

Gazette officielle du Québec

Part 2 Laws and Regulations

Volume 133
29 August 2001
No. 35

Summary

Table of Contents
Coming into force of Acts
Regulations and other acts
Draft Regulations
Municipal Affairs
Index

Legal deposit — 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2001

All rights reserved in all countries. No part of this publication may be translated, used or reproduced by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

Table of Contents

Page

Coming into force of Acts

943-2001	Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec, An Act respecting the... — Coming into force	4825
----------	--	------

Regulations and other acts

944-2001	Recognition of the professional qualification of fishers and assistant fishers	4827
----------	--	------

Draft Regulations

	Implementation of the Agreement regarding the programs of the Office Québec-Amériques pour la jeunesse	4833
--	--	------

Municipal Affairs

930-2001	Amalgamation of Village de Luceville and Paroisse de Sainte-Luce	4839
931-2001	Authorization to the Minister of Municipal Affairs and Greater Montréal to require Ville de Saint-Thimothée, Ville de Salaberry-de-Valleyfield and Municipalité de Grande-Île to file a joint application for amalgamation	4842

Coming into force of Acts

Gouvernement du Québec

O.C. 943-2001, 23 August 2001

An Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (R.S.Q., c. B-7.1)

— Coming into force

COMING INTO FORCE of the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec

WHEREAS the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (R.S.Q., c. B-7.1) was assented to on 19 June 1999

WHEREAS, under section 34 of chapter 32 of the Statutes of 1999, the provisions of that chapter come into force on the date or dates to be fixed by the Government;

WHEREAS the Act came into force on 4 August 1999 by Order in Council 869-99 dated 4 August 1999 with the exception of subparagraph 1 of the second paragraph of section 2 and sections 16, 17, 31 and 32;

WHEREAS it is expedient to fix 13 September 2001 as the date of coming into force of subparagraph 1 of the second paragraph of section 2 and sections 16, 17, 31 and 32;

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

THAT subparagraph 1 of the second paragraph of section 2 and sections 16, 17, 31 and 32 of the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (R.S.Q., c. B-7.1) come into force on 13 September 2001.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulations and other acts

Gouvernement du Québec

O.C. 944-2001, 23 August 2001

An Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (R.S.Q., c. B-7.1)

Fishers and assistant fishers — Recognition of the professional qualification

Regulation respecting recognition of the professional qualification of fishers and assistant fishers

WHEREAS, under subparagraphs 1 to 3 of the first paragraph of section 14 of the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (R.S.Q., c. B-7.1), the second paragraph and subparagraphs 1 to 3 of the third paragraph of that section, the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec may make regulations on the matters mentioned therein;

WHEREAS, under section 22 of the Act, the certification board may prescribe the payment of annual fees by the certificate holders and the payment of fees for the examination of an application or for any other act performed by the certification board;

WHEREAS the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec made the Regulation on the professionalization of fishermen and fishermen's helpers on 23 January 2001;

WHEREAS, in accordance with sections 10 to 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 28 February 2001, with a notice that it could be submitted to the Government which could approve it with or without amendment, upon the expiry of 45 days following the date of its publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting recognition of the professional qualification of fishers and assistant fishers, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting recognition of the professional qualification of fishers and assistant fishers

An Act respecting the Bureau d'accréditation des pêcheurs et des aides pêcheurs du Québec (R.S.Q., c. B-7.1, s. 14, 1st par., subpar. 1 to 3, 2nd par., 3rd par., subpar. 1 and 3, and s. 22)

DIVISION I APPLICATION AND BOOKLET

1. This Regulation applies to any person who, in compliance with other applicable acts and regulations, applies to the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec for a certificate issued under the authority of this Regulation to practice a fishing activity for a tidal water species, with the exception of anadromous and catadromous species, seal or species fished exclusively for the purpose of aquaculture in tidal waters.

In this Regulation, the term "assistant fisher" refers to any person hired to work on a fisher's commercial fishing boat.

2. The certification board shall issue, in a timely manner, a fisher's booklet, an assistant fisher's booklet or an apprentice fisher's booklet to any certificate holder who applies for such a booklet in writing, including, if appropriate, the information needed to update said booklet, and the confirmation certifying that he or she has met the extension training requirements set out in section 16.

This booklet contains the following information:

- (1) its holder's name and address;
- (2) the category of the certificate issued;
- (3) its date of issue;

(4) the level of its holder's professional qualification;

(5) the holder's cumulative experience in the practice of his or her fishing activity; for this purpose, the booklet indicates the holder's fishing periods for each species fished;

(6) a notation, if applicable, indicating that the fisher holds a commercial fishing licence issued by the licencing authority in Québec holding jurisdiction for issuing fishing licences under the authority of the Fisheries Act (R.S.C. (1985), c. F-14).

It also contains a photograph of its holder.

The booklet shall remain valid for a period of one year from the date it is issued or updated.

3. A certificate issued in compliance with this Regulation shall remain valid for a period of one year from its date of issue.

DIVISION II **APPRENTICE FISHER'S CERTIFICATE**

4. The certification board shall issue an apprentice fisher's certificate to any person who meets the following conditions. Applicants must:

(1) submit a written application to the certification board for this purpose;

(2) include with their application written proof indicating that they are registered at the Centre spécialisé des pêches de Grande-Rivière in a program leading to the issue of a professional fishery studies diploma, at another professional training centre established by a school board offering a professional fishery studies program, or at another academic institution established by a school board that enables them to complete the training required to register in the program leading to this diploma;

(3) include with their application payment of the fee set out in section 13.

5. Shall be exempt from the obligation to comply with the requirement set out in subparagraph (2) of section 4, any person under 16 years of age. In this case, any time spent at sea by said person before reaching the age of 16 shall not be taken into consideration for the purposes of this Regulation.

6. Shall also be exempt from the obligation to comply with the requirement set out in subparagraph (2) of

section 4, any person who submits to the certification board a written application for an apprentice fisher's certificate for the first time.

7. Shall also be exempt from the obligation to comply with the requirement set out in subparagraph (2) of section 4, any person over 16 years of age who submits to the certification board written proof indicating that he or she is registered as a full-time student in a program of studies other than that leading to a professional fishery studies diploma at an academic institution established under the authority of an act, and written confirmation that said person works aboard a commercial fishing vessel for non-consecutive periods of no more than five months each.

DIVISION III **ASSISTANT FISHER'S CERTIFICATE**

8. The certification board shall issue an assistant fisher's certificate to any person who meets the following conditions. Applicants must:

(1) submit a written application to the certification board for this purpose;

(2) include one of the following documents with the application:

(a) written proof indicating that the applicant has obtained a professional fishery studies diploma granted by the Minister of Education under the authority of the Education Act (R.S.Q., c. I-13);

(b) confirmation indicating that the applicant holds an equivalent qualification obtained pursuant to section 9;

(c) a document establishing that the applicant enjoys an exemption pursuant to section 12;

(3) include with their application payment of the fee set out in section 13.

9. Shall enjoy a qualification equivalent to that required in subparagraph *a* of subparagraph (2) of section 8, any person, among those listed hereafter, who meets the conditions set out in the third paragraph:

(1) fishers or assistant fishers who practiced commercial fishing for at least five weeks; during each of the two years prior to the year this Regulation comes into force;

(2) fishers or assistant fishers who, on 13 September 2001, did not practice commercial fishing due to illness, pregnancy, maternity leave, paternity leave, or a morato-

rium imposed by the commercial fishery authority although they did so before, and who:

(a) were registered with the licencing authority in Québec holding jurisdiction for issuing fishing licences under the authority of the Fisheries Act for the two years prior to their illness or the moratorium;

(b) practiced commercial fishing for at least five weeks during the course of these two years;

(3) fishers or assistant fishers who practiced commercial fishing for at least five weeks between 1990 and 2000, and who were registered with the licencing authority in Québec holding jurisdiction for issuing fishing licences under the authority of the Fisheries Act.

For application of the first paragraph, and of subparagraph (1) of the first paragraph of section 11, the term “fisher” refers to the holder, on 13 September 2001, of a commercial fishing licence issued by the licencing authority in Québec holding jurisdiction for issuing fishing licences under the authority of the Fisheries Act, with the exclusion of any person who holds only a seal fishing licence or a fishing licence issued exclusively for the purpose of aquaculture in tidal waters.

To enjoy this qualification equivalence, persons affected by the first paragraph must submit a written application to the certification board for this purpose, together with a written confirmation indicating that they have successfully completed the following training courses given by the Centre, or another professional training centre established by a school board:

(1) advanced first aid at sea, for a duration of 16 hours;

(2) emergency operations at sea, for a duration of 20 hours;

(3) responsible fishing, two courses from a selection of ten, for a duration of 15 hours each;

(4) organization and team work, for a duration of 15 hours;

(5) preservation and on-board handling of fish, for a duration of 20 hours;

(6) fisheries technology, for a duration of 40 hours;

(7) rules of the road, for a duration of 30 hours;

(8) radio communications, for a duration of 15 hours.

DIVISION IV FISHER’S CERTIFICATE

10. The certification board shall issue a fisher’s certificate to any person who meets the following conditions. Applicants must:

(1) submit a written application to the certification board for this purpose;

(2) include one of the following documents with the application:

(a) written confirmation that the applicant has received a professional fishery diploma granted by the Minister of Education under the authority of the Education Act;

(b) written confirmation that the applicant holds an equivalent qualification pursuant to section 11;

(c) a document establishing that the applicant enjoys an exemption pursuant to section 12;

(3) submit proof that the applicant has accumulated 10 weeks of experience at sea, served in two five-week periods over two years;

(4) include with their application payment of the fee set out in section 13.

11. Shall enjoy a qualification equivalent to that required in subparagraph *a* of paragraph 2 of section 10, persons who meet the conditions listed hereafter, in addition to those set out in the second paragraph:

(1) fishers who meet the conditions set out in the first paragraph of section 9;

(2) holders of a commercial fishing master’s certificate issued by Canada’s Minister of Transport, and who have served the time at sea required to practice commercial fishing.

To enjoy this qualification equivalence, persons affected by the first paragraph must submit a written application to the certification board for this purpose, together with a written confirmation indicating that they have successfully completed the following training courses given by the Centre or another professional training centre established by a school board:

(1) advanced first aid at sea, for a duration of 16 hours;

(2) emergency operations at sea, for a duration of 20 hours;

(3) responsible fishing, two courses from a selection of ten, for a duration of 15 hours each;

(4) organization and team work, for a duration of 15 hours.

DIVISION V EXEMPTION

12. Shall be exempt from the need to meet the condition set out in subparagraph *a* of paragraph 2 of section 8 or that set out in subparagraph *a* of subparagraph (2) of section 10, fishers or assistant fishers who submit a written application to the certification board for this purpose, and who base their incapacity to comply therewith on the following set of reasons:

(1) they are over fifty years old;

(2) the variance between their academic training and the level of academic training normally required to register in a program leading to the issue of a professional fishery studies diploma is such that it would result in a study and work overload;

(3) the number of years during which they practiced fishing activities, the species fished, the gear used and the level of experience acquired during these years;

(4) if applicable, the fact that they have taken the courses set out in the second paragraph.

To ensure that people applying for this exemption do not endanger the safety of other people aboard a fishing vessel, the certification board can require them to take one or more of the courses offered by the Centre before granting them the exemption they seek.

DIVISION VI FEES

13. The annual fee payable to obtain a fisher's certificate, assistance fisher's certificate, or an apprentice fisher's certificate shall be as follows:

(1) \$50.00 if the fee is paid prior to January 31 of the current year;

(2) \$75.00 if the fee is paid after this date.

Fees payable for the issue of certificates cover the cost of issuing or updating booklets.

14. The fee payable for replacement of a lost or damaged certificate or booklet shall be \$25.00.

15. Fees can be paid in cash, or by cheque or money order made to the order of the certification board.

DIVISION VII OBLIGATIONS OF CERTIFICATE HOLDERS

16. Holders of an assistant fisher's certificate or a fisher's certificate must, during the third year following the date their first certificate was issued, and every three years thereafter, update their knowledge and skills in advanced first aid at sea by successfully completing an extension course on the subject, offered by an agency recognized by the Commission de la santé et de la sécurité du travail under the authority of the Act respecting Occupational Health and Safety (R.S.Q., c. S-2.1).

17. Certificate holders must have their booklets with them when practicing their fishing activities, and must allow the authority holding jurisdiction for applying the law to verify their validity.

18. Every year, certificate holders must submit to the certification board the information needed to update their booklets.

19. Holders of fisher's certificates or assistant fisher's certificates must participate in at least one commercial fishing trip during the three years following the date this Regulation comes into force, and in at least one commercial fishing trip every three years thereafter.

Shall be exempt from the requirement set out in the first paragraph, holders of fisher's certificates or assistant fisher's certificates who are unable to exercise their fishing activities due to illness, pregnancy, maternity leave, paternity leave or a moratorium imposed by the authority holding jurisdiction for their fishing activity.

Holders of suspended or cancelled certificates subsequent to the application of subparagraph (1) of the first paragraph of section 16 of the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs (R.S.Q., c. B-7.1) must successfully complete the courses set out in section 9 or section 11 in order to obtain the issue of a new certificate.

DIVISION VIII TRANSITIONAL MEASURES

20. Until 31 December 2006, the certification board shall issue fisher's certificates or assistant fisher's certificates to people who, among those affected by the first paragraph of section 9 or subparagraph (2) of the

first paragraph of section 11, submit applications to the certification board for this purpose within the three years following 13 September 2001, and who cannot provide the confirmation referred to in subparagraph *b* of subparagraph (2) of section 8 or, if applicable, that referred to in subparagraph *b* of subparagraph (2) of section 10.

Those holders must successfully complete the courses set out in the third paragraph of section 9, or the second paragraph of section 11.

21. This Regulation shall come into force on 13 September 2001.

4490

Draft Regulations

Draft Regulation

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

Office Québec-Amériques pour la jeunesse — Implementation of the Agreement regarding the programs

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1) that the Regulation respecting the implementation of the Agreement regarding the programs of the Office Québec-Amériques pour la jeunesse, the text of which appears below, may be adopted by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval upon the expiry of 60 days following this publication.

The purpose of the draft Regulation is to grant the protection of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) to persons who are undergoing internships outside Québec, as part of the programs of the Office Québec-Amériques pour la jeunesse, referred to in Schedule I.

To that end, it proposes that the Office Québec-Amériques pour la jeunesse be considered as the employer of the interns for the purposes of indemnifying them, of paying the assessment established by the Commission de la santé et de la sécurité du travail and of charging the costs of benefits paid by the Commission by reason of an employment injury.

To date, study of the matter has not revealed any serious impact on small and medium-sized businesses. In fact, assessments to the Commission de la santé et de la sécurité du travail will be paid by the agency, which shall see to it that first aid be given to a worker suffering from an employment injury.

Further information may be obtained by contacting Yves Brissette, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 2^e étage, Montréal (Québec) H3B 3J1, by telephone at (514) 906-3020 extension 2070 or by fax at (514) 906-3021.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 60-day period, to Juliette Bailly, Vice-

Chair, client and Partner Relations, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 14^e étage, Montréal (Québec) H3B 3J1.

TREFFLÉ LACOMBE,
*Chairman of the Board of Directors
and Chief Executive Officer of the
Commission de la santé et de la
sécurité du travail*

Regulation respecting the implementation of the Agreement regarding the programs of the Office Québec-Amériques pour la jeunesse

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, par. 39)

1. The Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) applies to persons who participate in the programs of the Office Québec-Amériques pour la jeunesse to the extent provided for in the Agreement between the Office and the Commission de la santé et de la sécurité du travail appearing as Schedule I.

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

SCHEDULE I

AGREEMENT BETWEEN

THE OFFICE QUÉBEC-AMÉRIQUES POUR
LA JEUNESSE

AND

THE COMMISSION DE LA SANTÉ ET
DE LA SÉCURITÉ DU TRAVAIL

WHEREAS the Office Québec-Amériques pour la jeunesse, established under section 1 of the Act respecting the Office Québec-Amériques pour la jeunesse (2000, c. 18) is, under section 2 of the Act, a legal person within the meaning of the Civil Code of Quebec and has the general powers of such a corporation and the special powers conferred upon it by that Act;

WHEREAS the Commission de la santé et de la sécurité du travail established under section 137 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1) is, under section 138 of the Act, a legal person within the meaning of the Civil Code of Québec and has the general powers of such a person and the special powers conferred upon it by that Act;

WHEREAS under section 170 of the Act respecting occupational health and safety, the Commission may make agreements with a Government department or agency, another government or a department or agency of such a government for the application of the Acts and regulations administered by it, according to law;

WHEREAS under section 3 of the Act respecting the Office Québec-Amériques pour la jeunesse, the mission of the agency is to develop relations between young people in Québec and young people elsewhere in the Americas so as to promote understanding of their respective cultures, increase exchanges between individuals and groups and encourage the development of cooperation networks, more particularly, by developing exchange and cooperation programs accessible to young people from all backgrounds and including activities that are conducive to personal, academic or professional development such as internships;

WHEREAS the agency has requested that the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) apply to certain interns and that it intends to assume the obligations provided for employers;

WHEREAS under section 16 of that Act, a person doing work under a project of any government, whether or not the person is a worker may be deemed to be a worker employed by that government, by an agency or by a legal person, on the conditions and to the extent provided by an agreement between the Commission and the Government, agency or legal person concerned;

WHEREAS under section 16 of that Act, the second paragraph of section 170 of the Act respecting occupational health and safety applies to such an agreement, that is to say that the Commission shall make regulation in order to give effect to an agreement extending the benefits of the Acts or regulations administered by it;

THEREFORE, THE PARTIES HEREBY AGREE TO THE FOLLOWING:

CHAPTER	1.00	ENABLING CLAUSE
<i>Enabling clause</i>	1.01	This Agreement is made under section 16 of the Act.

CHAPTER	2.00	PURPOSE OF THE AGREEMENT
<i>Purpose</i>	2.01	The purpose of this Agreement is to provide for the application of the Act to certain interns of the agency and to determine the respective obligations of the agency and the Commission on the conditions set forth therein.
CHAPTER	3.00	DEFINITIONS
		For the purpose of this Agreement:
“Commission”	(a)	Commission means the Commission de la santé et de la sécurité du travail;
“occupation”	(b)	occupation means, as the case may be, the occupation of the intern, the remunerated employment he carries out at the moment where the occupational injury occurs, that for which he is registered with the Commission or, if the intern does not have remunerated employment, or is not a person registered with the Commission at the moment the injury occurs, his usual employment or, if he does not carry on such an occupation, the occupation that could have been his regular occupation according to his education, training, work experience and the physical and intellectual capacity he had before the injury occurred;
“occupational injury”	(c)	occupational injury means an injury or a disease that occurs because of or in the course of an industrial accident or an occupational disease, including a recurrence, a relapse or an aggravation;
“Act”	(d)	Act means the Act respecting industrial accidents and occupational diseases;
“agency”	(e)	agency means the Office Québec-Amériques pour la jeunesse;
“intern”	(f)	intern means a person who accomplishes the work under of the programs administered by the agency, in particular those provided for in Schedule I, except a person covered by section 10 or 11, paragraph 4 of the Act.
CHAPTER	4.00	THE OBLIGATIONS OF THE AGENCY
<i>Employer</i>	4.01	The agency is deemed to be the employer of any intern covered by this Agreement.

<i>Restrictions</i>		Notwithstanding the foregoing, that employer-employee relationship shall only be recognized for the purposes of compensation, assessment and imputation of the cost of benefits payable under the Act and shall not be considered as an established fact which may be open to interpretation in other sectors of activity.	<i>Premiums</i>	4.05	For assessment purposes, the agency is deemed to pay wages that correspond, as the case may be, to the annual gross employment income of each intern at the moment he registered in a program provided for in Schedule I, to employment insurance benefits received by the intern or, if the intern has no other source of income, to the minimum wage.
<i>General obligations</i>	4.02	As an employer, the agency is, <i>mutatis mutandis</i> , bound by all the obligations provided for in the Act, which include the obligation to hold a record of all the work accidents that have occurred in the institution in the sense of the Act respecting occupational health and safety where the interns work and the obligation to inform the Commission, on the form it has given, that an intern is unable to pursue his program because of his occupational injury.	<i>Minimum</i>		The assessment shall be based on the wages that the agency is deemed to pay and according to the length of the internship. The wages that the agency is deemed to pay may not, in any case, be lower than \$2000 per intern.
<i>Accident register</i>		However, in the case of the work accident register described in the first paragraph, the agency is only required to make the register available to the Commission.	<i>Annual statement</i>	4.06	The agency transmits, before March 15 of each year, a statement setting out, in particular: (1) the amount of gross income, calculated on the basis of the length of the internship, earned by the interns during the preceding calendar year; and (2) an estimate of the gross income calculated on the basis of the length of the internship of the interns registered or likely to be registered for an internship during the current calendar year.
<i>Information</i>		At the request of the Commission, the agency shall forward a description of the program and of the duties or activities performed by the intern at the moment where the occupational injury occurs.	<i>Register</i>	4.07	The agency shall keep a detailed register of the names and addresses of interns and, if they are employed during their internship, the names and addresses of the registered employers.
<i>Exceptions</i>	4.03	Notwithstanding section 4.02, section 32 pertaining to the dismissal, suspension or transfer of an employee, the practice of discrimination or the taking of reprisals against him, sections 179 and 180 regarding temporary assignments as well as Chapter VII of the Act regarding the right to return to work, do not apply to the agency.	<i>Availability</i>		The agency shall make the register available to the Commission if it is required.
<i>First Aid</i>		The agency shall see to it that first aid is given to an intern who suffers an occupational injury, according to sections 190 and 191 of the Act and shall pay for the related costs.	<i>Program description</i>	4.08	The agency shall transmit to the Commission at the time of coming into force of this Agreement, a description of every program appearing in Schedule I.
<i>Payment</i>	4.04	The agency agrees to pay the assessment calculated by the Commission in accordance with the and its regulations as well as the fixed administrative costs associated with each financial file.	<i>New or amended programs</i>		Every new program or any subsequent amendment to a program provided for in Schedule I shall be forwarded to the Commission, so that it may be evaluated and a decision may be made whether to include it or retain it.

CHAPTER	5.00	OBLIGATIONS OF THE COMMISSION	<i>Financial file</i>	5.04	At the request of the agency, the Commission shall open a special financial file for each program covered by this Agreement.
<i>Employee statute</i>	5.01	The Commission considers an intern covered by this Agreement an employee within the meaning of the Act, except for the transportation between Québec and the country where the internship will be carried out.	<i>Activities unit</i>		The file shall be classified in the unit corresponding to the activities described in the unit "Programme d'aide à la création d'emploi" or, should amendments be made after this Agreement is signed, in a unit corresponding to those activities.
<i>Compensation</i>	5.02	An intern who suffers from an occupational injury is entitled to a compensation of income from the first day following the beginning of his inability to carry on his work because of his occupational injury.		CHAPTER 6.00	MISCELLANEOUS
<i>Payment</i>		Notwithstanding section 60 of the Act, the Commission shall pay the intern the income compensation to which he is entitled.	<i>Agreement follow-up</i>	6.01	The Commission and the agency shall appoint, within 15 days of the coming into force of this Agreement, a person in charge of the follow-up of this Agreement.
<i>Calculation of the compensation</i>	5.03	For the purpose of calculating the income compensation, the intern's gross annual income is, as the case may be, the income he receives from the remunerated employment he carries out when the occupational injury occurs, that which corresponds to the employment insurance benefits, that for which he is registered with the Commission or, if he is unemployed or if he is a self-employed worker not registered with the Commission, that determined on the basis of the minimum-wage provided for in section 3 of the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3) and the regular work week referred to in section 52 of the Act respecting labour standards (R.S.Q., c. N-1.1), as they read on the date on which they are to be applied when the injury occurs.	<i>Address of notices</i>	6.02	For the purpose of sending a notice prescribed by this Agreement, the following are the respective addresses of the Commission and the agency: (a) Le Secrétaire de la Commission Commission de la santé et de la sécurité du travail 1199, rue De Bleury, 14 ^e étage Montréal (Québec) H3C 4E1 (b) Le Secrétaire général de l'Office Office Québec-Amériques pour la jeunesse 265, rue de la Couronne, bureau 200 Québec (Québec) G1K 6E1
				CHAPTER 7.00	IMPLEMENTATION, DURATION AND TERMINATION
<i>Recurrence, relapse or aggravation</i>		In the event of a recurrence, a relapse or an aggravation, when the intern has a remunerated employment, the gross annual income is, for the purpose of calculating the compensation, established in accordance with section 70 of the Act. However, if he is unemployed at the time of the recurrence, relapse or aggravation, the gross annual income is that which he derived from employment out of or in the course of which the occupational injury occurred, the gross annual income is recalculated on 1 January of each year from the date of termination of his last employment.	<i>Effective date</i>	7.01	This Agreement takes effect on the date of coming into force of the Regulation adopted for that purpose by the Commission under section 170 of the Act respecting occupational health and safety.
			<i>Term</i>		It shall remain into force until 31 December 2001.
			<i>Automatic renewal</i>	7.02	It shall subsequently be renewed from year to year, unless one of the parties transmits a written notice to the other party, at least 90 days before the term expires, by registered or certified mail, indicating that it wants to terminate the Agreement or amend it.

Amendments 7.03 Should this happen, the notice shall contain the amendments which the party wishes to make.

Renewal The transmission of such a notice shall not preclude the automatic renewal of this Agreement for a period of one year. If the parties do not agree on the amendments to be made to the Agreement, the Agreement expires, without further notice, at the expiry of that period.

CHAPTER 8.00 TERMINATION OF THE AGREEMENT

Default 8.01 The Commission may, if the agency fails to respect one obligation or another, ask the agency to correct the mistake in a determined time period. Where the agency fails to correct the default in the determined time period, the Commission may unilaterally cancel the agreement, upon written notice.

Date 8.02 The Agreement shall then be terminated on the date that the written notice was sent out.

Financial adjustments 8.03 In the event of a termination, the Commission shall make financial adjustments on the basis of the amount payable under this agreement.

Sum due Any sum due after such financial adjustments have been made shall be payable on the due date appearing on the notice of assessment.

Mutual agreement 8.04 The parties may terminate this Agreement by mutual agreement at any time.

Damages 8.05 In the event of a cancellation, a party is not held to pay damages, interest or any other form of compensation or charges to the other party.

IN WITNESS WHEREOF, *the parties have signed*

At _____, this _____
() day of _____ 2001.

LUCIE LATULIPPE,
President, Director General
Office Québec-Amériques
pour la jeunesse

In _____, this _____
() day of _____ 2001.

TREFFLÉ LACOMBE,
Chairman of the Board of Directors
and Chief Executive Officer of the
Commission de la santé et de la
sécurité du travail

SCHEDULE I OF THE AGREEMENT

LIST OF THE PROGRAMS COVERED BY THE AGREEMENT

Internship work programs outside of Québec:

- curriculum;
- passerelles;
- portefeuille.

4496

Municipal Affairs

Gouvernement du Québec

O.C. 930-2001, 16 August 2001

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

Amalgamation of Village de Luceville and Paroisse de Sainte-Luce

WHEREAS each of the municipal councils of Village de Luceville and Paroisse de Sainte-Luce adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS no objection was sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS, under section 108 of the aforementioned Act, it is expedient to grant the joint application with the amendments proposed by the Minister of Municipal Affairs and Greater Montréal which have been approved by the municipal councils of the applicants;

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

THAT the application be granted and that a local municipality be constituted through the amalgamation of Village de Luceville and Paroisse de Sainte-Luce, on the following conditions:

1. The name of the new municipality shall be "Municipalité de Sainte-Luce-Luceville".

However, at the same time as the first general election is held, a consultative referendum must be held, in accordance with section 517 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), in order to consult the qualified voters on the name of the new municipality: Municipalité de Sainte-Luce or Municipalité de Luceville. The council formed of the members elected at that time shall apply for a change of name as soon as possible, in accordance with the Act

respecting municipal territorial organization, to give effect to the referendum vote. The second paragraph of section 517 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) does not apply to the referendum poll taken in accordance with this paragraph.

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 31 January 2001; that description is attached as a schedule to this Order in Council.

3. The new municipality shall be governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

4. The new municipality shall be part of Municipalité régionale de comté de La Mitis.

5. Until a majority of the candidates elected in the first general election takes office, a provisional council formed of all the municipal councillors in office at the time of coming into force of this Order in Council shall administer the new municipality. The quorum shall be half the number of members in office plus one. The current mayors shall act as mayor and deputy mayor, alternating each month for the term of the provisional council, with the mayor of the former Paroisse de Sainte-Luce acting as mayor for the first period.

If a seat on the provisional council becomes vacant at the time of coming into force of this Order in Council or becomes vacant during the term of the provisional council, an additional vote shall be granted to the mayor of the municipality of origin of the council member whose seat has become vacant. Should the vacant seat be that of the mayor, the mayor's duties shall be conferred on the councillor designated by the councillors of the former municipality where the seat was vacated.

For the term of the provisional council, the mayors of the former municipalities shall continue to sit on the council of Municipalité régionale de comté de La Mitis; they shall have the same number of votes as before the coming into force of this Order in Council.

For the term of the provisional council and until the council decides otherwise, the by-law respecting the remuneration of the elected councillors, adopted by the former Paroisse de Sainte-Luce, shall apply to the new municipality.

6. The meetings of the provisional council shall be held each month, alternating between the town halls of each municipality. The first meeting shall be held in the town hall of the former Paroisse de Sainte-Luce.

7. The first general election shall be held on 4 November 2001. The second general election shall be held in 2005.

8. Until the council decides otherwise, the council of the new municipality shall be made up of seven members, that is, a mayor and six councillors. The council seats shall be numbered from 1 to 6 starting with the first general election.

9. For the first general election and for any partial election held before the second general election, the only persons eligible for seats 1, 3 and 5 are the persons who would be eligible under the Act respecting elections and referendums in municipalities if such an election were an election of the council members of the former Village de Luceville, and the only persons eligible for seats 2, 4 and 6 are the persons who would be eligible under that Act if such election were an election of the council members of the former Paroisse de Sainte-Luce.

10. Mr. Gaétan Ross, director-general and secretary-treasurer of the former Paroisse de Sainte-Luce, shall act as the director-general and secretary-treasurer of the new municipality. Ms. Marie-Andrée Jeffrey, secretary-treasurer of the former Village de Luceville shall act as the first deputy secretary-treasurer of the new municipality.

11. If a budget was adopted by a former municipality for the fiscal year in which this Order in Council comes into force:

(a) the budget shall remain applicable;

(b) the expenditures and revenues of the new municipality, for the remaining part of the fiscal year in which this Order in Council comes into force, shall continue to be accounted for separately on behalf of each of the former municipalities as if the amalgamation had not taken place; and

(c) an expenditure recognized by the council of the new municipality as resulting from the amalgamation shall be financed by the first amount paid as a subsidy under the Programme d'aide financière au regroupement municipal (PAFREM).

12. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in effect before the coming into force of this

Order in Council shall apply until the end of the last fiscal year for which separate budgets were adopted.

13. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets, shall be used as follows:

(a) The surplus accumulated on behalf of the former Paroisse de Sainte-Luce that was reserved for the water and sewer systems shall continue to be used for those purposes;

(b) For the purposes of the first fiscal year for which the new municipality adopted a budget for its entire territory, the new municipality shall contribute to its general fund an amount equal to 0.1% of the total values entered on the assessment roll to be deposited on 15 September 2001.

The contribution shall be deducted from the surplus accumulated on behalf of each of the former municipalities based on the proportion obtained by dividing the amount equal to the total values entered on the assessment roll for the sector made up of the territory of the former municipality by the amount equal to the total values entered on the roll for the new municipality.

If the surplus accumulated on behalf of a former municipality is insufficient to pay the contribution established in accordance with the above paragraphs, the new municipality shall make up the difference by imposing a special tax on all the taxable immovables of the sector made up of the territory of the former municipality, based on their value as it appears on the assessment roll in effect each year;

(c) The new municipality shall dissolve the working fund of the former municipalities and add it to any surplus accumulated on behalf of each former municipality;

(d) A working fund shall be constituted for the new municipality, the amount of which shall equal 0.05% of the total values entered on the assessment roll to be deposited on 15 September 2001.

That contribution shall be deducted from the surplus accumulated on behalf of each of the former municipalities based on the proportion obtained by dividing the amount equal to the total values entered on the assessment roll for the sector made up of the territory of the former municipality by the amount equal to the total values entered on the roll for the new municipality.

If the surplus accumulated on behalf of a former municipality is insufficient to pay the amount established in accordance with the above paragraphs, the new municipality shall make up the difference by imposing a special tax on all the taxable immovables of the sector made up of the territory of the former municipality, based on their value as it appears on the assessment roll in effect each year;

(e) Any balance in the surplus accumulated on behalf of a former municipality shall be used, following the calculation provided for in section 17, for the benefit of the ratepayers of the sector made up of the territory of that former municipality. It may be used to carry out public works in the sector or to repay debts charged to that municipality.

14. For the purposes of the first fiscal year for which the new municipality adopted a budget for its entire territory, any deficit accumulated on behalf of a former municipality shall continue to be charged to all the taxable immovables of the former municipality.

15. Any debt or gain that may result from legal proceedings for any act performed by a former municipality shall continue to be charged or credited to all the taxable immovables of the former municipality.

16. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality in order to replace all the zoning and subdivision by-laws applicable to the territory of the new municipality by a new-law zoning and a new subdivision by-law applicable to the entire territory of the new municipality respectively, provided that such a by-law comes into force within four years of the coming into force of this Order in Council.

Such a by-law shall be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the entire territory of the new municipality.

17. The amounts accumulated in a special fund by a former municipality for parks, playgrounds and natural areas shall be paid into a special fund set up for that purpose by the new municipality and accounted for separately for the benefit of the sector made up of the territory of the former municipality.

18. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Municipalité de Sainte-Luce-Luceville."

That municipal bureau shall succeed to the municipal housing bureau of the former Village de Luceville. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) shall apply to the municipal housing bureau of the new Municipalité de Sainte-Luce-Luceville as though it had been incorporated by letters patent under section 57 of that Act.

The members of the new bureau shall be the members of the former housing bureau holding office at the time of the coming into force of this Order in Council.

19. Notwithstanding section 119 of the Act respecting municipal territorial organization, the values entered on the assessment rolls in effect with respect to the territory of the former municipalities are not adjusted upon the coming into force of this Order in Council.

For the 2001 fiscal year, the roll of the new municipality shall be made up of the combined rolls of the former municipalities.

However, for the 2002 and 2003 fiscal years, the roll of the new municipality shall be adjusted based on the values entered on the real estate assessment rolls of the former municipalities that were prepared before the coming into force of this Order in Council and were to be deposited on 15 September 2001.

The first roll of the new municipality shall be prepared for the 2004 fiscal year.

20. The annual repayment of the instalments in principal and interest of the loan made under By-law 356-93 by the former Paroisse de Sainte-Luce with respect to Promenade de l'Anse shall be charged to all the taxable immovables of the new municipality, based on their values as they appear on the assessment roll in effect each year. The by-law taxation clauses shall be amended accordingly.

Any loan by-laws not referred to in the above paragraph shall continue to be charged to the taxable immovables of the sector made up of the territory of the former municipality that made them, in accordance with the taxation clauses.

If the new municipality decides to amend the taxation clauses, the amendments may only apply to the taxable immovables located in the sector made up of the territory of the former municipality that adopted the by-law.

21. The council of the new municipality shall adopt, for the first complete fiscal year following the coming into force of this Order in Council, a by-law determining a water compensation rate, which will differ for the

users of each sector made up of the territory of the former municipality.

The rate is based on the annual expenditures that the new municipality must incur for each sector and may differ until the expenditures per user have been equalized, which may not exceed a fifteen-year period.

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

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF MUNICIPALITÉ DE SAINTE-LUCE-LUCEVILLE IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LA MITIS

The current territory of Paroisse de Sainte-Luce and Village de Luceville, in Municipalité régionale de comté de La Mitis, including, in reference to the cadastre of Paroisse de Sainte-Luce, the lots or parts of lots and their present and future subdivisions as well as the roads, highways, streets, railway rights-of-way, islands, lakes, water courses or parts thereof, the whole delineated by the boundaries hereafter described, that is, starting from the apex of the northern angle of Lot 1 of the cadastre of Paroisse de Sainte-Luce; thence, successively, the following lines and demarcations: southeasterly, the dividing line between the cadastres of the parishes of Sainte-Luce and Sainte-Flavie to the apex of the eastern angle of Lot 270 of the first cadastre, that line crossing Route 132, Chemin du 2^e Rang, a railway right-of-way (Lot 200) and Chemin du 3^e Rang that it meets; in a general southwesterly direction, the broken line dividing the cadastres of the parishes of Sainte-Luce and Saint-Donat to the dividing line between the cadastres of the parishes of Sainte-Luce and Saint-Anaclet, that line crossing Route 298 and Chemin du 4^e Rang Ouest that it meets; in a general northwesterly direction, part of the broken line dividing the said cadastres to the southeastern line of Lot 142 of the cadastre of Paroisse de Sainte-Luce, that broken line passing through the southeastern boundary of the railway right-of-way shown in the original document (Chemin du 3^e Rang) and crossing Chemin du 2^e Rang and the railway right-of-way (Lot 200) that it meets; successively, southwesterly and northwesterly, part of the southeastern line of Lot 142, then, the southwestern line of the said lot, that line crossing Route 132 and Route du Fleuve that it meets; lastly, in a general northeasterly direction, the right bank of the St. Lawrence River to the starting point.

The said limits define the territory of Municipalité de Sainte-Luce-Luceville in Municipalité régionale de comté de La Mitis.

Ministère des Ressources naturelles
Direction de l'information foncière sur le territoire public
Division de l'arpentage foncier

Charlesbourg, 31 January 2001

Prepared by: JEAN-FRANÇOIS BOUCHER,
Land surveyor

L-370/1

4495

Gouvernement du Québec

Décret 931-2001, 22 August 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 Saint-Timothée, Ville de Salaberry-de-Valleyfield and Municipalité de Grande-Île 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 Saint-Timothée, Ville de Salaberry-de-Valleyfield and Municipalité de Grande-Île 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 Saint-Timothée, Ville de Salaberry-de-Valleyfield and Municipalité de Grande-Île, 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

4494

Index Statutory Instruments

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

Regulations — Statutes	Page	Comments
Amalgamation of the Ville de Saint-Thimothée, Ville de Salaberry-de-Valleyfield and Municipalité de Grande-Île — Authorization to the Minister of Municipal Affairs and Greater Montréal to require that a joint application for amalgamation be filed (An Act respecting municipal territorial organization, R.S.Q., c. O-9)	4842	
Amalgamation of Village de Luceville and Paroisse de Sainte-Luce (An Act respecting municipal territorial organization, R.S.Q., c. O-9)	4839	
Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec, An Act respecting the... — Coming into force (R.S.Q., c. B-7.1)	4825	
Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec, An Act respecting the... — Fishers and assistant fishers — Recognition of the professional qualification (R.S.Q., c. B-7.1)	4827	N
Fishers and assistant fishers — Recognition of the professional qualification .. (An Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec, R.S.Q., c. B-7.1)	4827	N
Implementation of the Agreement regarding the programs of the Office Québec-Amériques pour la jeunesse (An Act respecting occupational health and safety, R.S.Q., c. S-2.1)	4833	Draft
Municipal territorial organization, An Act respecting... — Amalgamation of Village de Luceville and Paroisse de Sainte-Luce (R.S.Q., c. O-9)	4839	
Municipal territorial organization, An Act respecting... — Authorization to the Minister of Municipal Affairs and Greater Montréal to require Ville de Saint-Thimothée, Ville de Salaberry-de-Valleyfield and Municipalité de Grande-Île to file a joint application for amalgamation (R.S.Q., c. O-9)	4842	
Occupational health and safety, An Act respecting... — Implementation of the Agreement regarding the programs of the Office Québec-Amériques pour la jeunesse (R.S.Q., c. S-2.1)	4833	Draft

