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2

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Laws and Regulations

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PROVINCE OF QUÉBEC

2nd SESSION

36th LEGISLATURE

QUÉBEC, 18 DECEMBER 2001

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 18 December 2001*

This day, at thirty-six minutes past four o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to sanction the following bills:

- 35 An Act to amend the Education Act
- 46 An Act to amend various legislative provisions respecting certain sectors of the clothing industry
- 58 An Act to amend the Water Resources Preservation Act
- 63 An Act to amend the Labour Code and the Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions
- 69 Appropriation Act No. 3, 2001-2002

To these bills the Royal assent was affixed by His Excellency the Lieutenant-Governor.

PROVINCE OF QUÉBEC

2nd SESSION

36th LEGISLATURE

QUÉBEC, 20 DECEMBER 2001

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 20 December 2001*

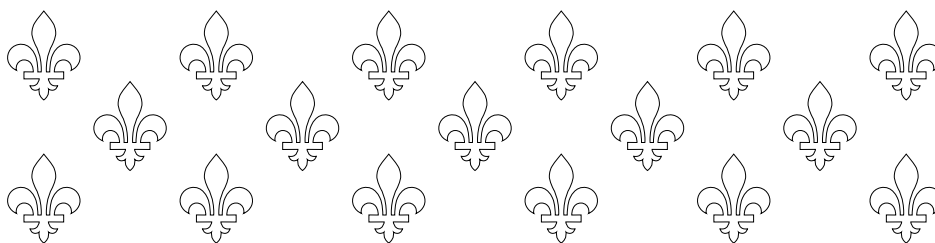
This day, at fifteen minutes past ten o'clock in the morning, the Honourable the Administrator of Québec was pleased to sanction the following bills:

- 175 An Act to amend the Taxation Act, the Act respecting the Québec sales tax and other legislative provisions
- 10 An Act to amend the Act respecting the Ministère du Revenu and other legislative provisions
- 34 An Act to again amend the Taxation Act, the Act respecting the Québec sales tax and other legislative provisions
- 7 An Act to amend the Act respecting roads
- 9 An Act to amend the Act to facilitate the payment of support
- 11 An Act to establish a budgetary surplus reserve fund
- 13 An Act to amend the Act respecting off-highway vehicles

- 18 An Act to amend the Act respecting immigration to Québec
- 25 An Act to amend the Environment Quality Act
- 36 Public Health Act
- 40 An Act to amend the James Bay Region Development Act and other legislative provisions
- 43 An Act to amend the Act to promote the reform of the cadastre in Québec
- 44 An Act to amend the Parks Act
- 48 An Act to amend the Act respecting the Barreau du Québec and the Stenographers' Act
- 51 An Act to amend the Act respecting lotteries, publicity contests and amusement machines and the Act respecting the Régie des alcools, des courses et des jeux
- 55 An Act to amend the Act respecting public transit authorities and other legislative provisions
- 56 An Act to amend the Act respecting the national capital commission
- 60 An Act to amend various legislative provisions concerning municipal affairs
- 61 An Act respecting La Financière du Québec
- 64 An Act to amend the Civil Code as regards requests for civil status documents
- 71 An Act to amend the Act respecting the remuneration of elected municipal officers
- 73 An Act to amend the Election Act and the Referendum Act
- 75 An Act to amend the Act respecting the protection of personal information in the private sector
- 165 An Act to amend the Act respecting the terms of the directors of certain public health and social service institutions

- 167 An Act to amend certain legislative provisions concerning the conclusion and signing of borrowing transactions and financial instruments
- 173 Civil Protection Act
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- 180 An Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals
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- 204 An Act respecting Municipalité de Saint-Isidore-de-Clifton
- 205 An Act respecting Ville de Coaticook
- 206 An Act respecting Ville de Mont-Tremblant
- 208 An Act respecting Ville de Fleurimont
- 209 An Act respecting Municipalité de Lac-Étchemin
- 219 An Act respecting Ville de Rivière-du-Loup

To these bills the Royal assent was affixed by the Honourable the Administrator of Québec.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 7
(2001, chapter 54)

An Act to amend the Act respecting roads

Introduced 15 May 2001
Passage in principle 7 June 2001
Passage 19 December 2001
Assented to 20 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTES

The object of this bill is to authorize the Government to entrust the management of certain bridges to the Minister of Transport because of the strategic location of the bridges in the road network. It also provides that municipalities remain responsible for the maintenance of the traffic lanes of such bridges.

The bill authorizes the Minister to enter into agreements with native communities enabling them to carry out building, rebuilding or maintenance work on a road at the expense of the Government.

Bill 7

AN ACT TO AMEND THE ACT RESPECTING ROADS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 2 of the Act respecting roads (R.S.Q., chapter V-9) is amended by adding the following paragraph :

“The Government may, by an order published in the *Gazette officielle du Québec*, recognize certain bridges as strategic; the management of such bridges is under the responsibility of the Minister.”

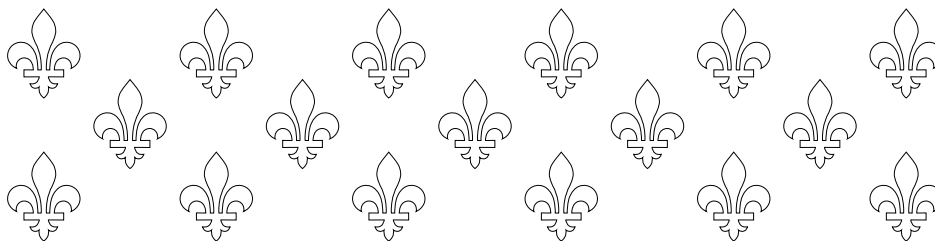
2. Section 16 of the said Act is amended by adding the following paragraph :

“Municipalities shall also remain responsible for such maintenance in respect of bridges recognized as strategic by the Government under section 2.”

3. The said Act is amended by inserting the following section after section 32 :

“32.1. The Minister may, in accordance with the applicable legislative provisions, enter into an agreement with a native community represented by its band council within the meaning of the Indian Act (Revised Statutes of Canada, 1985, chapter I-5) or the Cree-Naskapi (of Québec) Act (Statutes of Canada, 1984, chapter 18), providing for the carrying out, by the native community, of building, rebuilding or maintenance work on a road at the expense of the Government.”

4. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 9
(2001, chapter 55)

An Act to amend the Act to facilitate the payment of support

Introduced 8 May 2001
Passage in principle 17 May 2001
Passage 19 December 2001
Assented to 20 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill amends the Act to facilitate the payment of support in order to solve various problems related to the application and interpretation of the Act.

First, amendments are proposed to standardize the provisions relating to the security required of debtors of support and to exempt debtors from furnishing security if they receive employment insurance benefits or an employment-assistance allowance.

In addition, existing mechanisms for the recovery of outstanding amounts are modified and new mechanisms are introduced. In that connection, the powers of the Minister of Revenue to determine an employment relationship and to obtain information are clarified. As well, a notice sent by the Minister of Revenue to a third party concerning the collection of amounts due to a person owing an amount under the Act will remain valid no longer for one year only but until the debt in respect of which the notice was sent is wholly paid or until the third party has discharged all obligations towards his or her creditor. Moreover, the person to whom a debtor of support transfers property will henceforth, on certain conditions, become solidarily liable for the amount owed by the debtor.

Lastly, the time allowed to exercise certain remedies is extended from 10 to 20 days.

Bill 9

AN ACT TO AMEND THE ACT TO FACILITATE THE PAYMENT OF SUPPORT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 4 of the Act to facilitate the payment of support (R.S.Q., chapter P-2.2) is amended by adding the following paragraph at the end :

“The security furnished by a debtor must be maintained.”

2. Section 5 of the said Act is amended by inserting “and maintain” after “furnish” in subparagraph 1 of the first paragraph.

3. Section 8 of the said Act is amended by inserting “or maintain” after “furnish” in the second paragraph.

4. Section 14 of the said Act is amended by adding the following sentence at the end : “The same applies where the Minister has reason to believe that a debtor works for a person who declares that that is not the case.”

5. Section 26 of the said Act is amended by replacing the second paragraph by the following paragraph :

“In such cases, security must be furnished to the Minister and maintained by the debtor, except where the debtor receives employment insurance benefits from the federal government or an employment-assistance allowance from Emploi-Québec.”

6. Section 30 of the said Act is amended by replacing “three months” in the first paragraph by “one month”.

7. Section 48 of the said Act is amended

(1) by replacing “is bound to make a payment, within one year after the date of the notice,” in the first and second lines of the first paragraph by “, by virtue of an existing obligation, is or will be bound to make a payment” ;

(2) by replacing the second paragraph by the following paragraph :

“The same applies in the case of a payment to be made to a creditor holding a security furnished by a person owing an amount under this Act or to the

assignee of a claim assigned by such person where the payment would, but for the security or assignment of claim, be made to that person.”

8. Section 49 of the said Act is replaced by the following section :

“49. Where a person owing an amount under this Act is or is to become the debtor of a financial institution and has furnished security for the debt, and the institution has not yet paid its consideration for the debt, the Minister may, by written notice, require that the institution pay to the Minister all or part of the consideration.”

9. Section 50 of the said Act is amended

(1) by striking out “, within one year after the date of the notice,” in the second line of the first paragraph ;

(2) by replacing “is to be, within one year after the date of the notice,” in the second line of the second paragraph by “is or is to be”.

10. The said Act is amended by inserting the following section after section 50:

“50.1. A notice of the Minister sent to a person pursuant to section 48, 49 or 50 remains valid and binding until release is given.

Release is given by the Minister upon full payment of the debt in respect of which the notice was sent or upon full discharge by the person referred to in the first paragraph of all obligations towards the person’s creditor.”

11. The said Act is amended by inserting the following sections after section 51 :

“51.1. Where a person owing an amount under this Act transfers property, directly or indirectly, by means of a trust or by any means whatever to a person with whom the person is not dealing at arm’s length within the meaning of the Taxation Act (chapter I-3), a person under 18 years of age, the person’s spouse or a person who, after the transfer, becomes the person’s spouse, the transferee becomes solidarily liable with the transferor to pay an amount equal to the lesser of the following amounts

(a) the amount by which the fair market value of the property at the time of the transfer exceeds the fair market value at that time of the consideration given for the property ; and

(b) the aggregate of the amounts owed by the transferor under this Act that are payable at the time of the transfer or are to become payable within one year following the transfer.

“51.2. A payment by the transferor affects the transferee’s liability only where that payment operates to reduce the aggregate of the amounts referred to in paragraph *b* of section 51.1 to an amount that is less than the amount in respect of which the transferee is solidarily liable under the provisions of section 51.1.

In that case, the transferee’s solidary liability is reduced to that lesser amount.

“51.3. For the purposes of section 51.1, where the property is transferred to a spouse pursuant to a decree, order or judgment of a competent court or pursuant to a written separation agreement, the fair market value of the property at the time of the transfer is deemed to be equal to zero if, at that time, the transferor and the transferor’s spouse are living separate and apart because of the breakdown of their marriage.

“51.4. For the purposes of sections 51.1, 51.2 and 51.3, the rules provided in section 2.2.1 of the Taxation Act (chapter I-3) apply with the necessary modifications.”

12. The said Act is amended by inserting the following section after section 57:

“57.1. To ensure the recovery of an amount owed, any person authorized by the Minister may, by a demand sent by registered or certified mail or served personally, require that a person, whether or not that person owes an amount under this Act, file any information or any document by registered or certified mail or by personal service, within such reasonable time as the authorized person may specify.

The person to whom the demand is addressed must comply within the time specified, whether or not the person has already filed such information or document or a response to a similar demand made under this Act.”

13. Section 60 of the said Act is amended by replacing “ten” in the third line of the first paragraph by “20”.

14. Section 61 of the said Act is amended by replacing “ten” in the fifth line by “20”.

15. Section 68 of the said Act is amended by replacing “section 57” by “section 57 or 57.1”.

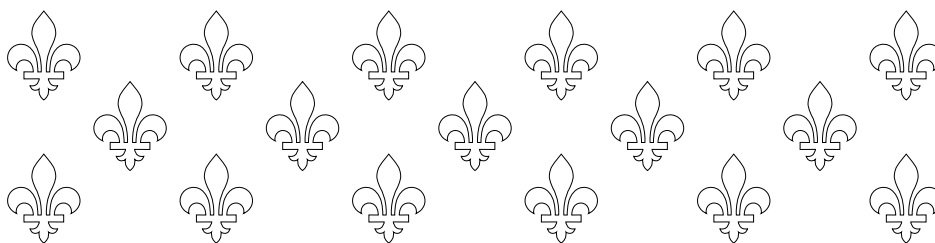
16. Section 70 of the said Act is amended by inserting “or 68” after “section 67” in the first paragraph.

17. Section 6 applies to any security relating to a payment order that is effective at the time of coming into force of this Act.

18. The Minister shall report to the Government on the carrying out of this Act on the third anniversary of the day on which it is assented to.

The report shall be tabled by the Minister in the National Assembly in the ensuing 15 days or, if the Assembly is not in session, within 15 days of resumption.

19. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 10
(2001, chapter 52)

**An Act to amend the Act respecting
the Ministère du Revenu and other
legislative provisions**

**Introduced 8 May 2001
Passage in principle 20 November 2001
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill amends the Act respecting the Ministère du Revenu to clarify certain provisions relating to the oath that a public servant of the Ministère du Revenu may administer in the exercise of his or her functions, the time within which an amount must be paid following an assessment, the time within which an objection to an assessment must be filed and the bringing of a summary appeal in relation to an assessment.

Other amendments are introduced, in particular, to facilitate the recovery by the Ministère du Revenu of sums of money seized in the course of the administration or enforcement of criminal law, relax the condition that applies where impossibility to act is invoked in an application for an extension of the time for bringing an appeal to the Court of Québec, and define new penal offences.

The bill amends the Tobacco Tax Act, the Licenses Act and the Fuel Tax Act as regards the date of coming into force of the regulations under those Acts. The bill amends the Fuel Tax Act to broaden the power of the Minister of Revenue to make agreements, and to add a definition of “refinery”.

Lastly, the bill contains provisions of a more technical nature and consequential amendments.

LEGISLATION AMENDED BY THIS BILL :

- Tobacco Tax Act (R.S.Q., chapter I-2);
- Licenses Act (R.S.Q., chapter L-3);
- Act respecting the Ministère du Revenu (R.S.Q., chapter M-31);
- Act respecting property tax refund (R.S.Q., chapter R-20.1);
- Fuel Tax Act (R.S.Q., chapter T-1).

Bill 10

AN ACT TO AMEND THE ACT RESPECTING THE MINISTÈRE DU REVENU AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TOBACCO TAX ACT

1. Section 20 of the Tobacco Tax Act (R.S.Q., chapter I-2), amended by section 16 of chapter 51 of the statutes of 2001, is replaced by the following section:

“20. Every regulation made under this Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.

Such a regulation may also, once published and where it so provides, take effect on a date prior to its publication but not prior to the date on which the legislative provision under which it is made takes effect.”

LICENSES ACT

2. Section 5 of the Licenses Act (R.S.Q., chapter L-3), amended by section 229 of chapter 51 of the statutes of 2001, is again amended

(1) by replacing the second paragraph by the following paragraphs:

“Every regulation made under this Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.

Such a regulation may also, once published and where it so provides, take effect on a date prior to its publication but not prior to the date on which the legislative provision under which it is made takes effect.”;

(2) by striking out the third, fourth and fifth paragraphs.

ACT RESPECTING THE MINISTÈRE DU REVENU

3. Section 1.2.1 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31), enacted by section 1 of chapter 36 of the statutes of 2000, is amended, in the first paragraph,

- (1) by replacing the portion before subparagraph *a* by the following :
- “1.2.1. In this Act, a large corporation is”;
- (2) by replacing “subparagraphs *a* to *c* of the first paragraph” in subparagraph *a* by “paragraphs *a* to *c*”.
4. Section 11 of the said Act is replaced by the following section :
- “11. Every public servant of the Ministère du Revenu whom the Minister authorizes for that purpose may, in the exercise of his or her functions, administer the same oath as a commissioner for oaths appointed under the Courts of Justice Act (chapter T-16).”
5. Section 12.0.2 of the said Act, enacted by section 3 of chapter 36 of the statutes of 2000, is amended, in the first paragraph,
- (1) by replacing “sections 15 to 15.3” in subparagraph *c* by “sections 15 to 15.2”;
- (2) by replacing “section 27.0.2” in subsection *e* by “the first paragraph of section 27.0.2”.
6. Section 27.0.1 of the said Act is amended, in the second paragraph,
- (1) by inserting “or a trust” after “individual” in the first line ;
- (2) by inserting “or a trust” after “individual” in subparagraph *b* ;
- (3) by inserting the following subparagraph after subparagraph *b* :
- “(b.1) sections 34.1.1 and 37.6 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5);”.
7. Section 27.0.2 of the said Act is amended by adding the following paragraph :
- “Such an order may also be made where monies belonging to a person have been seized according to law by a peace officer, in the course of administering or enforcing criminal law, and must be restored, provided the Minister has serious grounds to believe that the recovery may be compromised.”
8. Section 30 of the said Act is amended, in the first paragraph,
- (1) by inserting “on the earliest of” after “commencing” in the fourth line ;
- (2) by striking out “on” in subparagraph *a* ;
- (3) by replacing subparagraph *c* by the following subparagraph :

“(c) in the case of a refund of duties, interest or penalties paid following a notice of assessment, the day on which the duties, interest or penalties were paid.”

9. Section 35.3 of the said Act, amended by section 12 of chapter 25 of the statutes of 2000, is replaced by the following section :

“35.3. A person referred to in this division who fails, in respect of a taxation year, to file a fiscal return in prescribed form and within the time provided for in section 1000 or 1159.8 of the Taxation Act (chapter I-3) shall, for six years after the date the person has filed a fiscal return for that year,

(a) preserve the registers and supporting documents relating to that year, and

(b) if the person preserves registers and supporting documents on electronic or computerized medium, preserve the registers and supporting documents relating to that year in intelligible form on the same medium.”

10. Section 35.4 of the said Act, amended by section 13 of chapter 25 of the statutes of 2000, is replaced by the following section :

“35.4. A person referred to in this division who has notified a notice of objection in respect of an assessment or who is a party to an appeal under a fiscal law shall, until the time provided for in sections 93.1.10 and 93.1.13 to appeal has expired or until the appeal is disposed of and, where applicable, until the time for filing any further appeal has expired or until any further appeal is disposed of,

(a) preserve the registers and supporting documents necessary for the examination of the objection or appeal, and

(b) if the person preserves registers and supporting documents on electronic or computerized medium, preserve the registers and supporting documents necessary for the examination of the objection or appeal in intelligible form on the same medium.”

11. The said Act is amended by inserting the following section after section 61.1 :

“61.2. A person is guilty of an offence and is liable to a fine of not less than \$800 and not more than \$10,000 or, notwithstanding article 231 of the Code of Penal Procedure (chapter C-25.1), to both the fine and imprisonment for a term not exceeding six months, if the person contravenes an order made under section 61.1.”

12. The said Act is amended by inserting the following section after section 62 :

“62.0.1. A person is guilty of an offence and, in addition to any penalty otherwise provided, is liable to a fine of not less than \$1,000 and not more than \$25,000 or, notwithstanding article 231 of the Code of Penal Procedure (chapter C-25.1), to both the fine and imprisonment for a term not exceeding two years, if the person

(a) wilfully fails to pay, deduct, withhold, collect or remit a duty imposed under a fiscal law and, in respect of that duty, fails to file a return or report as and when prescribed by a fiscal law, by a regulation made under such a law or by an order of the Minister, or

(b) conspires with a person to commit an offence described in subparagraph a.

This section does not apply in respect of Chapter III.1 of the Act respecting labour standards (chapter N-1.1) or Division II of Chapter II of the Act to foster the development of manpower training (chapter D-7.1).”

13. Section 63 of the said Act, amended by section 296 of chapter 5 of the statutes of 2000, is again amended

(1) by replacing “by sections 62 and 62.1” in the first paragraph by “for in sections 62, 62.0.1 and 62.1”;

(2) by inserting the following paragraph after the second paragraph :

“Where an additional duty is payable after an offence contemplated in section 62.0.1 has been committed, the fine must be at least equal to the amount of the duties which such person failed to pay, deduct, withhold, collect or remit, plus 25% of such amount, without exceeding twice such amount.”

14. Section 64 of the said Act, amended by section 244 of chapter 51 of the statutes of 2001, is again amended

(1) by replacing “section 62 or 62.1” by “section 62, 62.0.1 or 62.1”;

(2) by replacing “the said section 62 or 62.1” by “the said section 62, 62.0.1 or 62.1”.

15. Section 65 of the said Act is amended by replacing “section 62 or 62.1” in the first paragraph by “section 62, 62.0.1 or 62.1”.

16. Section 74 of the said Act is amended by replacing “section 62 or 62.1” in the second paragraph by “section 62, 62.0.1 or 62.1”.

17. Section 78 of the said Act is amended by replacing “section 62 or 62.1” in the second paragraph by “section 62, 62.0.1 or 62.1”.

18. Section 93.1.1 of the said Act is amended by replacing the second paragraph by the following paragraph :

“In the case of an assessment under sections 220.2 to 220.13 of the Act respecting municipal taxation (chapter F-2.1), an assessment under the Taxation Act (chapter I-3), an assessment relating to an amount payable under section 34.1.1 or 37.6 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5), an assessment relating to self-employed earnings under the Act respecting the Québec Pension Plan (chapter R-9) or an assessment under sections 358 to 360 of the Act respecting the Québec sales tax (chapter T-0.1), an individual or a testamentary trust may also object to an assessment for a taxation year within one year after the individual’s filing-due date, within the meaning of section 1 of the Taxation Act, for that year.”

19. Section 93.1.2 of the said Act is amended by replacing subparagraph *a* of the second paragraph by the following subparagraph :

“(a) an assessment under the Taxation Act (chapter I-3) in respect of a person who is a large corporation;”.

20. Section 93.1.13 of the said Act is amended by striking out “personally or to be represented by others” in the third paragraph.

21. Section 93.2 of the said Act is amended by inserting the following paragraphs after paragraph *k* :

“(l) an assessment pursuant to sections 220.2 to 220.13 of the Act respecting municipal taxation (chapter F-2.1);

“(m) an assessment relating to an amount payable under section 34.1.1 or 37.6 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5);

“(n) an assessment pursuant to sections 358 to 360 of the Act respecting the Québec sales tax.”

ACT RESPECTING PROPERTY TAX REFUND

22. Section 28 of the Act respecting property tax refund (R.S.Q., chapter R-20.1) is amended by replacing “180” in paragraph *b* by “90”.

FUEL TAX ACT

23. Section 1 of the Fuel Tax Act (R.S.Q., chapter T-1), amended by section 292 of chapter 39 of the statutes of 2000, is again amended, in the first paragraph,

(1) by inserting “and the regulations” after “Act” in the first line;

(2) by inserting the following subparagraph after subparagraph *o* :

“(o.1) “refinery”: any place where fuel petroleum products are refined, manufactured, prepared or distilled;”.

24. Section 50.0.12 of the said Act is amended by striking out the second paragraph.

25. Section 51 of the said Act is amended by replacing the second paragraph by the following paragraph:

“The Minister may also make agreements under the first paragraph with a consumer, a retail dealer holding a registration certificate issued under section 23 or any person carrying on a business who acquires fuel in Québec that is intended to be exported and used outside Québec.”

26. Section 56 of the said Act, amended by section 296 of chapter 39 of the statutes of 2000 and by section 315 of chapter 51 of the statutes of 2001, is replaced by the following section:

“56. Every regulation made under this Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.

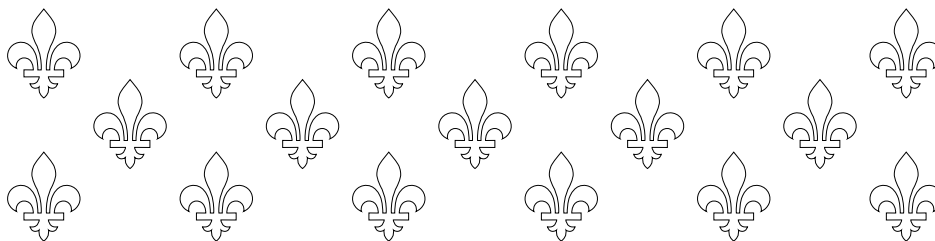
Such a regulation may also, once published and where it so provides, take effect on a date prior to its publication but not prior to the date on which the legislative provision under which it is made takes effect.”

27. Nothing in section 33 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31) may be interpreted as preventing the Public Curator from remitting an amount referred to in that section that the Minister of Revenue has remitted to the Public Curator in accordance with section 24 of the Public Curator Act (R.S.Q., chapter C-81).

This section also applies in respect of an amount referred to in the said section 33 that the Minister of Revenue has already remitted to the Public Curator in accordance with the said section 24.

28. Section 22 has effect from 1 October 2000.

29. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 11
(2001, chapter 56)

An Act to establish a budgetary surplus reserve fund

Introduced 9 May 2001
Passage in principle 31 May 2001
Passage 19 December 2001
Assented to 20 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill gives effect to the Budget Speech delivered on 29 March 2001 in which the establishment of a surplus reserve fund was announced. It consequently provides that the Minister of Finance will determine, in the Budget Speech, the surpluses that may be appropriated to the reserve fund, the various reserve fund accounts and the amounts to be appropriated to each account. The Minister may also in the Budget Speech reallocate unexpended amounts to other reserve fund accounts.

The bill establishes the rules that will apply in appropriating surpluses to the reserve fund. The reserve fund is not to be used for purposes other than capital projects, projects having a defined duration and other projects which, in the Government's opinion, are warranted in the public interest. The reserve fund may in certain circumstances be appropriated to the maintenance of budgetary balance. All unused and unappropriated sums are to be deposited with the Caisse de dépôt et placement du Québec.

The bill requires the Government to form ministerial project selection committees and provides that the projects selected are to be submitted to the Government for approval. In this respect, the expenditures budget must indicate the expenditures of departments and budget-funded bodies that involve the use of the reserve fund.

The bill provides that the Minister is to report to the National Assembly in the Budget Speech on the transactions of the reserve fund for each reserve fund account.

Lastly, the bill amends the Act respecting the elimination of the deficit and a balanced budget to make the necessary adjustments and consequential amendments.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting the elimination of the deficit and a balanced budget (R.S.Q., chapter E-4.01).

Bill 11

AN ACT TO ESTABLISH A BUDGETARY SURPLUS RESERVE FUND

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Minister of Finance shall determine, in the Budget Speech, the surpluses that may be appropriated in whole or in part to a budgetary reserve fund.

The Minister shall also determine the accounts of the reserve fund and the amounts appropriated to each account.

In this Act, “surplus” has the meaning assigned by section 2 of the Act respecting the elimination of the deficit and a balanced budget (R.S.Q., chapter E-4.01), as amended by section 12 of this Act.

2. The reserve fund may be used only for capital projects and other projects having a defined duration.

The Government may, however, where it is of the opinion that the public interest so warrants, authorize projects other than those referred to in the first paragraph.

3. The Government shall form committees to select the projects assigned to each account. The committees shall be composed of the Minister of Finance, the chair of the Conseil du trésor and any other minister designated by the Government.

The committees shall submit the projects selected to the Government for approval.

4. Notwithstanding sections 1 to 3, the Government may appropriate the reserve fund in whole or in part to the maintenance of budgetary balance where it considers any of the following circumstances has arisen :

(1) a disaster having a major impact on revenue or expenditure ;

(2) a significant deterioration of economic conditions ; or

(3) a change in federal programs of transfer payments to the provinces that would substantially reduce transfer payments to the Government.

5. The sums appropriated to the reserve fund, except those used pursuant to section 2 and those appropriated pursuant to section 4, shall be deposited by the Minister with the Caisse de dépôt et placement du Québec during the fiscal year covered by the budget.

The Caisse de dépôt et placement du Québec shall administer the sums in accordance with the investment policy determined by the Minister.

The revenue earned on the sums shall be accounted for in the consolidated revenue fund and is deemed to be appropriated to the reserve fund.

6. The expenditure budget must contain a summary of the estimates that relate to expenditures involving the use of the reserve fund.

The sums that are allocated to such expenditures may be used only for the carrying out of the projects approved by the Government.

This section does not apply to sums appropriated pursuant to section 4.

7. The Minister may also in the Budget Speech reduce the amounts appropriated to a reserve fund account by the sums that have not been allocated to a project. Those sums must be reallocated to other reserve fund accounts.

8. The Minister shall report each year to the National Assembly on the transactions of the reserve fund for each reserve fund account.

9. The Minister of Finance is responsible for the administration of this Act.

10. The title of the Act respecting the elimination of the deficit and a balanced budget (R.S.Q., chapter E-4.01) is replaced by the following title :

“Balanced Budget Act”.

11. Section 1 of the said Act is amended by striking out “from the fiscal year 1999-2000”.

12. Section 2 of the said Act is amended by replacing the definitions of “deficit”, “overrun”, “surplus” and “budgetary surplus” by the following definitions, respectively :

“**budgetary deficit**” means the difference between expenditure and revenue if expenditure exceeds revenue, as adjusted after deducting the reserve fund sums that have been used and adding the sums appropriated to the budgetary reserve fund established under the Act to establish a budgetary surplus reserve fund (2001, chapter 56) ;

“**overrun**” means any sums lacking for achievement of the budgetary balance or surplus objectives determined by this Act or by an offsetting financial plan for a fiscal year ;

“**surplus**” means any sums exceeding the budgetary balance or surplus objectives determined by this Act or by an offsetting financial plan for a fiscal year ;

“**budgetary surplus**” means the difference between revenue and expenditure if revenue exceeds expenditure, as adjusted after deducting the sums appropriated to the reserve fund and adding the reserve fund sums that have been used.”

13. Sections 3 to 5 of the said Act are repealed.

14. Section 6 of the said Act is replaced by the following section :

“6. The Government may not incur a budgetary deficit.”

15. Section 7 of the said Act is amended by replacing “of sections 3 to 6” in the second line by “of section 6”.

16. Section 11 of the said Act is amended by striking out “in relation to the deficit level or budgetary balance referred to in sections 3 to 6” in subparagraph 2 of the first paragraph.

17. The said Act is amended by inserting the following section after section 14:

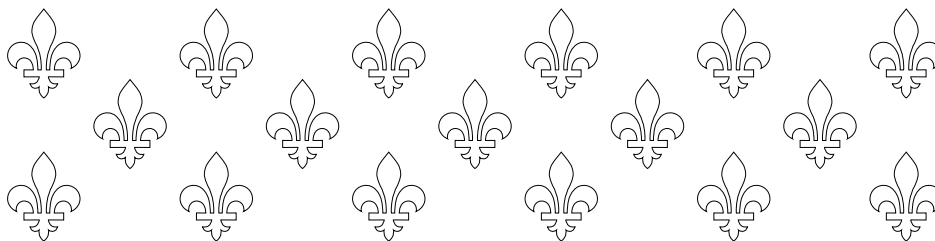
“14.1. Any surpluses achieved for the fiscal years 1996-1997 to 1999-2000 pursuant to this Act as it read on 28 March 2001 are deemed to be surpluses achieved for those fiscal years pursuant to this Act as amended by the Act to establish a budgetary surplus reserve fund (2001, chapter 56).”

18. Section 15 of the said Act, amended by section 101 of chapter 15 of the statutes of 2000, is again amended by replacing the first paragraph by the following paragraph :

“15. The Minister shall report to the National Assembly in the Budget Speech on the objectives pursued by this Act, on the achievement of those objectives and on the variance recorded, if any.”

19. Sections 1 and 10 to 18 of this Act have effect from 29 March 2001.

20. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 13
(2001, chapter 57)

An Act to amend the Act respecting off-highway vehicles

Introduced 15 May 2001
Passage in principle 7 June 2001
Passage 19 December 2001
Assented to 20 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill amends the Act respecting off-highway vehicles as regards liability insurance. It establishes that a liability insurance contract must provide coverage not only to the vehicle owner but to any person who drives the vehicle, except in case of theft, against liability for bodily injury or property damage caused by the vehicle.

The bill also states that coverage may be provided under a master policy applicable to a group of persons and establishes certain rules applicable to such a policy, in particular, as regards the accompanying information document.

Lastly, the bill amends the Act respecting insurance to provide that the information document must be submitted to the Inspector General of Financial Institutions for approval.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting insurance (R.S.Q., chapter A-32);
- Act respecting off-highway vehicles (R.S.Q., chapter V-1.2).

Bill 13

AN ACT TO AMEND THE ACT RESPECTING OFF-HIGHWAY VEHICLES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 19 of the Act respecting off-highway vehicles (R.S.Q., chapter V-1.2) is amended by adding “while operated in Québec” after “vehicle” at the end.

2. The said Act is amended by inserting the following sections after section 19:

“19.1. The liability insurance contract must insure the owner of the off-highway vehicle and any person who drives the vehicle, except a person having obtained the vehicle through theft, against the monetary consequences of any civil liability incurred for bodily injury or property damage caused by the vehicle.

“19.2. The liability insurance contract may be subscribed, for a maximum term of three years, after a call for public tenders, by a policy-holder other than the owner of the off-highway vehicle in order to cover the members of a specified group under a master policy. In such a case, the owner of the vehicle is exempted from the obligation imposed by section 19.

The policy-holder under the liability insurance contract may in no case be a legal person constituted solely for the purposes of subscribing that contract.

A person who, on behalf of a group, extends insurance coverage under a master policy to a member of the group is not subject to the provisions of the Act respecting the distribution of financial products and services (chapter D-9.2).

Any member of the group has the right to consult and make a copy of the policy at the establishment of the policy-holder and, in the event of a discrepancy between the policy and the insurance certificate, may invoke whichever is in the member’s best interests.

“19.3. For the purposes of section 19.2, the insurer shall issue the insurance policy to the policy-holder and shall deliver the information document and the insurance certificates to the policy-holder to be completed and distributed to the members of the group by the policy-holder.

The information document shall describe the product offered, specify the cost of the insurance to the member and the nature of the coverage, and state clearly coverage exclusions.

The information document shall specify the way in which eventual claims are to be presented, and the time for presenting them. The document shall also indicate the time allotted to the insurer to pay the amounts owed, and the steps to be taken by the insured, within the time specified in the document, if the insurer fails to allow a claim.

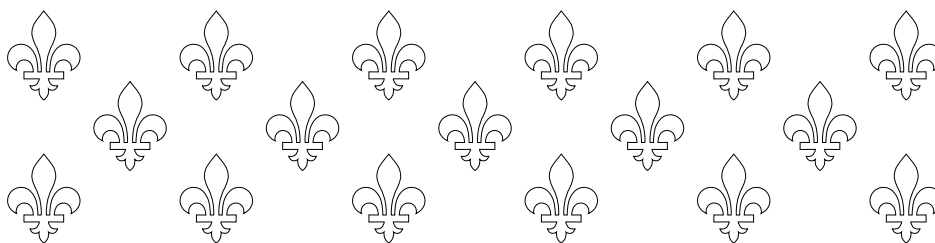
The information document shall also mention that the coverage of \$500,000 may be increased at an additional cost and shall mention, where applicable, any other insurance product offering such additional coverage which, to the insurer's knowledge, is available on the market.

“19.4. The policy-holder shall report annually to the Minister, in the form and according to the requirements the Minister determines, on the carrying out of sections 19.2 and 19.3.”

3. Section 422 of the Act respecting insurance (R.S.Q., chapter A-32) is amended by adding, at the end, the following paragraph :

“The information document referred to in section 19.3 of the Act respecting off-highway vehicles (chapter V-1.2) must also be approved by the Inspector General.”

4. This Act comes into force on the date or dates to be fixed by the Government.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 18
(2001, chapter 58)

An Act to amend the Act respecting immigration to Québec

Introduced 10 May 2001
Passage in principle 14 November 2001
Passage 19 December 2001
Assented to 20 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTE

This bill amends the Act respecting immigration to Québec in order to specify the nature of integration services offered to immigrants settling in Québec. Conditions of eligibility for those services will be fixed by regulation.

Bill 18

AN ACT TO AMEND THE ACT RESPECTING IMMIGRATION TO QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Sections 3.2.3 to 3.2.5 of the Act respecting immigration to Québec (R.S.Q., chapter I-0.2) are replaced by the following section:

“3.2.3. The Minister shall establish and be responsible for the implementation of reception services and linguistic, social and economic integration services for immigrants.”

2. Section 3.2.6 of the said Act is amended by replacing “a student receiving linguistic integration services” by “an immigrant receiving reception or integration services”.

3. Section 3.3 of the said Act is amended by replacing paragraph *h* by the following paragraph:

“(h) determining the conditions of eligibility for reception services and linguistic, social or economic integration services, according to services or classes of immigrants;”.

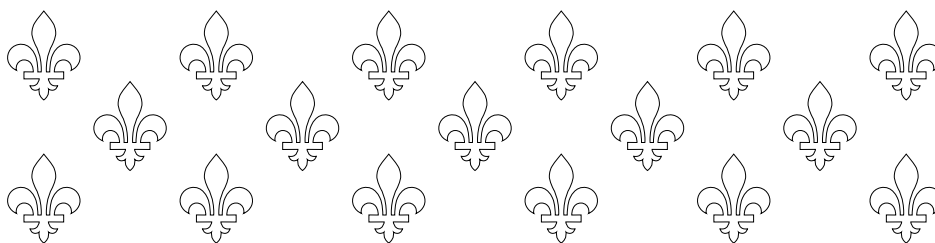
4. Section 12.3 of the said Act is amended

(1) by replacing “linguistic integration” in paragraph *b* by “reception or integration”;

(2) by replacing paragraph *c* by the following paragraph:

“(c) for financial assistance for a person receiving reception or integration services;”.

5. This Act comes into force on the date to be fixed by the Government.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 25
(2001, chapter 59)

An Act to amend the Environment Quality Act

Introduced 15 May 2001
Passage in principle 29 May 2001
Passage 19 December 2001
Assented to 20 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTE

This bill amends the Environment Quality Act to confer on the Government the power to make regulations enabling it to resort to economic instruments for the purpose of protecting the environment and achieving environmental quality objectives.

Bill 25

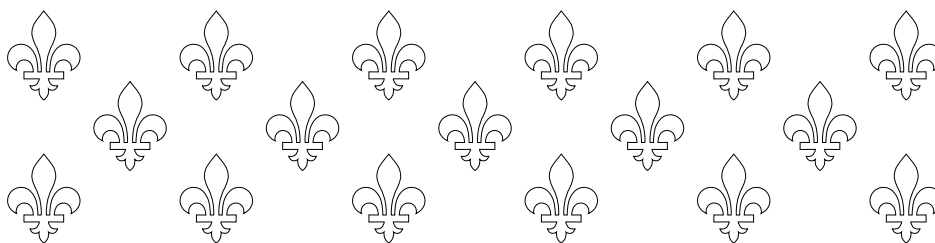
AN ACT TO AMEND THE ENVIRONMENT QUALITY ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 31 of the Environment Quality Act (R.S.Q., chapter Q-2), amended by section 239 of chapter 40 of the statutes of 1999 and section 3 of chapter 75 of the statutes of 1999, is again amended by inserting the following paragraph after paragraph *e* :

“(e.1) establish measures providing for the use of economic instruments, including tradeable permits, emission, effluent and waste-disposal charges and advance elimination fees, for the purpose of protecting the environment and achieving environmental quality objectives for all or any part of the territory of Québec, and establish any rule necessary or relevant to the functioning of the measures;”.

2. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 35
(2001, chapter 46)

An Act to amend the Education Act

Introduced 15 June 2001
Passage in principle 24 October 2001
Passage 13 December 2001
Assented to 18 December 2001

Québec Official Publisher
2001

EXPLANATORY NOTE

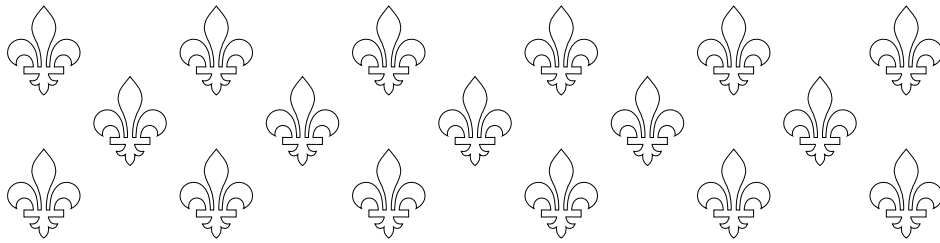
This bill provides that the members of a school's governing board who are students in the second cycle at the secondary level are to be entitled to vote.

Bill 35

AN ACT TO AMEND THE EDUCATION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 42 of the Education Act (R.S.Q., chapter I-13.3) is amended
 - (1) by replacing “, 2 and” in subparagraph 5 of the second paragraph by “to”;
 - (2) by striking out “students’ representatives and” in the last paragraph.
2. Section 53 of the said Act is amended by replacing “, 2 and” in the second line by “to”.
3. This Act comes into force on 18 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 40
(2001, chapter 61)

**An Act to amend the James Bay Region
Development Act and other legislative
provisions**

**Introduced 19 June 2001
Passage in principle 27 November 2001
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill amends the provisions of the James Bay Region Development Act governing Municipalité de Baie-James.

Under the bill, Municipalité de Baie-James is accorded its own municipal council with specific rules of operation. Thus, various conditions governing the constitution of the municipal council are introduced, including the composition of the council and the mode of designation and term of office of the chair. It is provided as well that the municipal council may exercise its powers by by-law or by resolution, rather than under the present system of issuing orders subject to government approval.

The bill enables the Government to allow Municipalité de Baie-James to affirm its jurisdiction with respect to one or more matters within the jurisdiction of a regional county municipality, in all or part of its territory or in the territory of one or more of the cities of Chapais, Chibougamau, Lebel-sur-Quévillon and Matagami.

As well, the bill authorizes the creation of a fund for the purpose of achieving a fiscal and financial balance between Municipalité de Baie-James and the cities of Chapais, Chibougamau, Lebel-sur-Quévillon and Matagami and the localities situated within the municipality.

Moreover, as concerns the rules governing the formation of localities within the municipality, the bill removes the requirement of a minimum number of inhabitants. It provides further that the members of the councils of the localities will henceforth be elected.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting land use planning and development (R.S.Q., chapter A-19.1);
- Act respecting the James Bay Regional Zone Council (R.S.Q., chapter C-59.1);
- James Bay Region Development Act (R.S.Q., chapter D-8).

Bill 40

AN ACT TO AMEND THE JAMES BAY REGION DEVELOPMENT ACT AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

JAMES BAY REGION DEVELOPMENT ACT

1. The James Bay Region Development Act (R.S.Q., chapter D-8) is amended by inserting “and Municipal Organization” after “Development” in the title.

2. Section 4 of the said Act, replaced by section 2 of chapter 69 of the statutes of 1999, is amended by replacing “administer and develop the Territory” in the second paragraph by “develop the Territory subject to municipal jurisdiction with respect to land use planning and development”.

3. Section 6 of the said Act, amended by section 3 of chapter 69 of the statutes of 1999, is again amended by striking out subparagraph *d* of the first paragraph.

4. Section 34 of the said Act is amended by replacing “such name as the Government determines, notice of which shall be given by him in the *Gazette officielle du Québec*” in the second, third and fourth lines by “the name of Municipalité de Baie-James”.

5. Section 35 of the said Act is amended by adding the following paragraph at the end :

“Chapter III of the Act respecting the remuneration of elected municipal officers (chapter T-11.001) applies to the municipality, which is deemed to be a regional county municipality for the purposes of section 30.0.3 of that Act.”

6. Sections 36 to 38 of the said Act are replaced by the following sections :

“36. The following shall be members of the council of the municipality :

(1) the mayors of Ville de Chapais, Ville de Chibougamau, Ville de Lebel-sur-Quévillon and Ville de Matagami ;

(2) the chair of the local council of each of the localities of Radisson, Valcanton and Villebois ;

(3) one person designated by the members referred to in subparagraphs 1 and 2 from among the residents of the Territory, except the residents of the cities of Chapais, Chibougamau, Lebel-sur-Quévillon and Matagami and the localities.

The chair, elected in accordance with section 37, and the other members of the council are deemed to be the mayor and the councillors of the municipality, respectively.

“37. The chair of the council shall be elected by and from among the members of the council by secret ballot at a meeting of the council.

The clerk shall preside at the meeting until the chair is elected. The clerk shall establish the nomination and voting procedure and shall declare elected the person who obtains the majority of the votes of the council members.

“38. The chair of the council is elected for a two-year term. However, the term shall end if the chair resigns as chair, is dismissed pursuant to the third paragraph or ceases to be a member of the council of the municipality.

To resign, the chair shall sign and transmit to the municipality a writing to that effect. The resignation takes effect on the date of transmission of the writing or on any later date specified therein.

The council of the municipality may dismiss the chair by a two-thirds majority of its members. In such a case, the council of the municipality may elect a new chair at the same meeting, in accordance with section 37.

“38.1. The member of the council of the municipality referred to in subparagraph 3 of the first paragraph of section 36 is designated for a two-year term. However, the term shall end if the member resigns, is dismissed pursuant to the third paragraph or ceases to be a resident of the Territory.

To resign, the member shall sign and transmit to the municipality a writing to that effect. The resignation takes effect on the date of transmission of the writing or on any later date specified therein.

The council of the municipality may dismiss the member by a two-thirds majority of its members. In such a case, the council of the municipality may designate a new member at the same meeting, in accordance with section 36.

“38.2. The municipality may adopt or pass by-laws, resolutions or other acts in respect of such parts of its territory as it may determine.

The municipality may also adopt or pass by-laws, resolutions or other acts in respect of only one part of its territory.

“38.3. For the purposes of the application of sections 303 to 306 and 357 to 362 of the Act respecting elections and referendums in municipalities (chapter E-2.2) and the other provisions of that Act related to those sections to the members of the council of the municipality referred to in subparagraph 1 of the first paragraph of section 36, the municipality is considered to be a municipal body within the meaning of section 307 of that Act.

Any other member of the council who has a direct or indirect interest in an enterprise causing the member’s personal interest to conflict with that of the municipality must, on pain of forfeiture of office, disclose the interest in writing to the council and abstain from participating in any discussion or decision involving the enterprise in which the member has the interest or in any part of a meeting of the council during which the interest is discussed.

“38.4. If the circumstances warrant it, a member of the council of the municipality may deliberate and vote at a meeting of the council by means of telephone or other communications equipment, provided that the council chair or person replacing the council chair and the clerk of the municipality are present at the same place and that the communications equipment enables all persons participating in or attending the meeting to hear one another.

The minutes of the meeting must mention the names of members who participate in such a manner and the means of communication used.

A member who participates in a council meeting in accordance with this section is deemed to be present at the meeting, and shall be included for the purpose of determining whether there is a quorum.

“38.5. Every part of the territory of the municipality determined by the council shall constitute a locality and bear the name designated by the council.

Where a locality is so constituted, the council may establish a local council consisting of not more than five members elected for four years, at the time prescribed by the council and in accordance with the Act respecting elections and referendums in municipalities (chapter E-2.2), and to which the council may, by by-law, on such conditions as it determines, delegate all or any part of its powers respecting the locality.

Every natural person who would be qualified to vote at a referendum if the date of reference, within the meaning of the Act respecting elections and referendums in municipalities, were that of the poll, is eligible for the office of member of the local council and is entitled to vote at the election of its members.

“38.6. In a case of irresistible force that might endanger the life or health of the population or seriously damage the equipment of the locality, the chair of the local council may order such expenditure as the chair considers necessary and award any contract necessary to remedy the situation. In such a case, the chair must make a report with reasons to the council having jurisdiction with respect to the matter at the following meeting.”

7. Section 39 of the said Act is amended by replacing “board of directors” wherever the expression appears by “council of the municipality”.

8. Section 39.1 of the said Act is amended by replacing “board of directors” in the first line by “council of the municipality”.

9. The said Act is amended by inserting the following sections after section 39.1 :

“39.2. The council of the municipality may, by by-law, establish a fund for the purpose of achieving a fiscal and financial balance between the municipality and the cities of Chapais, Chibougamau, Lebel-sur-Quévillon and Matagami and the localities situated in the territory of the municipality.

The council shall determine the mode of financing of the fund, the terms and conditions under which the fund is to be managed and the sums paid into the fund.

The surpluses accumulated by the municipality at the time the fund is established form part of the fund.

“39.3. The Government may, at the request of the municipality made by a unanimous resolution of its council, allow the municipality to affirm its jurisdiction with respect to

(1) one or more matters within the jurisdiction of a local municipality, in the territory of one or more of the cities of Chapais, Chibougamau, Lebel-sur-Quévillon and Matagami ;

(2) one or more matters within the jurisdiction of a regional county municipality including a rural regional county municipality, in all or any part of its territory or in the territory of one or more of the cities mentioned in subparagraph 1.

The resolution containing the request under the first paragraph shall specify the matters to which the application pertains and, where the municipality wishes to affirm its jurisdiction with respect to only part of its territory or to the territory of all or some part of the cities, contain a description of the territory concerned or the names of the cities in whose territory the jurisdiction of the municipality with respect to the matter referred to in the request will be exercised.

The order may grant jurisdiction with respect to all or only some of the matters to which the request pertains, and may contain any term or condition respecting the exercise of the jurisdiction granted.

“39.4. The Government may, of its own initiative or at the request of the municipality made by a unanimous resolution of its council, amend an order made under section 39.3.

“39.5. Every request to the Government under sections 39.3 and 39.4 shall be addressed to the Minister.”

10. Section 40 of the said Act is replaced by the following section :

“40. The following shall be excluded from the territory of the municipality :

(1) the territory of every municipality constituted before 14 July 1971 ;

(2) every Category I land, pursuant to section 20 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1).”

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

11. Section 266 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) is replaced by the following section :

“266. This Act does not apply in the territories situated north of the 55th parallel nor in the lands excluded from the territory of Municipalité de Baie-James by paragraph 2 of section 40 of the James Bay Region Development and Municipal Organization Act (chapter D-8).”

ACT RESPECTING THE JAMES BAY REGIONAL ZONE COUNCIL

12. Section 6 of the Act respecting the James Bay Regional Zone Council (R.S.Q., chapter C-59.1) is amended by striking out “for the board of directors of the James Bay Corporation, so far as that board is itself substituted, under section 36 of the James Bay Region Development Act (chapter D-8),” in the second, third and fourth lines.

TRANSITIONAL AND FINAL PROVISIONS

13. The part of the territory of Municipalité de Baie-James designated under the name “Villebois agglomeration” is a locality as if it had been established under section 38.5 of the James Bay Region Development and Municipal Organization Act (R.S.Q., chapter D-8), enacted by section 6.

The members of the council of that agglomeration in office on 19 December 2001 become members of the local council of the locality as if the council had been established in accordance with that section 38.5.

14. Every order of Municipalité de Baie-James in force on 19 December 2001 is deemed to be a by-law or resolution of the municipality, according to the provision under which the decision was made.

Notwithstanding section 365 of the Cities and Towns Act (R.S.Q., chapter C-19), where applicable, an order referred to in the first paragraph that has been approved by the Government may be amended, replaced or repealed by a

by-law or resolution, according to the provision under which the decision is made, that does not require any approval other than the approval required under that provision or any other provision related thereto.

The first two paragraphs do not apply to the orders of Municipalité de Baie-James referred to in any of sections 23, 29 and 31 of the Act respecting the James Bay Regional Zone Council (R.S.Q., chapter C-59.1).

15. The term of office of a member of a local council provided for in section 38.5 of the James Bay Region Development and Municipal Organization Act (R.S.Q., chapter D-8), enacted by section 6, does not affect any term currently in progress.

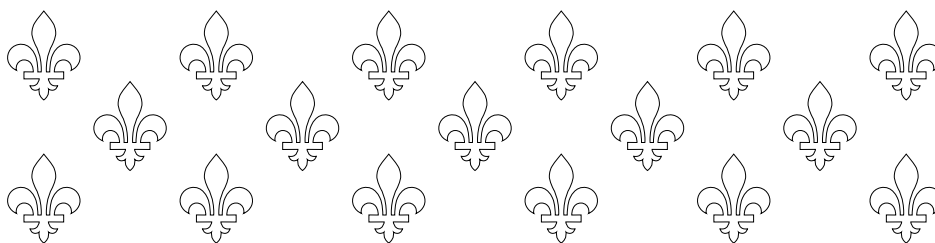
16. Municipalité de Baie-James becomes, without continuance of suit, a party to any suit to which the Société de développement de la Baie James is a party which concerns municipal jurisdiction in matters relating to the administration or development of the territory of the James Bay region.

17. Unless the context indicates otherwise, a reference in any text to the James Bay Region Development Act (R.S.Q., chapter D-8) is a reference to the James Bay Region Development and Municipal Organization Act.

In addition, any reference to the board of directors of the Société de développement de la Baie James in its capacity as the council of Municipalité de Baie-James is a reference to that council.

18. Municipalité de Baie-James must, not later than 30 April in 2003 and not later than 30 April in 2004, file with the Minister of Municipal Affairs and Greater Montréal a report on its activities for the preceding fiscal year. An annual plan of action on new responsibilities and jurisdictions assumed must be filed with the report for the first year.

19. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 43
(2001, chapter 62)

An Act to amend the Act to promote the reform of the cadastre in Québec

Introduced 25 October 2001
Passage in principle 4 December 2001
Passage 19 December 2001
Assented to 20 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTES

The main object of this bill is to amend the Act to promote the reform of the cadastre in Québec in order to harmonize the rules governing the establishment of cadastral renewal fees with those governing land registration fees.

A further object of this bill is to group in the Act all the fees payable in relation to the cadastral renewal program.

Bill 43

AN ACT TO AMEND THE ACT TO PROMOTE THE REFORM OF THE CADASTRE IN QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 8.1 of the Act to promote the reform of the cadastre in Québec (R.S.Q., chapter R-3.1), amended by section 211 of chapter 42 of the statutes of 2000, is again amended

(1) by replacing subparagraphs 1 and 2 of the first paragraph by the following subparagraphs :

“(1) \$40 for the registration of an application for registration referred to in section 2 or 3 of the Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices, established by Order in Council 1597-93 dated 17 November 1993 (1993, G.O. 2, 6257), or in section 2 or 3 of the Tariff of fees respecting land registration established by Order in Council 1074-2001 dated 12 September 2001 (2001, G.O. 2, 5005);

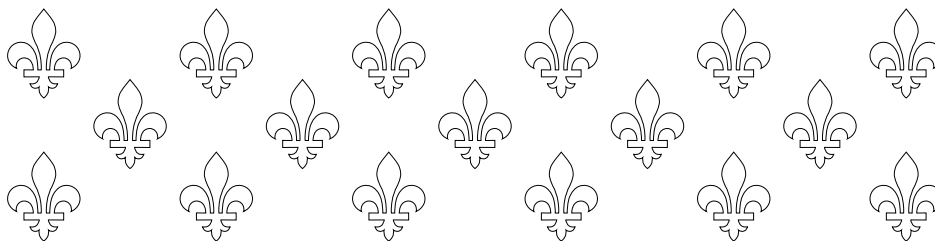
“(2) \$40 for the registration of an application referred to in section 4 of each of the tariffs, which includes the cancellation or reduction of the rights set out in an initial application for registration to which the application for cancellation or reduction relates, plus \$24 for each additional application.”;

(2) by replacing “1 April 1994” and “31 December 1992” in the second paragraph by “1 April 2003” and “31 December 2001”.

2. The said Act is amended by inserting the following section after section 8.3 :

“8.4. There is an exemption from the payment of fees under sections 8.1 and 8.2 in the cases provided for in section 6 of the Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices and in section 7 of the Tariff of fees respecting land registration.”

3. This Act comes into force on 1 January 2002.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 44
(2001, chapter 63)

An Act to amend the Parks Act

Introduced 25 October 2001
Passage in principle 27 November 2001
Passage 19 December 2001
Assented to 20 December 2001

Québec Official Publisher
2001

EXPLANATORY NOTES

This bill makes amendments to the Parks Act that concern the classification of parks, the addition of work authorization powers and the delegation of management services relating to park operations, activities and services.

The bill removes the former classification of parks as conservation or recreation parks and introduces the qualifier “national” and a new definition of the term “park” founded on the conservation and protection of areas or natural sites with outstanding features, in particular because of their biological diversity.

The bill authorizes the Minister responsible for Wildlife and Parks to transfer to the Société de la faune et des parcs du Québec authority over property acquired by the Minister and considered necessary to establish a park or to change a park’s boundaries.

The bill authorizes a delegation, by the Société, of the power to operate a business, provide a service or organize an activity necessary to the operations of a park to the Kativik Regional Government, a municipality constituted under the Act respecting Northern villages and the Kativik Regional Government or under the Cree Villages and the Naskapi Village Act, or to the Cree Regional Authority or a Native community represented by its band council, and provides for the devolution of fees collected in that regard.

The bill further authorizes a delegation by the Société of the power to carry out maintenance, development or construction work necessary to the operations of a park to the Kativik Regional Government, the municipalities or the communities referred to in the preceding paragraph.

Lastly, the bill contains consequential amendments.

Bill 44

AN ACT TO AMEND THE PARKS ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 1 of the Parks Act (R.S.Q., chapter P-9) is amended

(1) by replacing paragraph *b* by the following paragraph :

“(b) “park” means a national park whose primary purpose is to ensure the conservation and permanent protection of areas representative of the natural regions of Québec and of natural sites with outstanding features, in particular because of their biological diversity, while providing the public with access to those areas or sites for educational or cross-country recreation purposes;”;

(2) by striking out paragraphs *c*, *d* and *f*.

2. Section 2 of the said Act is amended by replacing “set aside any part of the lands in the domain of the State that it may indicate, as a park for the exclusive purposes of conservation or outdoor recreation” in the first, second and third lines by “establish a park on any part of the lands in the domain of the State it indicates”.

3. Section 2.1 of the said Act is amended

(1) by replacing “acquire, by agreement or by expropriation, any property he” in the first and second lines by “, without restricting the powers of the Société to acquire property, acquire by agreement or expropriation any property the Minister”;

(2) by adding the following sentence at the end: “The Minister may also, by order, transfer to the Société authority over property acquired under this section.”

4. Section 3 of the said Act is repealed.

5. Section 4 of the said Act is amended

(1) by replacing “or abolish, or change the boundaries or classification of,” in the first and second lines of the first paragraph by “, abolish or change the boundaries of”;

(2) by replacing “or abolish or to change the boundaries or classification” in the first and second lines of subparagraph *a* of the first paragraph by “, abolish or change the boundaries”.

6. Section 6 of the said Act is amended

(1) by replacing the first paragraph by the following paragraph :

“6. The Société has authority over the whole of the territory within the boundaries of a park and is responsible for the management thereof.”;

(2) by adding the following sentence at the end of the second paragraph :
“The Société may also, subject to the applicable legislative provisions, authorize or carry out such work outside the boundaries of a park insofar as the work is necessary to the operations of the park.”;

(3) by inserting the following paragraph after the second paragraph :

“In addition, the Société may delegate, by contract, to the Kativik Regional Government or a municipality constituted under the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) or under the Cree Villages and the Naskapi Village Act (chapter V-5.1), or to the Cree Regional Authority constituted under the Act respecting the Cree Regional Authority (chapter A-6.1) or a Native community represented by its band council, the power to carry out the work referred to in the second paragraph both within and outside the boundaries of a park and in the latter case, subject to the applicable legislative provisions.”

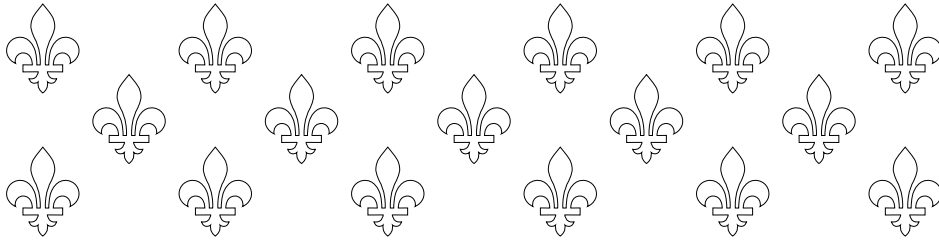
7. Section 8.1 of the said Act is amended by replacing “or provide a service” in the first line of the first paragraph by “, provide a service or organize an activity”.

8. The said Act is amended by inserting the following section after section 8.1 :

“8.1.1. The Société may delegate, by contract, to the Kativik Regional Government or a municipality constituted under the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) or under the Cree Villages and the Naskapi Village Act (chapter V-5.1), or to the Cree Regional Authority constituted under the Act respecting the Cree Regional Authority (chapter A-6.1) or a Native community represented by its band council, the power to operate a business, provide a service or organize an activity necessary to the operations of a park, both within and outside the boundaries of the park and in the latter case, subject to the applicable legislative provisions.

The contract may provide that all or part of the fees paid to enter a park or to stay, travel or engage in an activity in a park devolve on the other contracting party.”

9. Section 8.2 of the said Act is amended by striking out “, in accordance with the primary intention of the park” in the third and fourth lines.
10. Section 9 of the said Act is amended by replacing “employees” in the first line of paragraph *n* by “the employees of the Société or the employees of the other party to a contract made under section 8.1 or 8.1.1”.
11. Section 9.1 of the said Act is amended by replacing “of a park or of” in the first line of subparagraph *c* of the first paragraph by “of the Société or” and by inserting “or 8.1.1” after “8.1” in the second line of that subparagraph.
12. Sections 13 and 14 of the said Act are repealed.
13. Unless the context indicates otherwise, in any Act, statutory instrument or other document, the words “conservation park” and “recreation park” used in relation to a park established under section 2 of the Parks Act are replaced by the words “national park”.
14. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 46
(2001, chapter 47)

**An Act to amend various legislative
provisions respecting certain sectors
of the clothing industry**

**Introduced 31 October 2001
Passage in principle 22 November 2001
Passage 14 December 2001
Assented to 18 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill amends the Act respecting labour standards to extend by 24 months the period during which applicable minimum labour standards established by the Government will apply in certain sectors of the clothing industry.

Under the bill, the filing of the report on the application of labour standards in those sectors of the clothing industry is deferred for 24 months.

In addition, the bill specifies the powers of the Government concerning the minimum content of the employment conditions and labour standards applicable in that sector.

Lastly, the bill amends certain provisions concerning the consultation that must take place before labour standards applicable in certain sectors of the clothing industry are enacted by the Government.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting labour standards (R.S.Q., chapter N-1.1);
- Act respecting the conditions of employment in certain sectors of the clothing industry and amending the Act respecting labour standards (1999, chapter 57).

Bill 46

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS RESPECTING CERTAIN SECTORS OF THE CLOTHING INDUSTRY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 92.1 of the Act respecting labour standards (R.S.Q., chapter N-1.1) is amended

(1) by replacing “The” in the first line of the first paragraph by “After consulting with the most representative employees’ and employers’ associations in the clothing industry, the”;

(2) by inserting the following paragraph after the first paragraph :

“The regulation may also include any provision similar to the provisions appearing in Divisions I to V.1 of Chapter IV in respect of any matter covered by the regulation.”;

(3) by replacing “the first paragraph” in the third paragraph by “the first and second paragraphs”.

2. Section 92.2 of the said Act is repealed.

3. Section 92.3 of the said Act is amended by striking out “and, in that respect, shall consult the body considered to be representative by the Minister under section 92.2” after “industry” in the second, third and fourth lines.

4. Section 92.4 of the said Act is repealed.

5. Section 158.1 of the said Act is amended

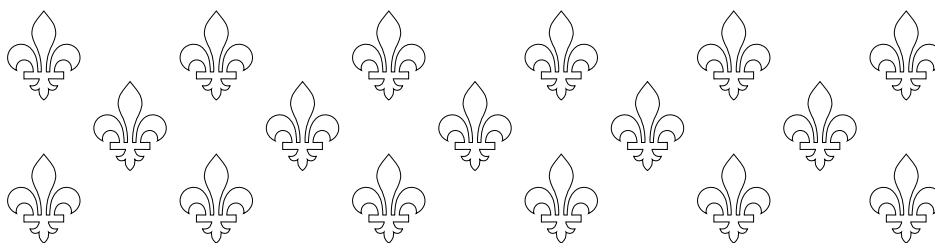
(1) by replacing “18” in the fourth line of the first paragraph by “42”;

(2) by inserting “, as well as any provision similar to the provisions appearing in Divisions I to V.1 of Chapter IV in respect of any matter covered by the regulation” after “66” in the fourth line of the second paragraph.

6. Section 13 of the Act respecting the conditions of employment in certain sectors of the clothing industry and amending the Act respecting labour

standards (1999, chapter 57) is amended by replacing “30 June 2004” in the first line of the first paragraph by “30 June 2006”.

7. This Act comes into force on 18 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 48
(2001, chapter 64)

**An Act to amend the Act respecting
the Barreau du Québec and the
Stenographers' Act**

**Introduced 6 November 2001
Passage in principle 22 November 2001
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill amends the Act respecting the Barreau du Québec to entrust to a committee established within the Barreau du Québec the responsibility of overseeing training, accreditation and disciplinary matters in respect of the stenographers working in the administration of justice.

The bill also provides for the organization and operation of the committee.

In addition, the bill replaces the designation Barreau du Bas-Saint-Laurent-Gaspésie in the Act respecting the Barreau du Québec by Barreau du Bas-Saint-Laurent-Gaspésie-Îles-de-la-Madeleine.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting the Barreau du Québec (R.S.Q., chapter B-1);
- Stenographers' Act (R.S.Q., chapter S-33).

Bill 48

AN ACT TO AMEND THE ACT RESPECTING THE BARREAU DU QUÉBEC AND THE STENOGRAPHERS' ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 5 of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1) is amended by replacing “Bas-Saint-Laurent-Gaspésie” in the fourth line of paragraph 3 by “Bas-Saint-Laurent-Gaspésie-Îles-de-la-Madeleine”.
2. Section 38 of the said Act is amended by striking out paragraph *a* of subsection 1.
3. The said Act is amended by adding the following division after Division XIV :

“DIVISION XIV.1

“STENOGRAPHER TRAINING AND ACCREDITATION AND DISCIPLINARY MATTERS

“140.1. A stenography committee, called the Comité sur la sténographie, is hereby established at the Barreau du Québec, whose mission is to provide the training of the stenographers working in the administration of justice, evaluate their skills and knowledge and grant accreditation to them. The mission of the stenography committee shall include overseeing disciplinary matters.

“140.2. The committee is composed of the seven following members :

- (1) three advocates designated by the Executive Committee ;
- (2) three stenographers designated by the association which is considered by the Minister of Justice to be the most representative of the stenographers working in the administration of justice or, failing such an association, designated by the Minister of Justice ;
- (3) one person designated by the Minister of Justice.

The chair of the committee is designated by the committee from among its members. The chair remains in office until the chair's term as a member of the committee expires.

The members are designated for a term of office of not more than three years. On the expiry of their terms, the members remain in office until they are replaced or reappointed.

“140.3. The members of the committee are not remunerated, except in such cases, on such conditions and to such extent as may be determined by a resolution of the General Council. However, they are entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by a resolution of the General Council.

“140.4. The committee shall, by regulation,

(1) establish the rules and the terms and conditions related to the training, skill and knowledge evaluation, accreditation and discipline of stenographers ;

(2) fix the amount of the fee payable by candidates for the examinations they must take and the amount of the annual assessment that practising stenographers must pay to the Barreau du Québec, determine the portion of the assessment that is to be allocated to training, establish the terms and conditions of payment of the fee and assessment, fix the time within which the fee and assessment must be paid and the consequences of non-payment ;

(3) determine the committee’s rules of operation.

The adoption of a regulation by the committee requires a quorum of at least three members. Each regulation requires a majority vote of the members present. However, that majority must include the vote of at least one of the advocates designated pursuant to subparagraph 1 of the first paragraph of section 140.2 and the vote of at least one of the stenographers designated pursuant to subparagraph 2 of the same paragraph.

The regulations shall be transmitted by the committee to the Office des professions, which shall submit its opinion to the Minister of Justice ; the regulations shall be submitted to the Government, which, on the recommendation of the Minister, may approve them with or without amendments.

If the committee fails to make the regulations referred to in the first paragraph within the time fixed by the Minister of Justice, the Government shall make the regulations in the committee’s place and stead.”

4. Schedule 1 to the said Act is amended by replacing “Bas-Saint-Laurent-Gaspésie” in the sections column by “Bas-Saint-Laurent-Gaspésie-Îles-de-la-Madeleine”.

5. Section 3 of the Stenographers’ Act (R.S.Q., chapter S-33) is replaced by the following section :

“3. The skills and knowledge of such stenographers shall be established by examinations prescribed by the Comité sur la sténographie established at the Barreau du Québec pursuant to Division XIV.1 of the Act respecting the Barreau du Québec (chapter B-1).

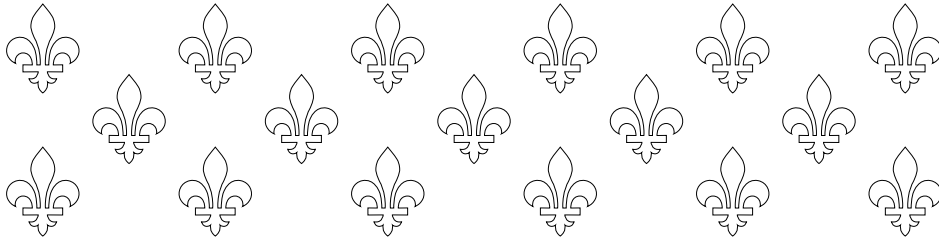
The holder of an accreditation granted by the stenography committee may exercise his or her functions in the whole territory of Québec.”

6. The stenography committee shall grant, as soon as possible and free of charge, an accreditation to every stenographer holding a certificate of competence that was issued by the council of a section pursuant to paragraph *a* of subsection 1 of section 38 of the Act respecting the Barreau du Québec before (*insert here the date of coming into force of section 2 of this Act*) and that is in force on that date. Certificates issued before that date remain valid until they are replaced by an accreditation.

7. Stenographers having paid an annual assessment to the council of a section in the year during which this section comes into force are not required to pay, for that same year, the annual assessment established by the Comité sur la sténographie pursuant to section 140.4 of the Act respecting the Barreau du Québec.

8. The examination of complaints received before (*insert here the date of coming into force of this section*) is continued by the authority examining the complaint before that date, in accordance with the provisions applicable at that time.

9. This Act comes into force on 20 December 2001, except the provisions of sections 2 and 5 to 8, which come into force on the date or dates to be fixed by the Government.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 51
(2001, chapter 65)

**An Act to amend the Act respecting
lotteries, publicity contests and
amusement machines and the Act
respecting the Régie des alcools,
des courses et des jeux**

**Introduced 13 November 2001
Passage in principle 5 December 2001
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill amends the Act respecting lotteries, publicity contests and amusement machines so as to specify the powers of the Régie des alcools, des courses et des jeux and those of the Government as regards bingo lottery scheme licences, particularly with respect to any form of remuneration or determination of remuneration pertaining to bingo hall services or the determination of criteria for prize-giving during a bingo event.

The board is authorized to suspend the issue of lottery scheme licences for a maximum of one year with the approval of the Government, if justified by the public interest. The suspension may be extended subject to the same conditions.

The Forum des organismes de charité ou religieux titulaires de licence de bingo and the Secrétariat du bingo are established and their objectives determined. For the purpose of financing the Secrétariat, the Government is given the power to require an annual contribution from bingo lottery scheme licence holders and is authorized to establish a temporary financial assistance program for the benefit of organizations holding bingo licences.

The Act respecting the Régie des alcools, des courses et des jeux is also amended, with the number of commissioners comprising the board being increased from thirteen to seventeen.

Lastly, the bill contains a transitional measure concerning the suspension of the issue of bingo licences currently in effect.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6);
- Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., chapter R-6.1).

Bill 51

AN ACT TO AMEND THE ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES AND THE ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6) is amended by striking out subparagraph *m* of the first paragraph.

2. Section 20 of the said Act is amended

(1) by inserting “, places” after “dates” in subparagraph *d* of the first paragraph;

(2) by replacing subparagraph *h* of the first paragraph by the following subparagraph :

“(h) the determination of criteria for the assignment or redistribution of bingo lottery scheme licences;”;

(3) by striking out “, which may vary according to territories” in subparagraph *i.2* of the first paragraph;

(4) by replacing “operator’s” in the third line of subparagraph *i.3* of the first paragraph by “manager’s”;

(5) by inserting the following subparagraphs after subparagraph *i.3* of the first paragraph :

“(i.4) any form of remuneration or determination of remuneration pertaining to bingo hall services that is not provided for in subparagraph *i.2* or *i.3*;

“(i.5) the determination of criteria for prize-giving during a bingo event;”;

(6) by striking out “, which price may vary according to territories and according to criteria specified in the rules” in subparagraph *j.1* of the first paragraph;

(7) by inserting “, their frequency” after “reports” in subparagraph *l* of the first paragraph;

- (8) by replacing “Minister” in the third paragraph by “Government”;
- (9) by replacing “, *i.2, i.3*” in the first line of the fourth paragraph by “*i.2 to i.5*”;
- (10) by inserting the following paragraph after the third paragraph :

“The rules under subparagraphs *c, d, h* and *i to m* of the first paragraph shall be made after consultation with the Secrétariat du bingo.”

3. The said Act is amended by inserting the following section after section 36.1 :

“36.1.1. The board may, if it considers it advisable, conduct market surveys regarding the bingo lottery scheme ; the surveys must be made public.”

4. Section 49.0.1 of the said Act is amended

(1) by replacing “in the territory concerned” in subparagraph 3 of the second paragraph by “that may be affected thereby”;

(2) by striking out subparagraph 4 of the second paragraph ;

(3) by striking out the third paragraph.

5. The said Act is amended by inserting the following section after section 50 :

“50.0.0.1. An application for the issue or renewal of a licence that has been refused may not be reexamined by the board unless one year or more has elapsed from the date of the refusal or the applicant provides evidence that new circumstances have arisen since the application was refused.”

6. Sections 50.0.1 and 50.0.2 of the said Act are replaced by the following sections :

“50.0.1. The board may, in plenary session, if the public interest so requires, suspend the issue of licences for all or part of the territory of Québec for the period, not exceeding one year, determined by the board. The suspension may, however, be extended subject to the same conditions.

A suspension measure under this section may be imposed in respect of licence applications filed before the suspension measure becomes effective and in respect of which the board has not made a decision. The suspension measure may indicate the licence applications that are exempted from its application.

A suspension measure or its extension must be submitted to the Government for approval and shall take effect on the date of its publication in the *Gazette officielle du Québec* or on any later date mentioned therein.

“50.0.2. The Government may, if it considers it expedient, establish according to the categories of licences and the terms and conditions it determines, a temporary program of financial assistance for the benefit of bingo licence holders to minimize the inconvenience that may be caused by, among other factors, the closing of a hall or the application of new rules.

“50.0.3. The Government may require an annual contribution from bingo lottery scheme licence holders for the purpose of financing the Secrétariat du bingo. The percentage of the contribution and the collection procedure shall be determined by the Government.”

7. Section 52 of the said Act is replaced by the following section :

“52. Licences are not transferable and may not be issued for a period that exceeds one year, except bingo lottery scheme licences which are issued for a period of not more than three years.

The duties prescribed by regulation shall be payable annually for the maintenance of a bingo lottery scheme licence. In the case of non-payment of the duties, the licence shall be without effect.”

8. The said Act is amended by inserting the following after Division III of Chapter III :

“CHAPTER III.1

“CONSULTATIVE BODIES IN THE BINGO SECTOR

“57.0.1. The following consultative bodies are hereby established :

(1) the “Forum des organismes de charité ou religieux titulaires de licence de bingo”, a legal person constituted of all the religious or charitable organizations holding a bingo licence.

The object of the Forum is to encourage concerted action among bingo licence holders, promote the interests of bingo licence holders and advise the Minister on any matter submitted to the Forum by the Minister.

The Forum shall be governed by the provisions of Part III of the Companies Act (chapter C-38).

The Forum shall establish an advisory committee in particular to represent each administrative region of Québec.

(2) the “Secrétariat du bingo”, a legal person whose object is to encourage and promote the development of bingo, make bingo development proposals to the Minister and carry out any mandate conferred on it by the Minister.

The Secrétariat’s board of directors shall be composed of five members, as follows :

(a) three members elected from the list of the persons designated by the Forum des organismes de charité ou religieux titulaires de licence de bingo, from among the members of organizations that are members of the Forum ;

(b) one member elected from the list of the persons designated by an organization accredited by the Minister to represent the holders of a bingo hall manager’s licence not acting for profit or, if not, elected from the list of the persons designated by the Minister ;

(c) one member elected from the list of the persons designated by an organization accredited by the Minister to represent the holders of a bingo hall manager’s licence acting for the purpose of profit or, if not, elected from the list of the persons designated by the Minister.

The president of the Société des bingos du Québec, or any person designated by the president, shall participate in the meetings of the board of directors without, however, being entitled to vote.

The Secrétariat shall be governed by the provisions of Part III of the Companies Act.”

9. Section 119 of the said Act is amended by inserting “, maintenance” after “modification” in the first line of subparagraph *c* of the first paragraph.

10. Section 3 of the Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., chapter R-6.1) is amended by replacing “thirteen” in the first line by “seventeen”.

11. Section 15 of the said Act is amended by replacing “Seven” in the second paragraph by “Nine”.

12. Section 25 of the said Act is amended by replacing “the organizer of a bingo game” in paragraph 3 by “a bingo hall manager”.

13. Section 24 of the Bingo Rules, made by ministerial order dated 29 September 1997 (1997, G.O. 2, 5116), is repealed.

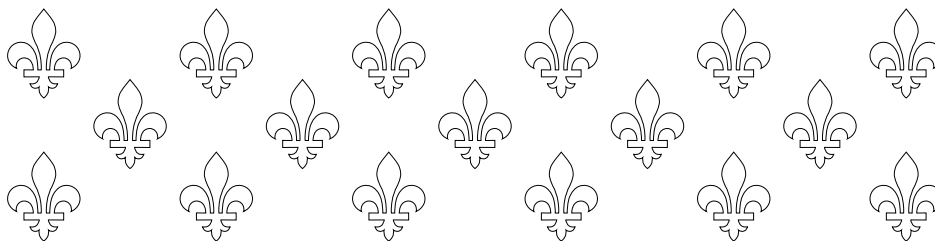
14. The suspension imposed pursuant to section 50.0.2 of the Act respecting lotteries, publicity contests and amusement machines, as it read before being replaced by section 6, in respect of the issue of bingo licences and bingo hall operator’s licences is maintained until the date fixed for its expiry. The board

may, however, on the conditions set out in section 50.0.1 of the said Act, as replaced by section 6, lift the suspension for all or part of the territory of Québec.

15. The Minister of Public Security shall appoint the provisional directors of the Forum des organismes de charité ou religieux titulaires de licence de bingo, and of the Secrétariat du bingo established by section 57.0.1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6).

The Forum shall have its head office in the territory of Ville de Montréal and its board of directors shall be composed of seven members. The Secrétariat shall have its head office in the territory of Ville de Montréal.

16. The provisions of this Act come into force on 20 December 2001, except the provisions of paragraph 1 of section 57.0.1, introduced by section 8, which come into force on 15 January 2002 and those of paragraph 2 of that section, which come into force on 1 February 2002.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 55
(2001, chapter 66)

**An Act to amend the Act respecting
public transit authorities and other
legislative provisions**

**Introduced 15 November 2001
Passage in principle 4 December 2001
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill makes various technical adjustments to the Act respecting public transit authorities as a result of certain municipal amalgamations effected by Order in Council subsequent to passage of the Act, and harmonizes terminology.

The bill provides that, as is the case for the other transit authorities, the transit authorities of Trois-Rivières, Saguenay and Sherbrooke must designate to their boards of directors two members who represent the users of public transportation services and services adapted for handicapped persons.

The bill provides that for the purposes of the establishment and implementation of a financial framework for public transportation for all regions of Québec, the Minister is to consult the municipalities involved and the main stakeholders in that sector. The bill also authorizes the establishment of regional public transport boards in the Montréal region.

Lastly, the bill makes consequential amendments to various statutes and corrects clerical errors.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting the Agence métropolitaine de transport (R.S.Q., chapter A-7.02);
- Archives Act (R.S.Q., chapter A-21.1);
- Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1);
- Act to ensure safety in guided land transport (R.S.Q., chapter S-3.3);
- Transport Act (R.S.Q., chapter T-12);
- Act respecting public transit authorities (2001, chapter 23).

Bill 55

AN ACT TO AMEND THE ACT RESPECTING PUBLIC TRANSIT AUTHORITIES AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 1 of the Act respecting public transit authorities (2001, chapter 23) is amended

(1) by replacing “Ville de Hull-Gatineau” in subparagraph 3 of the first paragraph by “Ville de Gatineau”;

(2) by replacing subparagraph 7 of the first paragraph by the following subparagraph :

“(7) the “Société de transport de Trois-Rivières”, whose area of jurisdiction corresponds to that of Ville de Trois-Rivières;”;

(3) by replacing “the following municipalities : Chicoutimi, Jonquière and La Baie” in subparagraph 8 of the first paragraph by “Ville de Saguenay”;

(4) by replacing “the following municipalities: Ascot, Fleurimont, Lennoxville, Rock Forest and Sherbrooke” in subparagraph 9 of the first paragraph by “Ville de Sherbrooke”.

2. Section 7 of the French text of the said Act is amended by replacing “en faisant les” by “compte tenu des”.

3. Section 10 of the said Act is amended by replacing “Ville de Hull-Gatineau” by “Ville de Gatineau”.

4. Section 14 of the said Act is replaced by the following section :

“14. Ville de Trois-Rivières shall designate the members of the board of directors of the Société de transport de Trois-Rivières from among the members of its council except for two members that it shall choose from among its residents, one of whom shall be a user of the public transportation services and the other a user of services adapted to the needs of handicapped persons.”

5. Section 15 of the said Act is replaced by the following section :

“15. Ville de Saguenay shall designate the members of the board of directors of the Société de transport du Saguenay from among the members of its council except for two members that it shall choose from among its residents, one of whom shall be a user of the public transportation services and the other a user of services adapted to the needs of handicapped persons.”

6. Section 16 of the said Act is replaced by the following section :

“16. Ville de Sherbrooke shall designate the members of the board of directors of the Société de transport de Sherbrooke from among the members of its council except for two members that it shall choose from among its residents, one of whom shall be a user of the public transportation services and the other a user of services adapted to the needs of handicapped persons.”

7. The said Act is amended by inserting the following section after section 16 :

“16.1. For the purposes of sections 8 and 16, a person elected to the office of borough councillor is deemed to be a member, as the case may be, of the council of Ville de Montréal or the council of Ville de Sherbrooke for the application of this Act.”

8. Section 17 of the said Act is amended by replacing “appointing” by “designating”.

9. Section 18 of the said Act is amended

- (1) by replacing “reappointed” in the second paragraph by “redesignated”;
- (2) by striking out “or the secretary-treasurer of the municipality” in the third paragraph.

10. Section 19 of the said Act is amended

- (1) by striking out “or municipality” in the first paragraph;
- (2) by striking out “or the secretary-treasurer of the municipality” in the fifth and sixth lines of the second paragraph.

11. Section 20 of the said Act is amended

- (1) by striking out “or the municipality” in the first paragraph;
- (2) by striking out “or, as the case may be, the secretary-treasurer of the municipality concerned” in the first paragraph.

12. Section 21 of the said Act is amended by striking out “or the municipality that designated the member”.

13. Section 22 of the said Act is amended by striking out “or municipalities” in the first paragraph.
14. Section 39 of the said Act is amended
- (1) by replacing “850” in the second paragraph by “846”;
 - (2) by replacing “writ, order or injunction” in the third paragraph by “judgment, order or injunction”.
15. Section 48 of the said Act is amended by replacing “a member of the transit authority’s personnel” in the first paragraph by “an employee”.
16. Section 61 of the French text of the said Act is amended by replacing “en l’adaptant” in the second paragraph by “compte tenu des adaptations nécessaires”.
17. Section 64 of the said Act is amended by striking out “, municipality”.
18. Section 77 of the said Act is amended by adding “of Municipal Affairs and Greater Montréal” at the end of the third paragraph.
19. Section 91 of the said Act is amended
- (1) by replacing “abandoned” in the first and second paragraphs by “found”;
 - (2) by adding the following paragraph at the end:

“A transit authority is exempt from liability towards the owners of things found in its immovables or in its rolling stock.”
20. Section 92 of the said Act is amended by replacing “, as the case may be, of the city or the municipalities which adopt” by “of the city which adopts”.
21. Section 95 of the said Act is amended by inserting “of Municipal Affairs and Greater Montréal” after “Minister” in the second and seventh lines of the eighth paragraph.
22. Section 105 of the said Act is amended by inserting “, seriously disrupt public transportation services” after “population” in the third line of the first paragraph.
23. Section 109 of the said Act is amended by inserting “of Transport” after “Minister” in the third line.
24. Section 114 of the said Act is amended by striking out “and municipalities”.

25. Section 116 of the said Act is amended by striking out “or municipalities in its area of jurisdiction” in the second and third lines of the first paragraph and “or municipalities” in the third and fourth lines of the first paragraph.

26. Section 117 of the said Act is amended

(1) by striking out “or the municipalities concerned” in the fifth and sixth lines of the second paragraph;

(2) by striking out “or the secretary-treasurer of the municipality” in the seventh and eighth lines of the second paragraph;

(3) by striking out “or of the municipality” in the ninth line of the second paragraph.

27. Section 119 of the said Act is amended

(1) by adding the following at the end of the first paragraph: “on the form provided, if any, by the latter”;

(2) by striking out “or of the municipalities concerned” in the second and third lines of the second paragraph.

28. Section 120 of the said Act is amended by inserting “anticipated” after “surplus” in the second line of the first paragraph.

29. Section 122 of the said Act is amended by striking out “or of the municipality” in the third line.

30. Section 123 of the said Act is amended by striking out “or of the municipality” in the first paragraph.

31. Section 126 of the said Act is amended by striking out “or municipalities concerned” in paragraph 2.

32. Section 131 of the said Act is amended

(1) by striking out “or municipalities concerned” in the first paragraph;

(2) by striking out “or the municipalities concerned” in the second paragraph.

33. Section 134 of the said Act is amended by striking out “or municipality concerned” in the second paragraph.

34. Section 135 of the said Act is amended by striking out “or municipalities concerned”.

35. Section 136 of the said Act is amended

(1) by inserting “of Municipal Affairs and Greater Montréal” after “Minister” in the first line of the second paragraph;

(2) by replacing, in the French text, “le” in the third line of the second paragraph by “ce”.

36. Section 139 of the said Act is amended

(1) by inserting “, the Minister of Municipal Affairs and Greater Montréal” after “Minister” in the first line of the first paragraph;

(2) by striking out “or the secretary-treasurer of the municipality concerned” in the first paragraph.

37. Section 140 of the said Act is amended

(1) by striking out “or municipality” in the first line of the first paragraph;

(2) by striking out “or a municipality” in the third line of the second paragraph.

38. Section 144 of the said Act is amended by striking out “or municipalities” in the first line of the first paragraph.

39. Section 149 of the said Act is amended

(1) by replacing “municipality” in the second line of the second paragraph by “city”;

(2) by replacing “municipality” in the fifth line of the second paragraph by “city”.

40. Section 150 of the said Act is amended

(1) by striking out “or municipalities” in the fourth line of subparagraph 6 of the first paragraph;

(2) by inserting the following subparagraph after subparagraph 6 of the first paragraph:

“(6.1) notwithstanding the second paragraph of section 48, identifying the documents referred to in subparagraph 6 on which a facsimile of a signature has the same force as the signature of the chair of a transit authority and need not be countersigned by an authorized person;”.

41. Section 151 of the French text of the said Act is amended by replacing “Montréal” in the third paragraph by “transport”.

42. Section 162 of the said Act is amended by replacing “subparagraph 1 of the first paragraph” in the first line by “paragraph 1”.

43. The said Act is amended by inserting the following section after section 164:

“164.1. The Société de transport de Québec may request the Inspector General of Financial Institutions to constitute, by articles, a legal person having as an object the providing, for remuneration, of any services and goods for the purpose of the construction, laying out or repairing of infrastructures, equipment and rolling stock for any mode of shared transportation and their management and administration. The legal person may contract in Québec or abroad with any person and any government, one of its departments, bodies or mandataries. Section 3.11 of the Act respecting the Ministère du Conseil exécutif and section 23 of the Act respecting the Ministère des Relations internationales apply to the legal person. To achieve its object, the legal person may, with the authorization of the Minister, associate with any other enterprise in the public or private sector.”

44. Section 165 of the said Act is amended by replacing “Hull-Gatineau” in the second paragraph by “Gatineau”.

45. Section 167 of the said Act, included in Chapter III of Title II, is removed and inserted immediately after the heading of Chapter IV of Title II.

46. Section 169 of the said Act is amended by replacing “subparagraph 1 of the first paragraph” in the first line by “paragraph 1”.

47. The said Act is amended by inserting the following section after section 170:

“170.1. Notwithstanding any legislative provision to the contrary, Ville de Longueuil, which succeeds to the municipality of Saint-Bruno with respect to the Conseil intermunicipal de transport de la Vallée du Richelieu, is liable only for payment of the portion of the services required for bus services established by the board in the territory corresponding on 1 January 2002 to the territory of the Saint-Bruno borough. The payment must be calculated according to the method prescribed by Orders in Council 2719-84 and 117-90 fixing the amount of a financial contribution.

Section 259 applies, with the necessary modifications, to every obligation arising from the application of this section and to the obligation chargeable to the immovables situated in the territory corresponding to the former municipal territory.

The Société de transport de Longueuil shall exercise the rights of Ville de Longueuil with respect to the Conseil intermunicipal de transport de la Vallée du Richelieu. The Société may, by agreement with the intermunicipal board of transport,

(1) agree to the modification of the method for fixing the amount of the financial contribution referred to in the first paragraph; and

(2) make any agreement concerning the services established as at 31 December 2001 by the board in the territory of the municipality of Saint-Bruno, including with respect to a carrier referred to in section 170.

An agreement under the third paragraph takes effect on ratification by Ville de Longueuil. A copy of the agreement must be transmitted to the Minister.”

48. Section 175 of the said Act, included in Chapter V of Title II, is removed and inserted immediately after the heading of Chapter VI of Title II.

49. Section 177 of the said Act is amended by replacing “subparagraph 1 of the first paragraph” in the first line by “paragraph 1”.

50. Chapter VII of Title II of the said Act, comprising sections 179 to 187, is repealed.

51. Chapter VIII of Title II of the said Act, comprising sections 188 to 196, is repealed.

52. Chapter IX of Title II of the said Act, comprising sections 197 to 206, is repealed.

53. Section 230 of the said Act is repealed.

54. The said Act is amended by inserting the following section after section 253:

“253.1. For the purposes of section 258 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, chapter 56) and for the establishment and implementation of a financial framework for public transportation for all regions of Québec, the Minister shall consult every municipality involved in the financing of public transportation services in Québec and the main stakeholders in that sector, determined by the Minister, in order to obtain the consensus necessary for the development of a policy on the financing of such services.”

55. Section 256 of the said Act is amended by replacing “Société de transport des Forges” in the fifth line by “Société de transport de Trois-Rivières”.

56. Section 258 of the said Act is replaced by the following section:

“258. The persons elected at the election held on 4 November 2001 in Ville de Montréal, Ville de Québec, Ville de Gatineau, Ville de Longueuil, Ville de Lévis, Ville de Laval, Ville de Trois-Rivières and Ville de Sherbrooke may, during the year 2001, designate the members of the board of directors and appoint the chair and the vice-chair of the transit authorities referred to in sections 8 to 14 and 16.

The persons elected at the election held on 25 November 2001 in Ville de Saguenay may, during the year 2001, designate the members of the board of directors and appoint the chair and the vice-chair of the Société de transport du Saguenay.”

57. The said Act is amended by inserting the following section after section 259:

“259.1. The Société de transport de Sherbrooke succeeds to the rights and obligations of the municipality of Saint-Élie-d’Orford with respect to any public bus transportation contract entered into by that municipality. Notwithstanding any provision to the contrary, a carrier party to such a contract may, without further authorization, continue in accordance with the contract to transport persons for remuneration in the territory of the Société de transport de Sherbrooke until the end of the contract.”

58. Section 5 of the Act respecting the Agence métropolitaine de transport (R.S.Q., chapter A-7.02), amended by section 208 of chapter 23 of the statutes of 2001, is again amended, in the French text, by replacing “Conseil” in the second line of the seventh paragraph by “conseil”.

59. Section 35.2 of the said Act, enacted by section 219 of chapter 23 of the statutes of 2001, is amended by inserting “having a value of \$10,000 or more” after “property” in the second line.

60. Section 46 of the said Act is amended by inserting “, in the absence of any cost-sharing agreement to the contrary,” after “municipalities” in the third line of the first paragraph.

61. Section 87 of the said Act is amended by striking out “and the Communauté urbaine de Montréal”.

62. Section 93 of the said Act is amended by replacing “section 26” by “sections 26 and 35.1”.

63. The schedule to the Archives Act (R.S.Q., chapter A-21.1) is amended by replacing paragraph 5 by the following paragraph:

“(5) Public transit authorities established by the Act respecting public transit authorities (2001, chapter 23);”.

64. The Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1) is amended by inserting the following sections after section 18.12, enacted by section 237 of chapter 23 of the statutes of 2001 :

“18.13. The Government may order the establishment of a regional public transport board having the powers of a legal person and having a territory that corresponds, in whole or in part, to the territory of the regional county municipalities specified in the order. The Government may bring into such a regional board any regional county municipality that refuses to be part thereof.

“18.14. A regional public transport board shall exercise, in relation to public transport, the powers assigned by the order to it from among those assigned by the Act to intermunicipal boards of transport operating in its territory, in addition to any other power the Government considers necessary for the organization and operation of public transport services in its territory.

“18.15. The order shall provide for the composition of the regional board, its rules of operation and the apportioning of costs as well as the terms and conditions on which its property, debts and other obligations are to be shared in the case of dissolution.

The order shall also determine, where necessary, the rules that apply to the succession of the rights and obligations of the intermunicipal boards of transport in its territory and make any other provision to supply any deficiency in the law.

“18.16. Every intermunicipal board and every regional public transport board must, at its first meeting following the coming into force of this section, designate as additional members two persons it chooses, one from among the users of public transport services and the other from among the users of services adapted to the needs of handicapped persons, and allocate to each member the number of votes the member shall have.”

65. Schedule I to the said Act, enacted by section 238 of chapter 23 of the statutes of 2001, is again amended by striking out “Ville de La Plaine”, “Ville de Lachenaie”, “Ville de Lafontaine” and “Ville de Saint-Antoine”.

66. Section 4 of the Act to ensure safety in guided land transport (R.S.Q., chapter S-3.3) is amended by replacing “Act respecting the Communauté urbaine de Montréal (chapter C-37.2)” by “Act respecting public transit authorities (2001, chapter 23)”.

67. Section 63 of the said Act is amended by replacing “Act respecting the Communauté urbaine de Montréal (chapter C-37.2)” in the first paragraph by “Act respecting public transit authorities (2001, chapter 23)”.

68. Section 88.1 of the Transport Act (R.S.Q., chapter T-12), amended by section 240 of chapter 23 of the statutes of 2001, is again amended by replacing “Société de transport des Forges” in the fourth and fifth lines of the definition of “public transit authorities” by “Société de transport de Trois-Rivières”.

69. Schedule A to the said Act, replaced by section 242 of chapter 23 of the statutes of 2001, is amended

(1) by replacing subdivision 3, entitled “Hull-Gatineau region”, by the following:

“3. Gatineau region:

Ville de Gatineau
Municipalité de Cantley
Municipalité de Chelsea”;

(2) by replacing subdivision 4, entitled “Trois-Rivières region”, by the following:

“4. Trois-Rivières region:

Ville de Trois-Rivières
Paroisse de Saint-Maurice
Wolinak Indian Reserve”;

(3) by replacing subdivision 5, entitled “Chicoutimi region”, by the following:

“5. Saguenay region:

Ville de Saguenay
Municipalité de Saint-Fulgence
Municipalité de Saint-Honoré
Canton de Tremblay”;

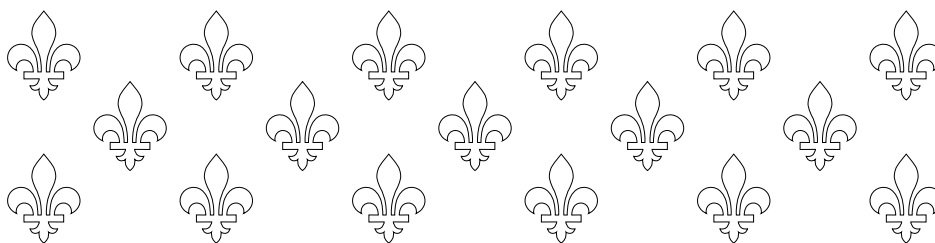
(4) by replacing subdivision 6, entitled “Sherbrooke region”, by the following:

“6. Sherbrooke region:

Ville de Sherbrooke
Municipalité d’Ascot Corner
Canton de Hatley
Paroisse de Saint-Denis-de-Brompton
Municipalité de Stoke”.

70. Section 56 takes effect on 5 November 2001.

71. This Act comes into force on 31 December 2001, except section 56, which comes into force on 20 December 2001, and paragraph 3 of section 1, sections 5, 9 to 13, 17, 20, 24 to 27, 29 to 34, paragraph 2 of section 36, sections 37 to 40, 51 and paragraph 3 of section 69, which will come into force on 18 February 2002.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 56
(2001, chapter 67)

An Act to amend the Act respecting the national capital commission

Introduced 13 November 2001
Passage in principle 28 November 2001
Passage 19 December 2001
Assented to 20 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill amends the Act respecting the national capital commission as regards the mission of the Commission, the areas of jurisdiction assigned to it and its areas of intervention.

The bill authorizes the Government to make regulations in relation to the property of the Commission or the property entrusted to its management. It enables the Commission to enter into an agreement with a municipality regarding the application of the regulations.

In addition, the bill specifies that the opinions given by the Commission shall be made public.

Lastly, the bill provides that the members of the Commission shall remain in office for a maximum period of six months on the expiry of their term, until they are reappointed or replaced.

Bill 56

AN ACT TO AMEND THE ACT RESPECTING THE NATIONAL CAPITAL COMMISSION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 6 of the Act respecting the national capital commission (R.S.Q., chapter C-33.1) is amended by adding, at the end, the following paragraph :

“On the expiry of their term, board members shall remain in office, for a maximum period of six months, until reappointed or replaced.”

2. Section 14 of the said Act is replaced by the following sections :

“14. The Commission shall see to the planning and development of the capital so as to ensure the enhancement of its attributes as a centre of political and administrative governance and as a national symbol of assembly for all the citizens of Québec. It shall also see to promotion of the capital.

To that end, the Commission may, in the territory of the Communauté métropolitaine de Québec, in particular,

(1) contribute to the planning of and improvement to the major buildings and equipment which characterize a capital ;

(2) establish squares, parks and gardens and promenades and erect monuments and works of art ;

(3) support the improvement of the quality of architecture and the landscape ;

(4) support the preservation, improvement and accessibility of squares, parks and gardens, promenades and public thoroughfares, and of historic sites, works, monuments and property enhancing or giving prestige to the capital ;

(5) support work designed to improve access to the capital.

The Commission may, by way of exception, with the authorization of the Government and where special circumstances so warrant, plan historic sites, monuments and property contributing to the prestige of the capital outside the territory of the Communauté métropolitaine de Québec.

“14.1. The Commission shall support the organization and promotion of historical, cultural and social activities and events conducive to enhancing the capital.”

3. Section 15 of the said Act is amended by replacing the first paragraph by the following paragraphs :

“15. The Commission shall advise the Government on

(1) the location of government offices and departments or other government bodies and their employees ;

(2) the construction, preservation, planning and development of buildings housing government offices and departments or other government bodies in the territory of the Communauté métropolitaine de Québec ;

(3) the layout, in the territory of the Communauté métropolitaine de Québec, of transport and communications infrastructures providing access to the capital, the designation of ceremonial routes, the location of diplomatic missions and international organizations, and the conditions applicable to international presence.

The Commission shall also advise the National Assembly on the construction, preservation and planning of its buildings.”

4. The said Act is amended by inserting the following section after section 15:

“15.1. The Commission shall advise the Government on the planning and development of the territory of the Communauté métropolitaine de Québec and of the territory of local municipalities and regional county municipalities forming part of the Communauté métropolitaine de Québec.”

5. Section 16 of the said Act is amended

(1) by striking out “, highways” in subparagraph 2 of the first paragraph ;

(2) by replacing subparagraph 6 of the first paragraph by the following subparagraph :

“(6) provide financial support to a municipality or a non-profit organization for any of the purposes referred to in the second paragraph of section 14 or in the third paragraph of that section where the Government has granted its authorization as well as within the scope of an information program on the capital;”.

6. The said Act is amended by inserting the following after section 29:

“CHAPTER III.1**“REGULATORY AND PENAL PROVISIONS**

“29.1. The Government may, with respect to the property owned or managed by the Commission, make a regulation to

- (1) maintain peace and order and preserve personal safety ;
- (2) regulate traffic and parking ;
- (3) determine the activities that may not take place on the Commission’s property.

The regulation may determine provisions the violation of which constitutes an offence, and fix the amount of the relevant fine.

“29.2. The Commission may enter into an agreement with a municipality regarding the application of the regulation made under section 29.1.

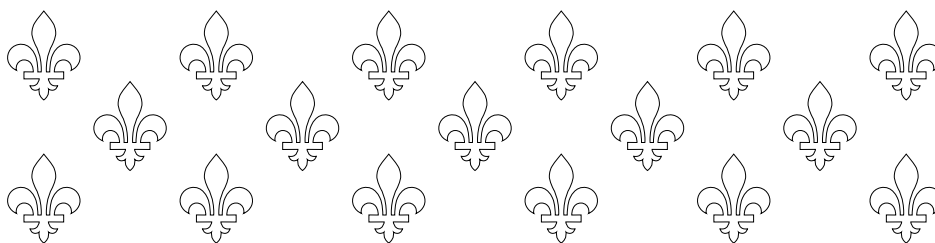
“29.3. The municipality with which the Commission has entered into an agreement may institute penal proceedings for an offence provided for in the regulation made under section 29.1.”

7. Section 26 of the said Act is amended by replacing the third paragraph by the following paragraph :

“The opinions given by the Commission under sections 15 and 15.1 shall be published in the report of activities or through any other means capable of providing access to the opinions of the Commission.”

8. Section 35 of the said Act is repealed.

9. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 58
(2001, chapter 48)

An Act to amend the Water Resources Preservation Act

Introduced 15 November 2001
Passage in principle 27 November 2001
Passage 14 December 2001
Assented to 18 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTE

This bill amends the Water Resources Preservation Act primarily to clarify certain terms and update the Act, and to extend its duration.

Bill 58

AN ACT TO AMEND THE WATER RESOURCES PRESERVATION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The preamble to the Water Resources Preservation Act (1999, chapter 63) is amended

(1) by replacing the second paragraph by the following paragraph:

“WHEREAS public hearings on the management of water in Québec have been held and new rules may be developed to address the problems identified and the concerns expressed by the population, in keeping with the principles of sustainable development;”;

(2) by striking out “in the meantime” in the third paragraph.

2. Section 2 of the said Act is amended by replacing subparagraph 4 of the second paragraph by the following subparagraph:

“(4) to supply vehicles, including vessels and aircraft, whether for the needs of the persons or animals being transported or for ballast or other needs related to the operation of the vehicles.”

3. Section 3 of the said Act is amended by inserting the following paragraph after the first paragraph:

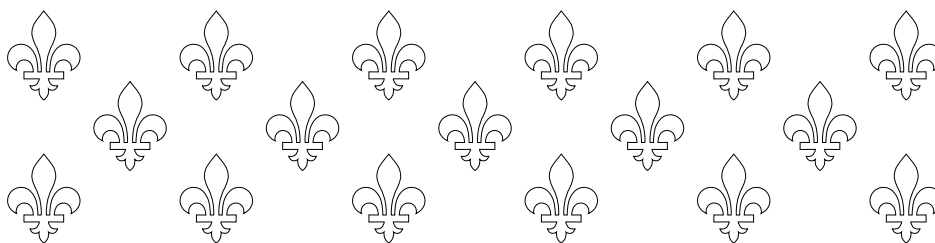
“A prohibition may be lifted in relation to one specific case or several cases.”

4. The said Act is amended by inserting the following section after section 4:

“4.1. The Minister responsible for the administration of the Environment Quality Act shall, at the latest on 18 December 2006, and every five years thereafter, report to the Government on the application of this Act and the advisability of maintaining it in force or of amending it.

The report shall be tabled in the National Assembly within 15 days or, if the Assembly is not sitting, within 15 days of resumption.”

5. Section 5 of the said Act is amended by striking out the second paragraph.
6. This Act comes into force on 18 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 61
(2001, chapter 69)

An Act respecting La Financière du Québec

Introduced 15 November 2001
Passage in principle 7 December 2001
Passage 19 December 2001
Assented to 20 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill gives effect to the Budget Speech 2002-2003 of 1 November 2001.

In particular, the mandate of the agency “Garantie-Québec” whose name is replaced by the name “La Financière du Québec” is widened to allow the agency to provide, alone or in partnership with financial institutions, financial support to enterprises already established in Québec or enterprises wishing to locate in Québec in the form of loans, loan guarantees or any other form of financing.

The bill includes the provisions necessary to ensure the transfer to La Financière du Québec of any of the financial assistance programs currently administered by Investissement-Québec which the Government may wish to transfer.

Lastly, the bill proposes amendments to the Act respecting assistance for the development of cooperatives and non-profit legal persons so as to simplify the procedure for the adoption of financial assistance programs established under that Act.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting assistance for the development of cooperatives and non-profit legal persons (R.S.Q., chapter A-12.1);
- Act respecting Investissement-Québec and Garantie-Québec (R.S.Q., chapter I-16.1).

Bill 61

AN ACT RESPECTING LA FINANCIÈRE DU QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The title of the Act respecting Investissement-Québec and Garantie-Québec (R.S.Q., chapter I-16.1) is replaced by the following title :

“Act respecting Investissement Québec and La Financière du Québec”.

2. The heading of Chapter I of the said Act is replaced by the following heading :

“INVESTISSEMENT QUÉBEC”.

3. Section 1 of the said Act is amended by replacing “Investissement-Québec” in the third line by “Investissement Québec”.

4. Section 25 of the said Act is amended

(1) by inserting “, directly or through its subsidiaries,” after “provide them” in the fourth line of the third paragraph ;

(2) by replacing “support” in the second line of the fifth paragraph by “financial and technical support, directly or through its subsidiaries,”.

5. Section 36 of the said Act is amended by adding the following paragraph at the end :

“In the latter case, the director general of the subsidiary may be appointed by the Minister of Finance who determines the remuneration, employment benefits and other conditions of employment applicable to the director general.”

6. The heading of Chapter II of the said Act is replaced by the following heading :

“LA FINANCIÈRE DU QUÉBEC”.

7. Section 50 of the said Act is amended by replacing “Garantie-Québec” in the second line by “La Financière du Québec”.

8. Section 51 of the said Act is replaced by the following section :

“51. The object of La Financière du Québec is to provide financial support to Québec enterprises or enterprises locating in Québec, mainly by lending money to such enterprises or by guaranteeing the financial obligations they contract with financial institutions.

The financial support of La Financière du Québec may consist in providing, alone or in partnership with financial institutions or other bodies, any form of financing so as to enable enterprises to increase their business investment or in providing support for their research and development or export projects.”

9. The said Act is amended by inserting the following sections after section 52 :

“52.1. The chief executive officer of Investissement Québec is by virtue of his or her office the chair of the board of directors of La Financière du Québec.

“52.2. The director general of La Financière du Québec shall be appointed by the Government for a term of not more than five years. The director general is by virtue of his or her office a member of the board of directors of La Financière du Québec.

On the expiry of his or her term, the director general shall remain in office until replaced or reappointed.

The director general is responsible for the administration and direction of La Financière du Québec within the scope of its by-laws and policies. The office of director general is a full-time position.

“52.3. The Government shall determine the remuneration, employment benefits and other conditions of employment of the director general.”

10. Section 58 of the said Act is amended by adding “, to the extent that they are not inconsistent with this Act” at the end.

11. Section 59 of the said Act is amended by inserting “, 29” after “24” in the first line.

12. Unless otherwise indicated by the context, in any text or document, regardless of its nature or form,

(1) a reference to the Act respecting Investissement-Québec and Garantie-Québec or to any of its provisions is a reference to the Act respecting Investissement Québec and La Financière du Québec or to the corresponding provision of that Act ;

(2) a reference to Investissement-Québec is a reference either to Investissement Québec or to La Financière du Québec, according to their respective responsibilities as determined by the Government, and a reference to Garantie-Québec is a reference to La Financière du Québec.

13. La Financière du Québec shall replace Investissement Québec as regards the responsibilities determined by the Government and shall acquire the rights and assume the obligations of Investissement Québec.

14. A declaration by La Financière du Québec in an application for registration in the register of personal and movable real rights, stating that it is the holder of the rights which the application concerns and which were formerly registered in favour of Investissement Québec or Garantie-Québec, shall be sufficient to establish its quality as the holder of those rights with the registrar.

15. The files, documents and records of Investissement Québec pertaining to the programs henceforth under the responsibility of La Financière du Québec are transferred to La Financière du Québec.

16. The proceedings to which Investissement Québec is a party are continued, without continuance of suit, by La Financière du Québec, according to the rights it acquires and the obligations it assumes. The same applies as regards the proceedings to which Garantie-Québec is a party.

17. Sections 52 to 55, 58 to 60, 64, 66 to 70, 72 to 74 and 76 to 78 of the said Act are amended by replacing “Investissement-Québec” and “Garantie-Québec” wherever they appear by “Investissement Québec” and “La Financière du Québec”, respectively.

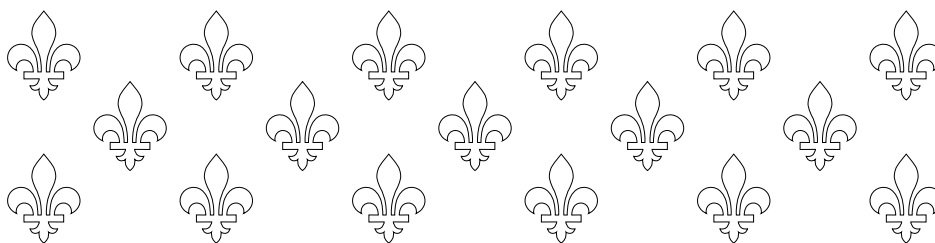
18. Section 3 of the Act respecting assistance for the development of cooperatives and non-profit legal persons (R.S.Q., chapter A-12.1) is amended by striking out “, by regulation,” in the first line.

19. Section 4 of the said Act is amended by striking out “by regulation” in paragraph 7.

20. Sections 11 and 12 of the said Act are amended by striking out “by regulation” in the second line.

21. Section 13 of the said Act is amended by striking out the last sentence.

22. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 63
(2001, chapter 49)

**An Act to amend the Labour Code and
the Act to amend the Labour Code, to
establish the Commission des relations
du travail and to amend other legislative
provisions**

**Introduced 15 November 2001
Passage in principle 27 November 2001
Passage 14 December 2001
Assented to 18 December 2001**

EXPLANATORY NOTES

This bill amends the Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions in order to establish rules governing the appointment of labour commissioners as commissioners of the new Commission des relations du travail, authorize labour commissioners to participate in the Pension Plan of Management Personnel, provide for the prolongation of the first term of the first Commission's president for a maximum period of two years by reason of the work required for the establishment of the Commission, and determine certain administrative rules concerning the Labour Court and its members.

In addition, the bill amends the Labour Code to remedy an omission in the English text of a provision relating to essential services in the public service.

LEGISLATION AMENDED BY THIS BILL :

- Labour Code (R.S.Q., chapter C-27);
- Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions (2001, chapter 26).

Bill 63

AN ACT TO AMEND THE LABOUR CODE AND THE ACT TO AMEND THE LABOUR CODE, TO ESTABLISH THE COMMISSION DES RELATIONS DU TRAVAIL AND TO AMEND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The English text of section 111.15.2 of the Labour Code (R.S.Q., chapter C-27), enacted by section 61 of chapter 26 of the statutes of 2001, is amended by adding the following sentence at the end of the second paragraph: “In addition, the council may at any time, at the request of either party, modify the decision so made.”

2. Section 63 of the Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions (2001, chapter 26) is amended by replacing “the Government and Public Employees Retirement Plan (chapter R-10)” in the second and third lines of section 137.30 of the Labour Code by “the Pension Plan of Management Personnel (2001, chapter 31)”.

3. Section 207 of the said Act is replaced by the following section :

“207. Any person acting as labour commissioner general, assistant labour commissioner general or labour commissioner on (*insert here the date preceding the date of coming into force of this section*) or before (*insert here the date of coming into force of section 112 of the Labour Code, enacted by section 63 of this Act*) is declared qualified for appointment as a commissioner of the Commission des relations du travail and that person’s name shall be recorded in the register kept under section 137.14 of the Labour Code (R.S.Q., chapter C-27), enacted by section 63 of this Act; the candidacy of such a person shall be examined by the committee appointed to examine the renewal of a term, which may, after meeting the person, recommend to the Government that the person be appointed.

The Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif shall set up the examination committee provided for in the first paragraph and appoint the committee members, who shall include the president of the Commission des relations du travail or a vice-president of the Commission designated by the president, a person from the legal sector and two persons from the labour relations sector; the Associate Secretary General shall also designate the chair of the committee.

For the purposes of the first paragraph, the provisions of sections 4, 6 to 10 and 27 to 30 of the Regulation respecting the procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners to the Commission des lésions professionnelles and for the renewal of their term of office, enacted by Order in Council 566-98 dated 22 April 1998 (1998, G.O. 2, 1752) apply, with the necessary modifications.

However, no unfavourable recommendation may be made by the examination committee in respect of a person unless the committee has informed the person beforehand of its intention and of the reasons therefor, and given the person an opportunity to present observations.

The members of the committee may not be prosecuted by reason of acts performed in good faith in the exercise of their functions.

Following a recommendation of the committee, the Government may appoint any person referred to in the first paragraph to the office of commissioner of the Commission des relations du travail, in which case the person is deemed to meet the requirements provided for in section 137.12 of the Labour Code, enacted by section 63 of this Act, even as regards a subsequent renewal, as long as the person remains a commissioner.

Subject to the eighth paragraph, every person referred to in the first paragraph may remain an employee of the Ministère du Travail until the person is appointed to the office of commissioner of the Commission des relations du travail. The chair of the Conseil du trésor shall establish the person's classification on the basis of the current classification in the public service, years of experience and formal training. The person shall occupy the position and exercise the functions assigned by the Deputy Minister of Labour.

Any person referred to in the first paragraph who is not appointed to the office of commissioner of the Commission des relations du travail within the period during which the qualification certificate provided for in section 137.15 of the Labour Code, enacted by section 63 of this Act, is valid, and who is informed that his or her services are no longer required by the Ministère du Travail, shall be placed on reserve in the public service and shall remain an employee of the Ministère du Travail until the person is assigned a position by the chair of the Conseil du trésor.”

4. The said Act is amended by inserting the following sections after section 210:

“210.1. From 1 January 2002, the chief judge of the Court of Québec shall exercise, without additional remuneration, the powers and functions of the chief judge of the Labour Court with respect to the judges of that court until the Labour Court ceases to exercise the powers and functions conferred upon it by sections 211, 212 and 214.

“210.2. The first paragraph of section 162 of the Act to amend the Courts of Justice Act and other legislation to establish the Court of Québec (1988, chapter 21) shall cease to apply to the judges of the Labour Court on 1 January 2002.”

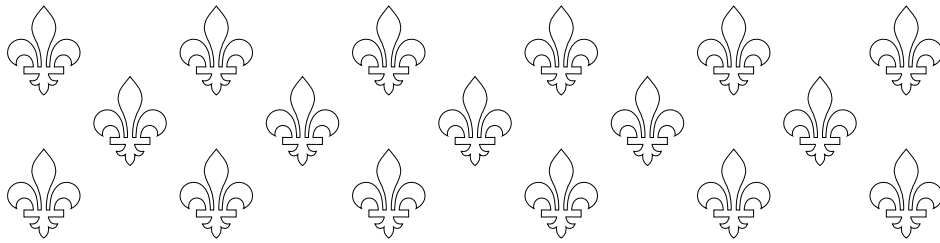
5. Section 221 of the said Act is amended by inserting the following paragraph after the first paragraph :

“The Government may, owing to the work required for the establishment of the Commission des relations du travail, extend for a period not exceeding two years the maximum duration of the first administrative mandate of the first president of the Commission, provided for in section 137.41 of the Labour Code, enacted by section 63 of this Act. In that case, the instrument of appointment of the first president must mention the extension, and the duration of the first mandate, as commissioner, of the first president of the Commission is extended for the same period.”

6. Section 1 has effect from 15 July 2001.

7. Sections 210.1 and 210.2 of the Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions (2001, chapter 26), enacted by section 4 of this Act, come into force on 1 January 2002.

8. This Act comes into force on 18 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 64
(2001, chapter 70)

**An Act to amend the Civil Code
as regards requests for civil status
documents**

**Introduced 28 November 2001
Passage in principle 11 December 2001
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTE

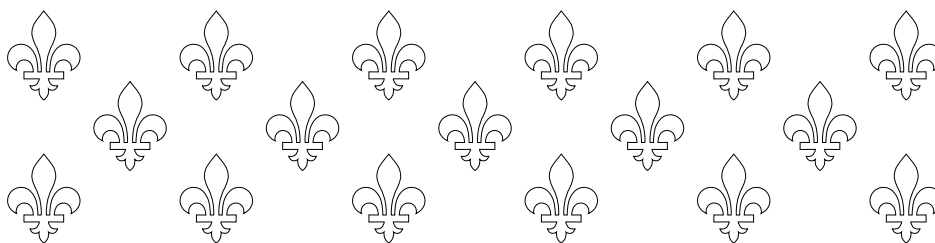
This bill amends the Civil Code to allow the registrar of civil status to require a person requesting a copy of an act of civil status or a certificate to produce such documents and information as are necessary to verify the person's identity or interest.

Bill 64

AN ACT TO AMEND THE CIVIL CODE AS REGARDS REQUESTS FOR CIVIL STATUS DOCUMENTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Article 148 of the Civil Code of Québec (1991, chapter 64), amended by section 1 of chapter 41 of the statutes of 2001, is again amended by adding the following sentence at the end of the first paragraph: “The registrar may require any person applying for a copy of an act or a certificate to produce such documents and information as are necessary to verify the person’s identity or interest.”
2. Not later than 20 December 2006, the Minister responsible for civil status shall report to the Government on the application of this Act. The report shall be tabled in the National Assembly within the ensuing 30 days or, if the Assembly is not in session, within 30 days of resumption.
3. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 69
(2001, chapter 50)

Appropriation Act No. 3, 2001-2002

Introduced 13 December 2001
Passage in principle 13 December 2001
Passage 13 December 2001
Assented to 18 December 2001

Québec Official Publisher
2001

EXPLANATORY NOTES

The object of this bill is to authorize the Government to pay out of the consolidated revenue fund the sum of \$437,924,300.00 being the appropriations to be voted for each of the programs of the portfolios listed in the Schedule and representing the 2001-2002 Supplementary Estimates No. 1.

Moreover, the bill establishes to what extent the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Bill 69

APPROPRIATION ACT NO. 3, 2001-2002

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Government may draw out of the consolidated revenue fund a sum not exceeding \$437,924,300.00 to defray a part of the Expenditure Budget of Québec proposed in the Supplementary Estimates for the fiscal year 2001-2002 as laid before the National Assembly, not otherwise provided for, being the amount of each of the estimates to be voted for various programs set forth in the Schedule to this Act.
2. In the case of programs in respect of which a provision has been made to this effect, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs or portfolios, for the reasons and, if need be, under the conditions described in the Expenditure Budget.
3. Except for the programs covered by section 2, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs in a given portfolio, provided that such a transfer does not increase or reduce by more than 10% the amount of the appropriation authorized by statute.
4. This Act comes into force on 18 December 2001.

SCHEDULE

EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 2

Financial Assistance Measures	194,472,600.00
	<u>194,472,600.00</u>

SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

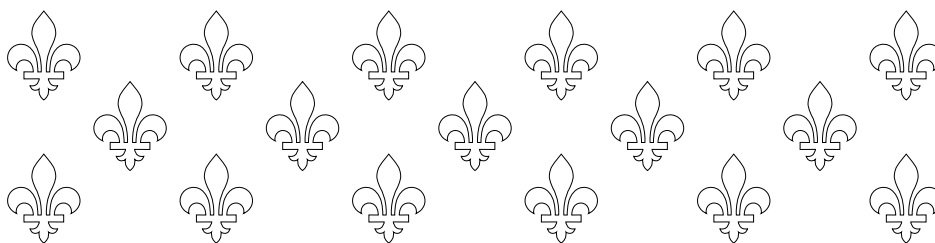
National Operations	3,500,000.00
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PROGRAM 2

Regional Operations	239,951,700.00
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	<u>243,451,700.00</u>
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		<u>437,924,300.00</u>
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NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 71
(2001, chapter 71)

**An Act to amend the Act respecting the
remuneration of elected municipal
officers**

**Introduced 11 December 2001
Passage in principle 11 December 2001
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTES

The purpose of this bill is to introduce into the Act respecting the remuneration of elected municipal officers certain amendments to the rules governing the payment of severance allowances and transition allowances to elected municipal officers whose term on the council of their municipality terminates as a result of an amalgamation or total annexation.

The bill provides that elected municipal officers eligible under a compensation program whose term has ended prematurely and who have not been elected to the council of the new municipality are deemed, for the purposes of the payment of severance and transition allowances, to be council members of their former municipality until the period covered by the compensation program has expired.

Under the bill, elected municipal officers of the former municipalities who become council members of the new municipality may not receive the severance or transition allowances payable to them upon their ceasing to be council members of the former municipality, until their term as council members of the new municipality has ended.

Lastly, the bill provides that a transition allowance so deferred may be added to any other transitional allowance decided by the new municipality only up to a maximum amount applicable to both periods taken as a whole and prescribed by law.

Bill 71

AN ACT TO AMEND THE ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001) is amended by inserting the following sections after section 31.1 :

“31.2. For the purposes of sections 31.3 to 31.6,

(1) “former municipality” means the local municipality which, immediately before the coming into force of an amalgamation or total annexation, had jurisdiction over an amalgamated or annexed territory ;

(2) “new municipality” means the local municipality resulting from the amalgamation or that effected the annexation.

“31.3. For the purposes of sections 30.1 and 31, a person eligible under the compensation program provided for in section 233 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, chapter 56) or a similar compensation program established by an order referred to in section 125.27 of the Act respecting municipal territorial organization (chapter O-9) is deemed to cease to be a member of the council of the former municipality only at the end of the period covered by the program.

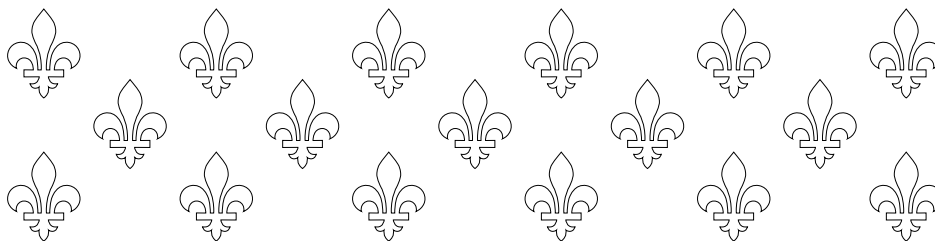
“31.4. A person who was a member of the council of the former municipality and who becomes a member of the council of the new municipality may not receive an allowance mentioned in section 30.1 or 31, in respect of any period of time during which the person was a member of the council of the former municipality, until the person ceases to be a member of the council of the new municipality.

Subject to section 31.5, the amount of the allowance provided for in section 31, the payment of which is deferred under the first paragraph, shall be established, in respect of any period of time during which the person was a member of the council of the former municipality, on the basis of the remuneration received from the former municipality.

“31.5. A person to whom the first paragraph of section 31.4 applies who ceases to be a member of the council of the new municipality and who is entitled to receive an allowance mentioned in section 31 in respect of the period of time during which the person was a member of the council of the new municipality, may also receive all or part of the allowance payable under section 31 in respect of the period of time during which the person was a member of the council of the former municipality, up to the maximum amount of the allowance prescribed by section 31 in respect of the remuneration the person received from the new municipality.

Where the maximum amount provided for in the first paragraph is less than the amount of the allowance the person would have been entitled to receive in respect of any period of time during which the person was a member of the council of the former municipality, the person may elect instead to receive the amount of that allowance.”

2. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 73
(2001, chapter 72)

An Act to amend the Election Act and the Referendum Act

Introduced 14 December 2001
Passage in principle 19 December 2001
Passage 19 December 2001
Assented to 20 December 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill contains various amendments to the Election Act and consequential amendments to Appendix 2 to the Referendum Act.

As concerns the work of the permanent board of revisors, certain time limits are shortened and the rules governing modes of service are relaxed. The bill also makes various changes concerning the transmission by the returning officer and the chief electoral officer of the various lists of electors to the candidates, the parties and the Members.

Certain prohibitions are set out with respect to election posters and billboards and certain rules respecting nomination papers are amended.

The bill also abolishes the obligation to send a copy of the list of electors for a polling subdivision to each dwelling. Moreover, an elector who wishes to vote in the advance poll is no longer required to make a declaration under oath and an elector who has left his or her domicile for safety reasons will be allowed to vote without having to disclose the address at which the elector is residing temporarily.

Lastly, the bill contains various administrative, penal and technical provisions and consequential amendments to the Election Act.

LEGISLATION AMENDED BY THIS BILL :

- Referendum Act (R.S.Q., chapter C-64.1);
- Election Act (R.S.Q., chapter E-3.3).

Bill 73

AN ACT TO AMEND THE ELECTION ACT AND THE REFERENDUM ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Election Act (R.S.Q., chapter E-3.3) is amended by inserting the following chapter after section 38 :

“CHAPTER II.1

“TRANSMISSION OF LIST FOLLOWING A NEW DELIMITATION

“38.1. Within 30 days after the expiry of the time limit provided in section 34, the chief electoral officer shall transmit the list of the electors whose names are entered on the permanent list of electors on the basis of the new delimitation of electoral divisions to the authorized parties represented in the National Assembly and to any other authorized party that so requests.

“38.2. In addition to the transmission provided for in section 40.38.1, the chief electoral officer shall, between 1 October and 1 November each year, transmit the list of the electors whose names are entered on the permanent list of electors on the basis of the new delimitation of electoral divisions to the authorized parties represented in the National Assembly and to any other authorized party that so requests.

“38.3. At the times stated in sections 38.1 and 38.2, a Member may request the chief electoral officer to transmit to the Member the list of the electors whose names are entered on the permanent list of electors on the basis of the new delimitation of electoral divisions in respect of a single electoral division resulting from the new delimitation among the divisions that include all or part of the division represented by the Member.

“38.4. If the transmission under section 38.1 is effected after 1 September , no transmission is effected pursuant to section 38.2 between 1 October and 1 November of the same year.

“38.5. The last paragraph of section 40.38.1 and sections 40.38.2 and 40.38.3, with the necessary modifications, apply in respect of this chapter.”

2. Section 40.12.14 of the said Act is amended

- (1) by replacing “30” in the last line of the first paragraph by “20”;
- (2) by inserting “by registered or certified mail or” after “served” in the first line of the second paragraph;
- (3) by inserting “or sent to” after “left at” in the second line of the second paragraph;
- (4) by inserting “by the sender or” after “drawn up” in the first line of the third paragraph.

3. Section 40.12.15 of the said Act is amended by inserting “, if the board has been informed by a person living at the address for which the name of the person concerned is entered on the permanent list of electors that the person concerned is no longer domiciled at that place” after “elector” in the third line.

4. Section 40.12.16 of the said Act is amended by replacing “as provided for” in the second paragraph by “in one of the manners provided for”.

5. Section 40.12.17 of the said Act is amended

- (1) by replacing “30” in the third line of the second paragraph by “20”;
- (2) by adding the following sentence at the end of the second paragraph: “The notice shall be served in one of the manners provided for in section 40.12.14.”

6. Section 59.1 of the said Act is amended by adding the following paragraph at the end:

“Upon the filing of the nomination paper, the candidate’s official representative becomes the candidate’s official agent.”

7. The said Act is amended by inserting the following section after section 135:

“135.1. The owner, administrator, superintendent or caretaker of a multiple-dwelling building shall allow and facilitate access to the building by the persons entrusted with distributing any notice or document from the chief electoral officer or returning officer.

The same rule applies to the executive director of an institution referred to in section 3 with regard to any facility maintained by the institution.”

8. Section 139 of the said Act is amended by adding the following paragraph at the end:

“In the case of an officer in charge of the list of electors, the prohibition ceases to apply on the close of the poll.”

9. Section 146 of the said Act is replaced by the following section :

“146. Not later than the twenty-seventh day preceding polling day, the returning officer shall transmit to each candidate the list of electors for the division, the list of electors entitled to exercise their right to vote outside Québec and a list of the addresses for which no electors’ names are entered.

The lists shall be transmitted in computer form, in duplicate.

The chief electoral officer shall transmit the lists in computer form to the authorized parties represented in the National Assembly, to any other authorized party having so requested and to any independent Member.”

10. Section 147 of the said Act is amended by replacing “The returning officer shall transmit the list” in the first line of the second paragraph by “The list shall be transmitted”.

11. The said Act is amended by inserting the following section after section 182 :

“182.1. Not later than the twenty-second day preceding polling day, the chief electoral officer shall send to each address a notice informing electors of the dates and places at which the boards of revisors will sit and of the revision procedure.”

12. Sections 197 and 198 of the said Act are repealed.

13. Section 198.1 of the said Act is amended by replacing “expédie” in the second line of the French text by “fait parvenir”.

14. Section 209 of the said Act is amended by adding the following sentence at the end of the first paragraph : “The notice shall be served in the manner provided for in section 211.”

15. Section 218 of the said Act, amended by section 15 of chapter 2 of the statutes of 2001, is again amended by replacing “and in duplicate to each authorized party” in the fourth paragraph by “to the authorized parties represented in the National Assembly and to any other authorized party having so requested”.

16. Section 231.2.1 of the said Act, enacted by section 17 of chapter 2 of the statutes of 2001, is amended

(1) by replacing “to each authorized party” in the second line by “to the authorized parties represented in the National Assembly and to any other authorized party having so requested” ;

(2) by striking out “and in duplicate” at the end.

17. Section 237 of the said Act is amended by replacing “not later than” in the first line by “at any time between 2:00 p.m. on the second day following the day of issue of the order and”.

18. Section 238 of the said Act is amended by replacing “a person” in the first line by “one or more persons”.

19. Section 239 of the said Act is amended

(1) by replacing “one” in the sixth line by “one or more mandataries”;

(2) by replacing “mandatory” at the end by “mandatory or mandataries”.

20. Section 242 of the said Act is amended by replacing “or his mandatory is” in the first line of the second paragraph by “and his mandatory or mandataries are”.

21. Section 259.5 of the said Act is amended by adding the following paragraph at the end:

“No election poster or billboard may be placed on the right of way of a road if the right of way is contiguous to a residential immovable.”

22. Section 259.7 of the said Act is amended by adding “or by means of a device that may damage or leave permanent marks on the pole” at the end of subparagraph 3 of the first paragraph.

23. The said Act is amended by inserting the following section after section 262:

“262.1. Not later than the twenty-second day preceding polling day, the chief electoral officer shall send to each address a notice informing electors of the place, dates and hours for advance polling.”

24. Sections 266 and 267 of the said Act are repealed.

25. Section 271 of the said Act is repealed.

26. Section 340 of the said Act is amended

(1) by adding the following subparagraph at the end of the first paragraph:

“(3) who has left his domicile to ensure his safety or the safety of his children and who wishes to avail himself of the provisions of section 3.”;

(2) by adding the following paragraph at the end:

“As regards the address, section 337 does not apply to the elector referred to in subparagraph 3 of the first paragraph.”

27. Section 452 of the said Act is amended by adding the following paragraph at the end:

“The payment may also be made by means of a transfer of funds to an account of the official representative.”

28. The said Act is amended by inserting the following section after section 501:

“501.1. The chief electoral officer may, on the conditions he determines, allow his signature to be affixed by means of an automatic device to the documents he determines.

The chief electoral officer may also allow a facsimile of his signature to be engraved, lithographed or printed on the documents he determines. The facsimile must be countersigned by a person authorized by the chief electoral officer.”

29. Section 551 of the said Act is amended by replacing “the list of electors” at the end of paragraphs 1 and 2 by “a notice or document from the chief electoral officer or the returning officer”.

30. Section 552 of the said Act is amended by replacing “every mandatary of a candidate” in the first line of paragraph 4 by “mandatary”.

31. The said Act is amended by inserting the following section after section 559:

“559.0.1. Every official representative is liable to a fine of \$1,000 to \$10,000 who

- (1) files a false report, return or statement;
- (2) produces a false or falsified invoice, receipt or other voucher;
- (3) pays a claim otherwise than as permitted by section 445.”

32. Section 564 of the said Act is amended by adding the following paragraph at the end:

“Where a person is found guilty of an offence under section 87, 90, 91 or 95, a judge may, on an application by the prosecutor which is attached to the statement of offence, in addition to imposing any other penalty, impose an additional fine of an amount equal to the illegal contribution for which the person has been found guilty, even if the maximum fine under the first paragraph has been imposed on the person.”

33. Appendix 2 to the Referendum Act (R.S.Q., chapter C-64.1), amended by section 56 of chapter 2 of the statutes of 2001, is again amended

(1) by inserting the following section after section 135 :

“135.1”;

(2) by replacing section 146 by the following section :

“146 Replace the section by the following section :

“146. Not later than the twenty-seventh day preceding polling day, the returning officer shall transmit to each official delegate the list of electors for the electoral division, the list of electors entitled to exercise their right to vote outside Québec for the division and the list of addresses for which no electors’ names are entered.

The lists shall be transmitted in computer form and in duplicate copies.

The chief electoral officer shall transmit the lists in computer form to the national committees.

For the purposes of this Act, “official delegate” means a person appointed as such by the chairman of a national committee to represent him in an electoral division.”;

(3) by inserting the following section after section 182 :

“182.1”;

(4) by replacing sections 190 to 213 by the following :

“190
to
196

“198.1
to
213”;

(5) by replacing the paragraph relating to the fourth paragraph of section 218 by the following paragraph :

“Replace “to the authorized parties represented in the National Assembly and any other authorized party having so requested” in the fourth paragraph by “to each national committee.”;

(6) by replacing section 231.2.1 by the following section:

“231.2.1 Replace “to the authorized parties represented in the National Assembly and any other authorized party having so requested” by “to each national committee”.”;

(7) by inserting the following section after section 262:

“262.1”;

(8) by replacing sections 264 to 269 by the following:

“264

“265

“268

“269”;

(9) by striking out section 271;

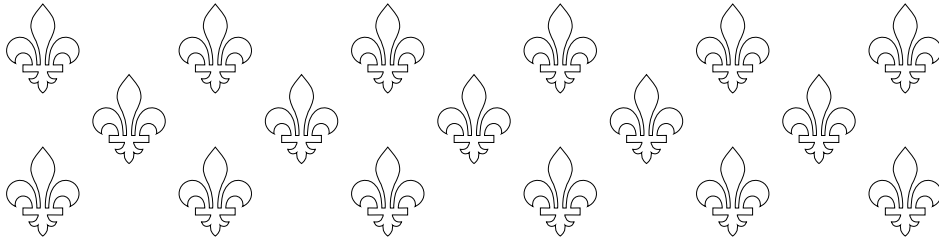
(10) by replacing section 564 by the following section:

“564 Replace the first paragraph by the following paragraph:

“564. Every person who contravenes any of sections 66, 87, 90 to 93, 95 to 97, 99, 100, 104, 105, 410, 413 to 417, 421, 421.1, 422, 424, 429, 429.1, 457.9 and 457.11 to 457.17 is liable to a fine of \$500 to \$10,000.””

34. Until the Nomination Regulation (1989, G.O. 2, 1570) is amended in accordance with section 550 of the Election Act, the chief electoral officer may adjust the form prescribed in the Regulation for the cases where a candidate designates more than one person to act as mandatory on his or her behalf or prescribe a new form for that purpose.

35. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 75
(2001, chapter 73)

**An Act to amend the Act respecting
the protection of personal information in
the private sector**

**Introduced 19 December 2001
Passage in principle 19 December 2001
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTE

This bill amends the Act respecting the protection of personal information in the private sector to enable the Commission d'accès à l'information to authorize the communication of information relating to professional activities while ensuring the confidentiality of personal information.

Bill 75

AN ACT TO AMEND THE ACT RESPECTING THE PROTECTION OF PERSONAL INFORMATION IN THE PRIVATE SECTOR

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 18 of the Act respecting the protection of personal information in the private sector (R.S.Q., chapter P-39.1) is amended by adding “or a person authorized pursuant to section 21.1” at the end of subparagraph 8 of the first paragraph.

2. The said Act is amended by inserting the following section after section 21 :

“21.1. The Commission d'accès à l'information may, on written request and after consulting the professional orders concerned, grant a person authorization to receive communication of personal information on professionals regarding their professional activities, without the consent of the professionals concerned, if it has reasonable cause to believe

(1) that the communication protects professional secrecy, especially in that it does not allow the identification of the person to whom the professional service is rendered, and does not otherwise invade the privacy of the professionals concerned;

(2) that the professionals concerned will be notified periodically of the intended uses and the ends contemplated and will be given a valid opportunity to refuse to allow such information to be preserved or to allow such information to be used for the intended uses or the ends contemplated; and

(3) that security measures have been put into place to ensure the confidentiality of personal information.

Such authorization shall be granted in writing. It may be revoked or suspended if the Commission has reasonable cause to believe that the authorized person is not complying with the prescriptions of this section, the intended uses or the ends contemplated.

The authorized person may communicate such personal information if

(1) the information is communicated in a combined form that does not allow the identification of a specific professional act performed by a professional;

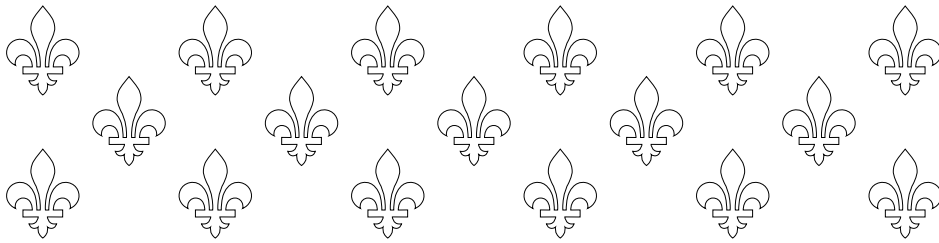
(2) the professionals concerned are periodically given a valid opportunity to refuse to be the subject of such a communication of information; and

(3) the person receiving communication of such information undertakes to use the information only for the intended uses and the ends contemplated.

The authorized person shall report annually to the Commission on the implementation of the authorization. The Commission shall publish a list of the persons authorized under this section in its annual report of activities.

Any interested person may, on any question of law or jurisdiction, appeal to a judge of the Court of Québec from the granting, refusal, suspension or revocation of an authorization in accordance with Division II of Chapter V of the Act respecting Access to documents held by public bodies and the Protection of personal information.”

3. The said Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 165
(2001, chapter 74)

**An Act to amend the Act respecting the
terms of the directors of certain public
health and social service institutions**

**Introduced 1 December 2000
Passage in principle 29 May 2001
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTE

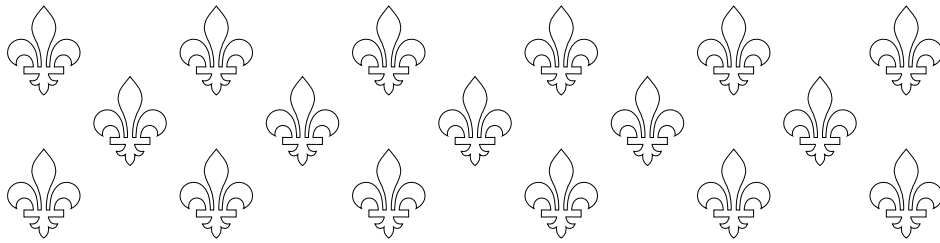
This bill amends the Act respecting the terms of the directors of certain public health and social service institutions in order to extend the terms of the directors of certain institutions referred to in this Act until 30 June 2002.

Bill 165

AN ACT TO AMEND THE ACT RESPECTING THE TERMS OF THE DIRECTORS OF CERTAIN PUBLIC HEALTH AND SOCIAL SERVICE INSTITUTIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 1 of the Act respecting the terms of the directors of certain public health and social service institutions (1999, chapter 54) is amended by replacing “2001” in the fifth line of the first paragraph by “2002”.
2. This Act comes into force on 20 December 2001.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 167
(2001, chapter 75)

**An Act to amend certain legislative
provisions concerning the conclusion and
signing of borrowing transactions and
financial instruments**

**Introduced 15 November 2000
Passage in principle 6 December 2000
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTES

The purpose of this bill is to amend certain legislative provisions concerning the conclusion and signing of borrowing transactions and financial instruments by Financement-Québec and the Corporation d'hébergement du Québec.

The bill also amends the Financial Administration Act as regards the conclusion and signing of documents related to transactions and borrowings effected under that Act.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting the Corporation d'hébergement du Québec (R.S.Q., chapter C-68.1);
- Act respecting Financement-Québec (R.S.Q., chapter F-2.01);
- Financial Administration Act (2000, chapter 15).

Bill 167

AN ACT TO AMEND CERTAIN LEGISLATIVE PROVISIONS CONCERNING THE CONCLUSION AND SIGNING OF BORROWING TRANSACTIONS AND FINANCIAL INSTRUMENTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 25 of the Act respecting Financement-Québec (R.S.Q., chapter F-2.01) is amended

(1) by replacing “, another member of the board of directors or another member of the financing authority’s personnel and, in the latter two cases” in the third and fourth lines of the first paragraph by “or by any other person and, in the latter case”;

(2) by adding the following paragraph at the end:

“The by-laws may also authorize any person to conclude any borrowing transaction under a borrowing plan established pursuant to Chapter VIII of the Financial Administration Act (2000, chapter 15) or determine the amounts and characteristics of, and fix or accept the terms and conditions relating to, the transaction, to conclude or resiliate currency exchange or interest rate exchange agreements, acquire, hold, invest in, conclude, dispose of or terminate financial instruments or contracts governed by that chapter or by a program established under the provisions of that chapter, and to sign documents relating to such borrowings, agreements, instruments or contracts.”

2. Section 24 of the Act respecting the Corporation d’hébergement du Québec (R.S.Q., chapter C-68.1) is amended

(1) by replacing “, to the extent determined in the internal by-laws of the Corporation, by another member of the Corporation’s personnel” in the third and fourth lines of the first paragraph by “by any other person and, in the latter case, only to the extent determined in the internal by-laws of the Corporation”;

(2) by adding the following paragraph at the end:

“The by-laws may also authorize any person to conclude any borrowing transaction under a borrowing plan established pursuant to Chapter VIII of the Financial Administration Act (2000, chapter 15) or determine the amounts and characteristics of, and fix or accept the terms and conditions relating to, the transaction, to conclude or resiliate currency exchange or interest rate

exchange agreements, acquire, hold, invest in, conclude, dispose of or terminate financial instruments or contracts governed by that chapter or by a program established under the provisions of that chapter, and to sign documents relating to such borrowings, agreements, instruments or contracts.”

3. Section 10 of the Financial Administration Act (2000, chapter 15) is amended by replacing “fees payable in connection with” in the second and third lines by “charges, expenses and other costs relating to”.

4. Section 17 of the said Act is replaced by the following section :

“17. The transactions referred to in sections 15 and 16 and the related documents may be concluded and signed by any person and by any means authorized for that purpose by the Minister.”

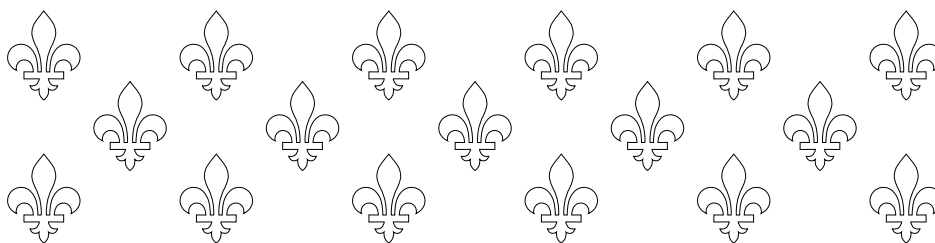
5. Section 19 of the said Act is amended by adding the following paragraph at the end :

“The same applies to documents related to the transactions.”

6. Section 65 of the said Act is amended by adding “and to documents related to the borrowings” at the end.

7. Section 164 of the said Act is amended by striking out “that are in force on 15 June 2000” in the second line.

8. The provisions of this Act come into force on the date or dates to be fixed by the Government.



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 174
(2001, chapter 77)

**An Act to amend the Act respecting
the Régie des alcools, des courses
et des jeux and other legislative
provisions**

**Introduced 13 December 2000
Passage in principle 7 June 2001
Passage 19 December 2001
Assented to 20 December 2001**

**Québec Official Publisher
2001**

EXPLANATORY NOTES

The purpose of this bill is to amend the Act respecting the Régie des alcools, des courses et des jeux to give legislative effect to changes made to the procedure and to the functions exercised by the board when acting in its quasi-judicial capacity.

The Act respecting offences relating to alcoholic beverages is amended to remove certain restrictions imposed on permit holders as regards the payment of alcoholic beverages.

The Act respecting lotteries, publicity contests and amusement machines is amended to give the Régie des alcools, des courses et des jeux additional regulatory powers with respect to video lottery machines.

Lastly, the cost of a distiller's permit is reduced to give effect to a measure announced in the Budget Speech of 14 March 2000.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1);
- Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6);
- Act respecting liquor permits (R.S.Q., chapter P-9.1);
- Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., chapter R-6.1).

Bill 174

AN ACT TO AMEND THE ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET
DES JEUX

1. Section 32.1 of the Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., chapter R-6.1), amended by section 5 of chapter 20 of the statutes of 1999, is replaced by the following sections :

“32.1. Before refusing to renew, suspending, cancelling or revoking a permit, licence, authorization or registration, imposing conditions for its use, confiscating security or making an order, the board shall, unless otherwise provided by law, summon the person concerned to appear at a hearing. To that end, the board shall send a notice of hearing to the person concerned, setting out the reasons for the summons and the possible consequences provided by law. A copy of the relevant documents upon which the notice is based must be attached to the notice. In addition, the board must grant the person at least 20 days before the hearing is held or, if the person decides not to exercise the right to be heard, to present observations in writing.

The notice shall state, in addition to the date, time and place of the hearing, that the person has the right to be represented by an advocate and that the board has the authority to proceed without further delay or notice, despite a failure to appear at the time and place fixed for the hearing or to present observations, if no valid excuse is provided.

For the purposes of this section, a commissioner is not authorized to act within the scope of an inquiry or the decision to call the person concerned to a hearing.

“32.1.1. For the purposes of section 32.1, the board may, in urgent circumstances and where the continuance of the activities concerned may endanger human life or health or cause serious or irreparable property damage, shorten the notice of hearing. In addition, the board may use any means other than that provided for in section 32.1 to inform the person concerned of the reasons for the summons and of the possible consequences provided by law. In that case, a copy of the notice of hearing and of the relevant documents on which it is based must be produced before or during the hearing.”

2. Section 37 of the said Act is amended by replacing “the second paragraph of section 32.1” in the first and second lines of the third paragraph by “section 32.1.1”.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

3. Section 108 of the Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1) is amended by striking out subparagraph 4 of the first paragraph.

ACT RESPECTING LOTTERIES, PUBLICITY CONTESTS AND AMUSEMENT MACHINES

4. Section 20.1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6) is amended by inserting the following paragraph after the second paragraph :

“The board may, on establishing rules under this section, exempt all the licence holders of the category governed by those rules from the application of all or some of such rules, on the conditions and for the period it determines.”

ACT RESPECTING LIQUOR PERMITS

5. Section 77 of the Act respecting liquor permits (R.S.Q., chapter P-9.1) is repealed.

6. The duties payable for a distiller’s permit upon a first application therefor or the transfer thereof and annually thereafter, where the holder’s anticipated or actual annual volume of worldwide sales is equal to or less than 3,000 hectolitres, corresponds to half of the duties prescribed by the Regulation respecting the duties and costs payable under the Act respecting the Société des alcools du Québec made by Order in Council 343-96 (1996, G.O. 2, 1695) until the coming into force of an amendment thereto to that effect.

7. Section 6 has effect from 1 April 2000.

8. This Act comes into force on 20 December 2001.

Regulations and other acts

M.O., 2001

Order of the Minister of Transport respecting the approval of weigh scales dated 21 December 2001

Highway Safety Code
(R.S.Q., c. C-24.2, a. 467)

1. The Minister of Transport approves the following wheel-load scales:

Make	Model	Serial No.
HAENNI	WL-101	22990
HAENNI	WL-101	22991
HAENNI	WL-101	22992
HAENNI	WL-101	22993
HAENNI	WL-101	22994
HAENNI	WL-101	22995
HAENNI	WL-101	22996
HAENNI	WL-101	22997
HAENNI	WL-101	22998
HAENNI	WL-101	22999
HAENNI	WL-101	23000
HAENNI	WL-101	23001
HAENNI	WL-101	23002
HAENNI	WL-101	23003
HAENNI	WL-101	23004
HAENNI	WL-101	23005
HAENNI	WL-101	23006
HAENNI	WL-101	23007
HAENNI	WL-101	23008
HAENNI	WL-101	23009
HAENNI	WL-101	23010
HAENNI	WL-101	23011
HAENNI	WL-101	23012
HAENNI	WL-101	23013

2. Schedule V of the Minister of Transport's Order dated May 22, 1990, published on March 29, 1995, in the *Gazette officielle du Québec*, amended by the Orders published on April 26, 1995, November 22, 1995, March 13, 1996, May 8, 1996, January 22, 1997, February 26, 1997, June 4, 1997, February 18, 1998, December 30, 1998, February 17, 1999 and February 7, 2001 in the *Gazette officielle du Québec*, is further amended by inserting, after HAENNI wheel-load scale, model WL-101, serial number 21548, the following:

Make	Model	Serial No.
HAENNI	WL-101	22990
HAENNI	WL-101	22991
HAENNI	WL-101	22992
HAENNI	WL-101	22993
HAENNI	WL-101	22994
HAENNI	WL-101	22995
HAENNI	WL-101	22996
HAENNI	WL-101	22997
HAENNI	WL-101	22998
HAENNI	WL-101	22999
HAENNI	WL-101	23000
HAENNI	WL-101	23001
HAENNI	WL-101	23002
HAENNI	WL-101	23003
HAENNI	WL-101	23004
HAENNI	WL-101	23005
HAENNI	WL-101	23006
HAENNI	WL-101	23007
HAENNI	WL-101	23008
HAENNI	WL-101	23009
HAENNI	WL-101	23010
HAENNI	WL-101	23011
HAENNI	WL-101	23012
HAENNI	WL-101	23013

3. This Order takes effect on the date of its signature.

Québec, 21 December 2001

GUY CHEVRETTE,
Minister of Transport

4812

Draft Regulations

Draft Regulation

Podiatry Act
(R.S.Q., c. P-12)

Podiatrists — Medications — 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 medications that a podiatrist may use in the practice of his profession or administer or prescribe to his patients was adopted by the Office des professions du Québec.

The Regulation, the text of which appears below, may be submitted to the Government, which pursuant to section 13 of the Professional Code (R.S.Q., c. C-26), may approve it, with or without amendment, upon the expiry of 45 days following this publication.

The purpose of the Regulation is to update the list of medications that podiatrists may use in the practice of their profession or administer or prescribe to their patients and determine the conditions according to which they may administer and prescribe such medications.

In order to be appropriately advised when updating the list, the Office formed a panel of experts consisting of four members, including a representative of the Office acting as coordinator and three experts including a podiatrist, a physician and a pharmacist, designated by the Office after consulting the Ordre des podiatres du Québec, the Collège des médecins du Québec and the Ordre des pharmaciens du Québec.

The Conseil consultatif de pharmacologie, the Ordre des podiatres du Québec, the Collège des médecins du Québec and the Ordre des pharmaciens du Québec have also been duly consulted by the Office with respect to the update.

The Regulation, which is an update of the Regulation currently in force, will have no impact on businesses, small and medium-sized businesses or other.

Further information on the proposed regulation may be obtained by contacting Lucie Boissonneault, research officer, or France Lesage, advocate, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec

(Québec) GIR 5Z3, by telephone at (418) 643-6912 or 1 800 643-6912 or by fax at (418) 643-0973.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Chairman of the Office, at the abovementioned address. Those comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional orders involved and to the interested persons, departments and agencies.

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

Regulation to amend the Regulation respecting the medications that a podiatrist may use in the practice of his profession or administer or prescribe to his patients*

Podiatry Act
(R.S.Q., c. P-12, s. 12)

1. Section 1 of the Regulation respecting the medications that a podiatrist may use in the practice of his profession or administer or prescribe to his patients is amended

(1) by adding the words “or in Schedule II subject to the conditions prescribed in this Regulation” at the end;

(2) by adding the following paragraphs at the end:

* The Regulation respecting the medications that a podiatrist may use in the practice of his profession or administer or prescribe to his patients, approved by Order in Council 1057-91 dated 24 July 1991 (1991, *G.O.* 2, 3231) has not been amended since.

“A podiatrist, who administers or prescribes to his patients the medications described in Schedule II that are not medications described in Schedule I, shall hold a certificate issued by the Ordre des podiatres du Québec acknowledging that he received university training in podiatric medicine in the last five years, comprising a minimum of 1145 hours apportioned as follows:

- (1) 540 hours in anatomy-physiology;
- (2) 90 hours in biochemistry;
- (3) 105 hours in microbiology;
- (4) 275 hours in general pathologies;
- (5) 90 hours in basic pharmacology;
- (6) 45 hours in clinical pharmacology.

Before he may administer or prescribe to his patients the medications described in Schedule II that are not medications described in Schedule I, a podiatrist whose training referred to in subparagraphs 1 to 6 of the second paragraph was received more than five years ago shall successfully complete the continuing education activities determined by the Ordre des podiatres du Québec pursuant to paragraph *o* of section 94 of the Professional Code (R.S.Q., c. C-26; 2000, c. 13, s. 20) and hold a certificate issued by the Order acknowledging that the activities were successfully completed.”.

2. Section 2 is revoked.

3. The following Schedules are substituted for Schedule I:

“SCHEDULE I

Note: medications without specification are intended for topical application.

Substances	Specification
Acetaminophen	Pharmaceutical forms intended for oral and rectal administration
Acetic, glacial acid	
Acetylsalicylic, acid	Pharmaceutical forms intended for oral administration
Almond, sweet oil	
Aluminium and its salts	

Substances	Specification
Amcinonide	Quantity limited for 30 days
Amino acids	
Anthralin (dithranol)	
Bacitracin and its salts	
Beclomethasone and its salts	
Benzalkonium	
Benzocaine	
Betamethasone benzoate	
Betamethasone dipropionate	Quantity limited for 30 days
Betamethasone valerate	
Bupivacaine and its salts	Pharmaceutical forms intended for administration by injection for local use only
Calcipotriol	
Calcium acetate	
Camphor	
Cantharin	
Capsaicin	
Cetirizine hydrochloride	Pharmaceutical form intended for oral administration
Cetrimide	
Chlorhexidine and its salts	
Chlorphenesin	
Chlorprocaine hydrochloride	Pharmaceutical form intended for administration by injection for local use only
Ciclopirox olamine	
Cinchocaine	
Clioquinol (iodochlorhydroxyquin)	

Substances	Specification	Substances	Specification
Clobetasol propionate	Quantity limited for 30 days	Gentamicin sulfate	
Clobetasone butyrate		Gentian, violet	
Clotrimazole		Gramicidin	
Collagenase		Halcinodide	Quantity limited for 30 days
Colloidal oatmeal		Hexachlorophene	
Dakin's solution		Hydrocortisone and its salts	
Deoxyribonuclease		Hydroxyzine hydrochloride	Pharmaceutical form intended for oral administration
Desonide		Iodine tincture	
Desoximetasone	Quantity limited for 30 days	Isopropyl myristate	
Dichloroacetic acid		Ketoconazole	
Diethylamine salicylate		Lactic acid	
Diflucortolone valerate	Quantity limited for 30 days	Lanolin	
Diphenhydramine	Pharmaceutical forms intended for oral and topical administration	Lidocaine and its salts	Pharmaceutical forms intended for topical application and administration by injection for local use only
Econazole nitrate		Loratadine	Pharmaceutical form intended for oral administration
Epinephrine (adrenaline)	Pharmaceutical forms for the emergency treatment of anaphylactic reactions in the form of self-injector or ampoule Pharmaceutical form associated with local anaesthetics	Mafenide and its salts	
Erythromycin		Magnesium salicylate	
Ethyl chloride		Menthol	
Fibrinolysin		Mepivacaine	Pharmaceutical form intended for administration by injection for local use only
Flumetasone pivalate		Methyl salicylate	
Fluocinide	Quantity limited for 30 days	Methylpolysiloxanes	
Fluocinolone acetonide	Quantity limited for 30 days	Methylprednisolone acetate	
Formalin		Miconazole nitrate	
Framycetin sulfate		Mineral and vegetal tar	
Fusidic acid		Mineral oil	

Substances	Specifications	Substances	Specifications
Betamethasone benzoate		Clobetasone butyrate	
Betamethasone dipropionate	Pharmaceutical forms intended for topical application and administration per intradermal or intramuscular injection Quantity limited for 30 days	Clotrimazole	
Betamethasone valerate		Collagenase	
Bleomycin sulfate	Pharmaceutical form injectable in the plantar lesion without exceeding 0.8 unit up to a maximum of 5 units per treatment	Colloidal oatmeal	
Bupivacaine and its salts	Pharmaceutical form intended for administration by injection for local use only	Dakin's solution	
Calcipotriol		Deoxyribonuclease	
Calcium acetate		Desonide	
Camphor		Desoximetasone	Quantity limited for 30 days
Cantharin		Dichloroacetic acid	
Capsaicin		Diclofenac, potassic and sodic	Pharmaceutical form intended for oral administration Quantity limited for 30 days
Celecoxib	Pharmaceutical form intended for oral administration Quantity limited for 30 days	Diethylamine salicylate	
Cetirizine hydrochloride	Pharmaceutical form intended for oral administration	Diflucortolone valerate	Quantity limited for 30 days
Cetrimid		Dyphenhydramine	Pharmaceutical forms intended for oral administration and administration per intramuscular, subcutaneous or intradermal injection
Chlorhexidine and its salts		Econazole nitrate	
Chlorphenesin		Epinephrine (adrenaline)	Pharmaceutical forms for the emergency treatment of anaphylactic reactions in the form of auto-injector or vial
Chlorprocaine hydrochloride	Pharmaceutical form intended for administration by injection for local use only	Erythromycin	
Ciclopirox olamine		Ethyl chloride	
Cinchocaine		Fibrinolysin	
Clioquinor (iodochlorhydroxyquin)		5-fluorouracil	0.1% pharmaceutical form intended for topical application in the case of plantar warts resisting to first-line treatments
Clobetasol propionate	Quantity limited for 30 days	Flumetasone pivalate	
		Fluocinonide	Quantity limited for 30 days

Substances	Specifications	Substances	Specifications
Fluocinolone acetonide	Quantity limited for 30 days	Methyl salicylate	
Formaline		Methylpolysiloxanes	
Framycetin sulfate		Methylprednisolone acetate	Pharmaceutical forms intended for topical application and administration by injection for local use only
Fusidic acid		Miconazole nitrate	
Gentamicin sulfate		Mineral and vegetal tar	
Gentian, violet		Mineral oil	
Gramicidin		Mometasone furorate	
Halcinodide	Quantity limited for 30 days	Mupirocin	
Hexachlorophene		Naproxen	Pharmaceutical form intended for oral administration Quantity limited for 30 days
Hydrocortisone and its salts		Neomycin sulfate	
Hydroxyzine hydrochloride	Pharmaceutical form intended for oral administration	Nystatin	
Ibuprofen	Pharmaceutical form intended for oral administration Quantity limited for 30 days	Oxiconazole	
Iodine tincture		Phenol	
Isopropyl myristate		Podophyllin	
Ketoconazole		Polymyxin B sulfate	
Lactic acid		Povidone iodine	
Lanolin		Pramoxine	
Lidocaine and its salts	Pharmaceutical forms intended for topical application and administration by injection for local use only	Prilocaine	Pharmaceutical forms intended for topical application and administration by injection for local use only
Loratadine	Pharmaceutical form intended for oral administration	Procaine	Pharmaceutical form intended for administration by injection for local use only
Mafenide and its salts		Resorcinol and its salts	
Magnesium salicylate		Rofecoxib	Pharmaceutical form intended for oral administration Quantity limited for 30 days
Menthol			
Mepivacaine	Pharmaceutical form intended for administration by injection for local use only		

Substances	Specifications
Salicylic acid	
Silicone	
Silver nitrate	
Silver sulfadiazine	
Sodium thiosulfate	
Sulphur, colloidal, precipitate or sublimate	
Synthetic sebum	
Tazarotene	
Terbinafine	
Tetracaine and its salts	Pharmaceutical forms intended for topical application and administration by injection for local use only
Tioconazole	
Tolnaftate	
Triamcinolone acetonide	Quantity limited for 30 days
Triamcinolone hexacetonide	Pharmaceutical forms intended for administration by intramuscular or intradermal injection Quantity limited for 30 days
Trichloroacetic acid	
Triethanolamine salicylate	
Urea	Pharmaceutical form intended for topical application, with a concentration of 30% or less
White petroleum jelly	
Zinc oxide".	

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

Erratum

Gouvernement du Québec

O.C. 1478-2001, 12 December 2001

Gazette officielle du Québec, Part 2, Vol. 133, No. 52,
27 December 2001.

On page 6960, under the number of Order in Council,
the title of the law should be read as follows:

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

4826

Index Statutory Instruments

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

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