

Gazette officielle du Québec

Part 2 Laws and Regulations

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Summary

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Coming into force of Acts

Gouvernement du Québec

O.C. 1223-2001, 10 October 2001

An Act concerning the organization of police services (2001, c. 19)

— **Coming into force of paragraph 1 of section 1**

COMING INTO FORCE of paragraph 1 of section 1 of the Act concerning the organization of police services

WHEREAS the Act concerning the organization of police services (2001, c. 19) was assented to on 21 June 2001;

WHEREAS, under section 19, the Act comes into force on 21 June 2001, except paragraph 1 of section 1, which comes into force on the date to be determined by the Government;

WHEREAS it is expedient to fix 10 October 2001 as the date of coming into force of paragraph 1 of section 1;

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

THAT the coming into force of paragraph 1 of section 1 of the Act concerning the organization of police services be fixed at 10 October 2001.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1229-2001, 17 October 2001

An Act to establish a legal framework for information technology (2001, c. 32)

— **Coming into force**

COMING INTO FORCE of the Act to establish a legal framework for information technology

WHEREAS the Act to establish a legal framework for information technology (2001, chapter 32) was assented to on 21 June 2001;

WHEREAS, under section 105, the provisions of the Act come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 1 November 2001 as the date of coming into force of the Act, except for section 104, which comes into force on 17 October 2001;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Culture and Communications and Minister responsible for the Information Highway:

THAT the Act to establish a legal framework for information technology (2001, c. 32) come into force on 1 November 2001, except for section 104, which comes into force on 17 October 2001.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Regulations and other acts

Gouvernement du Québec

O.C. 1157-2001, 26 September 2001

An Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5)

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

Regulation

— Amendments

Regulation to amend the Regulation respecting the application of the Act respecting health services and social services

WHEREAS, under the first paragraph of section 159 of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5), the Government shall determine, by regulation, the contribution that may be required for the beneficiaries who are sheltered in an institution or taken in charge by a foster family;

WHEREAS, under the second paragraph of that section, the amount of the contribution may vary according to the circumstances or the needs identified by that regulation;

WHEREAS, under section 160 of the Act, the Minister or an institution designated by regulation may, upon the request of a person from whom payment of a contribution is required under section 159 of the Act, exempt such person from paying that contribution in accordance with the terms and conditions and in the cases determined by regulation;

WHEREAS, under section 512 of the Act respecting health services and social services (R.S.Q., c. S-4.2), amended by section 160 of chapter 39 of the Statutes of 1998, the Government shall determine, *inter alia*, by regulation, the contribution that may be required of users lodged in a facility maintained by a public or private institution under agreement or taken in charge by an intermediate resource of a public institution or by a family-type resource;

WHEREAS, under section 513 of that Act, the amount of the contribution may vary according to the circumstances or needs identified by that regulation;

WHEREAS, under section 514 of that Act, the Minister or an institution designated by regulation may, at the request of a person of whom payment of a contribution is required, exempt such person from paying the contribution, in accordance with the terms and conditions and in the circumstances determined by regulation;

WHEREAS, under the first paragraph of section 619.41 of the Act respecting health services and social services (R.S.Q., c. S-4.2), subject to any special provisions enacted by that Act, all orders in council, orders or regulations made or decisions rendered by the Government, the Minister, or by another competent authority, pursuant to any provision of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5), which are applicable to persons and bodies subject to the Act respecting health services and social services (R.S.Q., c. S-4.2), shall remain applicable to those persons and bodies to the extent that they are compatible with that Act, until new orders in council, orders or regulations are made or new decisions are rendered pursuant to the corresponding provisions of that Act;

WHEREAS the Government made regulatory provisions respecting the contribution of beneficiaries in the Regulation respecting the application of the Act respecting health services and social services (R.R.Q., 1981, c. S-5, r. 1);

WHEREAS it is expedient to amend the Regulation to exclude, for the purpose of calculating a contribution, the amounts paid under the Programme national de réconciliation avec les orphelins et orphelines de Duplessis or the value of property acquired out of those amounts;

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

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

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

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the amendments provided for in the Regulation attached to this Order in Council will allow to exclude the amounts paid under the Programme national de réconciliation avec les orphelins et orphelines de Duplessis or the value of property acquired out of those amounts from the calculation of the contribution of an adult sheltered in a facility maintained by a public or private institution under agreement or taken in charge by an intermediate resource of a public institution or by a family-type resource; the amendments must be in force when the amounts are received under the Programme national de réconciliation avec les orphelins et les orphelines de Duplessis and the publication requirements would prevent their timely coming into force;

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

THAT the Regulation to amend the Regulation respecting the application of the Act respecting health services and social services, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting health services and social services*

An Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5, ss. 159 and 160)

An Act respecting health services and social services
(R.S.Q., c. S-4.2, ss. 512, 513, 514 and 619.41)

1. Section 369 of the Regulation respecting the application of the Act respecting health services and social services is amended by adding the following paragraph at the end:

* The Regulation respecting the application of the Act respecting health services and social services (R.R.Q., 1981, c. S-5, r. 1) was last amended by the Regulations made by Orders in Council 98-2001 dated 7 February 2001 (2001, *G.O.* 2, 1222) and 576-2001 dated 16 May 2001 (2001, *G.O.* 2, 2306). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

“For the purposes of the first paragraph, the amounts received by an adult under the Programme national de réconciliation avec les orphelins et orphelines de Duplessis or the value of property acquired out of those amounts shall be excluded.”

2. Section 370 is amended by adding the following paragraph at the end:

“In calculating the total value of the property of an adult or his family’s property and in calculating the liquid assets referred to in the first paragraph, the amounts received by that adult under the Programme national de réconciliation avec les orphelins et orphelines de Duplessis or the value of property acquired out of those amounts shall be excluded.”

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

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Gouvernement du Québec

O.C. 1163-2001, 26 September 2001

An Act respecting income support, employment assistance and social solidarity
(R.S.Q., c. S-32.001)

Income support — Amendments

Regulation to amend the Regulation respecting income support

WHEREAS, in accordance with the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001), the Government made the Regulation respecting income support by Order in Council 1011-99 dated 1 September 1999;

WHEREAS it is expedient to amend the Regulation;

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

WHEREAS, under section 18 of that Act, a Regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

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

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the amendments provided for in the Regulation attached to this Order in Council come into force as soon as possible because they will allow to be excluded, the amounts paid under the Programme national de réconciliation avec les orphelins et orphelines de Duplessis from the calculation of the benefits granted under the Employment-Assistance Program or the Parental Wage Assistance Program; the amendments should come into force at the same time as the amounts are received under the Programme national de réconciliation avec les orphelins et les orphelines de Duplessis and the publication requirements would prevent their timely coming into force;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting income support, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting income support*

An Act respecting income support, employment assistance and social solidarity
(R.S.Q., c. S-32.001, s. 156, par. 15, s. 158, 1st par., subpar. 1 and s. 160)

1. Section 106 of the Regulation respecting income support is amended by adding the following paragraph at the end:

“(8) under the Programme national de réconciliation avec les orphelins et orphelines de Duplessis created by the Gouvernement du Québec.”.

2. Section 119 is amended

(1) by substituting “the amounts referred to” for “an amount referred to” in the first paragraph; and

(2) by substituting “the amounts” for “the amount” in the second paragraph.

3. Section 157 is amended by adding the following paragraph at the end:

“Also, the total value of the amounts paid under the Programme national de réconciliation avec les orphelins de Duplessis created by the Gouvernement du Québec and the total value of any property acquired with those amounts shall not be included.”.

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

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* The Regulation respecting income support, made by Order in Council 1011-99 dated 1 September 1999 (1999, *G.O.* 2, 2881), was last amended by the regulations made by Orders in Council 1427-2000 dated 6 December 2000 (2000, *G.O.* 2, 5724), 1428-2000 dated 6 December 2000 (2000, *G.O.* 2, 5726), 15-2001 dated 11 January 2001 (2001, *G.O.* 2, 445), 205-2001 dated 7 March 2001 (2001, *G.O.* 2, 1379), 450-2001 dated 25 April 2001 (2001, *G.O.* 2, 2165), 708-2001 dated 13 June 2001 (2001, *G.O.* 2, 2809) and 934-2001 dated 9 August 2001 (2001, *G.O.* 2, 4784). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

Gouvernement du Québec

O.C. 1247-2001, 17 October 2001

Securities Act
(R.S.Q., V-1.1)

Securities
— **Amendments**

Regulation to amend the Regulation respecting securities

WHEREAS under subparagraph 4.1 of the first paragraph of section 331 of the Securities Act (R.S.Q., c. V-1.1), the Government may, by regulation, establish the form of insiders' reports, as well as the conditions and time limits for filing them;

WHEREAS the Government made, by Order in Council 660-83 dated 30 March 1983, the Regulation respecting securities;

WHEREAS under section 171 of that Regulation, the insider reports prescribed by sections 96 to 98, 102 and 103 of the Act must be drawn up in accordance with Form 1;

WHEREAS the Commission des valeurs mobilières du Québec and the other Canadian securities administrators have implemented National Instrument 55-102 - System for Electronic Disclosure by Insiders (SEDI), in particular to facilitate the filing and public disclosure of insider reports by electronic means;

WHEREAS the securities administrators of several provinces have amended their regulations in order to make the System for Electronic Disclosure by Insiders (SEDI) compulsory on their territory, as of 29 October 2001;

WHEREAS it is expedient to amend the Regulation respecting securities in order to require that the insider reports provided for in the Act be filed with the Commission des valeurs mobilières du Québec using the System for Electronic Disclosure by Insiders (SEDI) and to establish the applicable conditions;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a regulation may be made without

having been published as required by section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force between the date of its publication in the *Gazette officielle du Québec* and the date applicable under section 17 of that Act where the authority that has made it is of the opinion that the urgency of the situation requires it;

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

WHEREAS in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the amendments in the Regulation attached to this Order in Council are intended to render compulsory in Québec, as of 29 October 2001, the use of the System for Electronic Disclosure by Insiders (SEDI), which will come into force on that date in the other Canadian provinces;

— the filing by reporting issuers of insider reports with the Commission des valeurs mobilières du Québec using the System for Electronic Disclosure by Insiders (SEDI) will exempt them from filing the reports with the other Canadian securities administrators where they have outstanding securities and from filing them both on paper and by electronic means;

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

THAT the Regulation to amend the Regulation respecting securities, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting securities*

Securities Act
(R.S.Q., c. V-1.1, s. 331, 1st par., subpar. 4.1)

1. The Regulation respecting securities is amended by inserting the following after the first paragraph of section 14.1:

“A person who files an insider report shall do so by means of electronic filing using the System for Electronic Disclosure by Insiders (SEDI) or by means of filing in paper form, in accordance with the provisions of Schedule XIX.”.

2. The following is inserted after section 14.2:

“14.3. Where an insider report is filed using the SEDI system, the link between the insider and the report is confirmed by the filing of an electronic attestation of the report.”.

3. “Schedule XIX” attached hereto is substituted for “Form 1” in section 171.

4. Form 1 is revoked.

5. This Regulation comes into force on 29 October 2001.

SCHEDULE XIX

(s. 171)

INSIDER REPORTS

DIVISION I SCOPE

1. A reporting issuer, under the Securities Act (R.S.Q., c. V-1.1), that is required to file documents provided for in Schedule XVIII using the System for Electronic Document Analysis and Retrieval (SEDAR), as well as a foreign issuer that filed a notice of election with the Commission des valeurs mobilières du Québec to become an electronic filer using SEDAR, shall file the documents set forth in Division II in the System for Electronic Disclosure by Insiders (SEDI).

2. An insider of an issuer referred to in section 1 shall also file in SEDI the documents provided for in Division II.

3. An insider that is exempted from filing in SEDI the documents provided for in Division II shall file its report in paper format in accordance with Division V.

4. This Schedule does not apply to a mutual fund or to the insider of this mutual fund.

DIVISION II FILING IN THE SYSTEM FOR ELECTRONIC DISCLOSURE BY INSIDERS (SEDI)

§1. General provisions

5. A system filing by an issuer or insider is carried out using an access key made up of an alpha-numeric code assigned by the system operator.

6. The alpha-numeric code assigned by the system or system operator to an insider that files an insider profile or to an issuer that files an issuer profile supplement, is the access key of this system.

§2. Insider profile

7. As of November 13, 2001, an insider of an issuer referred to in section 1 shall file an insider profile or an amended insider profile before filing an insider report in respect of that issuer.

8. The insider profile or an amended insider profile shall include, among other things, the following mandatory information:

- (1) insider's name;
- (2) insider representative's name;
- (3) insider's residential address or the insider representative's business address and e-mail address;
- (4) telephone and fax numbers;
- (5) language of correspondence;
- (6) confidential question and answer for identification purposes;
- (7) issuer's name;
- (8) insider's relationship to the issuer;

* The Regulation respecting securities, made by Order in Council 660-83 dated 30 March 1983 (1983, G.O. 2, 1269), was last amended by the Regulation made by Order in Council 871-2001 dated 4 July 2001 (2001, G.O. 2, 3887). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

(9) date on which the insider became an insider or the date on which the insider ceased to be an insider or the date of the previous paper filing.

9. An insider that filed an insider profile shall file an amended insider profile in the following circumstances:

(1) within ten days if there is a change in the insider's name or the insider's relationship to an issuer disclosed in the insider's most recently filed insider profile or if the insider ceased to be the insider of this issuer;

(2) when the insider files its next insider report or amended insider profile or if there is another change in the information disclosed in its most recently filed insider profile.

10. An insider required to file an insider profile shall only file one profile.

§3. *Insider report*

11. As of November 13, 2001, an insider that is required to file the insider report of an issuer referred to in section 1 shall do so through a system user.

The user may be the insider if it registers as such before the expiry of the deadline set forth for filing its report.

12. The insider report or the amended insider report shall include, among other things, the following mandatory information:

- (1) issuer's name;
- (2) securities designation;
- (3) ownership type;
- (4) identity of securities holder;
- (5) opening balance of initial report in system;
- (6) date and nature of transaction;
- (7) number or value of the securities acquired or disposed of;
- (8) unit price or exercise price;
- (9) currency used;
- (10) closing balance of securities held;

(11) in the case of holdings or transactions involving derivatives, the designation, opening balance, number or equivalent number of securities, conversion or exercise unit price and the date of expiry or maturity.

§4. *Issuer profile supplement*

13. An issuer referred to in section 1 shall file an issuer profile supplement within three business days after the date it became an issuer.

14. An issuer shall file an amended profile supplement immediately if one of the following events takes place:

(1) the issuer issues any security, class or series of securities that is not disclosed in its issuer profile supplement;

(2) there is any change in the designation of any security, class or series of securities of the issuer disclosed or required to be disclosed in its issuer profile supplement;

(3) any security, class or series of securities of the issuer disclosed or required to be disclosed in its issuer profile supplement has ceased to be outstanding and is not subject to issuance at a future date;

(4) there is any other change in the information disclosed or required to be disclosed in its issuer profile supplement.

15. The profile supplement shall include, among other things, the following mandatory information:

- (1) issuer's name;
- (2) name of the insider affairs contact, his or her business address, e-mail address, telephone and fax numbers and his or her confidential question and answer for identification purposes;
- (3) the designation of securities, any change in designation and any reference to the fact that a security, class or series of securities has ceased to be outstanding and is not subject to issuance at a future date.

§5. *Issuer event*

16. As of November 13, 2001, an issuer referred to in section 1 shall file an issuer event report no later than one business day following the occurrence of the event. This report shall include, among other things, mandatory information regarding the event type, details about the event and the effective date of the event.

An issuer event report includes a stock dividend, a stock split, consolidation, amalgamation, reorganization, merger or other similar event that affects all holdings of a class or series of securities of an issuer.

§6. User registration in the system

17. Before filing, an individual who is a filer, filing agent or authorized representative of a filer or of a filing agent shall register as a user by completing a registration form and delivering it to the system operator.

18. The user registration form includes the following mandatory information:

- (1) user name and classification;
- (2) employer name and position held by the user with that employer;
- (3) address, telephone and fax numbers and e-mail address of the user;
- (4) confidential question and answer for identification purposes.

19. For verification purposes, a copy of the registration form in paper format bearing the manual signature of the user is sent to the system operator by mail, by personal delivery or by fax.

DIVISION III SYSTEM FILING EXEMPTION

20. In cases where unanticipated technical difficulties occur or where an issuer fails to file its profile supplement on a timely basis, thereby preventing the timely submission of an insider report in the system, the filer shall file it in paper format as soon as practicable and in any event no later than two business days after the date on which it was supposed to be filed.

21. An insider report that was filed in paper format shall include, among other things, the mandatory information referred to in section 12 and shall be produced on the form provided by the Commission. It must also bear the following legend in capital letters at the top of the front page:

“IN ACCORDANCE WITH SECTION 4.1 OF NATIONAL INSTRUMENT 55-102 SYSTEM FOR ELECTRONIC DISCLOSURE BY INSIDERS (SEDI), THIS INSIDER REPORT IS BEING FILED IN PAPER FORMAT UNDER A TEMPORARY HARDSHIP EXEMPTION”.

22. An insider report that was filed in paper format in accordance with this Division is considered to be filed within the timeframe prescribed by the Act.

23. A filer that makes a paper format filing in accordance with this Division, shall file the insider report in the system as soon as practicable after the unanticipated technical difficulties have been resolved or after the insider has become aware that the issuer has filed its issuer profile supplement.

DIVISION IV PREPARATION AND TRANSMISSION OF FILINGS

24. Filings shall be prepared and transmitted using the software application located at the SEDI Web site.

25. After an issuer profile supplement or an insider profile has been filed, all information filed shall be authenticated using the filer's access key.

DIVISION V FILING OF REPORTS IN PAPER FORMAT

26. An insider report that is not required to be filed in SEDI shall be filed with the Commission in paper format.

27. As of November 13, 2001, all insider reports filed in paper format shall include, among other things, the mandatory information referred to in section 12 and shall be produced on the form provided by the Commission, subject to an exemption set forth by the Act that permits the use of another form.

As of this date, an insider report or a report referred to in section 102 or 103 of the Act shall be prepared in accordance with this form, shall bear a manual signature and shall be sent to the Commission for filing by mail, by personal delivery or by fax.

DIVISION VI TRANSITIONAL PROVISIONS

28. An issuer that is an issuer referred to in section 1 on the date this Regulation comes into effect, shall file an issuer profile supplement in SEDI by November 5, 2001 at the latest.

29. As of November 13, 2001, an insider of an issuer referred to in section 1 that files an insider report, an amended insider report, an insider profile or an amended insider profile, shall use SEDI.

Gouvernement du Québec

O.C. 1248-2001, 17 October 2001

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

**Centre de services judiciaires Gouin
— Holding of the terms and sittings of the Superior
Court as a criminal and penal court**

Holding of the terms and sittings of the Superior Court sitting as a criminal and penal court at the Centre de services judiciaires Gouin in the judicial district of Montréal

WHEREAS, under section 52 of the Courts of Justice Act, (R.S.Q., c. T-16), the terms and sittings of the Superior Court and of the judges thereof shall be held at the chief-place in each judicial district of Québec or at such other place or places as may be fixed by competent authority;

WHEREAS, under section 51 of the Act, the Government may order by order that the terms and sittings of the Superior Court and of the judges thereof be also held at a place in the judicial district other than that in which the chief-place is situated;

WHEREAS, under section 70 of the Act, for the purposes of the administration of justice in criminal matters in first instance and for the purposes of the appeals allowed under Part XXVII of the Criminal Code (Revised Statutes of Canada (1985, c. C-46)), the judges of the Superior Court shall preside over that court in the various districts, which are fixed by order of the Government;

WHEREAS, it is expedient to order that the terms and sittings of the Superior Court and the judges of that court, sitting as a criminal and penal court in the judicial district of Montréal, of which the chief-place is situated in Montréal, be held in the building known as Centre de services judiciaires Gouin, that building being situated in the judicial district of Montréal at 450, boulevard Gouin Ouest, Montréal (Québec);

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

THAT according to the provisions of section 51 and 70 of the Courts of Justice Act, the terms and sittings of the Superior Court and the judges of that court, sitting as a criminal and penal court in the judicial district of

Montréal, of which the chief-place is situated in Montréal, be held in the building known as Centre de services judiciaires Gouin, that building being situated in the judicial district of Montréal at 450, boulevard Gouin Ouest, Montréal (Québec).

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M.O., 2001-024

**Order of the Minister responsible for Wildlife
and Parks dated 12 October 2001**

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

CONCERNING the establishment of the Dunière Wildlife Sanctuary

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING the adoption, under section 81.2 of the Wildlife Conservation Act (R.S.Q., c. C-61), of the Regulation on the Dunière Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 57), amended by Orders in Council 735-83 dated April 13, 1983, 1302-84 dated June 6, 1984 and 859-99 dated July 28, 1999;

CONSIDERING that the Wildlife Conservation Act has been replaced by the Act Respecting the Conservation and Development of Wildlife (R.S.Q., c. C-61.1);

CONSIDERING that under section 186 of the Act Respecting the Conservation and Development of Wildlife every provision of a regulation, order in council, or orders made by the Government under the Wildlife Conservation Act continues to be in force to the extent that it is consistent with this Act;

CONSIDERING that under section 184 of this Act, the provisions of the Wildlife Conservation Act are replaced by the corresponding provisions of the Act Respecting the Conservation and Development of Wildlife;

CONSIDERING that under section 111 of the Act respecting the Conservation and the Development of Wildlife (R.S.Q., c. C-61.1), amended by section 21 of chapter 48 of the Acts of 2000 and by section 218 of chapter 56 of the Acts of 2000, the Minister may establish, after consultation with the Minister of Natural Resources, wildlife sanctuaries on lands in the domain of the State

or on private lands where there exists an agreement to that effect between the Minister and the private land owner; and dedicate them to the conservation, the development and the utilisation of wildlife and accessorially, to the practice of recreational activities;

CONSIDERING that under section 191.1 of the Act, regulations made by the Government under section 111 of this Act, before January 1, 1987, continue to be in force until, as of June 17, 1998, they are repealed or replaced by order of the Minister responsible for Wildlife and Parks;

CONSIDERING that an agreement has been entered into between the Minister and the private land owner foreseeing the inclusion of private lands in the Dunière Wildlife Sanctuary;

CONSIDERING that it is expedient to modify the boundaries of this Wildlife Sanctuary;

CONSIDERING that it is expedient to replace the Regulation on the Dunière Wildlife Sanctuary;

ORDERS that:

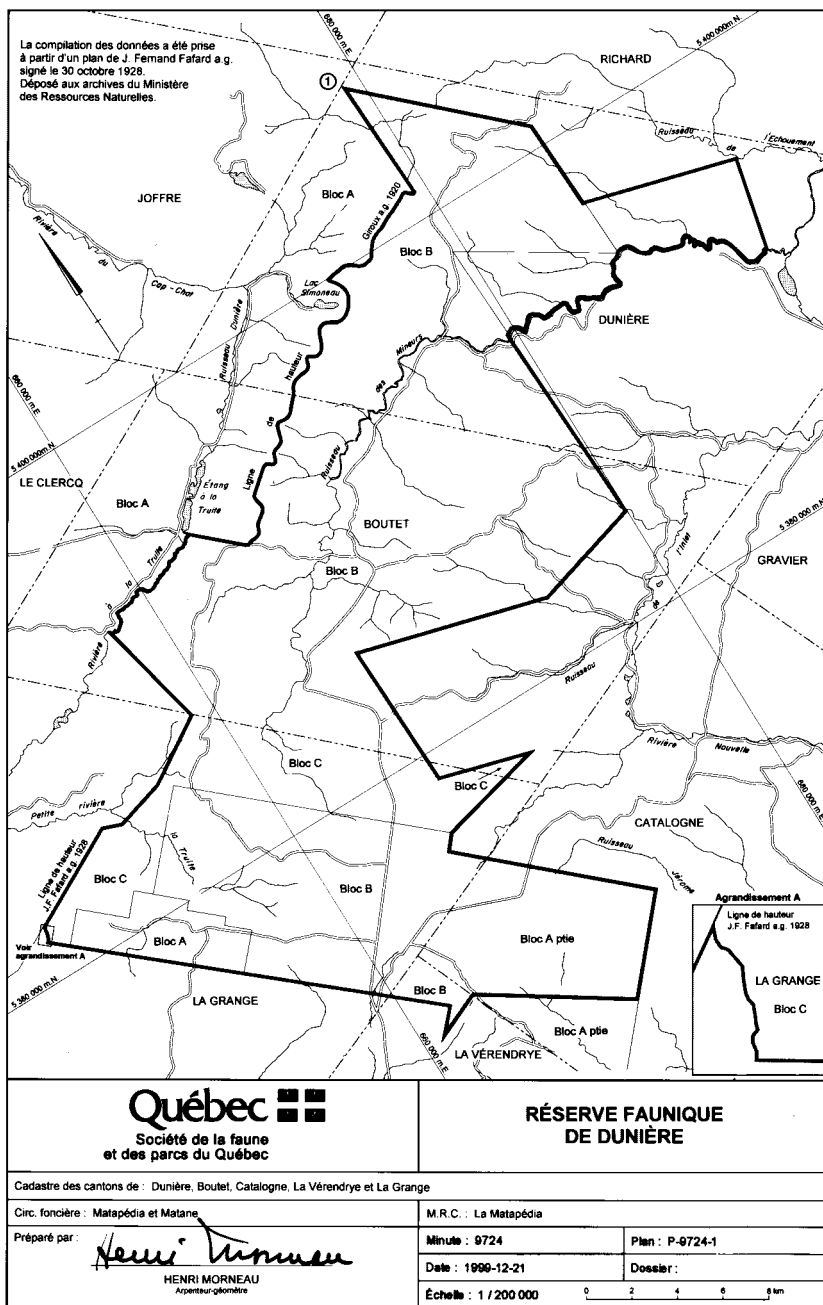
The “ Dunière Wildlife Sanctuary”, whose boundaries are shown on the appended map, be established;

This Order replaces the Regulation respecting the Dunière Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 57), as amended by Orders in Council 735-83 dated April 13, 1983, 1302-84 dated June 6, 1984 and 859-99 dated July 28, 1999;

The present Order comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

Québec, 12 October 2001

*The Minister responsible
for Wildlife and Parks,*
GUY CHEVRETTE



M.O., 2001**Order of the Minister of Justice dated
3 October 2001**

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

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

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

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

CONSIDERING that, in the judicial district of Montréal, the location of the chief-place was fixed at the Court House located at 1, rue Notre-Dame Est, Montréal;

CONSIDERING that, for a better administration of justice in the judicial district of Montréal, it is expedient to authorize the Court of Québec, Criminal and Penal Division to also sit at the Centre de services judiciaires Gouin;

THE MINISTER OF JUSTICE ORDERS :

THAT under the second paragraph of section 138 of the Courts of Justice Act, the Court of Québec, Criminal and Penal Division, be also authorized to sit, in addition to the Court House located at 1, rue Notre-Dame Est, in Montréal, at the Centre de services judiciaires Gouin located at 450, boulevard Gouin Ouest, Montréal (Québec);

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

Sainte-Foy, 3 October 2001

PAUL BÉGIN,
Minister of Justice

Draft Regulations

Draft Regulation

Building Act
(R.S.Q., c. B-1.1)

Regulation — 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 the application of the Building Act, the text of which appears below, may be made by the Government with or without amendment upon the expiry of 90 days following this publication.

The purpose of the draft Regulation is to cause the exemptions related to the application of the draft Regulation to amend the Construction Code, which introduces Chapter V Electricity, to be continued.

The draft Regulation also proposes to subject electrical installations independent of a building which are owned by the Government, its departments and agencies that are mandataries of the Government to the Construction Code. Thus, all the construction work on electrical installations owned by the Government will be subject to the same building standards as those in the private sector.

Further information may be obtained by contacting Jean-Louis Robert, Engineer, Régie du bâtiment du Québec, 800, place D'Youville, 15^e étage, Québec (Québec) G1R 5S3, by telephone at (418) 643-4879 or by fax at (418) 646-9280.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 90-day period, to Alcide Fournier, Chairman, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

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

Regulation to amend the Regulation respecting the application of the Building Act*

Building Act
(R.S.Q., c. B-1.1, s. 182, 1st par., subpar. 1)

1. Section 1 of the Regulation respecting the application of the Building Act is amended by adding the following after subparagraph 3 of the first paragraph:

“(4) for construction work on the electrical installation of an electrical station or a branch used for generating, transmitting, transforming or distributing electric power by a public electricity distribution undertaking and that is carried out by employees of the said undertaking.”.

2. The following is inserted after section 3.3:

“DIVISION II.1 EXEMPTION FROM THE APPLICATION OF CHAPTER V OF THE CONSTRUCTION CODE

3.3.1. The following installations are exempt from the application of Chapter V of the Construction Code, approved by Order in Council (*enter the number and date of the Order in Council*):

(1) electric lighting installations attached to a pole used for electrical power distribution by a public electricity distribution undertaking;

(2) installations used for the operation of a subway and powered exclusively by circuits supplying motive power.

3.3.2. An owner-builder who keeps a register containing the information required for the declaration of work is exempt from that declaration provided for in Chapter V of the Construction Code.”.

* The Regulation respecting the application of the Building Act, made by Order in Council 375-95 dated 22 March 1995 (1995, *G.O.* 2, 1100), was last amended by the Regulations made by Orders in Council 954-2000 dated 26 July 2000 (2000, *G.O.* 2, 4233) and 191-2001 dated 28 February 2001 (2001, *G.O.* 2, 1335). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

3. Section 3.5 is amended by substituting “, their facilities for public use and their electrical installations independent of a building” for “and facilities for public use”.

4. This Regulation comes into force on (*enter the date corresponding to the ninetieth day following the date of its publication in the Gazette officielle du Québec*).

4614

Draft Regulation

Building Act
(R.S.Q., c. B-1.1)

Safety Code

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that Chapter I, Plumbing, and Chapter II, Electricity, of the Safety Code, the text of which appears below, may be approved by the Government, with or without amendment, at the expiry of 90 days following this publication.

The purpose of the draft Regulation is to establish, for the entire Québec territory, the minimum standards applicable to the use of a plumbing system and an electrical installation by an owner in order to insure the security of the public.

Further information may be obtained by contacting Benoît Lagueux, engineer, for plumbing, by telephone at (418) 643-9896 and Jean-Louis Robert, engineer, for electricity, by telephone at (418) 643-4879, Régie du bâtiment du Québec, 800, place D'Youville, 15^e étage, Québec (Québec) G1R 5S3, fax: (418) 646-9280.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 90-day period, to Mr. Alcide Fournier, Chair, Régie du Bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

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

Safety Code

Building Act
(R.S.Q., c. B-1.1, ss. 175, 176, 176.1, 178,
179 and 185, 1st par., subpars. 37 and 38)

CHAPTER I PLUMBING

1. In this Chapter, the terms “fixture”, “back-siphonage preventer or vacuum breaker”, “backflow preventer”, “plumbing system”, “cleanout”, “water system” and “trap” have the meaning given to them by the National Plumbing Code of Canada 1995 as defined by article 3.01 of Chapter III of the Construction Code made pursuant to the Building Act (R.S.Q., c. B-1.1) and, where applicable, amended by article 3.03 of that Chapter.

2. A plumbing system, located in a building or in a facility intended for public use, shall be maintained in good working order, be safe and healthy.

3. A fixture that is not used for an undetermined period or whose trap seal depth in the trap will not be maintained shall be disconnected from its waste and feed pipes which shall be tightly sealed.

4. Accessibility to any valve, vacuum relief valve, back-siphonage preventer or vacuum breaker, backflow preventer, expansion joint, floor drain, sump, interceptor, flush valve or flush tank, water heater, hot water tank or cleanout shall be maintained. Should a construction or permanent obstacle be installed, a trapdoor must allow access for maintenance or repair of that equipment. The same applies for supply or waste connections of a lavatory, sink or laundry tray.

5. All parts of a non-potable water system shall remain distinctively marked.

6. No connection may be made between a supply system of potable water and any other water supply source.

7. A water supply system must be protected from the hazards of being contaminated in accordance with standards CSA-B64.10-01 “Manual for the Selection and Installation of Backflow Prevention Devices” and CSA-B64.10.1-01 “Manual for the Maintenance and Field Testing of Backflow Prevention Devices” published by CSA International, as well as any amendment and future editions that may be published by that agency.

8. Any contravention to a provision of this Chapter constitutes an offence.

CHAPTER II ELECTRICITY

9. In this Chapter, the terms “accessible”, “electrical equipment”, “permanently connected equipment”, “approved”, “hydromassage bathtub”, “therapeutic pool”, “service”, “circuit breaker”, “ground fault circuit interrupter”, “overcurrent device”, “hazardous location”, “readily accessible”, “inaccessible”, “electrical installation”, “swimming pool”, “receptacle” and “alive or live” have the meaning given by the Canadian Electrical Code Part I, Eighteenth Edition, as defined by article 5.01 of Chapter V of the Building Code made under the Building Act (R.S.Q., c. B-1.1) and, where applicable, amended by article 5.04 of that Chapter.

10. An electrical installation shall be used for the purposes for which it was designed and is intended for and it shall be kept in safe and proper working condition.

11. Any electrical equipment used in an electrical installation or any equipment permanently connected to such installation shall be approved for the use for which it is intended.

12. An electrical installation shall be used and maintained so as not to constitute an excessive fire hazard.

13. Any required rectification shall be made to an electrical installation when hazardous operating conditions have appeared due to, in particular, intensive use, wear and tear, obsolescence or modifications.

14. The marking which indicates the minimum ratings of an electrical equipment shall be respected. Where a component of the equipment must be replaced, the features of the new component shall be compatible with those indicated by the marks.

15. A bare live part shall be guarded against any accidental contact or be located in an inaccessible place or compartment.

16. Service entrance equipment, panelboards and distribution equipment shall be readily accessible at all times.

17. Electrical equipment vaults shall not be used for storage purposes.

18. Electrical equipment vaults shall not be maintained at excessive temperatures.

19. Electrical equipment vaults shall be inaccessible.

20. Overcurrent devices shall be of a current rating appropriate for their use. They shall not show obvious signs of damage or overheating. Their connections shall neither be loose nor corroded.

21. Overcurrent devices shall be of a type and current rating appropriate for the protected electrical installation and be replaced, if need be, by devices of the same current rating.

22. A ground fault circuit interrupter shall protect

(1) electrical equipment immersed in a swimming pool;

(2) audio-amplifiers connected to speakers immersed in a swimming pool;

(3) the electrical equipment located within 3 m of the inside walls of a swimming pool and not separated from the pool by a wall, partition or fence;

(4) therapeutic pools and hydromassage bathtubs;

(5) a receptacle outlet located in a bathroom and installed less than 3 m from the bathtub or shower unit. That requirement does not apply to a receptacle combined with an isolating transformer or to an outlet for a washing machine where it is located on the wall behind the machine no more than 600 mm above the floor.

23. Circuit breakers of air conditioning and ventilation installations shall be checked and tested at least once every 12 months so as to make sure that the power supply may be interrupted in case of emergency.

24. Electrical equipment shall comply with Chapter V of the Building Code, if it is in the presence of flammable gases or vapours, airborne combustible dusts or fibres, in sufficient quantity to constitute a fire or explosion hazard.

25. Any contravention to a provision of this Chapter constitutes an offence.

26. This Regulation comes into force on *(enter here the date corresponding to the ninetieth day following the date of its publication in the Gazette officielle du Québec)*.

4613

Draft Regulation

Building Act
(R.S.Q., c. B-1.1)

Building contractors and owner-builders

— Professional qualification

— 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 the professional qualification of building contractors and owner-builders, the text of which appears below, may be approved by the Government with or without amendment upon the expiry of 90 days following this publication.

The draft Regulation amends various provisions of the Regulation respecting the professional qualification of building contractors and owner-builders in the following manner:

— it removes the obligation for a person to give his social insurance number (as of 1 June 2002) and his passport size photograph and deletes the subcategories of licence 4230.3, 4512 and 4519;

— it defines the field of practice of electrical contractors according to Chapter V — Electricity of the Construction Code;

— it allows electrical contractors and piping contractors to carry out related work;

— it allows journeyman electricians to act as guarantors during the application for a builder-owner licence for carrying out building work of an electrical installation;

— it prescribes that certain grounds for suspension, cancellation or non-renewal of a licence do not constitute an obstacle to an exemption from the qualification examinations;

— it prescribes that the exigible fees for a licence shall be established in proportion to the number of valid months where the licence is issued for a term of less than one year;

— it harmonizes section 32 on the application for an owner-builder licence with the vocabulary of the Civil Code in respect of the law of persons.

Further information may be obtained by contacting Guy Pelletier, Director, Direction des programmes et des partenariats, Régie du bâtiment du Québec, 545,

boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2, by telephone at (514) 864-2491 or by fax at (514) 873-1939.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 90-day period, to Alcide Fournier, Chairman and Managing Director, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

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

Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders*

Building Act
(R.S.Q., c. B-1.1, s. 185, pars. 8, 9, 12, 13, 17, 18 and 38)

1. Section 1 of the Regulation respecting the professional qualification of building contractors and owner-builders is amended by adding “and for construction work on an electrical installation by an owner-builder the term “officer” also comprises journeymen electricians who are full-time employees of the owner-builder and are in charge of such work on behalf of the owner-builder” at the end of the definition of “officer”.

2. Section 7 is amended

(1) by striking out “social insurance number,” in paragraph 1;

(2) by striking out “social insurance number” in paragraph 2.

3. Section 15 is amended by adding “with the exception of paragraph 2 of this section as regards the condition provided for in subparagraph 8.1 of the first paragraph of section 58 or in subparagraph 6.2 of the first paragraph of section 60, paragraphs 7 to 10 of section 70 and section 297.3 of the Act” at the end of subparagraph c of paragraph 2.

* The Regulation respecting the professional qualification of building contractors and owner-builders, approved by Order in Council 876-92 dated 10 June 1992 (1992, *G.O.* 2, 2926), was last amended by the Regulation approved by Order in Council 921-2001 dated 31 July 2001 (2001, *G.O.* 2, 4783). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

4. Section 19 is amended by adding “with the exception of paragraph 2 of this section as regards the condition provided for in subparagraph 8.1 of the first paragraph of section 58 or in subparagraph 6.2 of the first paragraph of section 60, paragraphs 7 to 10 of section 70 and section 297.3 of the Act” at the end of subparagraph *c* of paragraph 2.

5. Section 23 is amended by adding “with the exception of paragraph 2 of this section as regards the condition provided for in subparagraph 8.1 of the first paragraph of section 58 or in subparagraph 6.2 of the first paragraph of section 60, paragraphs 7 to 10 of section 70 and section 297.3 of the Act” at the end of subparagraph *c* of paragraph 2.

6. Section 32 is amended

(1) by striking out “social insurance number,” and by substituting “and, where applicable, the number of the declaration of registration filed with the register of sole proprietorships, partnerships and legal persons” for “, his passport size photograph taken during the last six months and, as the case may be, copy of the registration of the corporate name declaration” in paragraph 1;

(2) by substituting “its name, the address of its head office and, where applicable, the number” for “the corporate name, the address of the main place of business and, as the case may be, a copy of the registration of the corporate name declaration or a copy” in paragraph 2;

(3) by substituting “and a statement to the truthfulness of the information he supplies” for “, a statement to the truthfulness of the information he supplies and his passport size photograph taken during the last six months” in paragraph 3;

(4) by substituting “establishment” for “business place” in paragraph 4; and

(5) by inserting the following after paragraph 7:

“(7.1) the address of the work site or sites of which the journeyman electrician is in charge on behalf of the owner-builder;”.

7. Section 34 is amended by inserting “and, where applicable, of each work site of which the journeyman electrician is in charge on behalf of the owner-builder” after “site” in the second paragraph.

8. Section 39 is amended

(1) by substituting “, 11 and 12” for “and 7 to 12” in subparagraph *c* of paragraph 2;

(2) by substituting “, 11 and 12” for “and 7 to 12” in subparagraph *b* of paragraph 3.

9. Section 42 is amended by adding the following paragraph at the end:

“The exigible fees shall be established in proportion to the number of valid months of the licence where the licence is issued for a term of less than one year. A portion of month shall count for one full month.”.

10. Schedule B is amended

(1) by striking out subcategories “4230.3 Air ducts maintenance contractor”, “4512 Construction scaffolding contractor” and “4519 Construction site cleaning up contractor”;

(2) by substituting “electrical contractors” for “master electricians” in subcategories “4250.1 Intercommunication systems contractor”, “4250.2 Telephone systems contractor”, “4250.3 Monitoring systems contractor”, “4250.4 Instrumentation and control systems contractor”, “4252.1 Anti-theft alarm systems contractor”, “4252.2 Fire alarm systems contractor”, “4270 Transportation systems contractor”, “4503 Lighting protection contractor”, “4513 Solid fuel secondary heating appliances installation contractor” and “4517 Underground water pumping systems contractor”;

(3) by substituting the following for subcategory “4284 Electrical contractor”:

“4284 Electrical contractor:

This subcategory includes the construction work on an electrical installation to which Chapter V of the Construction Code approved by Order in Council (*enter the number of the order of approval and the date it was made*) applies, with the exception of maintenance and demolition work. It also includes related construction work.”; and

(4) by adding “It also includes related construction work” at the end of subcategories “4285.10 Warm air heating systems contractor”, “4285.11 Natural gas burner systems contractor”, “4285.12 Oil burner systems contractor”, “4285.13 Hot water and steam heating systems contractor” and “4285.14 Plumbing contractor”.

11. This Regulation comes into force on (*enter the date corresponding to the ninetieth day following the date of its publication in the Gazette officielle du Québec*), with the exception of section 2 and paragraph 1 of section 6 as regards the social insurance number which will come into force on 1 June 2002.

Draft Regulation

Building Act
(R.S.Q., c. B-1.1)

Construction Code — 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 Construction Code, the text of which appears below, may be approved by the Government with or without amendment upon the expiry of 90 days following this publication.

The purpose of the draft Regulation is to establish, throughout Québec, the basic standards applicable to building work on plumbing installations and electrical installations in order to ensure the quality of work and the safety of those installations. Those standards have now been adopted by the Régie du bâtiment du Québec under the Building Act (R.S.Q., c. B-1.1).

Those standards constitute Chapters III and V of the Construction Code which are essentially composed of the National Plumbing Code – Canada 1995 and the Canadian Electrical Code, Eighteenth Edition, to which amendments were made to facilitate the application thereof and to adapt it to the specific needs of Québec and to take the provisions of the Building Act (R.S.Q., c. B-1.1) into account.

Further information may be obtained by contacting Benoît Lagueux, engineer, for plumbing, by telephone at (418) 643-9896 and Jean-Louis Robert, engineer, for electricity, by telephone at (418) 643-4879, Régie du bâtiment du Québec, 800, place D'Youville, 15^e étage, Québec (Québec) G1R 5S3 or by fax at (418) 646-9280.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 90-day period, to Alcide Fournier, Chair, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

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

Regulation to amend the construction Code*

Building Act
(R.S.Q., c. B-1.1, ss. 153, 173, 176, 176.1, 178, 179, 185, 1st par., subpars. 3, 7, 20, 21, 24, 29, 31, 36, 37 and 38, and s. 192)

(a) Sections 1 to 7 of the Construction Code become respectively sections 1.01 to 1.07.

(b) Subparagraph a of paragraph 1 of section 2.1.7.1 of the Code introduced by paragraph 4 of section 1.04 of this Code is amended by substituting “1.02” for “2”.

(c) The following is substituted for section 1.05:

“**1.05** Any violation to one of the provisions of this Chapter is an offence.”.

(d) Sections 1.06 and 1.07 are amended by substituting “section 1.02” for “section 2”.

(e) This Code is amended by inserting the following after section 1.07:

CHAPTER III PLUMBING

DIVISION I INTERPRETATION

3.01 In this Chapter, unless otherwise indicated by the context, “Code” refers to the *Code nationale de la plomberie* – Canada 1995 (CNRC 38728F), including the amendments of August 1999, and the National Plumbing Code of Canada 1995 (NRCC 38728), including the amendments of August 1999, published by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, as well as all subsequent amendments and editions that may be published by that organization.

Notwithstanding the foregoing, amendments and new editions published after the date of coming into force of this Chapter apply to construction work only from the date of the last day of the sixth month following the month in which the French text of those amendments or editions is published.

* No amendments were made to the Construction Code approved by Order in Council 953-2000 dated 26 July 2000 (2000, *G.O.* 2, 4203).

DIVISION II SCOPE OF THE NATIONAL PLUMBING CODE

3.02 Subject to the amendments made by this Chapter, the Code applies to a plumbing system construction work, in buildings or facilities intended for public use covered by the Building Act, and performed as of the date of coming into force of this Chapter.

DIVISION III AMENDMENTS TO THE CODE

3.03 The Code is amended

(1) by revoking Subsections 1.1 and 1.2;

(2) in Article 1.3.2.

(a) by inserting the following after the definition of “Trap”:

“*Construction Code*” means the *Construction Code* made under the Building Act (R.S.Q., c. B-1.1);

(b) by deleting the definition “plumbing contractor”;

(c) by deleting the definition “owner”;

(d) by substituting the following for the definition “suite”:

“*suite*” means a single room or series of rooms of complementary use, occupied by a single tenant or owner, and includes but is not limited to *dwelling units*, individual bedrooms in motels, hotels, rooming and boarding houses, dormitories and single-family dwellings, as well as stores and business and personal services occupancies comprising a single room or a series of rooms.”;

(e) by substituting the following for the definition “occupancy”:

“*occupancy*” means the use or intended use of a *building* or part thereof.”.

(1) in Article 1.3.3.

(1) by inserting the following after “AWWA... American Water Works Association (6666 West Quincy Avenue, Denver, Colorado 80235 U.S.A.)”:

“BNQ.....Bureau de normalisation du Québec (333, rue Franquet, Sainte-Foy (Québec) G1P 4C7)”;

(2) by substituting the following for the acronym “NBC”:

“NBC..... National Building Code of Canada 1995 within the meaning of section 1 of Chapter 1 of the Construction Code, as amended by Division III of that Chapter”; and

(3) by inserting the following after “NFPA..... National Fire Protection Association (1, Batterymarch Park, Quincy, Massachusetts 02269-9101 U.S.A.)”:

“QS..... Québec standard”;

(1) by revoking Subsection 1.4.;

(2) in Article 1.5.1. by substituting “Sections 9.31. and 9.35.” for “Section 9.31.” in the third line of Sentence 1;

(3) by substituting the following for Subsection 1.8.:

“1.8. Plans and Specifications

1.8.1. Requirements

(1) A plumbing contractor or owner/builder may not begin construction work related to a *plumbing system* to which Chapter III of the Construction Code applies, unless there are plans and specifications for the work, where the total hydraulic load to be installed exceeds a *fixture unit* of 180.

1.8.2. Contents

(1) Plans shall be drawn to scale and shall show

(a) a horizontal view of the location and dimension of the drains and *cleanouts*, the location of *fixtures* and the *water distribution system*,

(b) a vertical view of the location of *fixtures* and *traps*, the dimension of drains, *leaders*, *soil-or-waste stacks* and vent stacks, as well as the *water distribution system*, and

(c) the connection of the *subsoil drainage pipe*.”;

in Article 1.9.3.

(1) by inserting the following in Table 1.9.3. after the document incorporated by reference “ASTM D 3261-93”:

“

BNQ	BNQ 2613-090 (1983)	Tuyaux et raccords en fonte pour canalisations sous pression – Revêtement interne au mortier de ciment – Prescriptions générales	2.6.4.2)
BNQ	NQ 2622-126 (1999)	Tuyaux et branchement latéraux monolithiques en béton armé et non armé pour l'évacuation des eaux d'égout domestiques et pluvial	2.5.3.1)
BNQ	NQ 3619-280 (1991)	Séparateurs de graisse- Critères de performance	2.3.2.
BNQ	NQ 3623-075 (1986)	Raccords en fonte grise pour canalisations sous pression	2.6.4.3)
BNQ	NQ 3623 085 (1993)	Tuyaux en fonte ductile pour canalisations sous pression	2.6.4.1)
BNQ	NQ 3623 095 (1985)	Raccords en fonte ductile pour canalisations sous pression	2.6.4.3)
BNQ	NQ 3624-027 (2000)	Tuyaux et raccords en polyéthylène (PE) – Tuyaux pour le transport des liquides sous pression – Caractéristiques et méthodes d'essais	2.5.5. 1)
BNQ	NQ 3624-120 (2000)	Tuyaux et raccords en polyéthylène (PE) – Tuyaux à profil ouvert ou fermé à paroi intérieure lisse pour l'égout pluvial et le drainage des sols – Caractéristiques et méthodes d'essais	2.5.10.1)
BNQ	NQ 3624-130 (1997) (Modificatif N° 1/98)	Tuyaux et raccords rigide en poly (chlorure de vinyle) (PVC) non plastifié, de diamètre égal ou inférieur à 150 mm, pour égouts souterrains	2.5.10.1)
BNQ	NQ 3624-135 (2000)	Tuyaux et raccords en poly (chlorure de vinyle) non plastifié (PVC-U) – Tuyaux de 200 mm à 600 mm de diamètre pour égouts souterrains et drainage des sols – Caractéristiques et méthodes d'essais	2.5.10.1)
BNQ	BNQ 3624-160 (1984)	Tuyauterie en thermoplastique – Manchons de dilatation pour installations d'évacuation des eaux usées	2.5.12.1)
BNQ	NQ 3624-250 (2000)	Tuyaux et raccords en poly (chlorure de vinyle) non plastifié (PVC-U) – Tuyaux rigides pour adduction et distribution de l'eau sous pression – Caractéristiques et méthodes d'essais	2.5.7.1)
BNQ	NQ 3632-670 (1990)	Soupapes de retenue	4.6.4.
BNQ	NQ 3667-150 (1986)	Réservoirs pour les chauffe-eau domestiques	6.1.7.
BNQ	BNQ 3751-150 (1982)	Adhésifs à solvant pour tuyaux et raccords en plastique acrylonitrile-butadiène-styrène (ABS)	2.5.10.1) 2.5.12.1)
BNQ	BNQ 3751-155 (1982)	Adhésifs à solvant pour tuyaux et raccords en plastique polychlorure de vinyle (PVC)	2.5.10.1) 2.5.12.1)
BNQ	BNQ 3751-160 (1983) (Modificatif N° 1/83)	Adhésifs à solvant pour tuyaux et raccords sans pression – Collage des joints de transition entre les réseaux de tuyauterie en plastique ABS et PVC	2.5.11.1)

”; and

(2) by adding the following after Sentence 1 :

“(2) The BNQ standards inserted in Table 1.9.3. are also recognized as if they had been incorporated by reference to the corresponding Articles indicated in that table.”;

(1) by adding the following after Subsection 1.9.:

“1.10. Approval of materials

1.10.1. Approved materials, fixtures and apparatuses

(1) In a *plumbing system*, only materials, fixtures or apparatuses which are recognized or certified, under a standard mentioned in Table 1.9.3., by one of the following bodies, may be used:

- (a) Canadian Standards Association (CSA);
- (b) Canadian Gas Association (CGA);
- (c) Bureau de normalisation du Québec (BNQ);
- (d) Underwriters’ Laboratories of Canada (ULC);
- (e) National Sanitation Foundation (NSF);
- (f) Canadian General Standards Board (CGSB);
- (g) Intertek Testing Services NA Inc. (ITS);
- (h) Underwriters Laboratories Inc. (UL); and
- (i) any other body accredited by the Canadian Standards Association as a certifying body in the field of plumbing.

1.11. Declaration of work

1.11.1. Scope

(1) A plumbing contractor shall declare to the *Régie du bâtiment du Québec* his construction work to which Chapter III of the Construction Code applies where the work pertains to a new *plumbing system* or require the replacement of a water heater or pipes.

1.11.2. Forwarding method

(1) The declaration required in Article 1.11.1 shall be forwarded to the Board no later than on the 20th day of the month following the date on which the work begins.

1.11.3. Form

(1) The declaration of work may be made on the form provided for that purpose by the Board or on any other document drawn up for that purpose.

1.11.4. Content

(1) The declaration shall contain the following information:

(a) the address of the *building* or facility intended for public use, if any, and the lot number of the place where the work is performed;

(b) the name, address and telephone number of the person for whom the work is carried out;

(c) the name, address, telephone number and licence number of the plumbing contractor;

(d) the expected beginning and end dates of the construction work;

(e) the nature and type of work;

(f) the *occupancy* of the *building* or facility intended for public use, its classification according to the code referred to in Chapter I of the Construction Code, the number of storeys and the existing and proposed *building areas*; and

(g) the number of *fixtures* and *service water heaters* to be installed.

1.12. Inspection fees

1.12.1. Calculation

(1) The following fees shall be paid to the Board, by the plumbing contractor, for the inspection of the construction work pertaining to *plumbing systems*, for which a declaration is required under section 1.11.1:

(a) \$113 for a new detached, semi-detached or single-family dwelling;

(b) \$69 per *dwelling unit* other than those referred to in Clause a in the case of the construction of a new *building* intended for housing or in the case of the conversion of a *building* of another nature into a *building* intended for housing, no matter the number of *fixtures* and *service water heaters*; and

(c) in the case of work other than work referred to in Clauses *a* and *b*:

i. \$9.10 per *fixture* or *service water heater*, where the work is done on more than one; and

ii. \$15.60 where the work is done on only one or no *fixture* or *service water heater*.

(2) A plumbing contractor shall pay the following inspection fees to the Board, for the inspection of a *plumbing system* made following the issue of a remedial notice provided for in section 122 of the Building Act:

(a) \$118 for the first hour or any fraction thereof;

(b) \$59 for each additional half-hour or any fraction thereof; and

(c) \$56 for each trip and

(3) A plumbing owner/builder shall pay to the Board the inspection fees fixed in Clauses *a*, *b* and *c* of Sentence 2 for the inspection of a *plumbing system*, and

(4) Anyone who applies for the approval of a material, fixture or plumbing apparatus that cannot be certified or approved by one of the bodies mentioned in section 1.10.1, shall pay to the Board approval fees corresponding to the amounts established in subparagraphs *a*, *b* and *c* of paragraph 2.

1.12.2. Transmission

(1) The fees exigible under Sentence 1.12.1. 1 shall be included in the declaration of work required under Article 1.11.1.

(2) The fees exigible under Sentence 1.12.1. 2, 3 and 4 shall be paid to the Board no later than 30 days after the billing date.

1.12.3. Indexing

(1) The fees exigible under Article 1.12.1. shall be increased on 1 January of each year on the basis of the percentage of increase in the average Consumer Price Index for Canada published by Statistics Canada under the Statistics Act (R.S.C., 1985, c. S-19), for the period ending on 30 September of the preceding year in relation to the 12 months of the year preceding the latter. The increase shall take effect on 1 January.

(2) The fees thus increased shall be rounded off as follows:

(a) where the amount is less than or equal to \$35, it shall be increased or reduced to the nearest multiple of \$0.10; and

(b) where the amount is greater than \$35, it shall be increased or reduced to the nearest dollar.

(3) The Board shall publish the result of the indexing calculated under this Article in the *Gazette officielle du Québec*;

(1) in Article 4.2.1.

(1) by deleting the word “or”, in Subclause *v* of Clause *e* of Sentence 1;

(2) by inserting the following Subclauses after Subclause *vi* of Clause *e* of Sentence 1:

“vii. a drain or overflow from a swimming or wading pool or a floor drain in the walk around it, or

“viii. a drain from the pit of an elevator, of a dumb-waiter or of an elevating device.”;

(3) by substituting the following for Sentence 2:

“(2) A connection is allowed in the *offset* of a deviated *soil-or-waste stack*, only at more than

(a) 1.5 m from the base of the upper section of that *soil-or-waste stack* or from another connection receiving *sewage* from another *soil-or-waste stack*, or

(b) 600 mm higher or lower than the *nominally horizontal* part, in the upper or lower vertical section of that deviated *soil-or-waste stack*.”; and

(4) by adding the following Sentences after Sentence 3:

“(4) A connection is allowed only at more than

(a) 1.5 m from the bottom of a *soil-or-waste stack* in a *building drain* or a *branch* that receives *sewage* from that *soil-or-waste stack*; and

(b) 600 mm from the top of the *building drain* or the *branch* to which that *soil-or-waste stack* is connected.

“(5) The *fixture drain* of a floor drain or of an appliance without a flushing system shall have a *nominally horizontal* part of at least 450 mm in *developed length*, measured between the trap and its connection into a *nominally horizontal offset*, a *branch* or a *building drain*. The *developed length* of a floor drain shall be increased to 1.5 m if it is connected less than 3 m from the bottom of a *soil-or-waste stack* or from a *leader*.”;

(1) in Article 4.5.4. by adding the following Sentence after Sentence 1:

“(2) A *sanitary drainage system* or a *combined building drain* shall not be equipped with a *building trap*.”; and

(11) by adding the following Article after Article 4.9.4.:

“4.9.5. Size of the main stack

(1) At least one *soil-and-waste stack* extending into a *stack vent* shall have a minimum *size* of 3 inches up to the outlet on the roof.

(2) That main stack shall be as far as possible from the *building sewer*.”.

DIVISION IV PENAL

3.04 Any infringement of any of the provisions of this Chapter, except for Subsection 1.12. introduced by paragraph 8 of section 3, constitutes an offence.

CHAPTER V ELECTRICITY

SECTION I INTERPRETATION

5.01 In this Chapter, unless the context indicates otherwise, “Code” means the Canadian Electrical Code, Part 1, Eighteenth Edition, CSA Standard C22.1-98 published by the Canadian Standards Association, as well as any subsequent amendments and editions that may be published by that organization.

However, any amendments and new editions published after the date of coming into force of this Chapter will only apply to construction work effective from the date corresponding to the last day of the sixth month following the month of publication of the French text of those amendments or editions.

SECTION II APPLICATION OF THE CANADIAN ELECTRICAL CODE

5.02 Subject to the exemptions provided for by regulation made by the government under subparagraph 1 of the first paragraph of section 182 of the Building Act (R.S.Q., c. B-1.1), the Code applies to any construction work to an electrical installation as defined in the Code to which that Act applies and which are carried out effective from the date of coming into force of this Chapter.

SECTION III AMENDMENTS TO THE CODE

5.03 Any reference in the Code to the NBC (National Building Code) is a reference to the Code specified in Chapter I of the Building Code, as amended by Section III of this Chapter.

5.04 The Code is amended:

(1) in Section 0:

(1) by deleting “Scope”;

(2) by substituting the following for the definition of “**Electrical Installation**”:

“**Electrical installation** means the installation of any wiring in or upon any land or in a building from the point or points where electric power or energy is delivered therein or thereon by the supply authority or from any other source of supply, to the point or points where such power or energy can be used therein or thereon by any electrical equipment and shall include the connection of any such wiring with any of the said equipment, and any part of the wiring aforesaid, as well as any baseboard heater, heating panel or luminaire.”;

(3) by deleting the definition “**Permit**”; and

(4) by deleting the definition “**Current-permit**”;

(2) by deleting Rule 2-000;

(3) by substituting the following for Rule 2-004:

“**2-004 Declaration of Work.** An electrical contractor or ownerbuilder shall declare to the Régie du bâtiment du Québec the construction work he has carried out and to which Chapter V of the Building Code applies, except for the work specified in an application for a connection with an electrical public supply authority or for work not requiring the replacement or addition of wiring.

(1) The declaration shall contain the following information:

(a) The address of the worksite;

(b) The name, address and telephone number of the person for whom the work is carried out;

(c) The name, address, telephone number and licence number of the electrical contractor or owner-builder;

(d) The dates set for the beginning and end of the construction work;

(e) The nature and type of work, in particular the type of work and a description of the powers to be installed; and

(f) The use of the building or installation, its number of stories and dwellings.

(2) It shall be permitted to make the declaration on the form provided by the Board or on any other document drawn up for that purpose.

(3) The declaration of work shall be sent to the Board no later than on the twentieth day of the month following the date on which the work begins.”.

(4) by deleting Rule 2-006;

(5) by substituting the following for Rule 2-008:

“2-008 Levies and Fees.

(1) The levy which every electrical contractor shall pay annually to the Régie du bâtiment du Québec is \$600 plus an amount corresponding to 2 1/2% of his total wages.

For the application of this Rule, “total wages” means the total of all wages paid, before deductions, to journeymen and electrical apprentices carrying out construction work to an electrical installation, including hourly or piece work rates, commissions, bonuses, holiday pay and any other form or remuneration. The total annual salary paid to a journeyman or an apprenticed electrician by an electrical contractor is considered to be paid to a person assigned to construction work to an electrical installation.

The following payments are not included in total wages:

(a) To a person who qualifies an electrical contractor because of his technical knowledge for the issue of a licence; and

(b) For construction work to an electrical installation at a hydroelectric station under construction.

(2) An electrical contractor renting the services of journeymen or apprenticed electricians through a third person who does not hold a licence shall include rental costs in calculating the total wages.

(3) The fixed amount of the levy prescribed in Subrule 1 is established on a prorata basis of the number of months for which the licence is valid. Part of a month is deemed to be a whole month.

In case of voluntary renunciation of a holder’s licence, the validity period of the licence is deemed to have ended on the date on which the Board receives notification to that effect.

(4) An electrical contractor shall pay the levy prescribed in this Rule, sending his payments to the Board no later than:

(a) 31 May;

(b) 31 August;

(c) 30 November; and

(d) 28 February.

The payment for 31 May shall be calculated using the total wages from 1 January to 3 March of the current year, that of 31 August on the basis of the total wages from 1 April to 30 June of the current year, that of 30 November on the basis of the total wages from 1 July to 30 September of the current year and that of 28 February on the basis of the total wages from 1 October to 31 December of the preceding year. Each payment must also include the portion applicable to the fixed amount of the levy.

An electrical contractor must also provide with each of his payments a written declaration indicating the portion of the total wages applicable to each journeyman or apprenticed electrician identified by name and social insurance number.

Where a licence is obtained during the year, other than a renewal, an electrical contractor must make his first declaration and his first payment on the first date specified in the first paragraph following the date of issue of the licence, provided that at least two months separates these two dates.

(5) If the electrical contractor fails to send to the Board the declaration prescribed in this Rule or if the Board has reasons to doubt the accuracy of the declaration, the Board makes an estimate of the electrical contractor’s total wages. In this case, the onus is upon the electrical contractor to prove that the estimate is incorrect.

(6) Where it is established that an electrical contractor’s total wages differ from the amount used to establish the levy, the Board bills or credits, as the case may be, an amount equal to the difference between the amount levied and the amount calculated according to the actual total wages.

(7) The levy which the electrical contractor must pay annually to the Régie du bâtiment du Québec is \$450 plus a \$118 hourly rate for the first hour of inspection or fraction thereof, a \$59 rate for each half hour of inspection or fraction thereof and a \$59 rate for each trip related to an inspection visit or counter-visit.

(8) An electrical contractor or an owner-builder shall pay, to the Board, for the inspection of construction work to an electrical installation made following the issue of a remedial notice provided for in Section 122 of the Building Act, inspection fees of \$118 for the first hour or any fraction thereof, \$59 for each additional half-hour or any fraction thereof, and fees of \$56 for each trip.

(9) For approval of the electrical equipment specified in Rules 2-024 and 2-026 which is not already approved by an organization specified in Rule 2-028(1), the fees are \$118 for the first hour or fraction thereof, \$59 for each additional half hour or fraction thereof, plus \$56 for each trip and \$7 for each mark of approval affixed by the Board.

(6) by deleting Rules 2-010 and 2-012;

(7) by substituting the following for Rule 2-014:

“2-014 Plans and Specifications. An electrical contractor or owner-builder shall not be permitted to begin construction work to an electrical installation governed by Chapter V of the Building Code unless plans and specification have been drawn up for that work, where the installation requires a service line exceeding 200 kW.

Those plans and specifications shall contain the following information:

(1) The name and address of the person responsible for drawing them up;

(2) The type of building or electrical installation and the site where the work will be carried out;

(3) The location of the service and distribution;

(4) The supply voltage and the single line diagram of the service and distribution;

(5) The loads, the rating of the protection and the identification of the feeder and branch circuits at their respective panelboards;

(6) The rated power of each apparatus;

(7) The type and size of raceways used;

(8) The number and rating of conductors used in the raceways;

(9) The rating of cables;

(10) The type of materials, accessories or fixtures installed in hazardous locations;

(11) The size and location of grounding conductors;

(12) A description of all underground parts of the installation;

(13) For an addition to an existing electrical installation, any information related to the part of the installation concerned by the works and a report on the existing loads or of the maximum demand loads of the existing installation recorded for the last twelve months;

(14) For an electrical installation of more than 750 volts, the vertical and horizontal clearances of live parts, and a description of the grounding and of the mechanical protection of live parts.”;

(8) by deleting Rules 2-016 to 2-020;

(9) by substituting the following for Rules 2-024 to 2-028:

“2-024 Approval of Electrical Equipment used in an Electrical Installation or Designed to Derive Energy from an Electrical Installation.

(1) All electrical equipment used in an electrical installation shall be approved for the purpose for which it is to be used.

(2) It shall not be permitted to sell or rent electrical equipment which has not been approved. Moreover, it shall not be permitted to use equipment which has not been approved in an electrical installation or to connect it permanently to such an installation.

However, for purposes of exhibition, presentation or demonstration, electrical equipment shall be permitted to be used without prior approval provided that it is accompanied with a notice containing the following warning in characters written at least 15 mm high: “NOTICE: This electrical equipment has not been approved for sale or rental as required in Chapter V - Electricity – of the Building Code.”.

(3) This Rule does not apply to any electrical equipment whose power does not exceed 100 volt-amperes and whose voltage does not exceed 30 volts, with the exception of:

(a) lighting fixtures, thermostats incorporating heat anticipators, electromedical apparatus and apparatus installed in a hazardous location as defined in this Code; and

(b) lighting fixtures and electromedical apparatus designed to derive energy from an electrical installation.

2-026 Approval of a Prefabricated Building. A prefabricated building on which construction work to an electrical installation has not been carried out by an electrical contractor shall not be permitted to be sold, rented, exchanged or acquired unless it has been approved.

2-028 Mark of Approval :

(1) Any electrical equipment or prefabricated building is deemed approved if it has received certification by one of the following organizations :

- (a) The Canadian Standards Association (CSA);
- (b) The Underwriters' Laboratories of Canada (ULC);
- (c) The Canadian Gas Association (CGA);
- (d) Intertek Testing Services NA Ltd (WH, cETL);
- (e) Underwriters Laboratories Incorporated (cUL);
- (f) Entela Canada Inc. (cEntela);
- (g) OMNI-Test Laboratories, Inc. (cO-TL);
- (h) MET Laboratories, Inc. (cMET);
- (i) TUV Rheiland of America Inc. (cTUV); and
- (j) Any other certification organization accredited by the Standards Council of Canada, whose seal or label of approval or certification affixed on a product attests to the product's compliance with Canadian standards, and where that organization has notified the Board of its accreditation.

Any electrical equipment on which a label is affixed stating that, without being certified by one of the organizations specified in Subrule 1, the equipment is deemed to comply with the requirements of Standard SPE-1000-99 Model Code for the Field Evaluation of Electrical Equipment published by the Canadian Standards Association or any future amendment or edition published by that organization.

(2) However, approval is not required for each component of electrical equipment where that equipment has received general approval.

(10) by inserting, after Rule 2-118, the following :

“2-119 Switches or Other Control Devices. Walls or ceilings enclosing a shower or forming the perimeter of the space above or around a bathtub shall be free of switches or other control devices.”.

(11) by adding, in Rule 4-022, the following subrules :

(5) Where the supply authority requires a neutral conductor between the main switch and the meter box, it shall be permitted to use a No. 12 or larger AWG copper conductor if used for metering purposes only.

(6) Notwithstanding Subrule (3), for underground consumer's service rated at more than 600 A and fed by conductors in parallel, each neutral conductor shall be of the size specified in Table 66.”;

(12) by substituting the following for Rule 6-102 :

“6-102 Number of Low-Voltage Connecting Points Permitted

(1) A building shall not have more than one connecting point of the same voltage, from the same system.

(2) However, an additional connecting point shall be permitted to be installed to supply :

(a) A fire pump and, if the case arises, fire alarm systems and emergency lighting systems;

(b) One portion of a building, separated from all other portions of the building by a wall in which there are no openings other than those required for the piping system or conductors for an alarm or communication system, when the building is not more than 4 storeys high and contains only dwelling units; and

(c) A suite of a building in which no other suite is located below or above such suite and which is separated from all other suites by a wall in which there are no openings other than those required for the piping system or conductors for an alarm or communication system.

(3) Where a building is equipped with several connecting points of the same voltage from different systems :

(a) Each suite shall be supplied from only one connecting; point;

(b) A permanent diagram of the connecting points shall be posted near each main service box and all the locations or equipment being supplied from each of these points shall appear on such diagram; and

(c) The diagram prescribed in paragraph *b* is not required for a building described in Subrule (2)*b* and in Subrule (2)*c*.”;

(13) by substituting the following for Rule 6-104:

“6-104 Number of Consumer’s Services Permitted In or On a Building

(1) The number of low voltage consumer’s services terminating at any one overhead supply service run to a building shall be limited to the following factors:

(a) The total load calculated in accordance with the Code shall not exceed 600 A; and

(b) The number of conductors connected to a supply service conductor shall not exceed four.

(2) In case of change to the electrical installation of a building with more than four conductors connected to one supply service conductor, it shall be permitted to replace those conductors provided that the total number is not increased and that the total load calculated in accordance with the Code does not exceed 600 A.”;

(14) in Rule 6-112(2), by substituting “8 m” for “9 m”.

(15) in Rule 6-206:

(1) by inserting, in Subrule (1)*c*, after the expression “less than 2 m,”, the words “except in existing buildings.”;

(2) by deleting, in Subrule (1)*d*, the words “,where there is a deviation allowed in accordance with Rule 2-030”;

(16) by substituting the following for Rule 6-300(1)*a*:

(a) Of a type for use in wet locations in accordance with Table 19; and

i. Installed in rigid conduit; and

ii. Subject to Section 18, installed in nonmetallic rigid conduit or electrical nonmetallic tubing, for the underground part; or”;

(17) by substituting the following for Rule 6-302(2):

“(2) Unless installed on existing trestles, any portion of the consumer’s service conductors on the supply side of the consumer’s service head shall not form an exposed wiring on the outside surfaces of a building.”;

(18) by inserting, at the beginning of Rule 6-308, the words “Except for 347/600 V underground consumer’s service.”;

(19) by substituting the following for Rule 6-312(1):

“(1) The consumer’s service raceway shall be sealed; where it enters the building above grade level, it shall also be drained outdoors.”;

(20) by adding, at the end of Rule 8-106(8), the following sentence:

“This method of calculation shall also be permitted for the replacement of an existing service or feeder.”.

(21) by substituting the following for Rule 8-200(1)*b*:

“(b) i. 100 A; or

ii. 60 A where the living area is less than 80 m², except where the total calculated load exceeds 60 A; the minimum ampacity shall be 100 A.”;

(22) in Rule 8-202:

(1) by substituting, in Subrule 2, the words “with Subrules 1 and 3” for the words “with Subrule 1”;

(2) by inserting, in Subrule (3)*d*, after “75%”, the words “, except automobile heater receptacles which are included in the basic load of each dwelling”;

(23) in Rule 8-204(1)*a*, by substituting “30 W/m²” for “50 W/m²”;

(24) by substituting the following for Rule 8-302(2):

“(2) Notwithstanding Rule 8-104(3), clothes dryer and storage-tank water heater loads shall be considered to be continuous load.”;

(25) in Rule 8-400:

(1) by deleting Subrule (1)*a*;

(2) by substituting the following for Subrules 3, 4 and 5:

“(3) For the purpose of Subrules 4 and 5, two single receptacles are considered as one duplex receptacle.

(4) Service conductors or feeder conductors shall be considered as having a basic load of:

(a) 1300 W for each of the first 30 duplex receptacles; plus

(b) 1100 W for each of the next 30 duplex receptacles; plus

(c) 900 W for each of the remaining duplex receptacles.

(5) When the load is controlled, the ampacity of service conductors or feeder conductors shall:

(a) Be determined in accordance with Subrule 4, considering only the maximum number of duplex receptacles that can be supplied simultaneously; or

(b) Be 125% of the maximum load allowed by the controller when a load controller is used.”;

(26) in Rule 10-404, by adding the following subrule:

“(3) Notwithstanding Subrule 2, the installation of a bonding conductor outside an underground raceway shall be permitted provided that the conductor meets the requirements of Rule 10-808(5) and (6).”;

(27) in Rule 10-702, by adding the following subrule:

“(7) Notwithstanding Subrule 3, it shall be permitted, for structures, to use a rod electrode consisting of a single rod having a resistance to ground of 25 Ω or less.”;

(28) in Rule 10-808, by adding:

(1) in Subrule 5, the following paragraph:

“(c) If direct buried conductors, be not smaller than No. 6 AWG.”;

(2) in Subrule 6, the following paragraph:

“(c) If bare, not be used in an underground installation.”;

(29) by adding, at the beginning of Rule 10-1102(1), the words “Subject to Rule 10-204(1) (b).”;

(30) by substituting the following for Rule 12-012(11):

“(11) The presence and location of underground installations shall be indicated by means of a tape buried half-way between the installations and grade level, or by any other similar method.”;

(31) in Rule 12-108, by adding the following subrule:

“(4) Where the size of neutral conductors is determined in conformity with Rule 4-022, the installation of parallel neutral conductors smaller than No. 1/0 AWG shall be permitted.”;

(32) by substituting the following for Rule 12-312:

“**12-312 Conductors Over Buildings.** Only conductors entering a building shall be permitted to be installed over the building.”;

(33) by substituting the following for Rule 12-504:

“**12-504 Use of Nonmetallic Sheathed Cable.** Nonmetallic sheathed cable shall meet the requirements provided for in Rule 2-126.”;

(34) by inserting, after Rule 12-506, the following:

“**12-507 Wiring Methods in Barns and in Buildings Housing Livestock or Poultry.** Nonmetallic sheathed cable shall be protected against the action of rodents by rigid conduit or electrical metallic tubing when they are:

(a) Located less than 300 mm from any surface capable of giving support to rodents;

(b) Located, notwithstanding Paragraph *a*, on the side of structural elements less than 100 mm from the upper surface of those elements; or

(c) Run through walls and floors or concealed in walls or floors.”;

(35) by substituting the following for Rule 12-1402(1)*b*:

“(b) In class I and II hazardous locations.”;

(36) by substituting the following for Rule 12-2204(3):

“(3) Subject to the provisions of Rule 2-126, conductors without metal coverings having moisture-resistant insulation of a type listed in Table 19 shall be permitted in ventilated or non-ventilated cable trays where not subject to damage during or after installation in:

(a) Electrical equipment vaults and service rooms; and

(b) Other locations which are inaccessible to the public and are constructed as a service room.”;

(37) in Rule 12-3036, by adding the following subrule:

“(7) Notwithstanding Subrule 2, it shall be permitted to install up to four No. 14 AWG conductors in a box having dimensions of 3 inches in length, 2 inches in width and 1 1/2 inches in depth, containing not more than one connector with insulating cap and one flush-mounted device having a maximum thickness of 1 inch between the strap and the back of the device.”;

(38) in Rule 14-100*b iv*, by inserting the word “metal” before the word “raceway”;

(39) in Rule 18-010:

(1) by inserting, in the text preceding Paragraph *a* and before the words “Class III”, the figure “(1)”;

(2) by adding the following subrules:

“(2) For permanently installed woodworking machines, the volume within a vertical cylinder centered around the dust-producing parts of the machine is considered as a Class III, Division 1, location:

(a) When this machine is used for sanding, the radius and height of the cylinder above the floor shall be 3.6 m if the machine is equipped with a dust collector or 9 m in all other cases; and

(b) For other types of machines, the radius and height of the cylinder above the floor shall be 1.8 m if the machine is equipped with a dust collector or 4.5 m in all other cases.

(3) Sawmills in which humidity is excessive shall be considered as Section 22 locations.

(4) The dust collector referred to in Subrule 2 shall be connected to a dust removal system to avoid any dust accumulation in the cylinder.”;

(40) in Rule 18-302(1), by inserting, after the words “electrical metallic tubing”, the words “with rain-tight coupling and connectors”;

(41) by adding, at the end of Rule 20-104, the following sentence:

“However, in areas where the type of work is not likely to produce leakage or spillage of flammable liquids, it shall be permitted to install totally enclosed gasketed lighting fixtures in pits or depressions below floor level.”;

(42) by substituting the following for Rule 22-204(5):

“(5) Nonmetallic sheathed cables shall be installed in accordance with Rule 12-507.”;

(43) by deleting Rule 26-008;

(44) in Rule 26-700:

(1) by substituting the following for Subrule (13):

“(13) Except for receptacles installed in accordance with Rule 26-7029(15), receptacles located in bathrooms and installed within 3 m of bathtubs or shower stalls shall be protected by a ground fault circuit interrupter of the Class A type.”;

(2) by adding the following subrule:

“(14) Receptacles installed within 1 m of a washbasin shall be protected by a ground fault circuit interrupter of the Class A type.”;

(45) in Rule 26-702:

(1) by substituting, in Subrule 13, the words “within 1 m” for the words “adjacent to”;

(2) by adding, in Subrule 18, the words “ground floor” before the words “single dwelling”;

(3) by substituting the following for Subrule (20):

“(20) At least one duplex receptacle shall be provided in each garage or carport of single family dwellings.”;

(46) in Rule 26-704(10), by deleting the words “carport or”;

(47) in Rule 28-108(3), by deleting the words “by special permission.”;

(48) in Rule 28-604(4), by substituting the words “it is capable of safely making and interrupting the locked rotor current of the connected load and is capable of being locked in the open position.” for “it is capable of safely making and interrupting the locked rotor current of the connected load, is capable of being locked in the open position, and it can be demonstrated that location in accordance with Subrule 3 is clearly impracticable.”;

(49) in Rule 30-326(3), by substituting the words “shall be located in accordance with Rule 2-119.” for the words “shall not be located within reach of a person in a shower or bathtub.”;

(50) at the end of Rule 30-1002(1), by adding the following sentence:

“However, when the rated ampacity of the service does not exceed 100A, it shall be permitted to locate the service equipment at a pole top.”;

(51) in Rule 30-1028, by adding the following subrule:

“(3) It is not required to connect the service neutral to a grounding electrode when the service equipment is located at a pole top. In such cases, the grounding of the service equipment shall be ensured by the grounded circuit conductor.”;

(52) by deleting Rule 30-1120;

(53) in Rule 32-000, by substituting the following for Subrule (1):

“(1) This Section applies to the installation of fire pumps required by the Chapter I of the Building Code”;

(54) by deleting Rules 32-100 to 32-110;

(55) by deleting Rule 36-300(2)*d*;

(56) by deleting Section 38;

(57) by deleting Rule 44-100;

(58) by deleting Section 54;

(59) in Rule 56-200, by deleting:

(1) in Subrule 1*a*, the words “not exceeding 750 V”;

(2) in Subrule 2*a*, the words “not exceeding 750 V”;
and

(3) Subrule 3;

(60) by deleting Rule 56-202(1)*c*;

(61) in Rule 56-204(1), by deleting the words “not exceeding 750 V”;

(62) by deleting Rule 60-108;

(63) by deleting Rules 60-500 to 60-510;

(64) by deleting Rules 60-600 to 60-604;

(65) in Rule 62-102, by inserting the following after the definition of “series heating cable set”:

“**Wire mesh heating system** means a heating system which uses concrete-embedded wire mesh as a heating element.”;

(66) by adding, after Rule 62-500, the following title and rules:

“Wire Mesh Heating Systems

62-600 Wire Mesh Heating System. Rules 62-602 to 62-606 apply to the supply and the connection of wire mesh embedded in a concrete slab or in a concrete wall for heating from the point of emergence from the slab. However, these rules do not apply to the wire mesh or to the part of busbars embedded in concrete.

62-602 Use

(1) It shall not be permitted to connect to the electrical supply wire mesh installed in shower rooms, in or around swimming pools or in other locations involving similar risks.

(2) If a wire mesh heating system produces electrical current in metallic parts other than the mesh, the mesh shall not be permanently connected unless these currents are eliminated.

62-604 Other Conductors and Outlets in a Heated Slab

(1) Any other conductor shall be placed at least 50 mm from the wire mesh and the busbars and shall be considered to be operating at an ambient temperature of 40 °C.

(2) Any outlet to which a lighting fixture or other heat-producing equipment is likely to be connected shall be placed at least 40 mm from the wire mesh.

62-606 Transformers for Wire Mesh Heating Systems

(1) Transformers supplying wire mesh heating systems shall have a grounded electrostatic shield between the primary and the secondary winding.

(2) The secondary voltage of a transformer supplying a wire mesh heating system shall not exceed 30 V measured on the secondary side of a single-phase transformer or between two phases on the secondary side of a three-phase transformer.

(3) The conductors on the secondary side of a transformer supplying a wire mesh heating system do not require overcurrent protection.”;

(67) by deleting Rule 66-000(2);

(68) by deleting Rule 70-112e;

(69) in Rule 72-102, by adding the following subrule:

“(4) For the purposes of Subrule (2), where receptacles of different ratings are installed on one lot, the receptacle having the highest ampere rating shall serve as a basis for calculation.”;

(70) by substituting the following for Rule 72-104:

“**72-104 Feeders.** Feeders between the park consumer’s service equipment and the park distribution centers shall be installed in accordance with the bonding requirements.”;

(71) in Rule 72-110, by adding the following subrules:

“(4) Each recreational vehicle lot equipped with sewers shall be provided with at least one receptacle of each of the types described in Subrule (1)a and Subrule (1)b.

(5) Each recreational vehicle lot equipped with a water outlet only shall be provided with at least one receptacle of the type described in Subrule (1)a.”;

(72) in Rule 76-016, by substituting the words “unless an acceptable warning has been posted at all interconnecting points or other points.” for the words “except by special permission.”;

(73) in Rule 78-064, by substituting the word “highest” for the word “lowest”;

(74) in Table 14, in the “Watts Per Square Meter” column, by substituting “30” for “50” for all “Office” types of occupancy and for “Banks”.

(75) by adding the following table after Table 65:

“**Table 66**
(See Rule 4-022(6))

Minimum Size of Neutral Conductors for Underground Consumer’s Services Rated at More Than 600 A and Fed by Conductors in Parallel

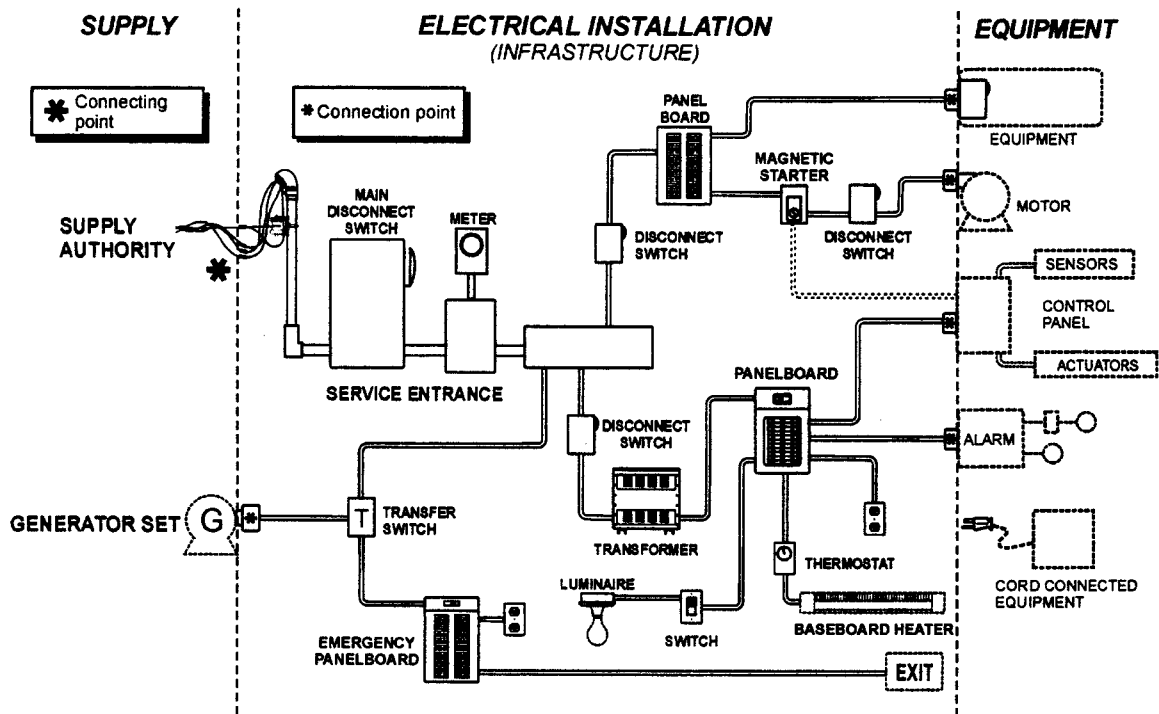
Nominal Rating of Service Equipment Amperes	AWG Size of Each Copper Neutral Conductor	AWG Size of Each Aluminum Neutral Conductor
601 – 1 200	0	000
1 201 – 2 000	00	0000
2 001 or more	0000	250 kcmil

(76) in Appendix B:

(1) in Section 0, by adding the following note after the note “Ground fault circuit interrupter”:

“**Electrical installation**

From the definition of “electrical installation” it is understood that installations, from the generator or connecting point where the supply authority supplies the customer, to the connection point where the fixture receives its power to function, are electrical installations as defined in the Code. “Electrical installation” therefore means the “infrastructure” used to direct the electrical current to equipment requiring the current to function but not the equipment itself, except in the case of baseboard heaters, heating panels and luminaires. The following systems in particular are not electrical installations as defined in the Code: intercommunication systems, sound systems, synchronized clock systems, visual, sound or voice signalling systems, telephony systems, their interconnection to the telephone network, closed circuit television systems, access cards, community antennae, instrumentation and regulation systems related to heating, air conditioning, air evacuation and industrial processus, theft alarm systems and fire alarm systems.



(2) in Rule 6-112(4), by deleting :

(1) in paragraph *a* of the second paragraph, “200 A or”;

(2) paragraph *b* of the second paragraph;

(3) by deleting Rule 12-504;

(4) by deleting Rule 26-008;

(5) by adding, after the note related to Rules 26-702(2) and 26-702(24), the following note :

“26-702(12)(c) *It is understood, from the expression “unfinished”, that, even after the installation of the wall covering (gypsum, etc.), it could be impossible to find the appropriate location of the receptacles required by Rule 26-702(3), when partitions and usable wall space have not yet been delimited. Thus, a basement shall not be considered as a finished basement, even if the foundation walls are finished, while the ceiling is not finished or partly finished. However, the receptacle re-*

quired by Rule 26-702(12)(c) shall be installed. Lastly, Rule 26-702(12)(c) does not exempt from the installation of receptacles of specific use already required by other rules of this Code.”;

(6) by deleting Rule 30-326(3).

DIVISION IV OFFENCES

5.05 Any violation of one of the provisions of this Chapter is an offence.

DIVISION V FINAL

6. This Regulation comes into force on (indicate here the date corresponding to the ninetieth day following the date of its publication in the *Gazette officielle du Québec*).

4612

Draft Regulation

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

Cattle

— Identification

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the identification of cattle, the text of which appears below, may be made by the Gouvernement du Québec upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to introduce an identification system for cattle in order to insure their traceability. The identification system will also enable the industry and the Government to rapidly control and eliminate a health or food safety crisis.

To that end, it proposes the requirements for an animal owner or custodian to identify cattle with two tags, of which one is a chip tag and the other a bar code tag, and to signal their transits to the Minister of Agriculture, Fisheries and Food or the management agency of the identification system, as the case may be.

There is no significant impact on business to this day.

Further information may be obtained by contacting Dr. Robert Clermont, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11^e étage, Québec (Québec) G1R 4X6, telephone: (418) 380-2100; fax: (418) 380-2169.

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 Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

MAXIME ARSENEAU,
Minister of Agriculture, Fisheries and Food

Regulation respecting the identification of cattle

Animal Health Protection Act
(R.S.Q., c. P-42, s. 22.1; 2000, c. 40, s. 14)

DIVISION I SCOPE

1. An identification system is introduced for all animals of the *Bos taurus* or *Bos indicus* species owned or raised in Québec.

2. The animal identification system that the Minister of Agriculture, Fisheries and Food or the managing agency administers shall comprise the following information:

- (1) the name and address of the farm of origin of the animal;
- (2) the name and address of the owners or, where applicable, of the successive custodians of the animal;
- (3) the registration number of the farm if it is registered under the provisions of Division VII.2 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., c. M-14);
- (4) the species to which the animal belongs;
- (5) the category to which the animal belongs;
- (6) the animal's identification, including the one recognized under another identification system established by a government in Canada or by the appropriate authority of the country of origin of the animal;
- (7) the date of issue of the tags;
- (8) the date of identification of the animal;
- (9) the animal's sex;
- (10) the animal's age;
- (11) where applicable, the identification substitute number in case of a loss of the identification number;
- (12) where applicable, the transits of the animal outside the farm of origin; and
- (13) if the farm comprises more than one production site, the location of each site and the transits of the animal from one site to the other.

In this Regulation,

“farm of origin” means the farm where an animal was born or the first farm that receives an animal born in Québec outside a farm;

“management agency” means the agency responsible for the management of the identification system pursuant to section 22.3 of the Animal Health Protection Act (R.S.Q., c. P-42; 2000, c. 40, s. 14); and

“production site” means the livestock building or the field where the animals of the species referred to in section 1 are kept.

DIVISION II TAGS

3. The chip tag and the bar code tag used to identify the animals must comprise the following characteristics:

(1) have an identification number of at least nine numbers that can be read easily and correctly;

(2) show a sketch of half of the fleur-de-lys and the letters Qc;

(3) made of non toxic materials and fitted with a fastener;

(4) designed as to remain on the animal on which they are affixed at all times;

(5) not easily modified or falsified;

(6) not easily counterfeit; and

(7) be of the single-use type.

4. Chip tags and bar code tags shall be issued by the Minister or by the management agency, as the case may be

(1) at the request of the farm operator for the animals on the farm;

(2) at the request of the importer for the animals he imports.

The operator or importer who makes a request under the first paragraph shall transmit, at that moment, his name and address as well as the information covered by subparagraphs 1, 3 and 4 of the first paragraph of section 2 to the Minister or management agency.

5. The tags issued under section 4 may only be affixed to animals that are found on the farm for which the tags were issued. Where tags are issued to the importer, the tags may also be affixed to the animals he imports.

The tags are valid as long as they remain on the animals on which they were affixed. They are no longer valid when lost or removed from the animals or from their carcass, or when the fastener is modified or altered.

The ones that have not been used must be kept on the farm and presented to an inspector upon request under section 22.2 of the Act.

6. Subject to Division V, no one can remove or have removed the tags that were affixed on animals.

DIVISION III IDENTIFICATION

7. Any animal owner, custodian or importer shall identify or have any animal that is kept in Québec identified by affixing a chip tag to one of the animal's ears and a bar code tag on the animal's other ear. The tags must comply with the provisions of section 3 and bear the same identification number.

Identification is only possible on the farm. In the case of an importer, he may also identify the animal before its importation.

8. Where the animal is identified by approved tags, of which one is a chip tag and the other one a bar code tag, it serves as the tag contemplated in section 7.

Where the animal is identified by a single approved tag, with a bar code or a chip, it serves as the tag contemplated in section 7 if the identification of the animal is completed by affixing a complementary tag to the animal's other ear which bears the same number as the one on the approved tag.

In this Regulation, "approved tag" means a tag which has been approved under section 173 of the Health of Animals Regulations (C.R.C., c. 296; SOR/91-525; SOR/2000-416).

9. Where the animal is identified by the official tags of the country of origin, of which one is a chip tag and the other one is a bar code tag, it serves as the tag contemplated in section 7.

Where the animal is only identified by a chip tag, it serves as the chip tag contemplated in section 7.

In this Regulation, "official tag of the country of origin" is a tag officially recognized by the appropriate authority of the animal's country of origin and which meets the requirements of paragraph 4 of section 189 of the Health of Animals Regulations.

10. Any animal owner, custodian or importer whose animal is identified only by an approved bar code tag or by an official bar code tag from the country of origin, shall identify it or have it identified in accordance with section 7.

Notwithstanding the first paragraph, the identification of the animal identified by an approved bar code tag may be completed by affixing a chip tag on the animal's other ear which bears the same number as the one on the bar code tag.

Where the animal is already identified by an approved chip tag or an official chip tag from the country of origin, the identification shall be completed either by

(1) affixing a plastic tag bearing the same number as the one on the chip tag to the animal's other ear; or

(2) affixing a bar code tag bearing the same number as the one on the chip tag to the animal's other ear.

In the cases contemplated in the second paragraph and in subparagraph 2 of the third paragraph, the identification shall be completed at the farm and the required tags, except plastic tags, shall be ordered within seven days following the arrival of the animal at the farm.

11. The identification shall be made:

(1) for an animal born in Québec, within seven days following its birth or before its transfer from the farm of origin, whichever comes first. Notwithstanding the preceding, if the animal is born and remains in the pasture with its mother, the identification shall be made within five months following its birth or before its transfer from the farm of origin, whichever comes first;

(2) for an animal born outside of Québec:

(a) before it is imported or as soon as it arrives at the farm, if it comes from outside Canada; or

(b) as soon as it gets to the farm, if it is from Canada;

(3) in the cases contemplated in the second or third paragraphs of section 10, within seven days following the receipt of the tags or before its transfer from the farm, whichever comes first, except the plastic tags which shall be affixed within seven days following the arrival of the animal at the farm or before its transfer.

In this Regulation, where the farm comprises more than one production site, the transfer of an animal from such a site equates to its transfer from the farm when the sites are not located on a single or abutting parcel, irrespectively of water courses, roads or public utility networks.

12. Any animal owner or custodian shall see to it that the following information be transmitted to the Minister or the management agency, in the following cases and within the following time limits:

(1) his name and address as well as the information contemplated in subparagraphs 1 and 3 to 13 of the first paragraph of section 2, for an animal born in Québec, within seven days following the birth of the animal or

the day following its transfer from the farm of origin, whichever comes first;

(2) his name and address as well as that of the owner or, where applicable, of the previous custodian and the information contemplated in subparagraph 1 and 3 to 13 of the first paragraph of section 2, if they are known, and those contemplated in the other subparagraphs of that paragraph, for an animal from outside of Canada, within 30 days following the arrival of the animal at the farm; or

(3) his name and address as well as that of the owner or, where applicable, of the previous custodian and the information contemplated in subparagraph 1 and 3 to 13 of the first paragraph of section 2, if they are known, and those contemplated in subparagraphs 3 to 13 of that paragraph, for an animal coming from Canada but from outside Québec which arrives at the farm, within seven days following the arrival of the animal or before its transfer, whichever comes first.

13. Except in the case of the first farm which receives an animal born in Québec outside a farm, no one may remove or have an animal removed from a place or have it transferred if it is not identified in accordance with the provisions of this Regulation.

14. Except in the case of the first farm which receives an animal born in Québec outside a farm, in the case of an animal which is unidentified which comes from outside Canada and in the cases contemplated in sections 15 and 18, no one may receive or have an animal received if it is not identified according to the provisions of this Regulation or by an approved tag or by an official tag of the country of origin.

DIVISION IV LOSS OF TAGS

15. Any animal owner or custodian shall, in accordance with section 7, identify or have an animal which has lost its tags reidentified immediately at the farm.

If the loss arised during the transportation to the farm, the animal may be transferred, received and identified provided that the operator keeps a register and records enough information to establish the origin of the animal such as the following:

(1) if they are known, the number of the lost tags and, where more than one tag has been affixed to the animal since its birth, the number of each one;

(2) the date on which the animal arrived at that farm and was re-identified, as well as the name and address of the animal's owner or custodian on that date;

(3) the identification of the vehicle used for the transportation of the animal to the farm where the new tags were affixed; and

(4) the number of the new tags.

The operator must keep at the farm for three years all supporting documents used to establish the origin of the animal and show it to an inspector who requires it, as referred to in section 22.2 of the Act.

If such a loss occurs during the transportation to the slaughterhouse, the animal may be received provided that the slaughterhouse operator keeps a register and that he records enough information therein to establish the origins of the animal such as the following:

(1) if they are known, the number of the lost tags and, where more than one tag has been affixed to the animal since his birth, the number of each one;

(2) the date on which the animal arrived at the slaughterhouse, as well as the name and address of the animal's owner or custodian on that date; and

(3) the identification of the vehicle used for the transportation of the animal to the slaughterhouse.

16. Any animal owner or custodian shall, in accordance with section 7, identify or have an animal which has lost its tag identified at the farm, within seven days following the observation of the loss or before its transfer from the farm.

Notwithstanding the first paragraph, the identification of an animal may be completed by affixing a chip tag bearing the same number as the one on the bar code tag to the animal's other ear.

If the animal loses the bar code tag or the plastic tag, the identification must be done in one of the following manners:

(1) by affixing a plastic tag bearing the same number as the one on the chip to the animal's other ear, within seven days following the observation of the loss of the tag or before it is transferred from the farm; or

(2) by affixing a bar code tag bearing the same number as the chip tag to the animal's other ear.

In the cases referred to in the second paragraph and in subparagraph 2 of the third paragraph, the identification must be completed at the farm and the required tags,

except plastic tags, shall be ordered within seven days following the observation of the loss. They shall be affixed within seven days following their receipt or before the transfer of the animal from the farm, whichever comes first, except the plastic tags which shall be affixed within seven days following the arrival of the animal at the farm or before it is transferred from that farm.

17. In the cases referred to in the first paragraph of section 15 or in the first and second paragraphs of section 16, the animal owner or custodian shall see to it that his name and address and the information referred to in subparagraphs 3, 6, 8, 11 to 13 of the first paragraph of section 2 be sent to the Minister or the management agency within seven days following the observation of the loss or before the transfer from the farm, whichever comes first or, if the animal comes from outside Canada, within 30 days following the arrival of the animal at the farm.

DIVISION V

DEATH OR SLAUGHTER OF AN ANIMAL

18. The operator of a slaughterhouse may take off the tags of an animal who is slaughtered or dies in a slaughterhouse. He may receive an unidentified animal coming from outside Canada for immediate slaughter.

He must keep a register of all animals coming from outside Canada and record the following information:

(1) the date on which the animal arrived at the slaughterhouse as well as the name and address of the animal's owner or custodian to that date; and

(2) the identification of the vehicle used for transporting the animal to the slaughterhouse.

He must be able to identify the animal's carcass in the slaughterhouse until it is recognized as wholesome and suitable or unsuitable for human consumption.

19. The operator of a rendering plant or the person in charge of an animal pathology laboratory who keeps a carcass elsewhere than at the farm where the animal died may remove its tags.

20. Any animal owner or custodian shall, within seven days following the death at the farm of an animal that has not been recovered, report it to the Minister or the management agency and see to it that his name and address and the information referred to in subparagraphs 3, 6 and 13 of the first paragraph of section 2 be transmitted.

DIVISION VI TRANSITS

21. Except if the information is transmitted pursuant to Division III or IV, any person who receives an animal shall see to it that the following information, in the following cases and time limits, be transmitted to the Minister or the management agency :

(1) his name and address and those of the owner or the previous custodian, the information referred to in subparagraph 1 of the first paragraph of section 2, if they are known, and those referred to in subparagraphs 3, 6, 12 and 13 of that paragraph, for an animal received at the farm, within seven days following its arrival at the farm or before its transfer from the farm, whichever comes first;

(2) his name and address and those of the owner or the previous custodian, the information referred to in subparagraph 1 of the first paragraph of section 2, if they are known, and those referred to in subparagraphs 6 and 12 of that paragraph, for an animal received in any other place than a community pasture, within seven days following the receipt or the recuperation of the animal or the carcass or the end of the exhibition, as the case may be.

22. Any animal owner or custodian who sends an animal to a community pasture shall see to it that his name and address and those of the custodian and the information referred to in subparagraph 1 of the first paragraph of section 2, if it is known, and that referred to in subparagraphs 3, 6 and 12 of that paragraph be transmitted to the Minister or management agency within seven days following the arrival of that animal at the pasture.

23. Any animal owner or custodian who transfers an animal outside of Québec must see to it that his name and address and those of the custodian and the information referred to in subparagraphs 3, 6 and 12 of the first paragraph of section 2 be transmitted to the Minister or management agency within seven days following the transfer of the animal outside Québec.

24. Any person who transports an animal shall see to it that his name and address as well as those of the previous and next custodian and the information referred to in subparagraphs 6, 12 and 13 of the first paragraph of section 2 be transmitted to the Minister or the management agency, as the case may be, within seven days following the transportation.

DIVISION VII MISCELLANEOUS AND FINAL

25. Any animal owner or custodian shall, before 1 January 2002, identify or have all the animals he keeps in Québec on 31 December 2001 identified at the farm by affixing a chip tag on one of the animal's ear and a bar code tag on the other; both tags shall comply with the requirements of section 3 and bear the same identification number. Furthermore, he shall see to it that his name and address and the information referred to in subparagraph 1 of the first paragraph of section 2, if it is known, and that referred to in subparagraphs 3 to 13 of that paragraph be transmitted to the Minister or the management agency before 15 February 2002 or before its transfer from the farm, whichever comes first.

26. Any animal on which a tag is affixed at the farm before 1 April 2002, in accordance with section 17 of the Farm Income Stabilization Insurance Scheme made by Order in Council 1670-97 dated 17 December 1997 or under a farm income stabilization insurance programme established in accordance with the Act respecting La Financière agricole du Québec (2000, c. 53), is deemed to be identified for the purpose of this Regulation as long as the tag remains affixed to it.

The animal owner or custodian must see to it that his name and address and the information provided for in subparagraph 1 of the first paragraph of section 2, if it is known, and that provided for in subparagraphs 3 to 13 of that paragraph be transmitted to the Minister or the management agency :

(1) before the (*enter the date corresponding to the sixtieth day following the date of publication of this Regulation in the Gazette officielle du Québec*) or before the transfer of the animal from the farm, whichever comes first, if the animal was identified before (*enter the date of coming into force of this Regulation*); or

(2) within 45 days following the date of identification of the animal or before its transfer from the farm, whichever comes first, if the animal was identified after (*enter the date preceding that of the coming into force of this Regulation*).

27. Until 1 January 2005 and notwithstanding paragraphs 1 and 3 of section 12, sections 17 and 20, the first paragraph of sections 21 and 22, the persons covered by those provisions and notwithstanding section 23, the person who is owner of a farm has a time limit of 45 days from the date of the event instead of the time limit

of seven days provided for to transmit the information required by those provisions to the Minister or the management agency. Notwithstanding the foregoing, where section 23 applies, if the animal is transferred outside Canada, the farm operator has a time limit of 30 days from the date of the event instead of the seven day time limit provided for.

28. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except sections 7 to 23 which come into force on 1 January 2002 and section 24 which comes into force on 1 July 2003.

4610

Draft regulation

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

Notaries

— Trust Accounting

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 trust accounting by notaries, adopted by the Bureau of the Chambre des notaires du Québec, the text of which appears below, may be submitted to the government, which may approve it with or without amendment upon the expiry of 45 days following this publication.

According to the Chambre des notaires du Québec, this draft is a complete revision of the current regulation. It updates the regulation and adapts its wording to that of existing laws.

The principle amendments are as follows :

Prior to the opening of a special trust account, the funds destined therefor must pass through the general account; they may also be invested through stockbrokers in certain investments presumed sound within the meaning of the Civil Code.

The draft regulation allows the Bureau to adopt standards with respect to electronic trust accounting. It obliges a notary who retires from the profession to furnish an audit of his accounting within three months of ceasing to practise.

It allows the Administrative Committee to consult with the syndic before making a decision in respect of a claim against the Indemnity Fund.

This draft regulation has no impact on the economic burden of citizens and enterprises.

Further information may be obtained by contacting M^e Daniel Gervais, notary, Directeur des Services juridiques, tour de la Bourse, 800, Place-Victoria, bureau 700, Montréal (Québec) H4Z 1L8.

Any interested person having comments to make is requested to send them, before the expiry of the 45-day period, to the President of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the minister responsible for the administration of legislation governing the professions; they may also be forwarded to the professional order that has adopted the regulation, as well as to the persons, departments, and agencies concerned.

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

Regulation respecting trust accounting by notaries

Professional Code
(R.S.Q., c. C-26, s. 89)

DIVISION I GENERAL

1. Every notary shall record and account for all funds, securities, and other property entrusted to him in the practice of his profession, and use them for the purposes for which they were entrusted.
2. No notary shall deposit or leave personal funds in a trust account.
3. A notary may deduct his fees from funds entrusted to him if he is authorized in writing.
4. The funds, securities, and other property entrusted to a notary include cash, negotiable instruments payable to the notary or payable to the notary in trust and endorsed to his order or to his order in trust or to bearer, and all instruments and securities payable to bearer or registered in the name of the notary or in the name of the notary in trust.
5. No notary shall endorse a cheque or other negotiable instrument payable to the order of a client without the client's written authorization and unless the endorsement is solely for deposit in the notary's trust account.

6. A notary may accept only funds, securities, or other property in trust that are related to the execution of a lawful, clearly defined contract for services or mandate in the practice of his profession.

DIVISION II

GENERAL TRUST ACCOUNT AND SPECIAL TRUST ACCOUNT

7. All funds entrusted to a notary by a client must, as soon as possible after receipt, be deposited in a general trust account that has been opened in the notary's name and may be withdrawn solely by him. The account may nevertheless be held jointly by two or more notaries.

A notary may give another notary a mandate to deposit funds into or withdraw funds from his trust account.

Neither the funds nor the interest accrued belong to the notary.

8. General trust accounts are accounts that are opened as such in the name of a notary, and contain deposits insured by deposit insurance under the Canada Deposit Insurance Corporation Act (R.S.C., 1985, c. C-3) or guaranteed under the Deposit Insurance Act of Québec (R.S.Q., c. A-26).

The account must be opened in Québec in a financial institution governed by the Act respecting trust companies and savings companies (R.S.Q., c. S-29.01), the Bank Act (S.C., 1991, c. 46), the Savings and Credit Unions Act (R.S.Q., c. C-4.1), or the Trust and Loan Companies Act (S.C., 1991, c. 45).

9. Where the client's interest so requires, or the client expressly requests that the income from the funds entrusted to the notary be remitted to him, the notary shall immediately transfer the funds from his general trust account into a special trust account. The notary shall ensure that the name of the client for whom the account is opened appears in the name of the account.

10. Special trust accounts are accounts that are opened as such in the name of a notary, and contain deposits insured by deposit insurance under the Canada Deposit Insurance Corporation Act (R.S.C., 1985, c. C-3) or guaranteed under the Deposit Insurance Act of Québec (R.S.Q., c. A-26), or presumed sound investments within the meaning of paragraphs 2 and 3 of article 1339 of the Civil Code of Québec registered in the name of the notary in trust on behalf of a client.

The account must be opened in Québec in a financial institution designated in the second paragraph of section 8. In the case of an investment, the account may also be opened with a securities broker who is acting as principal and is a member of the Investment Dealers Association of Canada.

In the case of investments, the notary must obtain the prior written authorization of the client specifying the nature, date of maturity, and terms and conditions of the investment.

11. Immediately upon opening a general trust account, the notary shall complete the form approved for such purpose by the Bureau. The form must contain a declaration by the notary under his oath of office stating, in particular,

(1) the name, address, postal code, and transit number of the depository institution, as well as the number of the account and the date of its opening;

(2) an irrevocable waiver of the interest and other income from the account in favour of the notarial studies fund and an authorization allowing the financial institution to transfer the interest and other income from such account, less administration costs, if any, directly into the notarial studies fund;

(3) an irrevocable authorization entitling the Administrative Committee, the president, the secretary, the assistant secretary, an inspector, the syndic, or an assistant or corresponding syndic to undertake any action provided for in sections 36 or 37;

(4) an indication to the effect that the account complies with the Notarial Act and regulations adopted pursuant thereto;

(5) an irrevocable authorization entitling the Administrative Committee or the president of the Order, upon recommendation by the syndic, an assistant syndic, or the professional inspection committee of the Order, to require that the notary obtain, at his expense, the joint signature of another notary designated by the Administrative Committee to draw cheques and other payment orders against the account.

12. Immediately upon opening a special trust account, the notary shall complete the form approved for such purpose by the Bureau. In addition to the information required under section 11, the form must contain a declaration by the notary under his oath of office to the effect that the interest and other income from the account belongs to the client.

13. The notary shall immediately forward a duly completed copy of the form prescribed in sections 11 and 12 to the financial institution or the securities broker, as the case may be, where the account has been opened, as well as to the secretary of the Order; he shall retain a copy thereof together with the other documents enumerated in section 15.

14. Where a notary closes a general trust account or withdraws as joint holder of the account, he must immediately notify the secretary of the Order, using the form approved for this purpose by the Bureau. The form must contain the name, address, postal code and transit number of the depository institution, as well as the number of the account, the date on which it was opened, and the effective date on which it was closed or he withdrew.

Where a special trust account is no longer required, the notary shall transfer the funds and accrued interest into the general trust account.

DIVISION III KEEPING OF TRUST ACCOUNTS

15. The accounting records in which the funds, securities, and other property are entered and recorded must be in single-entry or double-entry form and consist of official receipts, passbooks or statements of the financial institution or the securities broker, cheques and other payment orders, and registers and other vouchers conforming to generally accepted accounting principles, in addition to the cash book and the general ledger.

16. All trust accounting that is not paper-based must meet the standards adopted by the Bureau. The standards applying to technological applications must, in particular,

- (1) ensure data confidentiality;
- (2) ensure data security;
- (3) allow the notary and the Order to have access to the data at all times;
- (4) allow the transmission of data and forms contemplated in this regulation;
- (5) include all information pertaining to the control and administration of funds received.

17. All data that is not paper-based and does not meet the standards adopted by the Bureau must be transcribed and stored on paper.

18. The electronic transfer of funds is subject to this regulation.

19. The account books and records and the statements from the financial institution or the securities broker that are contemplated herein must be kept by the notary at his professional domicile for at least 10 years and in accordance with the regulation adopted under section 91 of the Professional Code (R.S.Q., c. C-26).

20. Upon the receipt of funds, securities, and other property entrusted to him, the notary shall remit to the client for whom they are held an official receipt drawn up in accordance with the form approved for that purpose by the Bureau and on which are indicated the date of receipt, the name and address of the client, the description of the item deposited, the purpose for which it is entrusted, and the name of the depository notary.

21. The official receipt must indicate that the funds, securities, or other property are deposited in trust and are subject to the provisions of the Notarial Act and regulations adopted pursuant thereto.

22. Official receipts must be pre-numbered and copies thereof must be kept by the notary.

23. The cheques and other payment orders drawn against a trust account must bear the mention "trust account in accordance with the Notarial Act and regulations adopted pursuant thereto". Cheques must be pre-numbered.

24. Trust account records must be kept up to date.

25. A notary shall keep at the disposal of each client who entrusts him with funds, securities, or other property an up-to-date account showing, on a day-by-day basis, all entries made in the account the balance of the account after each entry, and all vouchers for such entries.

26. A notary shall maintain strict control over the receipt, deposit, withholding, and use of funds entrusted to him. To that end, the notary shall, in particular,

(1) receive and deposit all sums required for the execution of the act for which he has been mandated, before the act is signed;

(2) ensure that the funds received are sufficient to cover all disbursements and to avoid an overdraft of the client's account;

(3) deposit receipts before any cheques or other payment orders issued are cashed, to avoid paying cheques issued for one client using sums belonging to another client;

(4) use the first disbursement from his trust account, in a file involving the execution of an act of sale of an immovable under construction, for the purchase of the immovable and the cancellation of all the charges, prior claims, or hypothecs not assumed by the purchaser;

(5) withhold funds, where applicable, until the act creating or transferring rights has been published and indexed in the relevant registers without any entry detrimental to the rights created or transferred;

(6) cover any debit balance, whatever the cause, immediately and with his own money;

(7) transfer into the general trust account, before their disposition, all sums debited from a special trust account;

(8) follow up on cheques and other payment orders within 6 months from the date of their issue to ensure that they are cashed; and

(9) transfer to the Public Curator all funds, securities, or other property that have not been the subject of any claim, transaction, or written instruction as to their use, by any interested party, within three years following the date of their exigibility.

27. No notary may make cash withdrawals from his general or special trust accounts.

28. Each month, a notary shall, using the form approved for such purpose by the Bureau, draw up a report reconciling the previous month's transactions and containing, in particular,

(1) the totals of receipts and disbursements for the month;

(2) a balanced reconciliation of the cash book and the general ledger with the relevant financial institution statements; the reconciliation must integrate the general and special trust accounts;

(3) a list of sums owing to clients, indicating for each the client's name or account number, the date of the last entry, and the balance of the account;

(4) a list of outstanding cheques, indicating the number, date, and amount of each cheque;

(5) a list of outstanding sums received, indicating the amount of each sum and the number and date of each receipt; and

(6) a list of the general and special trust accounts, indicating for each account the name of the financial

institution, the account number, and the balance at the end of the month.

DIVISION IV **AUDITING OF TRUST ACCOUNTING RECORDS**

29. A notary's trust account records must be audited not later than March 31 each year for the previous year ending December 31.

Where a notary ceases to be entered on the roll of the Order, the audit must cover the period since the last audit and the notary must file with the secretary of the Order within three months of ceasing to be entered on the roll a report containing the information required under section 33, *mutatis mutandis*.

30. A notary shall appoint a chartered accountant to audit his trust account records. The appointment must include an irrevocable authorization allowing an inspector, the syndic, or an assistant or corresponding syndic, or the secretary of the Order to obtain from the chartered accountant all information relating to the trust accounts subject to the audit.

31. The chartered accountant verifies the accounting procedures followed during the year by the notary for the keeping of his trust account records, in accordance with the generally accepted auditing standards he deems necessary in the circumstances. To that end, he must verify, in particular,

(1) the receipts and disbursements affecting the cash book, the general ledger, the relevant financial institution passbooks or statements, and supporting documents, including related files and acts;

(2) the reconciliation of the general and special trust accounts with the notary's books; and

(3) the inventory of funds, securities, and other property entrusted to the notary as at December 31.

32. Upon completion of the audit, the chartered accountant drafts a report certifying that the notary has complied with this regulation, using the form approved for such purpose by the Bureau and noting any restrictions and reservations he deems appropriate.

DIVISION V **ANNUAL REPORT**

33. Each year, on or before March 31, the notary shall forward to the secretary of the Order, together with the chartered accountant's report and using the form approved for such purpose by the Bureau, a report containing, in particular,

(1) a declaration under his oath of office attesting that all funds, securities, and other property entrusted to him in the practice of his profession during the preceding year have been deposited, recorded, and used in accordance with the Notarial Act and regulations adopted pursuant thereto;

(2) the totals of receipts and disbursements for each month;

(3) a balanced reconciliation of the cash book and the general ledger with the relevant financial institution statements;

(4) a list of sums owing to clients, indicating for each sum the client's name or account number, the date of the last entry, and the balance of the account;

(5) a list of cheques outstanding as at December 31, indicating the number, date, and amount of each cheque;

(6) a list of sums received that are outstanding as at December 31, indicating the date of receipt of each sum, and the amount and date of its subsequent deposit; and

(7) a list of the general and special trust accounts held during the year, indicating for each the name of the depository institution, account number, and balance at the end of the year.

A single report shall suffice for notaries who have a common trust account, provided that it indicates the names of all the notaries and is signed by all of them.

34. A notary who has not held or received funds, securities, or other property in trust shall forward to the secretary of the Order on or before March 31, using the form mentioned in the preceding section, a declaration under his oath of office to that effect.

DIVISION VI MISCELLANEOUS

35. A notary is subject to professional secrecy with respect to the account books and documents contemplated in this regulation.

However, an inspector, the syndic, or an assistant or corresponding syndic of the Order may obtain from the chartered accountant appointed pursuant to this regulation any information that is relevant to the trust accounts subject to the audit.

36. The Administrative Committee, the president, the secretary, the assistant secretary, an inspector, the syndic, an assistant or corresponding syndic, or the secretary of the indemnity fund committee may

(1) require and obtain at any time from the financial institution that is the depository of any general or special trust account all the information or explanations deemed necessary or useful for the purposes of this regulation;

(2) require and obtain at any time from a financial institution in which funds belonging to clients are deposited and which should have been deposited by the notary in a general or special trust account all the information or explanations deemed necessary or useful for the purposes of this regulation;

(3) block deposited funds;

(4) take possession of any funds, securities, and other property entrusted to a notary, revoke his signature, or close the account.

37. Where a notary's permit is revoked or his right to practice limited, or where he is temporarily or permanently struck off the roll, or in any situation where a provisional guardian may be appointed for his records, the Administrative Committee, the president, the secretary, the syndic, or the secretary of the indemnity fund committee may, subject to section 57, dispose of funds in trust for the purposes for which the notary received them.

38. Should a notary fail to comply with any obligation provided for under this regulation, the Administrative Committee may, at any time during the year, appoint a chartered accountant of its choice and charge him with the audit of the notary's trust account records at the notary's expense, even if he is no longer entered on the roll of the Order.

DIVISION VII ESTABLISHMENT OF THE INDEMNITY FUND

39. The Bureau shall establish an indemnity fund for the purpose of reimbursing sums of money or other securities used by a notary for purposes other than those for which they were entrusted to him in the practice of his profession.

40. The indemnity fund consists of

(1) the sums of money already allocated for that purpose as at 31 October 1996;

(2) the sums of money allocated by the Bureau to the fund as needed;

(3) the assessments levied for that purpose;

(4) the sums of money recovered from notaries by subrogation or pursuant to section 159 of the Professional Code (R.S.Q., c. C-26);

(5) the income earned on the sums of money constituting the fund; and

(6) the sums of money paid by an insurance company under a group insurance policy held by the Administrative Committee.

less administration costs for the fund.

DIVISION VIII

ADMINISTRATION OF THE FUND

§1. Administrative Committee

41. The Administrative Committee shall administer the fund. In particular, it is authorized to conclude any insurance or reinsurance contract for the purposes of the fund and to pay the premiums out of the fund.

42. The fund accounting of Administrative Committee shall be kept separate from the general accounting of the Order.

43. The sums of money constituting the fund shall be invested by the Administrative Committee as follows:

(1) the portion of the funds the Committee anticipates using in the short term shall be deposited in a financial institution described in section 8;

(2) the other portion shall be entrusted to an investment manager for investment in short term securities, fixed-interest securities, Canadian or foreign shares, in accordance with the investment policy adopted by the Bureau.

§2. Indemnity fund committee

44. An indemnity fund committee, hereinafter called the "committee", shall be established by the Bureau to examine all claims against the fund. It shall comprise no fewer than 5 members appointed by the Bureau from among the notaries entered on the roll of the Order for at least 10 years and the directors appointed to the Bureau by the Office des professions du Québec pursuant to section 78 of the Code des professions; at least one of the members must be a director.

The chairman of the committee is designated by the members.

The quorum of the committee is a majority of members.

45. Where the number of committee members so permits, the committee may sit in divisions comprising 5 members, one of whom shall be the chairman or another committee member designated by division members as chairman of the division, and another member chosen from among the directors appointed by the Office.

The quorum of a division is 3 members.

46. Committee members remain in office at the end of their mandate until they are reappointed or replaced by the Bureau.

47. The Bureau shall appoint the secretary of the committee and, as needed, one or more assistant secretaries, who perform the same duties as the secretary.

DIVISION IX

CLAIMS AGAINST THE FUND

48. Claims addressed to the fund must

(1) be in writing;

(2) state all supporting facts and be accompanied by all relevant documents;

(3) indicate the amount claimed; and

(4) be filed with the secretary of the committee.

49. The secretary of the committee shall inform members of a claim against the fund at the first meeting after the claim is filed.

If the committee has not completed its examination of the case within 90 days after the claim is filed, the secretary of the committee shall, upon the expiry of that period, so inform the claimant in writing and report to him on the committee's progress. Until the committee has completed its examination, the secretary of the committee shall, every 60 days following the expiry of the 90-day period, inform the claimant in writing that examination is continuing and report to him on the committee's progress.

The obligation to notify the claimant as set out in the second paragraph does not apply to the situation contemplated in section 57.

50. To be admissible, a claim against the fund must be filed within one year of the claimant's knowledge that sums of money or other securities have been used for purposes other than those for which they were entrusted to the notary in the practice of his profession.

Subject to section 51, a claim that is not filed within the prescribed period is inadmissible.

51. The period prescribed in section 50 may be extended if the claimant demonstrates that he was unable to file the claim within the prescribed period for reasons beyond his control.

52. An application by any person to the syndic for an investigation of facts likely to give rise to a claim against the fund is deemed to be a claim within the meaning of section 48, if the application is filed within the period prescribed in section 50.

DIVISION X INDEMNITY

53. The committee shall decide, in respect of any claim addressed to the fund not exceeding \$10,000, whether the claim should be allowed, in whole or in part, and if so, shall determine the indemnity. The decision of the committee is final.

54. The Administrative Committee, upon the recommendation of the committee, shall decide, in respect of any claim addressed to the fund exceeding \$10,000, whether the claim should be allowed, in whole or in part, and if so, shall determine the indemnity. The Administrative Committee may, if it deems necessary, consult with the syndic. The decision of the Administrative Committee is final.

55. A decision may be rendered in respect of a claim regardless of any action filed by the claimant in a civil court, any judgment rendered by such court, or any decision of the committee on discipline or the Professions Tribunal in respect of the notary in question.

56. The maximum indemnity payable out of the fund is \$100,000 per claim arising from a notary's use of sums of money or other securities, in connection with a contract for professional services or a mandate, for purposes other than those for which they were entrusted to him in the practice of his profession.

The maximum indemnity payable out of the fund is \$100,000 for the aggregate of claims addressed to the fund arising from a notary's use of sums of money or other securities, in connection with one or more contracts for professional services or mandates concluded with several persons for the same service, for purposes other than those for which they were entrusted to him in the practice of his profession. Where the total of the claims allowed in a case contemplated in this paragraph exceeds the maximum indemnity, the indemnity is distributed in proportion to the amount of each claim.

For the purposes of this section, service includes the performance of professional services by a notary pursuant to a contract for his services or a mandate for the benefit of two or more persons, including, in particular but without limiting the foregoing, the acquisition or sale of a family residence or an undivided co-ownership, the settlement of a succession, the creation of a patrimony by appropriation or of the constitution of a legal person, and any investment of a movable or immovable nature.

57. The balance of a notary's general trust account the funds of which have been blocked or otherwise disposed of in accordance with sections 36 and 37 shall, at the expiry of 60 days following publication of a notice to that effect in a newspaper circulating in the place where the notary has or had his professional domicile, be distributed by the secretary of the committee among the claimants in proportion and up to the amount of each claim allowed, less the sum paid pursuant to section 56.

The secretary of the committee shall cause the notice to be published after one year has elapsed without a new claim against the fund in respect of that notary.

58. Upon receiving the indemnity, the claimant shall sign an acquittance in favour of the Order, with subrogation in all his rights in respect of his claim up to the amount of the indemnity against the notary concerned, the notary's successors, and any person, partnership, or legal person that is or might be held liable for such payment.

DIVISION XI TRANSITIONAL AND FINAL

59. This regulation replaces the Regulation respecting trust accounting by notaries (R.R.Q., 1981, c. N-2, r. 5).

60. The Regulation respecting the indemnity fund of the Chambre des notaires du Québec (R.R.Q., 1981, c. N-2, r. 8) is replaced by this regulation but continues to govern claims filed against the fund before 31 October 1996, and claims filed after, but relating to facts prior to, that date and concerning a notary in respect of whom one or more other claims have already been filed.

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

Draft Regulation

Public Buildings Safety Act
(R.S.Q., c. S-3)

Amusement rides

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 Amusement Rides Regulation, the text of which appears below, may be made by the Government, with or without amendment, upon the expiry of 90 days following this publication.

The purpose of the draft Regulation is to ensure consistency with the draft Regulation to amend the Building Code. Its main purpose is to specify the reference to the Electrical Code referred to in Chapter V of the Building Code.

Further information may be obtained by contacting Jean-Louis Robert, engineer, Régie du bâtiment du Québec, 800, place D'Youville, 15^e étage, Québec (Québec) G1R 5S3, by telephone at (418) 643-4879 or by fax at (418) 646-9280.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 90-day period, to Alcide Fournier, Chairman, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

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

Regulation to amend the Amusement Rides Regulation*

Public Buildings Safety Act
(R.S.Q., c. S-3, s. 39)

1. Section 1 of the Amusement Rides Regulation is amended by substituting the following for the definition of “Electrical Code”:

““Electrical Code” means the Code referred to in Chapter V of the Building Code approved by Order in Council (*enter the number of the order of approval and the date it was made*), as amended by Section III of that Chapter.”.

* The Amusement Rides Regulation made by Order in Council 649-91 dated 8 May 1991 (1991, G.O. 2, 1705) has never been amended.

2. Section 52 is amended by substituting “Electrical Code” for “Act respecting electrical installations (R.S.Q., c. I-13.01) and its regulations”.

3. This Regulation comes into force on (*enter the date corresponding to the ninetieth day following the date of its publication in the Gazette officielle du Québec*).

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Draft Regulation

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

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

The draft Regulation proposes to allow CC and CD licence plates to be issued for vehicles belonging to members of diplomatic and consular corps, international organizations headquartered in Québec and foreign missions of such organizations.

There is no other impact on citizens or businesses.

Further information may be obtained by contacting Bernard Drolet, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-3-21, C.P. 19600, Québec (Québec) G1K 8J6; telephone: (418) 528-3233.

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

GUY CHEVRETTE,
Minister of Transport

Regulation to amend the Regulation respecting road vehicle registration*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 618, pars. 2, 7, 8.9, 10, 12.1 and 13)

1. Section 2.1 of the Regulation respecting road vehicle registration is amended by striking out “a vehicle belonging to a foreign government insofar as that government grants such exclusion to the Gouvernement du Québec,”.

2. Section 51 is amended by substituting the words “official passenger vehicle” for the words “official or service vehicle” in subparagraph 4 of the first paragraph.

3. The following is substituted for section 91:

“91. The owner of a passenger vehicle is exempt from the payment of the fees exigible for vehicle registration and the right to operate it if the vehicle:

(1) is an official vehicle belonging to a foreign government that has a representation in Québec;

(2) is an official vehicle belonging to an international government organization that has entered into an agreement with the Government with respect to its establishment in Québec; or

(3) belongs to the following persons who are not Canadian citizens or permanent residents of Canada and who perform their duties in Québec or Canada:

(a) a diplomatic agent within the meaning of the Vienna Convention on Diplomatic Relations of 18 April 1961;

(b) a member of the diplomatic staff of a permanent mission to an international government organization referred to in subparagraph 2, sent by a foreign State;

(c) a senior officer of an international governmental organization designated under the agreement referred to in subparagraph 2;

(d) a consular officer within the meaning of the Vienna Convention on Consular Relations of 24 April 1963; or

(e) a representative of a government, province, State or similar division of a foreign State.

A maximum of 2 vehicles belonging to the person referred to in subparagraph 3 may be exempt from payment of the fees.”.

4. Section 93 is amended by striking out paragraph 2.

5. The following is substituted for section 98:

“98. The prefix “CD” shall be borne by the licence plate of a passenger vehicle that:

(1) is an official vehicle belonging to a foreign State that has a permanent mission with an international government organization having entered into an agreement with the Government with respect to its establishment in Québec;

(2) is an official vehicle belonging to an international government organization referred to in subparagraph 1;

(3) belongs to the following persons who are not Canadian citizens or permanent residents of Canada and who perform their duties in the country:

(a) a diplomatic agent within the meaning of the Vienna Convention on Diplomatic Relations of 18 April 1961;

(b) a member of the diplomatic staff of a permanent mission to an international government organization referred to in subparagraph 1, sent by a foreign State; or

(c) a senior officer of an international government organization designated in the agreement referred to in subparagraph 1.

The owner of the vehicle is exempt from paying the fees required to retain the right to operate the vehicle.

A maximum of 2 vehicles belonging to the person referred to in subparagraph 3 may be registered with a CD licence plate.”.

6. The following is substituted for section 99:

“99. The prefix “CC” shall be borne by the licence plate of a passenger vehicle that:

(1) is an official vehicle belonging to a foreign government that has a representation in Québec;

* The Regulation respecting road vehicle registration made by Order in Council 1420-91 dated 16 October 1991 (1991, *G.O.* 2, 4111) was last amended by the Regulation made by Order in Council 100-2001 dated 7 February 2001 (2001, *G.O.* 2, 1224). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

(2) belongs to the following persons who are not citizens or permanent residents of Canada and who perform their functions in Québec:

(a) a consular officer within the meaning of the Vienna Convention on Consular Relations of 24 April 1963; or

(b) a representative of a government, province, State or similar division of a foreign State.

The owner of the vehicle is exempt from paying the fees required to retain the right to operate the vehicle.

A maximum of 2 vehicles belonging to the person referred to in subparagraph 2 may be registered with a CC licence plate.”.

7. Section 122 is amended by striking out paragraph 2.

8. This Regulation 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. 1202-2001, 10 October 2001

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

Amalgamation of Municipalité d'Adstock and Village de Sainte-Anne-du-Lac

WHEREAS the Government, by Order in Council 69-2001 dated 31 January 2001, constituted Municipalité d'Adstock from the amalgamation of Municipalité de Saint-Méthode-de-Frontenac and Partie sud de la Paroisse de Sacré-Coeur-de-Marie;

WHEREAS the provisional council of Municipalité d'Adstock and the municipal council of Village de Sainte-Anne-du-Lac each 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 transmitted to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS no objections were submitted to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS it is expedient, under section 108 of the aforementioned Act, to grant the joint application;

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

THAT the application be granted and that a local municipality resulting from the amalgamation of Municipalité d'Adstock and Village de Sainte-Anne-du-Lac be constituted, on the following conditions:

1. The name of the new municipality shall be "Municipalité d'Adstock".

The provisional council shall, as soon as possible following the coming into force of this Order in Council, apply to the Commission de toponymie du Québec to have the names "Saint-Méthode", "Saint-Daniel", "Sacré-Coeur-de-Marie" and "Sainte-Anne-du-Lac" assigned

to the sectors of the new municipality made up of the territory of those former municipalities.

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 21 September 2001; that description appears as a schedule to this Order in Council.

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

4. The territory of the new municipality shall be part of the territory of Municipalité régionale de comté de L'Amiante.

5. Until a majority of the candidates elected in the first general election begin their terms, a provisional council formed of all the members of the provisional council of the former Municipalité d'Adstock and of the municipal council of the former Village de Sainte-Anne-du-Lac in office at the time of coming into force of this Order in Council shall administer the new municipality.

If a seat is vacant when this Order in Council comes into force or becomes vacant during the term of the provisional council, an additional vote shall be granted to the mayor of the former municipality of origin of the council member whose seat has become vacant. If the vacancy is a mayor's seat, an additional vote shall be granted to a councillor on the provisional council chosen by and from among the members of the council of the former municipality whose mayor's seat has become vacant.

6. The three mayors shall alternate as mayor every two months starting from the coming into force of this Order in Council in the following order: first, the mayor of the former Municipalité de Saint-Méthode-de-Frontenac; second, the mayor of the former Partie sud de la Paroisse de Sacré-Coeur-de-Marie and, lastly, the mayor of the former Village de Sainte-Anne-du-Lac. This alternation shall remain in effect until the mayor elected in the first general election begins his or her term.

The mayor of the former Municipalité de Saint-Méthode-de-Frontenac, the mayor of the former Partie sud de la Paroisse de Sacré-Coeur-de-Marie and the mayor of the former Village de Sainte-Anne-du-Lac shall continue to sit on the council of Municipalité régionale de comté de L'Amiante until the mayor elected in the

first general election begins his or her term and they shall have the same number of votes as they had before the coming into force of this Order in Council. They shall continue to be eligible to act as warden or deputy warden, sit on any committee and carry out any other duty within the regional county municipality.

7. By-law 5-01 of the former *Municipalité d'Adstock* on the remuneration of elected officers, shall apply to the new municipality. However, the remuneration and expense allowance paid to provisional council members may not be less than that which they received in the former municipality they represented.

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

9. The first sitting of the provisional council shall be held in the public hall of the former *Municipalité de Saint-Méthode-de-Frontenac*.

10. The polling for the first general election shall take place on 16 June 2002 and the second general election shall be held in 2005.

11. For the first two general elections, the council of the new municipality shall consist of ten members, that is, the mayor and nine councillors. The councillors' seats shall be numbered 1 to 9 starting with the first general election.

12. For the first two general elections and for any by-election held before the general election in November 2009, 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 *Municipalité de Saint-Méthode-de-Frontenac* shall be eligible for seats 1, 3, 7 and 9; only those persons who would be eligible under that Act if the election were an election of the council members of the former *Paroisse de Sacré-Coeur-de-Marie* shall be eligible for seats 2, 4 and 6; and only those persons who would be eligible under that Act if the election were an election of the council members of the former *Village de Sainte-Anne-du-Lac* shall be eligible for seats 5 and 8.

13. Bernardin Hamann, the secretary-treasurer of the former *Municipalité d'Adstock*, shall act as the first secretary-treasurer of the new municipality.

Jean-Rock Turgeon, the assistant secretary-treasurer of the former *Municipalité d'Adstock*, shall act as the first assistant secretary-treasurer of the new municipality. Upon Bernardin Hamann's departure, Mr. Turgeon shall become the secretary-treasurer of the new municipality.

Richard Samson and Francine M. Samson, respectively secretary-treasurer and assistant secretary-treasurer of the former *Village de Sainte-Anne-du-Lac*, shall remain employed by the new municipality as resource persons, without salary reduction and on the same conditions, until 30 June 2003.

Bertrand Perreault, municipal inspector of the former *Municipalité d'Adstock*, shall act as the first municipal inspector of the new municipality.

Sylvain Jacques, municipal inspector of the former *Municipalité d'Adstock*, shall act as the first assistant municipal inspector of the new municipality.

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

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

(1) that budget shall remain applicable;

(2) expenditures and revenues of the new town, for the remainder of the fiscal year in which this Order in Council comes into force, shall continue to be accounted for separately on behalf of each former municipality 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 former municipality based on the proportion of its standardized property values to the total standardized property values of the former municipalities as they appear in the financial statements of the former municipalities for the fiscal year preceding the year in which this Order in Council comes into force; and

(4) the amount paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures recognized by the council under paragraph 3 and financed directly from that amount, shall constitute a reserve that shall be paid into the general fund of the new municipality for the first fiscal year for which it adopts a budget for its entire territory.

16. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall remain charged to

all the taxable immovables in the sector made up of the territory of that former municipality.

17. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used for the benefit of the ratepayers of the sector made up of the territory of that former municipality. It may be used to carry out public works in the sector, to reduce taxes for all the taxable immovables in the sector, to pay debts charged to the sector or to make repairs to municipal community or recreational immovables.

18. Starting with the first fiscal year for which the new municipality adopts a budget for its entire territory, all the taxable immovables in the territory of the new municipality shall be subject to

— the annual payment of the instalments in principal and interest on the loan contracted for the enlargement of the municipal garage under By-law 215 of the former *Partie sud de la Paroisse de Sacré-Coeur-de-Marie*;

— the annual payment of the instalments in principal and interest on the loan contracted for the municipal road network under By-law 285; for the industrial park infrastructures under By-law 290; and for the purchase of an all-season truck under by-laws 315 and 200-317 of the former *Municipalité de Saint-Méthode-de-Frontenac*; and

— to the aliquot share payable to the *Société québécoise d'assainissement des eaux* by the former *Municipalité de Saint-Méthode-de-Frontenac* for the construction of a drinking water tank and settling pond under agreements signed on 12 June 1984 and 5 June 1991.

The taxation clauses of those by-laws shall be amended accordingly.

19. The annual payment of the instalments in principal and interest on all the loans contracted under by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in section 18 shall remain charged to the sector made up of the territory of the former municipality that contracted them in accordance with the taxation clauses of those by-laws.

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

20. Any available balance of any loan by-law shall be used to make the annual repayments in principal and interest on those loans, or if the securities were issued for a shorter term than originally set, to reduce the balance of the loans.

If the available balance is used to make the annual repayments on loans, the rate of tax imposed to make them shall be reduced so that the income from taxes equals the balance owed, once the available balance has been deducted.

21. Notwithstanding section 119 of the Act respecting municipal territorial organization, the new municipality shall use the values entered on the real estate assessment roll in effect for the 2001 fiscal year for each of the former municipalities, updated and adjusted as of 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 *Village de Sainte-Anne-du-Lac* shall be divided by the median proportion of that roll and multiplied by the median proportion of the roll of the former *Municipalité d'Adstock*; the median proportions shall be those established for the 2001 fiscal year.

The roll in effect in the former *Municipalité d'Adstock* for the 2001 fiscal year combined with the amended roll of the former *Village de Sainte-Anne-du-Lac* in accordance with the second paragraph of this section shall constitute 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 *Municipalité d'Adstock*. The first fiscal year of the new municipality shall be considered the first year in which the roll applies.

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

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

23. Any debt or gain that may result from legal proceedings for any act performed by a former municipality shall remain charged or credited to all the taxable immovables of the sector made up of the territory of that former municipality.

24. A municipal housing bureau is constituted under the name of "Office municipal d'habitation de la Municipalité d'Adstock". The name of the bureau may initially be changed by a simple resolution of the board of directors in the year following its constitution. A notice of the change of name must be sent to the Société d'habitation du Québec and published in the *Gazette officielle du Québec*.

That municipal bureau shall, on the date of coming into force of this Order in Council, succeed the municipal housing bureau of the former Municipalité d'Adstock, 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 housing bureau of the new municipality as though it had been constituted 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 council of the new municipality; two members shall be elected by all the lessees of the bureau in accordance with the Act respecting the Société d'habitation du Québec; and two members shall be appointed by the Minister of Municipal Affairs and Greater Montréal, after consultation, from among the most representative socioeconomic groups in the bureau's territory.

Until a majority of candidates elected in the first general election begin their terms, the members of the board of directors of the bureau shall be the members of the municipal housing bureau of the former Municipalité d'Adstock.

The directors shall elect from among themselves a chair, a 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 for meetings shall be the majority of the members in office.

The directors 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 and 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; and

(5) subject to 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 dissolved bureau shall become, without reduction in salary, employees of the 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 member or director.

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 bureau referred to in the second paragraph. The time limit within which any succeeding bureau must comply with this section shall be 36 months from the date of determination of the last bargaining unit.

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

26. The proceeds from the sale of an immovable that had been owned by a former municipality shall be used primarily to pay the balance of the loan contracted by that former municipality to acquire and develop the immovable. Any balance shall be paid into the general fund of the new municipality.

27. For no less than ten years following the coming into force of this Order in Council, the new municipality shall maintain in the sector made up of the territory of the former Partie sud de la Paroisse de Sacré-Coeur-de-

Marie, as it existed before the coming into force of Order in Council 69-2001 dated 31 January 2001, the use of a community hall and a municipal garage, including equipment to effectively service that sector.

28. For a period covering no less than the first ten full fiscal years of the new municipality, an amount of \$16 000 or 19% of the recreation and culture budget account, whichever is greater, shall be allocated to recreational activities for the sector made up of the territory of the former *Partie sud de la Paroisse de Sacré-Coeur-de-Marie* as it existed before the coming into force of Order in Council 69-2001 dated 31 January 2001.

29. For a period of no less than ten years following the coming into force of this Order in Council, the new municipality shall maintain, in the sector made up of the territory of the former *Village de Sainte-Anne-du-Lac*, the use of the community hall and existing sports facilities. The new municipality shall assign the administration of the community hall and sports facilities to a community organization.

30. For a period of no less than ten years following the coming into force of this Order in Council, the new municipality shall pay a yearly contribution for water quality monitoring activities and any other initiatives to improve environmental quality in the sector made up of the territory of the former *Village de Sainte-Anne-du-Lac*. The yearly contribution shall amount to \$38 000 or 25% of the proceeds from the general property tax levied in the territory of the former *Village de Sainte-Anne-du-Lac*, once the contribution to the *Sûreté du Québec* is deducted, whichever is greater. The yearly contribution shall be paid to a local non-profit associative organization that meets the requirements of the new municipality's policies and by-laws.

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 TERRITORIAL BOUNDARIES OF THE NEW MUNICIPALITÉ D'ADSTOCK IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE L'AMIANTE

The current territory of *Municipalité d'Adstock* and *Village de Sainte-Anne-du-Lac*, in *Municipalité régionale de comté de L'Amiante*, comprising, in reference to the cadastres of the townships of *Adstock*, *Broughton* and *Thetford* and of *Paroisse de Saint-Éphrem-de-Tring*, the lots or parts of lots and their present and future subdivi-

sions, as well as the roads, routes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the limits hereinafter described, namely: starting from the meeting point of the dividing line between ranges 7 and 6 of the cadastre of *Canton de Thetford* with the dividing line between the cadastres of the townships of *Thetford* and *Broughton*; thence, successively, the following lines and demarcations: southeasterly, part of the dividing line between the cadastres of the said townships to the apex of the west angle of *Lot 17A* of *Rang 11* of the cadastre of *Canton de Broughton*, that line crossing the abandoned railway right-of-way (*Lot 29* of the cadastre of *Canton de Thetford*) that it meets; in reference to the cadastre of *Canton de Broughton*, northeasterly, the northwest line of *Lot 17A* of *Rang 11* to the dividing line between ranges 11 and 10, that line crossing *Rue Principale* that it meets; southeasterly, part of the dividing line between the said ranges to the apex of the east angle of *Lot 24D* of *Rang 11*, that line crossing *Chemin de l'Ancienne Route* that it meets; southwesterly, part of the southeast line of the said lot to the northeast limit of the *Chemin de la Grande-Ligne* right-of-way; in a general southeasterly direction, part of the northeast limit of the said road right-of-way to the southeast line of *Lot 26B* of *Rang 11*; southwesterly, part of the said southeast line to the apex of the south angle of the said lot, that line crossing *Chemin de la Grande-Ligne* that it meets; southeasterly, part of the dividing line between the cadastres of the townships of *Thetford* and *Adstock* and the cadastres of *Canton de Broughton* and *Paroisse de Saint-Éphrem-de-Tring* to the apex of the west angle of *Lot 537* of the cadastre of the said parish; in reference to that cadastre, northeasterly, the northwest line of the said lot; southeasterly, the northeast line of lots 537, 536, 535, 534, 533, 532, 531, 530, 529A and 529; southwesterly, the southwest line of *Lot 529*; southeasterly, part of the dividing line between the cadastres of *Canton d'Adstock* and *Paroisse de Saint-Éphrem-de-Tring* to the apex of the east angle of *Lot 4* of *Rang 13* of the cadastre of *Canton d'Adstock*; in reference to that cadastre, southwesterly, the southeast line of *Lot 4* in ranges 13 and 12, that line extended across *Route 269* that it meets; southeasterly, part of the dividing line between ranges 11 and 12 to the dividing line between the cadastres of the townships of *Adstock* and *Forsyth*; southwesterly, part of the dividing line between the cadastres of the said townships to the dividing line between ranges 10 and 9 of the cadastre of *Canton d'Adstock*; in reference to that cadastre, northwesterly, part of the dividing line between the said ranges to the centre line of a public road (*Route des Hamann*) situated between lots 10 and 11A of *Rang 9*; southwesterly, successively, the centre line of the said road, the southeast line of *Lot 11A* of *Rang 8* then the southeast line of *Lot 11* in ranges 7, 6, 5 and 4; southeasterly, part of the

dividing line between ranges 3 and 4 to the apex of the east angle of Lot 11 of Rang 3; southwesterly, the south-east line of the said lot; successively northwesterly and southwesterly, part of the dividing line between the cadastres of the townships of Adstock and Lambton then its extension to the centre line of Lac Saint-François; in a general northwesterly direction, the centre line of the said lake to its meeting with a straight southerly line that starts at the extremity of the centre line of Rivière de l'Or at its mouth in Lac Saint-François; in a general northerly direction, the said straight line and the centre line of the said river to the dividing line between the cadastres of the townships of Thetford and Adstock, the said centre line also being the dividing line between the cadastres of the townships of Adstock and Coleraine; northeasterly, part of the dividing line between the cadastres of the townships of Adstock and Thetford to the apex of the south angle of Lot 20B of Rang 11 of the cadastre of Canton de Thetford; in reference to that cadastre, northwesterly, successively, the southwest line of Lot 20B of Rang 11, the extension of that line in Lac à la Truite, the southwest line of Lot 20A of the said range then the line bounding on the southwest lots 20 of Rang 10, 20B of Rang 9, 20C of Rang 8 and 20D of Rang 7 to the dividing line between ranges 7 and 6; lastly, northeasterly, part of the dividing line between the said ranges to the starting point.

The said limits define the territory of the new Municipalité d'Adstock, in Municipalité régionale de comté de L'Amiante.

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

Charlesbourg, 21 September 2001

Prepared by: JEAN-FRANÇOIS BOUCHER,
Land surveyor

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

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