentions contains one file for every application for registration in the land register or in the other land registration registers in respect of which an entry or a mention in the register of mentions was made, in particular, pursuant to sections 3014, 3014.1 and 3057 of the Civil Code.

23. Each file contained in the register of mentions must allow the recording in it, in distinct sections, of the following mentions and entries:

(1) the mentions resulting from the applications for registration of rights;

(2) the entries about cancellations or reductions that were made; and

(3) mentions or entries resulting from the correction of clerical errors relating to

— mentions or entries made or omitted in the margin of the applications;

— mentions or entries made or omitted in the complementary register of mentions made in the margin, or in the register of mentions for microfilmed acts kept in the registry office established for the registration division of Montréal, referred to in sections 243 and 244 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42); and

— certified statements of registration issued for any act published in a registry office before the date fixed in the notice of the Minister of Natural Resources stating that that office is fully computerized for registration purposes.

For applications for registration kept in the registry office for the registration division of Montréal, the file must also allow to record in the register of mentions, in another distinct section, the mentions and entries contained in the register of mentions for microfilmed acts kept at that office.

DIVISION VIII **BOOK OF PRESENTATION**

24. The book of presentation shall state all the applications for registration presented to registry offices.

It shall be kept in chronological order of presentation of the applications.

25. The book of presentation comprises a heading in which the name of the book is recorded.

It must also allow the recording in it, with respect to each application, of the date, hour and minute of its presentation, its registration number, the name of the person who pays for the registration fee or, where free of charge, the name of the applicant, with the indication that the application is accepted, refused or is being processed or, where applicable, that the registration number of the application was cancelled.

DIVISION IX **DIRECTORY OF ADDRESSES**

26. The directory of addresses contains one file for each notice of address presented to the registry office and accepted.

It also contains one file for each notice of address presented to and accepted at each registry office established for registration divisions as of the date fixed in the notice of the Minister of Natural Resources stating that the office is fully computerized for land registration purposes, or presented to that office and accepted

(1) between 23 June 1982 and the date fixed in the notice of the Minister or, for an office established for the registration division of Montréal or Laval, between 1 September 1980 or 1 August 1980, as the case may be, and that date; or

(2) on any date prior to the date fixed in the notice of the Minister, if the notices of addresses have given rise, since that date, to notifications from a registrar.

27. Each file contained in the directory of addresses comprises a heading in which the name of the directory is recorded.

It must allow the addition of the following information after the heading:

(1) the name of the registration division for the registration division in which the notice of address was presented, where that notice was presented prior to the date fixed in a notice of the Minister of Natural Resources stating that the office is fully computerized for land registration purposes;

(2) the registration number of the notice of address; and

(3) the latest name and address of the person who benefits from the registration of the address.

DIVISION X **REGISTER COMPLEMENTARY TO THE INDEX** **OF NAMES IN THE FORM OF MICROFILMS** **OR MICROFICHES**

28. The correction of clerical errors or omissions related to registrations made in the index of names kept, in those offices, on microfilms or microfiches shall appear in the register complementary to the index of names in the form of microfilms or microfiches, kept in each registry office established for the registration division of Montréal or Laval.

It shall be kept on loose leaves measuring 215 mm by 355 mm.

29. Each register complementary to the index of names in the form of microfilms or microfiches contains one file for each person benefiting from corrections or entries made in that register.

Where several persons who benefit from corrections or entries made in the register bear the same name, only one file shall be opened under that common name per registration division in question.

30. Each file contained in a register complementary to the index of names in the form of microfilms or microfiches comprises a heading in which the names of the register, of the registration division in question and of the person for which the correction or entry was made are recorded.

The file must allow to record the following information after the heading:

(1) the date of presentation of the application for registration and its registration number;

(2) a brief statement of the nature of the documents presented to the registrar and the name and quality of the holders and grantors of rights designated therein; and

(3) any comment deemed relevant by the registrar.

CHAPTER 2

APPLICATIONS FOR REGISTRATION IN REGISTERS

DIVISION I

FORM OF APPLICATIONS

31. Applications for registration presented in paper form shall be on sheets of the same size measuring 215 mm by 280 mm or 215 mm by 355 mm, on paper weighing at least 75 g/m² per ream.

The documents accompanying the applications, which shall also be on paper weighing at least 75 g/m² per ream, shall be on sheets that do not exceed 215 mm by 355 mm and the pages of a document shall all be of the same size.

32. Applications for registration presented in paper form may not be carbon copies; they shall be hand-written, typed, printed or photocopied. The ink used to make them shall be of good quality.

33. The characters of any application for registration, as for the accompanying documents, shall be clear, neat and legible.

Where an application must be entered in the index of names or in the directory of holders of real rights, or be recorded in the directory of addresses, except, in the latter case, if the application is intended only to change an address recorded in that directory, the surnames of the grantors and holders of rights covered thereby must be in block capitals and their given names in small letters. Unless other elements make it possible to clearly differentiate one from the other, the application that does not meet those requirements shall be refused by the registrar.

34. The pages of applications presented in paper form shall all be written on both sides or on the first side only; in the first case, they shall all be written top down or in the same way.

35. Where applications for registration are made by presenting authentic copies of original titles issued by the Registrar of Québec or the Keeper of the Archives nationales, they shall be on paper measuring 215 mm by 280 mm or 215 mm by 355 mm weighing at least 75 g/m² per ream. They may be hand-written, typed, printed or photocopied.

The foregoing shall also apply to applications for registration made by presenting a copy of an Order in Council. Such copy shall be certified true in accordance with section 3 of the Act respecting the Ministère du Conseil exécutif (R.S.Q., c. M-30).

Applications for registration covered by this section shall not be subject to any other form rule provided for in this Division.

36. Sections 31 to 34 do not apply to the plans referred to in the first paragraph of article 2997 of the Code, to cadastral plans and to the plans that must be appended to the minutes of boundary determination.

The size of the plans must be at least 215 mm by 280 mm, without however exceeding 90 cm by 150 cm.

DIVISION II

PROCEDURE FOR APPLICATION FOR REGISTRATION

37. The presentation of an application in the form of an authentic act other than a notarial act *en brevet* shall be made by presenting an extract of the application or an authentic copy thereof.

The presentation of an application in the form of a notarial act *en brevet* or in private writing shall be made by presenting one original of that application.

38. Pursuant to article 3075.1 of the Code, the purposes for which the application is presented must be indicated as follows:

(1) for an application presented electronically, the applicant shall state those purposes in the explanatory file accompanying the application;

(2) for an application presented in paper form, the applicant shall state those purposes on the application or on a separate written document appended to the application.

39. The summaries shall be presented with an authentic copy or extract from the documents summarized if the documents are authentic documents other than notarial acts *en brevet*, or with the originals of the summarized documents if the documents are notarial acts *en brevet* or in private writing.

DIVISION III CONTENT OF APPLICATIONS

40. A summary shall state

(1) the date and place where it is made, the date of the summarized document and the place where that document was drawn up;

(2) for a notarial act, the name of the notary, the place of his professional domicile and the number of the act *en minute* or the indication that the act is *en brevet*;

(3) for a judicial act, the court that issued it, the judicial district, the court record number and, for a judgment, the conclusions of the judgment;

(4) for an act in private writing, the names of the witnesses who certified it, where such certification is prescribed by the law.

(5) the nature of the document and, if applicable, the date on which the requested application ceases to have effect;

(6) for a sale or exchange, the price or consideration; and

(7) for a hypothec, the amount for which it is granted and the nature of the hypothec.

It shall be signed by the person requesting the registration.

41. The notices required by the law shall specify the place where and the date they were made and designate the person covered by the notice and the person giving notice. They shall be signed by the person giving notice and, where that person is not the beneficiary thereof, bear the designation of the beneficiary.

They shall specify the nature of the notices and, where applicable, the nature of the document in question and its registration number.

42. In addition to the particulars required under article 2999.1 of the Code, the notice shall contain, where applicable, the names of the lessees, whether assignors or assignees, and the nature of the modification made to the lease.

In case of transfer of, correction to or cancellation of the lease, the reference to the lease required under article 2999.1 shall be made by specifying the registration number of the lease or the number of the notice governing the registration of the rights arising therefrom in the register.

43. A notice of advance registration of a judicial demand shall contain the designation of the parties and shall identify the court seized of the matter, the judicial district and specify the court record number; it shall also specify the nature of the demand and of the right that is the subject of the demand and, where applicable, the registration number of the document in question.

44. A notice of advance registration of a will shall designate the testator and shall specify the date of death; it shall also specify the nature of the right claimed by a person and the reason for advance registration.

45. An application for the registration of the address of a person referred to in article 3022 of the Code shall be in the form of a notice specifying the beneficiary of the registration and the address where notification shall be made, as well as the nature and, where applicable, the registration number of the right in question or the nature of the document for a hypothec.

It is impossible to request, in the same notice of address, the entry of more than one postal address and electronic mail address. In addition, where several persons appear on the same application for registration of rights, a separate registration of address shall be made for each of them.

Notwithstanding the first and second paragraphs, where a person has already published his address in a register, the only requirement, in any application for registration previously presented concerning that person, is to refer, immediately after the designation of that person, to the registration number of the notice of address concerning that person and, except for a hypothec, to specify the right opposite to which the registration number will be recorded. Notwithstanding the foregoing, that rule applies only to addresses published after the date fixed in a notice of the Minister of Natural Resources stating that the registry office of the registration division in which the immovable is situated is fully computerized for land registration purposes. The immovable in question, referred to in the notice of address, is subject to a real right.

46. A notice of a change in the addresses or names of the persons referred to in article 3022 of the Code shall specify the registration number of the notice of address already filed. It shall state all the information relating to the former and new addresses and the former and new names of the beneficiary of the notice; the notifications subsequent to the change shall be made only on the basis of that information.

Where the notice of address was published in a registration division prior to the date fixed in a notice of the Minister of Natural Resources stating that the registry office of the registration division is fully computerized for land registration purposes, the notice of change shall also specify the name of that registration division.

47. The notice of amendment to the reference to the registration number of an address, or the notice of entry of a reference omitted in the registration number of an address, shall state the nature and registration number of the document in question and the former and current references, if necessary, to which the amendment or entry relates.

48. There shall be a postal address in any notice of address or of change in the address or name of a person at which the required notifications will be made. There may also be an electronic mail address.

The address shall be entered in a precise manner and be completed, for a postal address, by the postal code where the place is in Canada or the equivalent of the postal code where the place is outside Canada.

Where an electronic mail address is recorded, it shall be deemed that the beneficiary prefers the notification to be sent to that address.

49. A notice of renewal of the publication of a right shall specify the right in question and the place, date, registration number and nature of the document evidencing the right.

A notice of renewal of the registration of an address shall specify the registration number of the notice of address that a person wishes to renew, the registration number of the application pertaining to that notice, the right in question, except for a hypothec, and the name of the registration division in which the immovable subject to the right is situated.

A notice of renewal of the publication of a right may apply to that renewal and to the renewal of the registration of an address recorded with respect to that right provided only that an application made especially for that purpose, referring to the notice of address in question, appears in the notice of renewal of publication of the right.

50. A cadastral notice shall refer to the application to which it relates, state the designation of the immovable contained in the act evidencing the right and designate the immovable for which the registration is required.

51. A notice applying to the registration of a document in a land file identified by a serial number refers to the application to which it relates and states the designation contained in that application; it shall specify the serial number of the file in which the registration is required.

52. Applications to register acts similar to those listed in section 12 of the Act respecting registry offices shall, where the immovable in question is not registered, bear the name of the local municipality in the territory of which the immovable is situated and any other element allowing to complete the address of that immovable.

53. When applications for the cancellation or reduction of entries in registers are made, the names of the registration divisions in respect of which the entries are made and for which entries the cancellation or reduction is applied for shall be specified.

DIVISION IV CERTIFICATES

54. The prescribed certificates shall appear at the end of the applications, below the parties' signatures, or shall be appended to the applications to which they relate.

Where such certificates are appended, they shall refer to the applications to which they relate by specifying the nature and place where the applications and the date they were signed and the names of the parties thereto.

DIVISION V

ASSIGNMENT OF NUMBERS TO APPLICATIONS

55. Applications for registration shall, as of the date they are received by the registrar, be assigned numbers in a double consecutive order, one for the applications for registration of rights and cancellations or reductions and the other for the applications for registration of addresses.

Applications shall be assigned unique numbers for all the territory of Québec: the assignment of numbers shall apply to all the applications presented to registry offices.

CHAPTER 3

ENTRIES IN REGISTERS AND CORRECTION OF CLERICAL ERRORS OR OMISSIONS

DIVISION 1

ENTRIES

56. Entries in registers shall be clear and precise.

57. Where a registration in a register that is part of the land register concerns more than two grantors or holders of rights, the name of the first two persons designated as such in the application may be indicated only, followed by the words "and others".

58. The registration of any document shall state the nature of the document, in full or with abbreviations.

59. The registration number of a notice of address in a register that is part of the land register shall be noted, in that register, opposite to the application for registration of the right to which the address relates. Notwithstanding the foregoing, where the application was entered in a file that was subsequently the subject of a ministerial order under the Act respecting registry offices to convert it to electronic form, the registration number of the notice of address shall be noted in the distinct section, at the end of the new file, reserved for entries, mentions or indications related to the file that is reproduced by the new file.

In all cases, for a notice of address relating to a prior claim not entered in the land register, only one isolated entry referring to that prior claim shall be entered after the last entry appearing in the register.

60. A notice of change in a person's address or name shall not be noted in the land register but shall be substituted for the notice of address that it replaces under the registration number of that notice of address. New information resulting from changes, shall be substituted for the information that is replaced in the file of the directory of addresses related to the replaced notice of address.

61. Registration, in the register of mentions, of the cancellation or reduction of an entry shall specify the registration number of the application evidencing the right subject to the cancellation or reduction.

Notwithstanding the foregoing, where the cancellation or reduction concerns the registration of an address in a register that is part of the land register, that registration made in the register of mentions shall specify the registration number of the right to which the address relates.

62. Indication in the land register that a right was cancelled or reduced shall be made with respect to the registration of that right. Where the right was registered in a file that was subsequently subject to a ministerial order under section 3 of the Act respecting registry offices to convert it to electronic form, cancellations or reductions shall be indicated in the distinct section, at the end of the file that reproduces it, reserved for entries, mentions or indications related to the converted file.

63. The reference in the land register to the registration number of a total acquittance or discharge shall be preceded by the letter *T*. Notwithstanding the foregoing, if the reduction concerns the amount registered or the *situs* of the security, that information shall be indicated by using the letter *P*.

64. Indication in the land register that the registration of an address was cancelled shall be made by using the letter *R* right before the registration number of the notice of address. Indication that such a registration was reduced shall be made by using the letter *P* at the same place as the reduction of a right.

Indication in the same register that any indication of cancellation was cancelled shall be made by using the letters *RR* right before the registration number of the previous application for cancellation. The indication shall be followed by the registration number of the cancellation except if the cancellation is partial.

Those rules are not applicable where the indication of cancellation or reduction concerns an address, a cancellation or a reduction entered or indicated on a file that was subsequently subject to a ministerial order under

section 3 of the Act respecting registry offices to convert it to electronic form. In such cases, the indication that a cancellation or reduction was made shall be made not on a that file but in the distinct section, at the end of the file that reproduces it, reserved for entries, mentions or indications related to the converted file.

65. The registrar who is required to cancel or reduce an entry in a register that is part of the land register need not consult the register of personal and movable real rights.

66. The certified statement of registration issued by the registrar for any application for registration accepted for publication bears the registration number of the application to which the statement relates. It shall specify the date, hour and minute of presentation of the application, specify the land book in which it was registered and any applicable restriction relating to the registrations recorded in the registers.

The duplicate of that certified statement appended to the application kept in the Land Registry Office does not bear the signature of the registrar but has the same value as if it bore his signature.

DIVISION II

CORRECTION OF CLERICAL ERRORS OR OMISSIONS

67. Correction by the registrar to an entry, mention or indication in a register kept on a computer system shall be made by crossing out the entry, mention or indication, in such a manner that the crossed out text remains legible. Except where the entry, mention or indication is deleted, the correction is followed by the new entry, mention or indication right under the crossed out text.

68. Notwithstanding section 67,

(1) corrections in the land register are made not only by crossing out the erroneous entry or indication, but also by crossing out all related entries or indications and the crossed out text shall be followed right under by the new entry or indication and by all other entries or indications thus crossed out;

(2) entries resulting from a correction made in the land register or in the book of presentation, where they affect the date, hour or minute of presentation of the application for registration, do not follow the crossed out text, but shall be made at the place where they should have appeared;

(3) correction to information recorded in the heading of a file contained in the land register or in the directory of holders of real rights shall not be made by crossing out erroneous information but by substituting it by new information; and

(4) correction to entries, mentions or indications recorded in a distinct section at the end of the file contained in the land register pursuant to sections 6, 9, 13 and 21 shall be made by a note, specifying the nature of the correction, inserted at the place reserved for that purpose in the distinct section.

69. An entry, mention or indication omitted in a register kept on a computer system shall be added at the place where it should have appeared.

Notwithstanding the foregoing, if the addition is intended to record the registration of an address or the indication that a cancellation was made in the land register, the correction shall be made by crossing out all registrations of rights or addresses and all indications that cancellations were made, followed right under by the new registration or indication and the reproduction of all the other registrations or indications thus crossed out. In addition, the addition of entries, mentions or indications that should have been recorded in the distinct section of a file contained in the land register or in the directory of holders of real rights pursuant to sections 6, 9, 13 and 21 shall be made by a note, specifying the nature of the addition, inserted at the place reserved for that purpose in the distinct section.

70. Any correction or addition made in the land register gives rise to a reference made after the last entry appearing in that register to that correction or addition.

71. The correction to an entry in a register kept in paper form shall be made by crossing out the erroneous entry and any new entry shall be overwritten.

An entry omitted in such a register shall be added after the last entry appearing in that register. If there are entries between the date the addition was entered and the date on which that entry should have been made, a reference to the new entry shall be made at the place where that entry should have appeared.

72. Correction in the registration of a right in the index of names in the form of microfilms or microfiches kept in the registry offices established for the registration divisions of Montréal and Laval shall be made by a note, specifying the nature of the correction, inserted in the opened file, under the name of the person who benefits from that correction, in the register complementary to that index.

The registration of a right in that index shall be added in the opened file, under the name of the person who benefits from that addition, in the register complementary to that index.

73. The correction of an entry or mention in the margin of a registration for application, and in the register complementary to mentions made in the margin or the register of mentions for microfilmed acts referred to in sections 243 and 244 of the Act to amend the Civil Code and other legislative provisions relating to land registration, shall be made by a note, specifying the nature of the correction inserted in the file kept in the register of mentions for the application covered by the new mention or entry.

An entry or mention omitted in the application or in the register shall be added in the file kept in the register of mentions for the application covered by the addition.

74. Correction to a certified statement of registration shall be made by issuing a new certified statement. Where the correction concerns one of the elements that must appear in the certified statement pursuant to section 66, the new certified statement shall specify the nature of the correction; in any other case, no specification of correction shall be made.

Notwithstanding the first paragraph, where the certified statement that has been issued by the registrar of a registry office established for a registration division before the date fixed in a notice of the Minister of Natural Resources stating that the registry office is fully computerized for land registration purposes, the correction shall be made by a note, specifying the nature of the correction, inserted in a file kept in the register of mentions relating to the application for registration for which the certified statement was issued.

CHAPTER 4 **ACCESS TO THE REGISTERS AND OTHER** **DOCUMENTS**

DIVISION 1 **GENERAL**

75. Registry offices are open every day, except Saturdays, and the days referred to in article 6 of the Code of Civil Procedure (R.S.Q., c. C-25).

The Land Registry Office is opened on Saturdays for consultation purposes only.

76. Applications may be presented on the premises or remotely between 9 a.m. and 3 p.m. in every registry office.

77. Registers and other documents kept in registry offices for publication purposes shall be consulted on the premises or remotely and, in the latter case, by means of a display screen.

Consultation on the premises is allowed only in the offices established for registration divisions. In addition, remote consultation is allowed with respect to registers and other documents kept in electronic form only.

78. Consultation on the premises is allowed between 9 a.m. and 4 p.m.; remote consultation, in another way than from a display screen located in offices established for registration divisions, is allowed between 8 a.m. and 11 p.m., except on Saturdays where it is allowed between 8 a.m. to 5 p.m.

79. Notwithstanding sections 76 and 78, applications may be presented to registry offices and registers and other documents kept there may be consulted, on the premises or remotely, from 9 a.m. to 10 a.m. on 24 and 31 December.

80. The certified statement that the registrar is required to issue to any person who requests it pursuant to article 3019 of the Code shall specify the type of certified statement, the name of the person requesting it, the lot number given to the immovable and the name of the cadastre in which it is situated, or the serial number of the file relating to the real right, the network or the immovable and the name of the register in which the file is recorded, the name of the registration division in which the immovable, right or network is situated, the name of its owner or holder, as the case may be, the period for which the certified statement is issued and all registration numbers of the applications in question, if any.

The certified statement, dated and signed by the registrar issuing it, shall be completed, where applicable, by the copies of the applications for registration in question, with the accompanying documents where they are in the form of a summary and, where applicable, relevant extracts from the register of mentions and the complementary register related to each application.

81. Copies of or extracts from documents that justified registrations in the registers and that the registrar is required to issue to any person requesting it pursuant to article 3019 of the Code must be accompanied, where applicable, by relevant extracts from the register of mentions and from the complementary register.

DIVISION II- PARTICULAR PROVISIONS GOVERNING REMOTE ACCESS

82. Applications for registration presented to the Land Registry Office, as well as the accompanying documents, shall be forwarded electronically.

Those applications and documents may be accepted at the Land Registry Office only if the electronic transmission is accompanied by a code of the same nature affixed by means of a device, provided by the Land Registrar for firms that develop the required software, attesting that the transmission meets all the required technical specifications and that it contains an explanatory file, complying with the specifications, bearing a client number given by the Land Registrar.

83. Presentation of applications for registration and accompanying documents to the Land Registry Office requires the use of key pairs and signature verification and encryption certificates issued by a certification authority certified by the Conseil du trésor.

A certification authority may be certified by the Conseil du trésor only if the issue and storage of key pairs and certificates that it is responsible for meet the minimum conditions provided for in the Schedule to this Regulation.

84. Any signature required for the presentation of an application for registration to the Land Registry Office shall be affixed by means of a signature key pair.

85. Data constituting the applications for registration and documents presented to the Land Registry Office shall be considered received only if they are transmitted completely and if the Land Registrar may have access to them and decrypt them.

Where those conditions are met, the Land Registrar shall immediately transmit, electronically, an acknowledgement of receipt to the persons who requested registration.

86. Upon receipt of the data constituting the applications for registration and documents presented to the Land Registry Office, the Land Registrar shall verify the identity of the persons whose signatures were required for the presentation of applications by means of the public key and signature verification certificate those persons hold. He shall ensure that the signature verification certificate of each holder, and his digital signature, are valid and that the transmitted data is intact.

87. Applications for registration and documents presented to the Land Registry Office shall be kept as such but transmission formats and data markup that accompanied the applications shall be removed from them. Those applications and documents, from which transmission formats and data markup were thus removed, shall be available to the public.

Applications for registration and documents transmitted to the Land Registry Office by the registrar of a registration division in whose registry office the applications and documents were presented in paper form shall be kept by means of a lossless data compression algorithm. A compressed version of the applications and documents shall be produced by means of a lossy data compression algorithm, which keeps nonetheless the transmitted information intact and complete and only that version is available to the public.

88. Where a copy of an application for registration or of a document kept on a computer system must be provided by the Land Registrar, such copy shall be made from that application or from the document available to the public, or from the version of the application or document available to the public, as the case may be.

The names of the sources, determined after their identity is verified, shall appear on the copy, where the copy was made from the application or from the document presented to the Land Registry Office.

89. Any document transmitted electronically by the Land Registrar shall be signed by him by means of a signature key pair issued by a certification authority certified by the Conseil du trésor.

CHAPTER 5 TRANSITIONAL AND FINAL

90. When assigning number to files in a register of real rights of State resource development as provided for in section 10 and files in a register of public service networks and immovables situated in territory without a cadastral survey as provided for in section 14, the current numbers of the files in those registers on the date fixed in the notice of the Minister of Natural Resources stating that the registry office that keeps them is fully computerized for land registration purposes shall be taken into account.

91. In order to take into account the current numbers of applications for registration kept in registry offices until the date fixed in the notice of the Minister of Natural Resources stating, for each office, that it is fully computerized for land registration purposes, the assignment of numbers referred to in section 55 shall begin,

for applications received as of that date, at number 10.000.001 for applications for registration of rights and cancellations or reductions, and at number 6.000.001 for applications for registration of addresses.

92. Sections 15, 16 and 17 shall apply, in registry offices of the registration divisions of Montréal and Laval, to applications for registration published in the index of names kept in those offices as of the dates fixed in a notice of the Minister of Natural Resources stating that they are fully computerized for land registration purposes and to all the applications for registration that have been published in it since 1 January 1994.

93. The provisions of subparagraph 1 of the second paragraph of section 26, related to the notices of addresses that were presented to a registry office before the date fixed in the notice of the Minister of Natural Resources stating that the office is fully computerized for registration purposes have effect, with respect to any other office than those established in the registration divisions of Montréal and Laval, only as of the date fixed in an order made for that purpose by the Minister of Natural Resources.

94. This Regulation will come into force on the date fixed in the notice of the Minister of Natural Resources, in accordance with section 237 of the Act to amend the Civil Code and other legislative provisions relating to land registration, stating that a first registry office is fully computerized for land registration purposes.

SCHEDULE

(s. 83)

MINIMUM CONDITIONS FOR ISSUING AND STORING KEY PAIRS AND SIGNATURE VERIFICATION AND ENCRYPTION CERTIFICATES

The following are the minimum conditions for issuing and storing key pairs and signature verification and encryption certificates that must be met by a certification authority to be certified by the Conseil du trésor pursuant to section 83:

(1) the reliability of the data constituting the applications for registration and documents presented to the Land Registry Office shall be ensured by using an asymmetric cryptographic system;

(2) the asymmetric cryptographic system used shall also include a hash function by means of which the Land Registry Office can verify the integrity and completeness of the data it receives;

(3) the asymmetric cryptographic system used shall provide for the issue of a signing key pair by means of which the applications for registration and documents presented are signed and their source identified and shall also provide for the issue of an encryption key pair to protect the confidentiality of the applications and documents; such confidentiality is ensured by encrypting the data by means of a randomly variable secret key generated by the symmetric cryptographic system; that key must itself be encrypted with the public key that forms part of the encryption key pair of the Land Registry Office, which shall be able to decrypt the transmitted data with its private key;

(4) each signing key and encryption key pair issued shall consist of a unique and indissociable pair of keys, one public and the other private, that are linked mathematically; each public key shall be referred to in a certificate, issued by the certification authority, which serves to bind the key to the key pair holder;

(5) The signature verification certificate and encryption certificate issued shall be on a computer system and shall include the following information:

— the distinguishing name of their holder which consists of his name combined with a unique code;

— the name of the certification authority and its signature;

— the signature verification public key or the encryption public key, as the case may be, together with the certificate serial number, version, issue date and expiry date; and

— the name of the issuer, the characteristics of the algorithm and the resulting hash code used in delivering the certificate;

(6) the encryption certificates shall be entered in an electronic directory and kept up-to-date by the certification authority issuing them; the directory shall include the serial numbers of the signature verification certificates and encryption certificates that have been suspended, revoked, withdrawn or deleted; and

(7) the certification authority shall comply with the following recommendations or standards or their equivalents:

— International Telecommunication Union (ITU) Recommendation X.500 (11/93), in general, adopted as an international standard by the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC) under the general

designation of ISO/IEC 9594: 1995, for the management of the directory containing the information relating to the certificates and public keys that form an integral part of key pairs;

— ITU Recommendation X.509 (11/93), in particular, adopted as an international standard by ISO and IEC under the designation ISO/IEC 9594-8: 1995 Information Technology—Open systems interconnection (OSI)—The Directory: Authentication framework, for the issue and storage of key pairs and signature verification and encryption certificates; and

— the United States government's National Institute of Standards and Technology (NIST) Standard FIPS 140-1 for the DES, DSA and SHA-1 algorithms used in cryptography.

4375

Draft Regulation

Civil Code of Québec
(1991, c. 64)

An Act respecting registry offices
(R.S.Q., c. B-9)

An Act to amend the Civil Code and other legislative provisions relating to land registration
(2000, c. 42)

Land register — Provisional regulation — Amendments

Regulation to amend the Provisional Regulation respecting the land register

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Provisional Regulation respecting the land register, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to establish rules applying to non-computerized registry offices. It will be inoperative once all registry offices are computerized.

The draft Regulation proposes in particular to introduce certain new rules as a complement to those enacted by the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42)

including the rules related to the manner of drawing up certified statements.

Moreover, the draft Regulation proposes to harmonize the provisions of the provisional regulation with those introduced by the Act to amend the Civil Code and other legislative provisions relating to land registration, in particular with respect to the abandonment of phase II of the land registration initial reform and with respect to solutions found to correct certain difficulties encountered in the application and interpretation of publication law.

To date, study of the matter has shown no other impact on the public and on businesses than that resulting from the Act to amend the Civil Code and other legislative provisions relating to land registration.

Further information on the draft Regulation to amend the Provisional Regulation respecting the land register may be obtained by contacting Odette Lacombe, 150, boulevard René-Lévesque Est, 7^e étage, Québec (Québec) G1R 2B2, by telephone at (418) 646-9606 or by fax at (418) 646-9687.

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

PAUL BÉGIN,
Minister of Justice

Regulation to amend the Provisional Regulation respecting the land register*

Civil Code of Québec
(1991, c. 64, art. 3024)

An Act respecting registry offices
(R.S.Q., c. B-9, s. 5)

An Act to amend the Civil Code and other legislative provisions relating to land registration
(2000, c. 42, s. 240)

1. The Provisional Regulation respecting the land register is amended by inserting the following heading and provision before the heading of Chapter One:

* The Provisional Regulation respecting the land register, made by Order in Council 1596-93 dated 17 November 1993 (1993, G.O. 2, 6239), was amended once by the Regulation made by Order in Council 1067-95 dated 9 August 1995 (1995, G.O. 2, 2626).

“PRELIMINARY PROVISION

This Regulation applies only to registry offices established for registration divisions of Québec that, on (*enter the date of coming into force of sections 238, 241, 242 and 245 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42)*), have not been the subject, pursuant to section 237 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42), of a notice of the Minister of Natural Resources stating that they are fully computerized for land registration purposes or with respect to which the date fixed in the notice has not occurred.

This Regulation remains applicable, for each of those offices, until the date fixed in the notice of the Minister of Natural Resources stating that that office is fully computerized for land registration purposes; as of that date, the Regulation respecting land registration made pursuant to article 3024 of the Civil Code becomes applicable to that office.”.

2. The following is substituted for section 1 of the Provisional Regulation respecting the land register:

“1. The registers kept in registry offices of registration divisions shall be established either according to the corresponding model attached to this Regulation or according to the model referred to in section 8, 10, 11 or 16.”.

3. Section 2 is revoked.

4. Section 3 is amended by substituting the words “of the index of immovables, of the register of real rights of State resources development and of the register of public service networks and immovables situated in territory without a cadastral survey” for the words “of a register serving as a land register” in the first paragraph.

5. Section 4 is revoked.

6. Section 6 is amended

(1) by adding the following sentence at the end of the first paragraph: “Any omitted mention or entry shall be added in the margin of a document along with the date, hour and minute of the addition.”;

(2) by substituting the words “in an entry or a certificate for registration in the register or in a mention or entry in the margin of a document” for the words “in an entry” in the second paragraph; and

(3) by substituting the words “Notwithstanding the first and second paragraphs” for the words “Notwithstanding the foregoing” at the beginning of the third paragraph.

7. Section 7 is amended

(1) by striking out “where there is no land register within the meaning of article 2972 of the Code” at the end of the introductory sentence of the first paragraph; and

(2) by striking out “, which shall be called *Directory of holders of real rights*” at the end of subparagraph 5 of the first paragraph.

8. Section 8 is amended

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

“8. The memorial of presentation shall be numbered in consecutive order.”; and

(2) by substituting “In the offices” for “Notwithstanding the foregoing, in the offices” at the beginning of the second paragraph.

9. Section 10 is amended by substituting “It shall be kept in alphabetical order of the names of all holders and grantors of rights designated in the applications that are published in it.” for the second sentence.

10. Division II of Chapter One, entitled “Opening of leaves in registers” and comprising sections 17 and 18, is revoked.

11. Section 30 is amended by deleting the third paragraph.

12. Section 33 is revoked.

13. The following is substituted for section 36:

“36. A notice of renewal of the publication of a right shall specify the right in question and the place, date, registration number and nature of the document evidencing the right.

A notice of renewal of the registration of an address shall specify the registration number of the notice of address that a person wishes to renew, the registration number of the application pertaining to that notice, the right in question, except in the case of a hypothec, and the name of the registration division in which the immovable subject to the right is situated.

A notice of renewal of the publication of a right may apply to that renewal and to the renewal of the registration of an address recorded with respect to that right provided only that an application made especially for that purpose, referring to the notice of address in question, appears in the notice of renewal of publication of the right.”.

14. Section 39 is amended by substituting “A single copy of the notice may be filed.” for the last sentence of the first paragraph.

15. Section 40 is amended

(1) by substituting the words “A notice of a change in the address” for the words “A notice of a change of address or of a change in the address” at the beginning of the first paragraph; and

(2) by substituting “A single copy of the notice may be filed.” for the last sentence of the first paragraph.

16. The following is substituted for section 40.1:

“40.1. The notice of amendment to the reference to the registration number of an address, or the notice of entry of a reference omitted in the registration number of an address, shall state the nature and registration number of the document in question and the former and current reference, if necessary, to which the amendment or entry relates. Two copies of the notice shall be filed.”.

17. Section 41 is revoked.

18. Section 42 is amended

(1) by striking out “except in the case of the index of names” in the first paragraph; and

(2) by substituting “The notice of a change in the address” for “The notice of a change of address or of a change in the address” at the beginning of the second paragraph.

19. The following is added after section 42.1:

“42.2. In addition to the particulars required under article 2999.1 of the Code, the notice must contain, where applicable, the names of the lessees, whether assignors or assignees, and the nature of the modification made to the lease.

In case of transfer of, correction to or cancellation of the lease, the reference to the lease required under article 2999.1 of the Code is made by specifying the registration number of the lease or the number of the notice

governing the registration of the rights arising therefrom in the register.”.

20. Sections 48 and 48.1 are revoked.

21. Section 54 is amended by striking out the second sentence.

22. Section 56 is amended by substituting “Notwithstanding article 3014.1 of the Code, the hypothec of a claim secured by an immovable hypothec shall be mentioned in the margin of the application evidencing the claim.” for the second sentence.

23. The following is substituted for section 57:

“57. The reference in the register to the registration number of a complete acquittance or discharge shall be preceded by the letter *T*. Notwithstanding the foregoing, if the reduction concerns the amount registered or the *situs* of the security, that information shall be indicated by using the letter *P*.”.

24. The Regulation is amended by inserting the following after section 59:

“59.1. The certified statement issued pursuant to article 3019 of the Code must contain, in addition to the type of certified statement, the name of the person requesting it, the lot number given to the immovable and the name of the cadastre in which it is situated, or the serial number of the file relating to the real right, the network or the immovable and the name of the register in which the file is recorded, the name of the registration division in which the immovable is situated, the right or the network, the name of its owner or holder, as the case may be, the period for which the certified statement is issued and all registration numbers of the applications in question, if any.

The certified statement, dated and signed by the registrar issuing it, shall be completed, where applicable, by the copies of the applications for registration in question, with the accompanying documents where they are in the form of a summary and, where applicable, an extract from the complementary register related to each application.”.

25. This Regulation comes into force on (*enter the date of coming into force of sections 238, 241, 242 and 245 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42)*).

Draft Regulation

An Act respecting registry offices
(R.S.Q., c. B-9; 2000, c. 42)

Tariff of fees respecting land registration

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Tariff of fees respecting land registration, 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 Tariff is to set the fees payable for products and services offered at the Land Registry Office and at registry offices that have been subject to a notice of the Minister of Natural Resources, in accordance with section 237 of chapter 42 of the Statutes of 2000, stating that those offices are fully computerized.

To date, study of the matter has shown no impact on the public or on businesses since the global cost paid by the public for the publication of their land rights should not increase. Computerization of the land register will allow professionals working in the field of land registration and acting on behalf of the public and businesses to make savings.

Further information on the draft Tariff respecting land registration may be obtained by contacting Alain Simard, 150, boulevard René-Lévesque Est, 7^e étage, Québec (Québec) G1R 2B2, by telephone at (418) 646-9606 or by fax at (418) 646-9687.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the undersigned, 5700, 4^e Avenue Ouest, Charlesbourg (Québec) G1H 6R1.

JACQUES BRASSARD,
Minister of Natural Resources

Tariff of fees respecting land registration

An Act respecting registry offices
(R.S.Q., c. B-9, s. 8; 2000, c. 42, s. 116)

1. This Tariff applies to any registration division as of the date fixed in the notice of the Minister of Natural Resources, in accordance with section 237 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42), stating that the registry office established therein is fully computerized for land registration purposes.

2. The fee for the registration of an application for registration of a right is \$50 where the application is presented in paper form to a registry office established for a registration division. The fee is reduced by \$10 where the application is presented electronically to the Land Registry Office.

3. Notwithstanding section 2, the fee for the registration of an application for registration of a right presented in the form of a summary is \$50 per summarized document where the application is presented in paper form to a registry office established for a registration division. The fee is reduced by \$10 per summarized document where the application is presented electronically to the Land Registry Office.

4. The fee for the registration of an application for cancellation or reduction of registration is \$60, including the cancellation or reduction of the rights provided for in the first application for registration covered by the application for cancellation or reduction, plus \$40 for every additional application, where the application for cancellation or reduction is presented in paper form to a registry office established for a registration division. The fee is reduced, respectively, by \$10 where the application for cancellation or reduction is presented electronically to the Land Registry Office.

5. The fee for the registration of a prior notice of sale for non-payment of immovable taxes is \$50 plus \$7 per lot or part of a lot where the application is presented in paper form to a registry office established for a registration division. The fee is \$40 plus \$7 per lot or part of a lot where the application is presented electronically to the Land Registry Office.

6. The fee for the registration of an application for registration of an address, by a notice or by a reference to a notice already published, of the renewal of the registration of an address or the omitted reference to a notice of address is \$30.

Notwithstanding the foregoing, the fee shall not be payable for the registration of the change in a reference to a notice of address.

7. Notwithstanding sections 2 to 6, no fee is payable for the registration of

(1) a change in the address or in the name of the persons referred to in article 3022 of the Civil Code of Québec (1991, c. 64) or a cancellation or reduction of the registration of a notice of address;

(2) a list of immovables that were not sold at a sale for non-payment of immovable taxes;

(3) a document evidencing the redemption of lots adjudicated at a sale for non-payment of immovable taxes;

(4) a notice served pursuant to article 813.4 of the Code of Civil Procedure (R.S.Q., c. C-25);

(5) a disposal permit required under the Succession Duty Act (R.S.Q., c. D-13.2);

(6) an action against the owner of the immovable following a legal hypothec in favour of persons having participated in the construction or renovation of an immovable or following a legal hypothec of a syndicate of co-owners on a fraction of a co-owner;

(7) a list of immovables adjudicated at the sale for non-payment of immovable taxes;

(8) a notice of a sheriff's sale;

(9) a release from a sheriff's seizure;

(10) a clerk's certificate attesting that an action has been discontinued;

(11) a certificate of the Attorney General stating that a hypothec in favour of the State is extinguished or reduced; and

(12) the abandonment or revocation of a real right of State resource development that is not exempt from registration.

8. The fee for the statements certified by the registrar provided for in the first paragraph of article 3019 of the Civil Code and in article 704 of the Code of Civil Procedure is \$10 for the certified statement and \$10 for each copy of application for registration, including the accompanying document where it is in the form of a summary, composing the statement.

9. The fee for any other certificate is \$10, unless the law specifically provides that no fees are to be collected or that specific fees are fixed.

10. The fee for each copy of or extract from a register kept at the Land Registry Office is \$15 per land file or per file opened in the index of names, directory of addresses, directory of holders of real rights or per date and registration division for the book of presentation. The fee is \$15 per file for the register complementary to the index of names in the form of microfilms or microfiches kept for the registration divisions of Montréal and Laval.

The fee for each copy of or extract from the register kept, under section 245 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42), in a registry office established for a registration division is \$15 per page of the register.

The fee for each copy of the plan of a lot is \$5. The fee is \$15 for each copy of or extract from an application for registration, including the accompanying document where it is in the form of a summary, or from any other document.

11. The fee for copies of applications, including the accompanying documents where they are in the form of a summary, forwarded for the purposes of transfers of immovables or the updating of the municipal assessment rolls, is \$3 per copy, regardless of the means used to issue such copies.

12. The municipal bodies are billed monthly for the fees payable owing to the copies of applications and documents that are forwarded to them for the purposes of transfers of immovables and the updating of the municipal assessment rolls.

13. The fee to complete the form of the Ministère du Revenu concerning a person who appears as being registered as owner of a lot, part of a lot or an immovable identified by a serial number in the registers is \$5 for each form completed.

14. The fee to consult, in registry offices established for registration divisions, registers, plans and other documents kept in paper form, on microfilms or microfiches is \$5 per person per day or fraction of a day. The consultation fee includes copies of registers and other microfilmed or microphotographed documents made using the printers available to the public. No fee is payable where the consultation is carried out for the purposes of making cadastres under the Act to promote the reform of the cadastre in Québec (R.S.Q., c. R-3.1) or the Act respecting land titles in certain electoral districts (R.S.Q., c. T-11).

15. The fee to consult the registers, plans and other documents kept on a computer system is \$3 per lot, document, name, registration division or other character researched, according to the document or register consulted. The fee is \$1 per lot, document, name, registration division or other character researched, where the consultation is not carried out by means of display screens available in registry offices established for registration divisions. The consultation fee includes the copies of registers, plans and other documents kept on a computer system made by the public using the printers put at their disposal. No fee is payable where the consultation is

carried out, by means of display screens available in registry offices established for registration divisions, for the purposes of making cadastres under the Cadastre Act (R.S.Q., c. C-1), the Act to promote the reform of the cadastre in Québec or the Act respecting land titles in certain electoral districts.

16. Unless the documents are forwarded for the purposes of making cadastres under the Cadastre Act, the Act to promote the reform of the cadastre in Québec or the Act respecting land titles in certain electoral districts, a fee of \$15 is added to the fee payable where a copy, an extract or a statement is forwarded by fax.

17. The fee for a certified statement of registration in paper form is \$10. Notwithstanding the foregoing, the fee shall not be payable for a first certified statement of registration issued in respect of an application for registration presented in paper form to a registry office established in a registration division.

18. The fee provided for in this Tariff shall be indexed on 1 April of each year from 1 April 2003 on the basis of the cumulative rate of increase in the general Consumer Price Index for Canada for the period beginning on 31 December 2001 and ending on 31 December of the year preceding the indexing, as determined by Statistics Canada. The fee indexed in the prescribed manner shall be reduced to the nearest dollar where it contains a fraction of a dollar less than \$0.50. It shall be increased to the nearest dollar where it contains a fraction of a dollar equal to or greater than \$0.50.

19. Until 1 January 2002, the provisions of this Tariff shall be considered with the following restrictions:

(1) the fee for the registration of an application for registration of a right is \$42 where the application is presented in paper form to a registry office established for a registration division. The fee shall not be payable where the application is presented electronically to the Land Registry Office;

(2) the fee for the registration of an application for registration of a right presented in the form of a summary is \$42 per summarized document where the application is presented in paper form to a registry office established for a registration division. The fee shall not be applicable where the application is presented electronically to the Land Registry Office;

(3) the fee for the registration of an application for cancellation or reduction of a registration is \$42 per claim, per principal right or per notice, plus \$10 per registration in the register of mentions provided for in article 2979.1 of the Civil Code, introduced by sec-

tion 26 of the Act to amend the Civil Code and other legislative provisions relating to land registration, where the application is presented in paper form to a registry office established for a registration division. The fee shall not be payable where the application is presented electronically to the Land Registry Office;

(4) the fee for the registration of a prior notice of sale for non-payment of immovable taxes is \$20 plus \$5 per lot or part of a lot where the application is presented in paper form to a registry office established for a registration division. The fee shall not be payable where the application is presented electronically to the Land Registry Office;

(5) the fee for the registration of an application for registration of an address, per notice or reference to a notice already published, for the renewal of the registration of an address or for the omitted reference to a notice of address shall not be payable;

(6) the fee for statements certified by a registrar provided for in the first paragraph of article 3019 of the Civil Code and in article 704 of the Code of Civil Procedure is \$20 for the certified statement and \$5 for each copy of the application for registration, including the accompanying document where the application is in the form of a summary, making up the statement;

(7) the fee for any other certificate is \$5, except where the law specifically provides that no fee is collected or that a specific fee is fixed;

(8) the fee to consult registers, plans and other documents kept in paper form or on microfilms or microfiches in registry offices established for registration divisions is \$5 per hour or fraction of an hour; and

(9) the fee to consult registers, plans and other documents kept on a computer system is \$5 per hour or fraction of an hour. The fee shall not be payable where the consultation is carried out in another way than by using display screens available in registry offices established for registration divisions.

20. This Tariff comes into force on the date fixed in the notice of the Minister of Natural Resources, in accordance with section 237 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42), stating that a first registry office is fully computerized for land registration purposes, with the exception of section 10 insofar as it provides the fee payable for copies of or extracts from the register complementary to the index of names in the form of microfilms or microfiches kept for the registration divisions of Montréal and Laval, which will come

into force, for each of those registration divisions, on the dates fixed in the notices of the Minister of Natural Resources stating that each of those offices is fully computerized for land registration purposes.

4373

Draft Regulation

An Act respecting registry offices
(R.S.Q., c. B-9; 2000, c. 42)

Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices, which appears below, may be made by the Government upon the expiry of 45 days following this publication.

Registry offices established for registration divisions will be, one by one, computerized as of October 2001 and a new tariff will provide the fees payable in those offices. In this context, it is important to amend the tariff governing non-computerized offices to specify that it no longer applies to all registration divisions, but to the ones where the offices are not computerized.

Moreover, for equity purposes, it is expedient to standardize the fees required by non-computerized offices with those required for remote transactions by computerized offices. Furthermore, for certain services, the new tariff principles applicable to computerized offices will be introduced into the tariff imposed by non-computerized offices.

Consequently, the main purpose of this draft Regulation is to revise the fees payable for certain services rendered by non-computerized registry offices and the annual indexing of the fees payable. Furthermore, the draft Regulation proposes harmonizing the provisions of the tariff with those of the Civil Code of Québec amended by the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42)

The amendments proposed in the draft Regulation will come into force on the date of computerization of a first registry office, except for some provisions which will come into force only on 1 January 2002.

The draft regulation has no significant impact on the public and on businesses. The propositions made in the draft Regulation will allow clients to benefit, as soon as a first office is computerized, from reduced tariffs applicable to computerized offices for the registration of rights.

For more information on the draft Regulation to amend the Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices may be obtained by contacting Alain Simard, 150, boulevard René-Lévesque Est, 7^e étage, Québec (Québec) G1R 2B2; by telephone: (418) 646-9606 or by fax: (418) 646-9687.

Any interested person having comments to make on the matter is asked to do so in writing, before the expiry of the expiry of the 45-day period, to the undersigned, 5700, 4^e Avenue Ouest, Charlesbourg (Québec) G1H 6R1.

JACQUES BRASSARD,
Minister of Natural Resources

Regulation to amend the Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices*

An Act respecting registry offices
(R.S.Q., c. B-9, s. 8; 2000, c. 42, s. 116)

1. The Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices is amended by substituting the following for section 1:

“1. This Tariff applies to any registration division that was not subject to a notice of the Minister of Natural Resources, in accordance with section 237 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42), stating that the registry office established therein is fully computerized for land registration purposes.”

* The Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices, made by Order in Council 1597-93 dated 17 November 1993 (1993, G.O. 2, 6257), has not been amended since it was made.

2. The following is substituted for section 2:

“2. The fee for the registration of an application for the registration of a right is \$40.”

3. The following is substituted for section 3:

“3. Notwithstanding section 2, the fee for the registration of an application for registration of a right presented in the form of a summary is \$40 per summarized documents.”

4. The following is substituted for section 4:

“4. The fee for the registration of an application for the cancellation or reduction of a registration is \$50, including the cancellation or reduction of rights provided for in a first application for registration covered by the application for cancellation or reduction, plus \$30 for each additional application for registration.”

5. Section 5 is amended by substituting “\$40” and “\$7” for “\$20” and “\$5”.

6. The following is inserted after section 5:

“5.1. The fee for the registration of an application for registration of an address, by a notice or by a reference to a notice already published, of the renewal of the registration of an address or the omitted reference to a notice of address is \$30.

Notwithstanding the foregoing, the fee is not payable for the registration of the change in a reference to a notice of address.”

7. Section 6 is amended

(1) by substituting the following for the part preceding paragraph 1:

“Notwithstanding sections 2, 3, 4 and 5.1, no fee is payable for the registration of”;

(2) by substituting the following for paragraph 1:

“(1) a change in the address or name of the persons referred to in article 3022 of the Civil Code or a cancellation or reduction of the registration of a notice of address;” and

(3) by adding the following after paragraph 11:

“(12) the abandonment or revocation of a real right of State resource development that is not exempt from registration.”

8. The following is substituted for section 7:

“7. The fee for the statements certified by the registrar provided for in article 3019 of the Civil Code and in article 704 of the Code of Civil Procedure is \$10 for the certified statement and \$10 for each copy of application for registration, including the accompanying document where the application is in the form of a summary, making up the statement.”

9. Section 8 is revoked.

10. The following is inserted after section 8:

“8.1. The fee for affixing an additional certified statement of registration is \$10.”

11. Section 10 is revoked.

12. Section 11 is amended by inserting the following sentence between the first and second sentence:

“The fee for each copy of the plan is \$5 per lot subject to the application.”

13. The following is substituted for section 12:

“12. The fee for copies of applications, including the accompanying documents where they are in the form of a summary, forwarded for the purposes of transfers of immovables or the updating of the municipal assessment rolls, is \$3 per copy, regardless of the means used to issue such copies.”

14. Section 13 is revoked.

15. Section 14 is amended by striking out the words “serving provisionally as the land register”.

16. Section 16 is amended by striking out the words “that serve provisionally as the land register” in paragraph 1.

17. The following paragraph is inserted after section 17:

“17.1. The fee prescribed in this Tariff shall be indexed on 1 April of each year from 1 April 2003 on the basis of the cumulative rate of increase in the general Consumer Price Index for Canada for the period beginning on 31 December 2001 and ending on 31 December of the year preceding the indexing, as determined by Statistics Canada. The fee indexed in the prescribed manner shall be reduced to the nearest dollar where it contains a fraction of a dollar less than \$0.50. It shall be increased to the nearest dollar where it contains a fraction of a dollar equal to or greater than \$0.50.”

18. This Regulation comes into force on the date fixed in the notice by the Minister of Natural Resources, in accordance with section 237 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, c. 42), stating that a first registry office is fully computerized for land registration purposes, except for sections 2 to 6, the first and second paragraphs of section 7 and sections 8, 11 and 12 which will come into force on 1 January 2002.

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Draft Regulation

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

Towing and impounding charges for road vehicles seized

— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting towing and impounding charges for road vehicles seized under sections 209.1 and 209.2 of the Highway Safety Code, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

GUY CHEVRETTE,
Minister of Transport

Regulation to amend the Regulation respecting towing and impounding charges for road vehicles seized under sections 209.1 and 209.2 of the Highway Safety Code*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 621, par. 50)

1. Section 2 of the Regulation respecting towing and impounding charges for road vehicles seized under sections 209.1 and 209.2 of the Highway Safety Code is amended by adding the following after the first paragraph:

“Notwithstanding the foregoing, for a vehicle of class 2 seized on parts of public highways referred to in the Regulation respecting the provision of road service or towing on certain roads and autoroutes and on certain bridges or other infrastructures made by Order in Council 987-98 dated 21 July 1998, the towing charges over a distance of 10 kilometres or less are \$55.”.

2. Section 3 is amended

(1) by substituting “10” for “25” in the first paragraph; and

(2) by substituting “10” for “25” and “\$2.25” for “\$1” in the second paragraph.

3. Schedule I is amended by substituting “\$45” for “\$40” in the class of vehicle entitled “Class 2 vehicle”.

4. 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 towing and impounding charges for road vehicles seized under sections 209.1 and 209.2 of the Highway Safety Code made by Order in Council 1426-97 dated 29 October 1997 (1997, *G.O.* 2, 5456) has not been amended since.

Municipal Affairs

Gouvernement du Québec

O.C. 738-2001, 20 June 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 Ville de Matane, Municipalité de Petit-Matane, Municipalité de Saint-Luc-de-Matane and Paroisse de Saint-Jérôme-de-Matane 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 Ville de Matane, Municipalité de Petit-Matane, Municipalité de Saint-Luc-de-Matane and Paroisse de Saint-Jérôme-de-Matane 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 Ville de Matane, Municipalité de Petit-Matane, Municipalité de Saint-Luc-de-Matane and Paroisse de Saint-Jérôme-de-Matane, 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. 739-2001, 20 June 2001

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

Polling date of the first general election of Municipalité de Pierreville

WHEREAS Order in Council 632-2001 dated 30 May 2001 concerning the amalgamation of Village de Pierreville, Paroisse de Notre-Dame-de-Pierreville and Paroisse de Saint-Thomas-de-Pierreville came into force on 13 June 2001;

WHEREAS under section 7 of that Order in Council, the first general election shall be held on the first Sunday of the fourth month following the coming into force of that Order in Council;

WHEREAS the first polling date is 7 October 2001;

WHEREAS under section 124 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), the Government may fix an earlier polling date than the date fixed in the order;

WHEREAS it is expedient to move the polling to an earlier date;

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

THAT the polling date of the first general election of Municipalité de Pierreville be fixed at 2 September 2001.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Parliamentary Committees

Committee on Social Affairs

General consultation

Bill 36, Public Health Act

The Committee on Social Affairs has been instructed to hold public hearings beginning on 18 September 2001 in pursuance of a general consultation on Bill 36, Public Health Act.

Individuals and organizations who wish to express their views on this matter must submit a brief to the above Committee. The Committee will select the individuals and organizations it wishes to hear from among those who have submitted a brief.

Briefs must be received by the committees secretariat not later than 31 August 2001. Every brief must be accompanied by a concise summary of its contents, and both documents must be submitted in 25 copies printed on letter-size paper. Those who wish to have their brief forwarded to the press gallery must provide an additional 25 copies.

Briefs, correspondence, and requests for information should be addressed to: M^e Denise Lamontagne, Clerk of the Committee on Social Affairs, Direction du secrétariat des commissions, Assemblée nationale du Québec, 1045, rue des Parlementaires, Québec (Québec) G1A 1A3.

Telephone: (418) 643-2722; facsimile: (418) 643-0248
E-mail: dlamontagne@assnat.qc.ca

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