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Regulations and other acts

Gouvernement du Québec

O.C. 1161-2001, 26 September 2001

An Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors
(R.S.Q., c. R-8.2)

Regulation

Application of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors to government agencies

WHEREAS under section 1 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., c. R-8.2), amended by section 110 of chapter 24 of the Statutes of 2001, the Act also applies to government agencies listed in Schedule C, amended by section 112 of chapter 24 of the Statutes of 2001, to the extent provided for in Chapter IV;

WHEREAS under section 76 of the Act, the Government may strike off from Schedule C any agency appearing in it, add to it any agency it has struck off or any other agency;

WHEREAS it is expedient to add certain government agencies to it;

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

THAT the following names be added, following the alphabetical order, to Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors:

“— La Commission des valeurs mobilières du Québec
— Le Conseil des arts et des lettres du Québec
— Le Conseil des services essentiels
— La Corporation d’hébergement du Québec
— La Corporation d’urgences-santé de la région de Montréal Métropolitain
— L’École nationale de police du Québec
— La Fondation de la faune du Québec
— Le Fonds de la recherche en santé du Québec
— Le Fonds québécois de la recherche sur la nature et les technologies

— Le Fonds québécois de la recherche sur la société et la culture
— L’Institut national de santé publique du Québec
— Investissement-Québec
— Le Musée d’art contemporain de Montréal
— Le Musée de la civilisation
— Le Musée du Québec
— La Société de développement des entreprises culturelles
— La Société de la Place des Arts de Montréal
— La Société des établissements de plein air du Québec
— La Société du Centre des congrès de Québec
— La Société du Grand théâtre de Québec
— La Société du Palais des congrès de Montréal
— La Société du parc industriel et portuaire de Bécancour
— La Société immobilière du Québec
— La Société québécoise d’information juridique
— La Société québécoise de récupération et de recyclage”.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

4587

M.O., 2001

Minister’s Order of the Minister of the Environment dated 3 October 2001

An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions
(2001, c. 35)

Amendment to the Guidelines for determining minimum distances to ensure odour management in rural areas

WHEREAS the Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions (2001, c. 35) was assented to on 21 June 2001;

WHEREAS, under section 38 of the Act, a municipality must, to issue a construction permit, apply the set-back standards of the Guidelines for determining minimum distances to ensure odour management in rural areas (1998, G.O. 2, 1287), prepared by the Minister of the Environment, including any subsequent amendment the Minister may make;

WHEREAS those Guidelines replaced the Guidelines of the Ministry of Environment and Wildlife concerning the Prevention of Air Pollution in Livestock Operations published in the *Gazette officielle du Québec* of 25 September 1996;

WHEREAS the requirement to apply the Guidelines will be maintained until the coming into force of a regional county municipality interim control by-law that contains standards resulting from the exercise of powers provided for in subparagraph 4 of the second paragraph of section 113 of the Act respecting land use planning and development or a municipality by-law adopted under that subparagraph;

WHEREAS, under section 87 of the Act to amend the Act to preserve agricultural land and other legislative provisions in order to promote the preservation of agricultural activities (1996, c. 26), until the coming into force of the by-laws respecting odours adopted by a municipality, immunity from prosecution established under section 79.17 of the Act to preserve agricultural land and agricultural activities (R.S.Q., c. P-41.1) applies with regard to odours caused by agricultural activities exercised in an agricultural zone in the territory of a municipality, if those activities are exercised in accordance with the standards set out in those Guidelines;

WHEREAS, under section 87 of the Act to amend the Act to preserve agricultural land and other legislative provisions in order to promote the preservation of agricultural activities (1996, c. 26), any amendment made to the Guidelines by the Minister shall be published in the *Gazette officielle du Québec* and shall take effect on the date of publication;

WHEREAS certain provisions of the Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions (2001, c. 35) allow agricultural operations to expand their agricultural activities, regardless of separation distance standards, to the extent and on the conditions provided therefor;

WHEREAS it seems expedient to limit the expansion of agricultural activities exercised by agricultural operations to the cases and conditions prescribed by those new provisions, without also making such expansion possible by obtaining a right-of-way between neighbours as provided for in section 8 of the Guidelines;

WHEREAS it is expedient to revoke section 8 of the Guidelines;

THEREFORE, the Minister of the Environment publishes the Amendment to the Guidelines for determining minimum distances to ensure odour management in rural areas the purpose of which is to revoke section 8 and the text of which is attached hereto.

Québec, 3 October 2001

ANDRÉ BOISCLAIR,
Minister of the Environment

Amendment to the Guidelines for determining minimum distances to ensure odour management in rural areas

1. The Guidelines for determining minimum distances to ensure odour management in rural areas, published in the *Gazette officielle du Québec* of 18 March 1998, are amended by revoking section 8 entitled: "DEPARTURE FROM THE MINIMUM DISTANCES RELATING TO LIVESTOCK FACILITIES AND FARM MANURE STORAGE SITES".

2. This Amendment to the Guidelines comes into force on the date of its publication in the *Gazette officielle du Québec*.

4595

Draft Regulations

Draft Regulation

An Act respecting the distribution of financial products and services
(R.S.Q., c. D-9.2)

Chambre de l'assurance de dommages — Compulsory professional development

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 compulsory professional development of the Chambre de l'assurance de dommages, the text of which appears below, may be approved by the Government upon the expiry of 45 days following the date of this publication. The Government may approve it with or without amendment.

According to the Chambre de l'assurance de dommages, the draft Regulation confirms the compulsory nature of professional development for representatives working in the damage insurance and claims adjustment sector.

The draft regulation makes provision for the attribution of professional development units (PDUs) in respect of representatives who engage in training programs recognized by the Chambre. Moreover, it stipulates that the representatives must engage every two years in 30 hours of training in subjects determined by the Chambre, broken down as follows: 20 PDUs in insurance techniques or administration, 4 PDUs in law, and 6 PDUs in one or the other of the above-mentioned classes or in professional development.

Moreover, the draft Regulation makes provision for the Chambre to issue a default notice to any representative who has not met the compulsory professional development rules and to inform the representative of the means of rectifying the situation.

Further information may be obtained by contacting Mrs. Maya Raic, Director General, Chambre de l'assurance de dommages, 500, rue Sherbrooke Ouest, 7^e étage, Montréal (Québec) H3A 3C6. Telephone: (514) 842-2591 or 1-800-361-7288; fax: (514) 842-3138; E-mail: mraic@chad.qc.ca.

Any interested person having comments to make on the matter is asked to send them in writing before the expiry of the 45-day period, to the Minister of Finance, 12, rue Saint-Louis, 1^{er} étage, Québec (Québec) G1R 5L3.

PAULINE MAROIS,
Minister of Finance

Regulation governing compulsory professional development of the Chambre de l'assurance de dommages

An Act respecting the distribution of financial products and services
(R.S.Q., c. D-9.2, s. 313, par. 1, subpar. 2)

DIVISION I SCOPE

1. This Regulation applies to all representatives who hold a certificate issued by the Bureau des services financiers authorizing them to practise in any sector or class of sector of damage insurance or claims adjustment.

2. In this Regulation, the term “professional development unit”, or “PDU”, means the quantitative value assigned to a training activity recognized by the Chambre de l'assurance de dommages, one PDU representing one hour of activity.

3. The Chamber shall recognize a training activity, dealing with one of the subjects mentioned in first paragraph of section 4 when it is given in accordance with an agreement concluded under section 316 of the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2).

DIVISION II OBLIGATIONS

4. As of January 1, 2002, any representative who holds a certificate shall, between that date and December 31, 2003, and every 24 months thereafter, take part in training activities recognized by the Chamber and consisting of 30 PDUs in the subjects falling within the following classes:

(1) administration :

- (a) economics ;
- (b) accounting and finance ;
- (c) business management ;

(2) insurance techniques :

- (a) personal lines insurance ;
- (b) commercial lines insurance ;
- (c) risk management ;
- (d) claims adjustment ;
- (e) building services ;
- (f) investigation techniques ;
- (g) loss prevention ;

(3) law :

- (a) laws and regulations respecting damage insurance ;
- (b) ethics and the professional practice of damage insurance ;
- (c) civil law ;
- (d) laws and regulations respecting the protection of personal information ;

(4) professional development :

- (a) customer service ;
- (b) professional practice.

The PDUs shall be completed in accordance with the following terms and conditions :

- (1) 20 PDUs in the administration class or the insurance techniques class ;
- (2) 4 PDUs in the law class ;
- (3) 6 PDUs in one or the other of the classes referred to in subparagraphs (1) to (4) of the first paragraph.

The number of PDUs to be accumulated in one or the other of the classes referred to in first paragraph by any representative who is issued a certificate between January 1, 2002, and December 31, 2003, or over the course of any 24-month period thereafter, shall be prorated based on the number of complete months he has held a certificate during these 24 months, unless he has held the certificate for less than 6 months.

5. A representative cannot complete his PDUs within the context of an activity designed to promote an insurer's insurance products or an activity designed to motivate representatives to sell such products.

6. The Chamber may relieve a representative from the obligations referred to in section 4 if, due to superior force, he was unable to comply with them.

The fact that a representative was suspended or struck off the roll, or that his certificate was cancelled, revoked, suspended, not renewed or included restrictions and conditions does not constitute superior force.

7. The representative referred to in the second paragraph of section 6 can take part in training activities recognized by the Chamber and earn PDUs. However, he may not act in the capacity of trainer, instructor or facilitator in these activities.

8. A representative who decides to accumulate more than the PDUs required during any 24-month period cannot carry them forward to a subsequent period.

9. For each 24-month period, each representative shall keep the training attestations or exam or test result attestations given to him by the person, organization or educational institution who offers the training activity and for one year following the end of the 24-month period.

10. At the latest by January 15 following the end of the 24-month period, each representative himself or through the firm for which he is acting or the independent partnership of which he is a partner or employee must forward to the Chamber a copy of the attestations he must keep in accordance with section 9.

11. On January 30 following any given 24-month period, the Chamber shall send a default notice to each representative who has not accumulated the PDUs required under section 4 and notify him of the consequences of such default.

12. A representative who is in default must, after having received such notice from the Chamber, accumulate the number of PDUs he has failed to accumulate in one or more of the classes referred to in section 3, at the latest by March 31 following the end of the 24-month period.

13. At the end of the period referred to in section 12, the Chamber shall send a notice of non-compliance to each representative who has not accumulated the required number of PDUs and notify him of the consequences of such default.

14. The Chamber shall notify the Bureau des services financiers when it sends the notice referred to in section 13 to any representative who is in default.

15. A representative who acts in the capacity of trainer, instructor or facilitator in an activity is entitled, only once for this activity, to double the number of PDUs assigned to it.

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

4590

Draft Regulation

Forest Act
(R.S.Q., c. F-4.1; 2001, c. 6)

Forest royalties

— Forest management plans and reports — 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 forest royalties and the Regulation respecting forest management plans and report, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

This draft Regulation amends the Regulation respecting forest royalties

— to fix a unit rate applicable to the holder of a management permit for the harvest of Canadian yew;

— to change the unit rates applicable to the holder of a sugar bush management permit for acericultural purposes so that the current average unit rate for the leasing of public sugar bushes progressively reaches the rate of private sugar bushes, to increase from 5 to 7 the number of forest tariffing zones applicable to such permit holder and to provide for the payment in two equal instalments of the annual leasing dues, that is, on 31 January and 31 July;

— to make certain amendments to the terms and conditions for payment and to the dates on which the prescribed dues are payable;

— to require the holder of a contract or agreement to produce, at the time of the filing of the annual report, documents evidencing the costs for the carrying out of silvicultural treatments and other activities to protect or develop forest resources that he carries out in forests in

the domain of the State and admitted as payment of dues or a financial report on those costs audited by an accountant not in the employ of the agreement holder;

— to introduce in the Regulation provisions respecting the progress report on silvicultural treatments and other forest management activities provided for in the Regulation respecting forest management plans and report by making certain amendments to its content, in particular the name of the regional county municipality where the activities were carried out, as well as a declaration from the agreement holder specifying whether or not he has concluded a written contract with a third person governing the application of the silvicultural treatments mentioned in the progress report and, where applicable, specifying the amount of the costs provided for in the contract related to activities not included in the cost for carrying out those silvicultural treatments;

— to prescribe that the value of activities to protect or develop forest resources carried out by a third person in a management unit, a public forest reserve or a private forest and provided for in a financing agreement corresponds to 100% of the value admissible as payment of dues where the third person that carries out the activities is a non-profit organization.

The Regulation respecting forest management plans and reports is also amended so as, in particular:

— to take into account the provisions of section 173 of Chapter 6 of the Statutes of 2001, introduced in the provisional regime applicable to timber supply and forest management agreements, relating to the content of annual reports;

— to include a sunset clause that specifies the dates on which the provisions respecting forest management plans and the annual report provided for in the Regulation will cease to have effect so that they correspond to the dates of coming into force of the new provisions of the Forest Act, enacted by Chapter 6 of the Statutes of 2001, concerning the content of plans and reports.

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to Mr. Marc Ledoux, Associate Deputy Minister for Forests, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

JACQUES BRASSARD,
Minister of Natural Resources

Regulation to amend the Regulation respecting forest royalties and the Regulation respecting forest management plans and reports

Forest Act
(R.S.Q., c. F-4.1, s. 172, pars. 1 to 3.1 and 7 to 9;
2001, c. 6, s. 119)

1. The Regulation respecting forest royalties¹ is amended

(1) by substituting “(R.S.Q., c. F-4.1, s. 172, pars. 1 to 3.1, 8 to 10 and 18.1)” for “(1986, c. 108, s. 172, pars. 1 to 3 and 8 to 10)”; and

(2) by adding the following before section 1, after the foregoing:

“DIVISION I FOREST TARIFFING

§1. *Forest tariffing zones*”.

2. The following paragraph is added after the second paragraph of section 1:

“Those zones are established for the establishment of the unit rates on which the dues prescribed by the Minister are based, except for the unit rates applicable to the holder of a management permit for the harvest of a volume of bushes or shrubs or only their branches to supply a wood processing plant, for sugar bush management for acericultural purposes or for the harvest of firewood for domestic purposes fixed in section 3, in the first paragraph of section 4 and in section 5.”

3. The following is added after section 1:

“§2. *Unit rates*”.

4. Section 2 is amended

(1) by inserting the words “the first paragraph of” after the word “under” in the first paragraph;

(2) by deleting the third paragraph.

5. The following is substituted for sections 3 to 11:

“3. The unit rate applicable to the holder of a management permit for the harvest of a volume of bushes or shrubs or only their branches for the supply of a wood processing plant is fixed at \$450 per green metric ton, for the Canadian yew.

That rate shall be indexed on 1 April 2003 and thereafter on 1 April of each year, on the basis of the rate of increase in the general Consumer Price Index for Québec during the calendar year preceding the indexing. The index for one year shall be the average of the monthly indexes for Québec as published by Statistics Canada.

The rate thus increased shall be reduced to the nearest dollar if it contains a fraction of a dollar less than \$0.50; it shall be increased to the nearest dollar if it contains a fraction of a dollar equal to or greater than \$0.50.

The Minister of Natural Resources shall publish the result of the indexing in Part I of the *Gazette officielle du Québec*. He may also use any other means to ensure wider publicity.

4. The unit rate applicable to the holder of a sugar bush management permit for acericultural purposes is fixed, as of 2002, at \$75, \$60, \$55, \$50, \$40, \$35 or \$30 per hectare according to the location of the sugar bush in one of the following forest tariffing zones:

ZONE 1 (\$75 per hectare)

1. Région administrative 05 Estrie 5
 2. Région administrative 12 Chaudière-Appalaches, except Bellechasse, Les Etchemins, Montmagny and L'Islet regional county municipalities.
 3. Région administrative 16 La Montérégie
 4. Région administrative 17 Centre-du-Québec
-

ZONE 2 (\$60 per hectare)

1. Bellechasse, Les Etchemins, Montmagny and L'Islet regional county municipalities
2. Région administrative 03 La Capitale-Nationale, except Charlevoix and Charlevoix-Est regional county municipalities
3. Région administrative 04 Mauricie, except Mékinac and Le Haut-Saint-Maurice regional county municipalities
4. Région administrative 14 Lanaudière, except Municipalité régionale de comté Matawinie
5. Région administrative 15 Les Laurentides, except Municipalité régionale de comté Antoine-Labelle

¹ The Regulation respecting forest royalties, made by Order in Council 372-87 dated 18 March 1987 (1987, *G.O.* 2, 1099), was last amended by the Regulation made by Order in Council 96-2001 dated 7 February 2001 (2001, *G.O.* 2, 1221). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

ZONE 3 (\$55 per hectare)

1. Région administrative 01 Bas Saint-Laurent, except Matane, La Matapédia, La Mitis and Rimouski-Neigette regional county municipalities
2. Municipalité régionale de comté Mékinac
3. Municipalité régionale de comté Matawinie
4. Municipalité régionale de comté Antoine-Labelle

ZONE 4 (50 \$ per hectare)

1. Matane, La Matapédia, La Mitis and Rimouski-Neigette regional county municipalities
2. Région administrative 07 Outaouais, except Municipalité régionale de comté Pontiac

ZONE 5 (40 \$ per hectare)

1. Charlevoix and Charlevoix-Est regional county municipalities
2. Municipalité régionale de comté Le Haut-Saint-Maurice
3. Municipalité régionale de comté Pontiac
4. Municipalité régionale de comté Avignon

ZONE 6 (35 \$ per hectare)

1. Municipalité régionale de comté Témiscamingue
2. Bonaventure and La Haute-Gaspésie regional county municipalities

ZONE 7 (30 \$ per hectare)

1. All other territories not included in zones 1 to 6.

The administrative regions are those determined by the Government by Décret 2000-87 dated 22 December 1987, as amended.

The unit rate applicable to the holder of a sugar bush management permit for acericultural purposes is, for timber harvested while carrying out silvicultural work intended to favour the production of sap, the rate provided for in section 5 or 6, depending on whether the wood is intended for domestic heating or for another use.

Notwithstanding the foregoing, no dues are exigible from the permit holder where the timber harvested is used for personal purposes and in the context of acericultural activities.

5. The unit rate applicable to the holder of a forest management permit for the harvest of firewood for domestic purposes is fixed at \$1.15/ apparent m³ for any species or group of species, regardless of the quality of the timber.

That rate shall be indexed on 1 April 2003 and thereafter on 1 April of each year, by applying to the \$1.15 amount the annual rates of increase in the general Consumer Price Index for Québec for the period beginning on 1 January 2002 and ending on 31 December of the year preceding the indexing year. The index for one year shall be the average of the monthly indexes for Québec as published by Statistics Canada.

The rate thus increased shall be reduced to the nearest fraction of 0,10 \$/m³ where it contains a fraction less than 0,03 \$/m³; it shall be rounded off to the nearest fraction of 0,05 \$/m³ where it contains a fraction equal to or greater than 0,03 \$/m³ but less than 0,08 \$/m³; and it shall be increased to the nearest fraction of 0,10 \$/m³ where it contains a fraction equal to or greater than 0,08 \$/m³.

The Minister of Natural Resources shall publish the result of the indexing in Part I of the *Gazette officielle du Québec*. He may also use any other means to ensure wider publicity.

6. The unit rate applicable to the holder of a forest management permit for the harvest of firewood for commercial purposes, for public utility works, for mining activities or for a wildlife, recreational or agricultural development project is the same as the rate applicable to the holder of a timber supply and forest management agreement and of a forest management permit to supply wood processing plants.

The foregoing also applies to the holder of a wood processing plant operating permit referred to in section 92.1 of the Forest Act or the holder of such permit authorizing him to process wood for energy or metal production purposes where the permit holder harvests timber under a management permit to supply wood processing plants.

§3. Payment of dues

7. The dues to be paid by the holder of a management permit referred to in section 3 are payable every year upon presentation of an invoice transmitted by the Minister.

8. The dues prescribed for the operation of a sugar bush to be paid by the holder of a management permit referred to in the first paragraph of section 4 are payable every year in two equal instalments, on 31 January and 31 July.

9. The dues to be paid by the holder of a management permit referred to in section 5 are payable upon issuance of the permit.

10. The dues to be paid by the holder of a management permit not referred to in sections 7 to 9 or the holder of a mining right who obtains an authorization under section 213 of the Mining Act (R.S.Q., c. M-13.1) are payable monthly, upon presentation of an invoice transmitted by the Minister, prepared on the basis of scaling or inventory data.

Notwithstanding the foregoing, except for dues that must be paid by the holder of a management permit to supply wood processing plants or those to be paid under section 14.3 of the Forest Act, in exchange for the timber harvested, by the holder of the permit referred to in that section, which remain governed by the provisions of the first paragraph, the dues referred to in that paragraph are payable upon request, upon issuance of the management permit or authorization, or upon presentation of an invoice transmitted by the Minister, where the permit or authorization allows the harvest of a volume of timber less than 500 cubic metres.

DIVISION II **VALUE ADMITTED AS PAYMENT OF DUES FOR CERTAIN ACTIVITIES AND PROGRESS REPORT ON FOREST MANAGEMENT ACTIVITIES**

§1. Value of silvicultural treatments and other activities to protect or develop forest resources admitted as payment of dues

11. The value of silvicultural treatments and other activities intended to promote the protection or development of forest resources carried out by an agreement holder in forests in the domain of the State and admitted as payment of the dues prescribed by the Minister, in accordance with section 73.1 of the Forest Act, shall correspond to the lesser of:

(1) the average unit cost for the carrying out of silvicultural treatments and other similar forest management activities carried out by the Minister under sections 65 and 96 of the Forest Act and calculated by the Minister each year; notwithstanding the foregoing, where the Minister has not, under the above-mentioned sections, carried out silvicultural treatments or other forest management activities similar to those admitted as payment of dues, the value of the silvicultural treatments and other forest resource protection and development activities admitted as such shall be established each year according to the cost approach applicable in matters of real estate assessment, by comparing those treatments and activities to similar treatments and management activities whose unit cost is known;

(2) the cost of carrying out those treatments and activities.

Costs related to management planning such as research of areas to be treated and inventories, costs related to monitoring, costs related to repair of road infrastructures providing access to the work sites, as well as any other cost not directly incurred for the carrying out of silvicultural treatments or other activities to protect or develop forest resources, shall not be considered as part of the cost of carrying out the silvicultural treatments and other activities to protect or develop forest resources.

Upon submitting the report referred to in section 70 of the Act, the agreement holder shall provide documents evidencing the cost of carrying out the silvicultural treatments and other activities to protect or develop forest resources, or a financial report related to those costs and audited by an accountant not employed by the agreement holder.

The admissible value shall be expressed in dollars per hectare, per thousand plants, per thousand microsites or per linear or cubic metre.

12. The admissible value of silvicultural treatments and other activities to protect or develop forest resources carried out by the agreement holder under an experimental protocol concluded pursuant to section 12 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2) may be increased up to 50% to taken into account the costs of the experiment.

A credit applicable to the payment of the prescribed dues, corresponding to no more than 75% of the admissible value so increased, may, after the conclusion of the experimental protocol, be granted to the agreement holder according to the nature, duration and cost of the project.

An additional credit corresponding to the balance of that value shall be granted to the agreement holder after he files the experimental report.

13. The value of the activities to protect or develop forest resources carried out by a third person in a forest management unit, a public forest reserve or a private forest and provided for in an agreement, in accordance with the fourth paragraph of section 73.1 of the Act, shall either be

(1) the unit cost determined by the Minister in accordance with subparagraph 1 of the first paragraph of section 11, if the activities are carried out in a forest in the domain of the State; or

(2) 80% of the sum of the costs for the carrying out of those activities and of the related technical costs, as established in the list of financial assistance rates for the

assistance program for the development of private forests elaborated under section 118 of the Act, where forest management activities are carried out in a private forest.

Notwithstanding the foregoing, where the unit cost of an activity has not been fixed by the Minister in accordance with subparagraph 1 of the first paragraph of section 11, or where the value of an activity may not be established using the list referred to in subparagraph 2 of the first paragraph, the value of the activity shall be fixed by the Minister according to the cost approach applicable in matters of real estate assessment, by comparing those activities to similar activities whose unit cost is known.

Ninety percent of the value established in the first or second paragraph or 100% of that value, where the third person carrying out the activities is a non-profit organization, is admissible as payment of the dues prescribed by the Minister.

A credit applicable to the payment of the dues prescribed, corresponding to no more than 75% of the admissible value fixed in accordance with the third paragraph, shall be granted to the agreement holder upon submission of proof of payment of the activities provided for in the agreement.

An additional credit corresponding to the balance of that value shall be granted to the agreement holder following the presentation, by the third person having carried out the activities, of the annual report referred to in the fourth paragraph of section 73.1 of the Act that the third person must make public on that occasion.

§2. Progress report on silvicultural treatments and other forest management activities

14. In this Subdivision,

“parcel” means a subdivision of the forest management unit that makes it possible to locate, describe or record biophysical characteristics used as a basis for forest management; (*parcelle*)

“forest management sector” means a part of the forest area measuring a maximum of 250 hectares located within a parcel of the forest management unit and to which the same silvicultural treatment is applied in a given year. (*secteur d'intervention*)

15. The progress report on silvicultural treatments and other forest management activities approved by a forest engineer that an agreement holder may submit periodically to the Minister under section 73.2 of the Forest Act shall indicate

(1) the silvicultural treatments and other forest management activities that the latter has carried out in each of the forest management sectors, their area and the number of plants planted, as well as the cost for carrying them out and name of the person who carried them out;

(2) the regional county municipalities where the silvicultural treatments and other forest management activities have been carried out;

(3) a declaration by the agreement holder indicating whether or not he has concluded or not a written contract with a third person for the carrying out of the silvicultural treatments referred to in the progress report and, where applicable, indicating the number and duration of those contracts and the amount of the costs provided for in the contracts related to the activities referred to in the second paragraph of section 11 that are not part of the cost of carrying out those silvicultural treatments.

If several contracts cover the same management unit, the report shall be submitted by the person designated by all the agreement holders carrying on their activities in that unit, in accordance with the Act, and the declaration referred to in subparagraph 3 of the first paragraph shall be signed that person. The report shall contain the information in respect of all agreement holders and shall also describe the distribution among the agreement holders of the provisional credits corresponding to the admissible value of the silvicultural treatments and other forest management activities carried out on that unit.

16. For the purposes of the provisions of this Division in respect of forest management activities prior to 1 April 2005, a reference to the management unit is a reference to the common area.”

6. The Regulation respecting forest management plans and reports² is amended by substituting “(R.S.Q., c. F-4.1, s. 172, pars. 7 and 19)” for “(R.S.Q., c. F-4.1, s. 172, pars. 3.1, 7 and 19)” before section 1.

7. Section 6.1 is revoked.

8. Division V, comprising section 10, is revoked.

9. The following is substituted for section 11:

² The Regulation respecting forest management plans and reports, made by Order in Council 418-89 dated 22 March 1989 (1989, G.O. 2, 1553), was amended by the Regulations made by Orders in Council 713-92 dated 12 May 1992 (1992, G.O. 2, 2734) and 1594-95 dated 6 December 1995 (1995, G.O. 2, 3574).

“11. The annual report of activities referred to in section 70 of the Forest Act shall be submitted no later than 1 September of each year in the form and tenor determined in section 12. That report shall give an account of the forest management activities carried out by the agreement holder under his management permit during the 12 months preceding 1 April of the year where the report must be submitted.”

10. The following is substituted for paragraphs 1 and 2 of section 12:

“(1) Part I: Sylvicultural treatments and other forest management activities

This part contains the following items, by forest management sector:

— a list of the sylvicultural treatments and other forest management activities carried out by the agreement holder under his forest management permit during the year in question;

— the proportion of those treatments or activities provided for in the annual management plan that were completed during that year;

— the area of the territory where those treatments or activities were carried out and the number of plants planted on that territory;

— if several contracts cover the same common area, the distribution among the agreement holders of the credits admissible for the sylvicultural treatments and other forest management activities carried out on that area;

This part also contains, by forest management sector, the result of the evaluations referred to in section 170 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), namely:

— an evaluation of the quality of the sylvicultural treatments and other forest management activities carried out by the agreement holder during the year in question;

— an evaluation of the state of the forest stands resulting from the sylvicultural treatments or other forest management activities carried out by the agreement holder during the year in question, in order to determine their ability to achieve the expected results;

— an evaluation of the volume of ligneous matter usable but not harvested and left on the management sector by the agreement holder, once all sylvicultural treatments and other forest management activities have been carried out in that sector.

(2) Part II: Destination of timber

This part states the volume of round timber, by the species or group of species specified in the agreement and by the quality of the timber, that the agreement holder has intended for the plant mentioned in the agreement during the year in question.”

11. The following is added after section 16:

“16.1. Sections 2 to 6 and 7 to 9 cease to have effect on 31 March 2004.

16.2. Sections 1 and 11 to 16 cease to have effect on 31 August 2006 and apply only in respect of forest management activities prior to 1 April 2005.”

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

4591

Draft Regulation

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1)

Limits to the expenses for a transfer of benefits between spouses

— 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 entitled “Limits to the expenses for a transfer of benefits between spouses”, the text of which appears below, may be made by an Order of the Minister upon the expiry of 45 days following this publication.

In accordance with sections 108 and 110 of the Supplemental Pension Plans Act, the member of a pension plan and the member’s spouse are entitled to receive a statement of the member’s benefits under the plan by making an application therefor in the course of a mediation carried out in anticipation of procedures related to

family matters or when an application for separation from bed and board, divorce, annulment of marriage or payment of a compensatory allowance is presented or, where the spouses are de facto spouses, when their conjugal relationship ends. Pursuant to section 110.1 of the Supplemental Pension Plans Act, the Minister, following consultation with the Régie des rentes du Québec, intends to amend the regulation setting limits to the expenses that a pension committee may require for issuing the said statement. The amendment would set, for each type of plan, a uniform ceiling for every statement issued, whether it be the first statement requested by a member and the member's spouse or a subsequent statement.

Further information may be obtained from Ms. Jacqueline Beaulieu, Régie des rentes du Québec, place de la Cité, 2600, boulevard Laurier, Sainte-Foy (Québec) G1V 4T3 (tel.: (418) 657-8715, fax: 643-7421, e-mail: jacqueline.beaulieu@rrq.gouv.qc.ca).

Any person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to Mr. Guy Morneau, President and General Manager of the Régie des rentes du Québec, place de la Cité, 2600, boulevard Laurier, 5th floor, Sainte-Foy (Québec) G1V 4T3. Comments will be forwarded by the Régie to the Minister of Employment and Social Solidarity, who is empowered by the Supplemental Pension Plans Act to make the Regulation.

JEAN ROCHON,
*Minister of State for Labour, Employment
and Social Solidarity and Minister of
Employment and Social Solidarity*

Regulation to amend the regulation entitled “Limits to the expenses for a transfer of benefits between spouses” *

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 110.1)

1. The title of the regulation entitled “Limits to the expenses for a transfer of benefits between spouses” is replaced with the following title:

“Regulation fixing the limits to the expenses for a transfer of benefits between spouses”.

2. Section 1 of the regulation is amended:

(1) by replacing the words “first application for” in subparagraph 1 with the words “issuance of”;

(2) by striking out subparagraph 2.

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

4582

Draft Regulation

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

Conseillers et conseillères d'orientation — Integration of psychoeducators in the Ordre — Amendments

Notice is hereby given by the Minister responsible for the administration of legislation respecting the professions that, in accordance with the second paragraph of section 27.3 of the Professional Code (R.S.Q., c. C-26), the draft amendment to the Schedule to the Order in Council respecting the integration of psychoeducators into the Ordre professionnel des conseillers et conseillères d'orientation du Québec (Order in Council 1037-2000 dated 30 August 2000), the text of which is attached hereto, will be considered by the Government upon the expiry of 60 days following this publication.

The purpose of the draft amendment is to amend the Schedule to the Order in Council of integration, which became effective on 29 September 2000, in order to postpone to 2003 the election of the directors of the Bureau of the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec which was initially scheduled for 2002. Postponing the election will lengthen from one year and a half to two years and a half the term of 12 of the 24 directors. The first election of all 24 directors of the Bureau of that Order, including the president, will be held in 2003.

* The regulation entitled “Limits to the expenses for a transfer of benefits between spouses” was made by an Order of the Minister of Income Security dated 29 June 1996 (1996, *G.O.* 2, 3162) and has not been amended since.

The Order is of the opinion that such amendment has become necessary considering that potential holders of a psychoeducator's permit are not admitted to the Order as fast as initially planned. In fact, the Order currently has about 2500 members of whom 2000 are holders of a guidance counsellor's permit and 500 are holders of a psychoeducator's permit. According to the Order, this disproportion should remain important at least until the end of September 2002, and representation on the Bureau of ten directors from each of the two categories of permits, as provided for in the Schedule to the Order in Council as of 2002, seems to be henceforth less appropriate. It should be noted that the draft amendment has no impact on businesses, including small and medium-sized businesses.

Pursuant to the second paragraph of section 27.3 of the Professional Code, the draft amendment will be submitted for consultation to the Office des professions du Québec, the Conseil interprofessionnel du Québec and the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec.

Further information on the proposed amendment may be obtained by contacting Lucie Boissonneault, research officer, or M^e France Lesage, advocate, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3, by telephone at (418) 643-6912 or 1-800-643-6912 or by fax at (418) 643-0973.

Any interested person having comments to make is asked to send them, before the expiry of the 60-day period following this publication, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. These comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions and also to the professional order in question, as well as to interested persons, departments and agencies.

PAUL BÉGIN,
*Minister responsible for the
administration of legislation
respecting the professions*

SCHEDULE

Amendment to the Schedule to the Order in Council respecting the integration of psychoeducators into the Ordre professionnel des conseillers et conseillères d'orientation du Québec*

Professional Code
(R.S.Q., c. C-26, s. 27.3)

1. Section 10 of the Schedule to the Order in Council respecting the integration of psychoeducators into the Ordre professionnel des conseillers et conseillères d'orientation du Québec is amended

(1) by substituting the following for the paragraph following the eighth small dash of the second large dash of that section:

“those 11 directors shall be appointed for a term ending in 2003, on the date the directors elected in 2003 assume office, as determined by regulation made under paragraph *b* of section 93 of the Professional Code;”; and

(2) by substituting the following for the fourth, fifth and sixth large dashes:

“— eight members of the board of directors of the Association des psychoéducateurs du Québec in office when integration takes effect, chosen by the board members in office when integration takes effect, shall serve a term ending in 2003, on the date the directors elected in 2003 assume office, as determined by regulation made under paragraph *b* of section 93 of the Professional Code;

— the three directors appointed by the Office des professions du Québec under section 78 of the Professional Code to the Bureau of the Ordre professionnel des conseillers et conseillères d'orientation du Québec, in office when integration takes effect, shall serve a term ending in 2003, on the date the directors elected in 2003 assume office, as determined by regulation made under paragraph *b* of section 93 of the Professional Code;

* The Schedule to Order in Council 1037-2000 dated 30 August 2000 (2000, *G.O.* 2, 4482) respecting the integration of psychoeducators into the Ordre professionnel des conseillers et conseillères d'orientation du Québec has never been amended.

— a new director appointed by the Office des professions du Québec under section 78 of the Professional Code shall serve a term ending in 2003, on the date the directors elected in 2003 assume office, as determined by regulation made under paragraph *b* of section 93 of the Professional Code.”.

2. Section 11 is amended by substituting the following for the part preceding the first dash :

“11. The administrative committee of the Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec shall consist of the following five members, who shall serve a term ending in 2002, on the date on which the members of the committee are appointed in 2002 in accordance with section 97 of the Professional Code:”.

3. Section 12 is amended by substituting the following for the first and second paragraphs :

“At the first election of the directors to the Bureau of the Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec, the guidance counselling professional sector and the psychoeducation professional sector shall each be represented by ten directors.

That first election shall take place in 2003, on the date and in accordance with the terms and conditions determined by regulation made under paragraph *b* of section 93 of the Professional Code.”.

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

Municipal Affairs

Gouvernement du Québec

O.C. 1132-2001, 26 September 2001

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

Amalgamation of Ville de Lac-Etchemin and Paroisse de Sainte-Germaine-du-Lac-Etchemin

WHEREAS, on 25 April 2000, the Minister of Municipal Affairs and Greater Montréal published a White Paper entitled *Municipal Reorganization: Changing Our Ways to Better Serve the Public*;

WHEREAS Ville de Lac-Etchemin and Paroisse de Sainte-Germaine-du-Lac-Etchemin are concerned by Volet I of the *Politique de consolidation des communautés locales*;

WHEREAS under section 125.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), enacted by section 1 of the Act to amend the Act respecting municipal territorial organization and other legislative provisions (2000, c. 27), the Government authorized the Minister of Municipal Affairs and Greater Montréal to require those municipalities to submit a joint application for amalgamation no later than 15 April 2001;

WHEREAS in order to help the municipalities to fulfil that obligation, the Minister appointed Mr. Maurice Lebrun as conciliator;

WHEREAS the parties adopted a by-law authorizing them to submit a joint application for amalgamation and they submitted such an application to the Minister within the allotted time;

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 as the result of the amalgamation of Ville de Lac-Etchemin and Paroisse de Sainte-Germaine-du-Lac-Etchemin, on the following conditions:

1. The name of the new municipality shall be “Municipalité de Lac-Etchemin”.

As soon as possible after the coming into force of this Order in Council, the provisional council of the new municipality shall contact the Commission de toponymie so that the sectors known as “Sainte-Germaine” and “Sainte-Germaine-Station” be attributed the corresponding toponyms.

2. The description of the new municipality shall be the description drawn up by the Minister of Natural Resources on 17 September 2001; that description is attached as Schedule to this Order in Council.

3. The new municipality shall be governed by the *Cities and Towns Act* (R.S.Q., c. C-19).

4. The territory of the new municipality shall be part of the territory of *Municipalité régionale de comté des Etchemins*.

5. Until the candidates elected in the first general election begin their term, the new municipality shall be governed by a provisional council made up of all the council members of the former municipalities in office at the time of the coming into force of this Order in Council.

An additional vote shall be allotted, within the provisional council, to the mayor of the former municipality on whose council there was a vacant seat at the time of the coming into force of this Order in Council, as well as for any seat that becomes vacant on the provisional council, after that coming into force, that was, up to that time, held by a member of the council of that former municipality.

If the vacant seat is that of the mayor, an additional vote shall be allotted to a member of the provisional council chosen by and from among the councillors of the former municipality where the mayor’s seat became vacant.

6. The mayors of the former Ville de Lac-Etchemin and Paroisse de Sainte-Germaine-du-Lac-Etchemin shall respectively act as mayor and deputy mayor of the new municipality from the coming into force of this Order in Council until the last day of the month of such coming into force, at which time the roles shall be reversed for the following month, and so forth alternately, until the mayor elected in the first general election takes up office.

The mayors of the former Ville de Lac-Etchemin and Paroisse de Sainte-Germaine-du-Lac-Etchemin shall continue to sit on the council of Municipalité régionale de comté des Etchemins until the mayor elected in the first general election begins his mandate and they shall have the same number of votes as before the coming into force of this Order in Council. They shall remain qualified to act as warden or deputy warden, to sit on any committee and to fill any other position within that regional county municipality.

7. The majority of members in office at any time shall constitute the quorum of the provisional council meetings.

8. The first sitting of the provisional council of the new municipality shall be held at the municipal building on the territory of the former Ville de Lac-Etchemin.

9. The members of the provisional council shall receive the same remuneration as before the amalgamation, irrespective of the alternation in mayoral duties provided for in section 6.

10. Any council member of a former municipality whose term comes to an end solely because that municipality no longer exists may receive compensation and continue to participate in the retirement plan for elected municipal officers in accordance with sections 10 to 13.

As of the date of coming into force of this Order in Council, any right referred to in the first paragraph ceases to apply to a person for any period during which he is a council member of a municipality in the territory of Québec, as of the date of coming into force of this Order in Council.

11. The amount of the compensation referred to in section 10 is based on the remuneration paid the day before the coming into force of this Order in council under the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001) in respect of the position that the person referred to in the first paragraph of section 10 held on that day, to which applies, where applicable, any indexing of the remuneration provided for in a by-law of a former municipality.

The amount of the compensation shall also be based on the remuneration that the person referred to in the first paragraph of section 10 received, on the day before the coming into force of this Order in Council, directly from a mandatory body of the municipality or a supramunicipal body within the meaning of sections 18 and 19 of the Act respecting the Pension Plan of Elected Municipal Officers. The compensation established in accordance with the first and second paragraphs, except

for the part referred to in the fourth paragraph, may not exceed annually the maximum referred to in section 21 of the Act respecting the remuneration of elected municipal officers.

The compensation shall, if applicable, also include any amount corresponding to the provisional contribution provided for in section 26 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) that the local municipality, mandatory body or supramunicipal body would have been required to pay with respect to the remuneration provided for in the first and second paragraphs for the person referred to in the first paragraph of section 10.

12. The compensation shall be paid by the municipality in bi-monthly instalments during the period starting on the day of coming into force of this Order in Council and ending on the date on which the first general election would have been held following the expiry of the term under way.

A person who is eligible for compensation may enter into an agreement with the municipality on any other mode of payment of the compensation.

13. The expenses that the payment of compensation represents, including, if applicable, the provisional contribution, shall constitute a debt charged to the taxable immovables located in the sector made up of the territory of the former municipality where the eligible person was a council member.

14. Marcel Lachance shall act as the first director general of the new municipality. Pierre Dallaire shall act as the clerk and assistant director general of the new municipality.

15. The first general election shall be held on 25 November 2001. The second general election shall be held in November 2005.

16. For the first two general elections, the council of the new municipality shall be made up of seven members, that is, a mayor and six council members. The councillors' seats shall be numbered from 1 to 6.

17. For the first two general elections, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Ville de Lac-Etchemin, shall be eligible for seats 1, 3 and 5; only those persons who would be eligible under the aforementioned Act, if such election were an election of the council members of the former Paroisse de Sainte-Germaine-du-Lac-Etchemin shall be eligible for seats 2, 4 and 6.

18. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in effect before the coming into force of this Order in Council shall continue to be applied until the end of the last fiscal year for which the former municipalities adopted separate budgets.

19. Until the council decides otherwise, the new municipality shall appoint a rural inspector in accordance with section 110 of the Cities and Towns Act.

20. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Ville de Lac-Etchemin". The name of that bureau may be changed a first time, by a mere resolution of its board of directors within one year of its creation. A notice of that change shall be sent to the Société d'habitation du Québec and published in the *Gazette officielle du Québec*.

This municipal bureau shall succeed, on the date of coming into force of this Order in Council, to that of the former Ville de Lac-Etchemin, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) shall apply to the municipal housing bureau of the new municipality as though it had been incorporated by letters patent under section 57 of that Act.

The bureau shall be administered by a board of directors formed of seven members. Three members shall be appointed by the municipal council of Municipalité de Lac-Etchemin, two shall be elected by all the lessees of the bureau in accordance with the Act respecting the Société d'habitation du Québec, and two shall be appointed by the Minister of Municipal Affairs and Greater Montréal, after consultation, from among the most representative socio-economic groups of the bureau's territory.

Until the majority of the candidates elected in the first general election take office, the members of the board of directors of the bureau shall be the members of the municipal bureau to which it succeeds.

The administrators shall elect from among themselves a chair, vice-chair and any other officer they deem necessary to appoint.

The term of the board of directors is three years and is renewable. Despite the expiry of their term, the board members shall remain in office until reappointed or replaced.

The quorum shall be the majority of the members in office.

The administrators may, from the coming into force of this Order in Council,

(1) secure loans on behalf of the bureau ;

(2) issue debentures or other securities of the bureau and use them as a guarantee or dispose of them for the price and amount deemed appropriate ;

(3) hypothecate or use as collateral the present or future immovables or movables of the bureau to ensure the payment of such debentures or other securities, or give only part of the guarantees for those purposes ;

(4) hypothecate the immovables and movables of the bureau or otherwise affect them, or give various types of surety, to ensure the payment of loans secured other than by the issue of debentures, as well as the payment or execution of other debts, contracts and commitments of the bureau ;

(5) subject to compliance with the Act respecting the Société d'habitation du Québec, the regulations made under that Act and the directives issued by the Société, adopt any by-law deemed necessary or useful for the internal management of the bureau.

The employees of the bureau that has been dissolved shall become, without reduction in salary, employees of the new bureau, and shall retain their seniority and fringe benefits.

Within fifteen days of their adoption, the bureau shall send to the Société d'habitation du Québec a certified true copy of the by-laws and resolutions appointing or dismissing a director or administrator.

The time limit provided for in section 37 of the Pay Equity Act (R.S.Q., c. E-12.001) shall no longer apply with respect to the bureaus referred to in the second paragraph. The time limit within which to comply with this section, for the succeeding bureau, shall be 36 months from the date of determination of the last bargaining unit.

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

(1) the budget shall remain applicable ;

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

(3) an expenditure recognized by the council of the new municipality as resulting from the amalgamation shall be charged to each of the former municipalities in proportion, for each, to its standardized property value in relation to the total of those of the former municipalities as they appeared in the financial statements of those municipalities for the fiscal year preceding the one in which this Order in Council comes into force; and

(4) the amount paid by the Government under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures recognized by the council under paragraph 3 and financed directly by that amount, shall be equally apportioned, one half to be used for the benefit of the ratepayers in the sector made up of the territory of the former Ville de Lac-Etchemin and the other half to be used for the benefit of the ratepayers in the sector made up of the territory of the former Paroisse de Sainte-Germaine-du-Lac-Etchemin.

22. Any deficit accumulated by a former municipality at the end of the last fiscal year for which they adopted separate budgets shall continue to be charged to all the taxable immovables in the sector made up of the territory of the former municipality that accumulated it.

23. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality, either to repay loans contracted by the former municipality, to carry out work in the sector or to reduce the taxes applicable to all the taxable immovables located therein.

24. The special tax intended to repay a loan contracted under a by-law adopted before the coming into force of this Order in Council shall be charged only to the immovables referred to in the taxation clause of that by-law before the coming into force of this Order in Council and, should the council of the new municipality decide to amend that tax, it may be charged only to the immovables of the sector made up of the territory of the former municipality whose council adopted the by-law.

25. Notwithstanding section 119 of the Act respecting municipal territorial organization, the new municipality shall use the values entered on the property assessment roll in effect for the 2002 fiscal year for each of the former municipalities, updated and adjusted from the date of coming into force of this Order in Council.

The adjustment shall be made as follows: the values entered on the assessment roll of the former Paroisse de Sainte-Germaine-du-Lac-Etchemin shall be divided by the median proportion of the roll of the former Ville de Lac-Etchemin; the median proportion used shall be that established for the 2002 fiscal year.

The roll in effect in the former Ville de Lac-Etchemin for the 2002 fiscal year and the amended roll of the former Paroisse de Notre-Dame-de-Pierreville and of the former Paroisse de Sainte-Germaine-du-Lac-Etchemin in accordance with the second paragraph of this section shall constitute together the roll of the new municipality for the first fiscal year. The median proportion and the comparative factor of the roll shall be those of the former Ville de Lac-Etchemin. The first complete fiscal year of the new municipality shall be considered to be the first fiscal year of application of the roll.

26. The working fund of the former Ville de Lac-Etchemin shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets. The available balance shall be added to the surplus accumulated on behalf of the former Ville de Lac-Etchemin.

27. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality in order to replace all the zoning and subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the new municipality, on the condition 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.

28. Any debt or gain that may result from legal proceedings for any act performed by a former municipality before the coming into force of this Order in Council shall continue to be credited or charged to all the taxable immovables in the sector made up of the territory of that former municipality.

29. All the movable and immovable property belonging to each of the former municipalities shall become the property of the new municipality.

30. The proceeds of the sale of an immovable that used to belong to a former municipality shall be used primarily to repay the balance of the debt contracted by that municipality to acquire and develop the immovable. Any balance of the proceeds of the sale shall be paid into the general fund of the new municipality.

31. 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 LAC-ETCHEMIN, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DES ETCHEMINS

The current territory of Paroisse de Sainte-Germaine-du-Lac-Etchemin and Ville de Lac-Etchemin, in Municipalité régionale de comté des Etchemins, comprising, in reference to the cadastres of the townships of Cranbourne and Ware and Paroisse de Saint-Léon-de-Standon, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railroad rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the centre line of Rivière des Fleurs with the dividing line between ranges 4 and 5 of the cadastre of Paroisse de Saint-Léon-de-Standon; thence, successively, the following lines and demarcations: southeasterly, successively, part of the dividing line between the said ranges and its extension across Rivière Etchemin that it meets then part of the dividing line between ranges 5 and 6 of the cadastre of Canton de Ware to the northwestern line of lot 406 of the latter cadastre, that line crossing Rang de la Grande-Rivière that it meets in its first segment, Petite rivière Etchemin and Route du Golf that it meets in its second segment; in reference to the latter cadastre,

northeasterly, the northwestern line of lots 406 and 435; southeasterly, the northeastern line of lots 435 to 440; southwesterly, part of the southeastern line of lot 440 to the northeastern line of lot 441; southeasterly, the northeastern line of lots 441 to 444; southwesterly, the southeastern line of lot 444; southeasterly, the northeastern line of lot 388; southwesterly, the southeastern line of lot 388; southeasterly, the northeastern line of lots 326, 327 and 328; southwesterly, the southeastern line of lot 328; southeasterly, successively, the northeastern line of lot 252, extending across Route du Détour that it meets, then the northeastern line of lot 251, the latter line crossing the right-of-way of a railroad (without cadastral designation) and Rivière Famine that it meets; southwesterly, successively, the southeastern line of lots 251 in declining order to 245 and 213 in declining order to 207 then the extension of the latter line to the centre line of a public road shown on the original (Route 277); northwesterly, the centre line of the said road to its intersection with the centre line of Rivière Famine; in a general southwesterly direction, the centre line of the said river to its meeting with the dividing line between the cadastres of the townships of Ware and Watford; northwesterly, part of the dividing line between the said cadastres to the dividing line between the cadastres of the townships of Cranbourne and Watford, that first line crossing the right-of-way of a railroad (without cadastral designation) that it meets; southwesterly, part of the dividing line between the said cadastres to the southwestern line of lot 825 of the cadastre of Canton de Cranbourne, the first line crossing Rivière à la Raquette that it meets; in reference to the latter cadastre, northwesterly, the southwestern line of lots 825 and 788, that line crossing the 14e Rang that it meets; southwesterly, part of the southeastern line of lot 722 to the dividing line between that lot and lot 723; northwesterly, successively, the dividing line between lots 722 and 723, the centre line of Traverse du 10e au 12e Rang, the dividing line between lot 577 in declining order to 572 and lot 571, the dividing line between lots 490 and 491, the extension of the latter line across 8e Rang then the dividing line between lots 444 and 443; southwesterly, part of the southeastern line of lot 351 to the dividing line between the latter lot and lot 352; northwesterly, successively the dividing line between lots 351 and 352 then the dividing line between lots 314 and 313, the latter line extended across Rivière Etchemin that it meets; northeasterly, the northwestern line of lots 314 to 316; southeasterly, part of the northeastern line of lot 316 to the northwestern line of lot 79; northeasterly, the northwestern line of the said lot; northwesterly, part of the southwestern line of lot 317 to the northwestern line of

the said lot; northeasterly, the northwestern line of lots 317 to 323, 326 to 328 and 332; northwesterly, part of the dividing line between the cadastre of Paroisse de Saint-Léon-de-Standon and the cadastre of Canton de Cranbourne to the centre line of Rivière des Fleurs; finally, in a general northeasterly direction, the centre line of the said river upstream to the starting point.

The said limits define the territory of Municipalité de Lac-Etchemin, in municipalité régionale de comté des Etchemins.

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

Charlesbourg, 17 September 2001

Prepared by: Jean-Pierre Lacroix,
Land surveyor

L-373/1

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Gouvernement du Québec

O.C. 1134-2001, 29 September 2001

An Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais
(2000, c. 56)

Correction to Order in Council 852-2001 dated 4 July 2001 concerning the description of the boundaries of the electoral districts of the new Ville de Montréal

WHEREAS by Order in Council 852-2001 dated 4 July 2001, the Government adopted the division into electoral districts prepared by the transition committee of the Ville de Montréal;

WHEREAS some clerical errors occurred in the Order in Council and it is expedient to correct them;

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

THAT paragraph 8 respecting the Rivière-des-Prairies-Pointe-aux-Trembles-Montréal-Est Borough of the operating part of Order in Council 852-2001 dated 4 July 2001 be amended by inserting the words "the boundary of Anjou Borough" after the words "Boulevard Henri-Bourassa Est" in the description of the Rivière-des-Prairies electoral district;

THAT paragraph 17 respecting the Verdun Borough be amended by substituting "Desmarchais-Crawford electoral district" for the name of the Crawford-Desmarchais electoral district;

THAT paragraph 18 respecting the Westmount Borough be amended by substituting the word "Saint" for the word "Sainte" in the name Côte Saint-Antoine electoral district.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

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