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**Summary**

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## Coming into force of Acts

Gouvernement du Québec

### **O.C. 129-2002**, 13 February 2002

#### **An Act respecting public transit authorities (2001, c. 23)**

##### **— Coming into force**

COMING INTO FORCE of section 208 of the Act respecting public transit authorities

WHEREAS the Act respecting public transit authorities (2001, c. 23) was assented to on 21 June 2001;

WHEREAS under section 263 of the Act, the latter came into force on 31 December 2001, except sections 86, 160, 167, 175, 237, 238, 254, 255, 260 and 261 which came into force on 29 June 2001, and the provisions of section 208 which come into force on the date or dates to be fixed by the Government;

WHEREAS section 208 amends section 5 of the Act respecting the Agence métropolitaine de transport (R.S.Q., c. A-7.02) concerning the composition of the board of directors of the Agency;

WHEREAS it is expedient to fix 13 February 2002 as the date of coming into force of the provisions of section 208 of the Act respecting public transit authorities;

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

THAT 13 February 2002 be fixed as the date of coming into force of the provisions of section 208 of the Act respecting public transit authorities (2001, c. 23).

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

4881

Gouvernement du Québec

### **O.C. 132-2002**, 13 February 2002

#### **An Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions (2001, c. 26)**

##### **— Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions

WHEREAS under section 222 of the Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions (2001, c. 26), the provisions of the latter come into force on the date or dates to be fixed by the Government, except the provisions of paragraph 2 of section 12, section 31, section 45.3 of the Labour Code (R.S.Q., c. C-27) enacted by section 32, sections 42, 44, 45, 47, 50, 51, 57, 58, 60 to 62, 73 to 82, 93, 126, 128 to 130, 132 to 134, 136 and 137, paragraph 24 of section 151, sections 158, 159 and 173, paragraph 3 of section 182 and sections 202, 206, 211 and 221, which came into force on 15 July 2001;

WHEREAS it is expedient to fix 13 February 2002 as the date of coming into force of sections 137.11 to 137.16 of the Labour Code, enacted by 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, c. 26) and section 207 of that Act, enacted by section 3 of chapter 49 of the Statutes of 2001;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Human Resources and Labour and Minister of Labour:

THAT 13 February 2002 be fixed as the date of coming into force of sections 137.11 to 137.16 of the Labour Code, enacted by 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, c. 26) and section 207 of that Act, enacted by section 3 of chapter 49 of the Statutes of 2001.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

4882

Gouvernement du Québec

**O.C. 162-2002**, 20 February 2002

**An Act to amend certain legislative provisions concerning the conclusion and signing of borrowing transactions and financial instruments (2001, c. 75) — Coming into force of the provisions**

COMING INTO FORCE of the provisions of the Act to amend certain legislative provisions concerning the conclusion and signing of borrowing transactions and financial instruments

WHEREAS the Act to amend certain legislative provisions concerning the conclusion and signing of borrowing transactions and financial instruments (2001, c. 75) was assented to on 20 December 2001;

WHEREAS under section 8 of the Act, the provisions of the latter come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 1 March 2002 as the date of coming into force of the provisions of the Act;

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

THAT 1 March 2002 be fixed as the date of coming into force of the provisions of the Act to amend certain legislative provisions concerning the conclusion and signing of borrowing transactions and financial instruments (2001, c. 75).

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

4885

Gouvernement du Québec

**O.C. 163-2002**, 20 February 2002

**Financial Administration Act (2000, c. 15) — Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Financial Administration Act

WHEREAS the Financial Administration Act (2000, c. 15) was assented to on 16 June 2000;

WHEREAS under section 168 of the Act, the provisions of the latter come into force on the date or dates fixed by the Government;

WHEREAS Order in Council 1303-2000 dated 8 November 2000 fixed 15 November 2000 as the date of coming into force of sections 1 to 14 of the Financial Administration Act (2000, c. 15), sections 20 to 32, sections 46 to 57, sections 77 to 163, sections 165 to 166 except to the extent where the latter replaces sections 8, 22, 36 to 36.2, 47, 48, 49.6, 59 to 69.0.7, 69.5 and Division IX including sections 83 to 85 of the Financial Administration Act (R.S.Q., c. A-6), and section 167 of the new Act;

WHEREAS Order in Council 125-2001 dated 21 February 2001 fixed 1 March 2001 as the date of coming into force of sections 67, 68 and 69 of the Financial Administration Act (2000, c. 15) and section 166 of the Act to the extent that it replaces sections 59, 68 and 69 of the Financial Administration Act (R.S.Q., c. A-6);

WHEREAS it is expedient to fix 1 March 2002 as the date of coming into force of certain other provisions of that Act;

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

THAT 1 March 2002 be fixed as the date of coming into force of sections 15 to 19 of the Financial Administration Act (2000, c. 15), sections 61 to 66, 70 to 76, 164 and section 166 of that Act to the extent that it replaces sections 8, 36 to 36.2, 47, 48, 60 to 67, 69.0.1 to 69.0.7 and section 69.5 of the Financial Administration Act (R.S.Q., c. A-6).

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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## Regulations and other acts

Gouvernement du Québec

### O.C. 119-2002, 13 February 2002

Environment Quality Act  
(R.S.Q., c. Q-2)

#### Environmental impact assessment and review — Amendments

Regulation to amend the Regulation respecting environmental impact assessment and review

WHEREAS under subparagraph *a* of the first paragraph of section 31.9 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may make regulations to determine the classes of construction, works, plans, programmes, operations, works or activities to which section 31.1 of the Act applies;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 124 of the Environment Quality Act, a draft Regulation to amend the Regulation respecting environmental impact assessment and review was published in the *Gazette officielle du Québec* of 7 March 2001 with a notice that it could be made by the Government upon the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments after having taken into consideration the comments received following the publication of the draft Regulation;

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

THAT the Regulation to amend the Regulation respecting environmental impact assessment and review, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

#### Regulation to amend the Regulation respecting environmental impact assessment and review\*

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31.9, 1st par., subpar. *a*)

**1.** The Regulation respecting environmental impact assessment and review is amended in section 2 by substituting the following for subparagraphs *v* and *w* of the first paragraph:

“(v) the establishment or extension of a site used in whole or in part for the final deposit of hazardous materials within the meaning of paragraph 21 of section 1 of the Environment Quality Act or for the final deposit of materials coming from the treatment of residual hazardous materials. For the purposes of this subparagraph, the extension of a site used for the final deposit of such materials includes any alteration resulting in an increased capacity of the site;

The following is not subject to the application of this subparagraph:

— the establishment or extension, on a lot, of a site used exclusively for the final deposit of residual hazardous materials extracted from that lot within restoration work authorized under the Act for sites used before 26 June 1985 for the deposit of such materials;

— any storage site established before 1 December 1997 which becomes a final deposit site established in accordance with sections 145 or 146 of the Regulation respecting hazardous materials;

(w) the installation or use of facilities used, in whole or in part, for the treatment of residual hazardous materials outside their production location, within the meaning of section 5 of the Regulation respecting hazardous materials, for the purpose of elimination by final deposit or incineration.

\* The Regulation respecting environmental impact assessment and review (R.R.Q., 1981, c. Q-2, r. 9) was last amended by the Regulations made by Orders in Council 988-2001 dated 29 August 2001 (2001, *G.O.* 2, 4921) and 1552-2001 dated 19 December 2001 (2002, *G.O.* 2, 246). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.

For the purposes of this paragraph, any treatment process for which there is no existing market for all or part of the products derived from such is considered a treatment for elimination purposes.

For the purposes of this subparagraph, anyone who, in the same field of activity, produces residual hazardous materials on more than one production site in Québec is deemed to treat the materials on the site where they are produced if one of those production sites is used to treat those materials;”.

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



## Draft Regulations

### Draft Regulation

Medical Act  
(R.S.Q., c. M-9)

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

#### Physicians

— **Acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians (students candidate to the practice of the profession of inhalation therapy technician)**

— **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 Bureau of the Collège des médecins du Québec, at its meeting held on December 7, 2001, adopted the Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians.

In accordance with section 95 of the Professional Code, the Regulation has been transmitted to the Office des professions du Québec for examination after which it will be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment at the expiry of 45 days following this publication.

According to the Collège des médecins du Québec, this regulation proposes that inhalation therapy students who have successfully completed at least two years of training be authorized to do certain acts related to oxygen treatment, aerosol therapy and humidification if they act under the on premises supervision of an inhalation therapy technician. These acts may not be done in certain sectors of activity such as intensive care, coronary units, operating and recovery rooms, emergency rooms, neonatology or a department of pulmonary function. The student would not be allowed to execute a protocol which includes a permanent prescription.

The draft Regulation will have no impact on businesses, including small businesses.

Additional information with respect to the draft Regulation may be obtained by contacting M<sup>c</sup> Luc Bigaouette, counsel, Assistant Secretary General, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8, telephone: (514) 933-4441 or 1-888-MÉDECIN; fax: (514) 933-5374.

Any person having comments to make on the text reproduced below is asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order that has adopted the Regulation, namely the Collège des médecins du Québec, as well as to interested persons, departments and bodies.

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

### Regulation amending the regulation respecting the Acts contemplated in section 31 of the medical act which may be done by classes of persons other than physicians \*

Medical Act  
(R.S.Q., c. M-9, s. 19, 1st par., subpar. b)

Professional Code  
(R.S.Q., c. C-26, s. 95)

**1.** The Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians is amended at section 1.01 by the addition, after paragraph *t*, of the following:

“*u*) “student candidate to the practice of the profession of inhalation therapy technician”: any person duly registered in a programme of studies leading to the granting of a diploma which gives access to the permit of the Ordre professionnel des inhalothérapeutes du Québec and who has successfully completed the first two years of said programme.”.

\* The recent amendments to the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, adopted on September 18, 1981 (1982, *G.O.* 2, 21) were introduced by the regulation approved by Order in council 964-2001 of August 16, 2001 (2001, *G.O.* 2, 4862-4863). For previous amendments, see the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2001, updated to September 1, 2001.

**2.** This regulation is amended by adding, after section 5.08, the following section:

“**5.08.01** Subject to the second paragraph and to Division II, a student candidate to the practice of the profession of inhalation therapy technician can do the acts described in sections C-1.03, C-1.04 and C-1.05 of Schedule C, in a general and specialized hospital center or in a residential and long-term center operated by a health institution, after having successfully completed an orientation and integration programme of at least

15 days so as to familiarize himself with the policies, protocols and directives of such establishment and so as to allow him to do such acts.

The student candidate cannot do an act described in sub-paragraph *e* of section C-1.03 or in sub-paragraph *b* of section C-1.04 of schedule C.”.

**3.** Sections C-1.03, C-1.04 and C-1.05 of Schedule C of this regulation are amended by the addition of the following conditions:

### SCHEDULE C

(ss. 5.04, 5.08 and 5.08.01)

List of acts	Conditions prescribed						Other conditions
	Medical prescription	Remote supervision	Supervision on the premises	Direct supervision	In ah hospital center only	According to protocol	
<b>Oxygen treatment</b> C-1.03 Installing and monitoring equipment used in giving oxygen:							The student candidate to the practice of inhalation therapy technician must act under the on the premises supervision of an inhalation therapy technician.  The student candidate cannot do the act in the following sectors of activity: intensive care including coronary units, operating rooms and recovery rooms, emergency services or departments, neonatology and department of pulmonary function.  The student candidate cannot execute a protocol which includes a permanent prescription.
<i>a)</i> nasal cannulas and catheters	X						
<i>b)</i> masks of any kind	X						
<i>c)</i> tents and facial tents	X						
<i>d)</i> oxygen mask nebulizers	X						
<i>e)</i> any other apparatus that can modify oxygen mask nebulizers	X						The student candidate cannot do this act.

Act consisting in	Medical prescription	Remote supervision	Supervision on the premises	Direct supervision	In an hospital center only	According to protocol	Other conditions
<b>Aerosol therapy</b> C-1.04 Giving aerosol therapy :							The student candidate must act under the on the premises supervision of an inhalation therapy technician.  The student candidate cannot do the act in the following sectors of activity: intensive care including coronary units, operating rooms and recovery rooms, emergency services or departments, neonatology and department of pulmonary function.  The student candidate cannot execute a protocol which includes a permanent prescription.
a) without positive inspiratory pressure	X	X					
b) with positive pressure	X	X					The student candidate cannot do this act.
<b>Humidification</b> C-1.05 Installing and monitoring special equipment to humidify air inhaled by recipients, as well as special adapters for endotracheal tubes or for the artificial respiration tracheotomy cannulae	X						The student candidate acts under the on the premises supervision of an inhalation therapy technician.  The student candidate cannot do the act in the following sectors of activity: intensive care including coronary units, operating rooms and recovery rooms, emergency services or departments, neonatology and department of pulmonary function.  The student candidate cannot execute a protocol which includes a permanent prescription.

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

## Draft Regulation

Environment Quality Act  
(R.S.Q., c. Q-2)

### Quality of drinking water — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and with section 124 of the Environment Quality Act (R.S.Q., c. Q-2), that the Regulation to amend the Regulation respecting the quality of drinking water, the text of which appears below, may be made by the Government upon the expiry of 15 days following this publication.

The draft Regulation proposes three amendments to the Regulation respecting the quality of drinking water. The purpose of the first amendment is to reduce the number of bacteriological controls for distribution systems supplying between 21 and 1000 persons: the number of those controls will decrease from eight to two per month. That reduction becomes necessary due to the substantial increase of transportation fees and of fees related to the analysis of water samples and the urgency to reduce the financial expenses of the persons in charge of those systems. Even with that reduction, the frequency of bacteriological analyses for those distribution systems (two per month) will remain one of the most severe in America and will still ensure appropriate protection of public health.

The purpose of the second proposed amendment is to extend over a longer period of time the backfitting of certain distribution systems to the regulatory requirements related to filtration of surface water supplied by those systems considering that the design and setting up of the required equipment necessitate longer time limits than those provided for.

Lastly, the purpose of the third proposed amendment is to grant an additional time period to implement everywhere in Québec the qualification program developed for the persons in charge of the operation of the distribution systems and facilities for the collection and treatment of supplied water to allow those persons to obtain the required qualification.

The grounds underlying the abovementioned amendments justify that the publication period of the draft Regulation be reduced to 15 days in compliance with sections 12 and 13 of the Regulations Act.

Further information may be obtained by contacting

Didier Bicchi  
Service de l'expertise technique en eau  
Direction des politiques du secteur municipal  
Ministère de l'Environnement  
Édifice Marie-Guyart, 8<sup>e</sup> étage, boîte 42  
675, boulevard René-Lévesque Est  
Québec (Québec) G1R 5V7  
Telephone: (418) 521-3885  
Fax: (418) 644-2003  
E-mail: didier.bicchi@menv.gouv.qc.ca

Any person having comments to make on the draft Regulation to amend the Regulation respecting the quality of drinking water is asked to send them in writing, before the expiry of the 15-day period, to the Ministère de l'Environnement, at the abovementioned address.

ANDRÉ BOISCLAIR,  
*Minister of State for Municipal Affairs  
and Greater Montréal, the Environment and Water and  
Minister of the Environment*

## Regulation to amend the Regulation respecting the quality of drinking water\*

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31, pars. e, h.1 and h.2, s. 45,  
s. 45.2, par. a, s. 46, pars. a, b, d, m, o, o.1 and o.2, s. 87,  
pars. a and b, s. 109.1 and s. 124.1)

1. Section 11 of the Regulation respecting the quality of drinking water is amended

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

“

Users	Minimum number of samples to collect or to have collected per month
21 to 1000 persons	2
1001 to 8000 persons	8
8001 to 100 000 persons	1 per 1000 persons
100 001 persons and more	100 + 1 per group of 10 000 persons exceeding 100 000 persons

”;

\* The Regulation respecting the quality of drinking water was made by Order in Council 647-2001 dated 30 May 2001 (2001, G.O. 2, 2641).

and

(2) by adding the words “; if the number of samples is less than four, they shall be collected at an interval of at least seven days” at the end of the last paragraph.

**2.** Section 53 is amended

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

“**53.** The distribution systems the water supplied by which on the date of coming into force of this Regulation comes in whole or in part from surface water and is not subject to any treatment including flocculation, slow filtration or membrane filtration shall be exempt from the application of the provisions of section 5

— until 28 June 2005 where they supply less than 50 000 persons;

— until 28 June 2007 where they supply 50 000 persons or more.”;

(2) by substituting the words “, no later than 28 June 2002” for the words “, within three months of the coming into force of this Regulation” and the words “period of exemption provided for in the first paragraph” for the words “one-year period provided for above” in the second paragraph; and

(3) by inserting the words “the second paragraph of” after the words “pursuant to” in the third paragraph.

**3.** Section 55 is amended by substituting the words “thirty-sixth month following the month of” for the words “twelfth month following”.

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



## Municipal Affairs

Gouvernement du Québec

### **O.C. 109-2002, 13 February 2002**

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

Amalgamation of Municipalité de Deschambault and  
Municipalité de Grondines

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

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

WHEREAS objections were sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS, under section 108 of the aforementioned Act, amended by section 171 of chapter 56 of the Statutes of 2000, it is expedient to grant the joint application with the amendments proposed by the Minister of Municipal Affairs and Greater Montréal that were approved by the councils of the applicant municipalities;

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

THAT Municipalité de Deschambault and Municipalité de Grondines be amalgamated according to the following conditions:

1. The name of the new municipality shall be “Municipalité de Deschambault-Grondines”.

The provisional council of the new municipality shall, as soon as possible after the coming into force of this Order in Council, apply to the Commission de toponymie du Québec to have the place-name “Grondines” assigned to the sector of the new municipality made up of the territory of the former Municipalité de Grondines and the place-name “Deschambault” assigned to the sector of the new municipality made up of the territory of the former Municipalité de Deschambault.

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 19 November 2001; that description appears as a Schedule to this Order in Council.

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

4. The territory of Municipalité régionale de comté de Portneuf includes the territory of the new municipality.

5. Until the candidates elected in the first general election begin their terms, the new municipality shall be administered by a provisional council made up of all the council members of the former municipalities in office at the time of the coming into force of this Order in Council. An additional vote on the provisional council shall be allotted to the mayor of the former municipality on whose council there is a vacancy at the time of the coming into force of this Order in Council, as well as for any seat that subsequently becomes vacant on the provisional council and that had been until that time filled by a council member of that former municipality. If the vacancy is the mayor's seat, an additional vote shall be allotted to a councillor on the provisional council selected by and from among the councillors from the council of the municipality where the mayor's seat is vacant.

6. The mayor of the former Municipalité de Deschambault shall be mayor of the new municipality and the mayor of the former Municipalité de Grondines shall be acting mayor until the mayor elected in the first general election begins his or her term. Until then, they shall continue to sit on the council of Municipalité régionale de comté de Portneuf and they shall have the same number of votes as they had before the coming into force of this Order in Council.

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

8. The first sitting of the provisional council shall be held in the meeting room of Édifice P-Benoît.

9. The by-law respecting the salary of the elected members of the former Municipalité de Deschambault applies to the members of the provisional council.

10. Claire St-Arnaud shall be the first secretary-treasurer of the new municipality. Jean Gravel shall be assistant secretary-treasurer of the new municipality.

11. The polling for the first general election shall take place on 14 April 2002. The second general election shall be held in November 2005.

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

13. For the first three general elections, the only persons eligible for seats 1, 3 and 5 shall be the persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if such election were an election of the council members of the former *Municipalité de Deschambault* and the only persons eligible for seats 2, 4 and 6 shall be the persons who would be eligible under that Act if such election were an election of the council members of the former *Municipalité de Grondines*.

14. A municipal housing bureau is constituted under the name of "Office municipal d'habitation de Deschambault". The name of the bureau may initially be changed by a simple resolution of the board of directors in the year following its constitution. A notice regarding the change of name shall be sent to the *Société d'habitation du Québec* and published in the *Gazette officielle du Québec*.

That bureau shall succeed, on the date of coming into force of this Order in Council, the municipal housing bureau of *Municipalité de Deschambault*, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the *Société d'habitation du Québec* (R.S.Q., c. S-8), amended by section 219 of chapter 42 of the Statutes of 2000, shall apply to the new municipal housing bureau as though it had been constituted by letters patent under section 57 of that Act.

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

Until a majority of the candidates elected in the first general election begin their terms, the members of the board of directors of the bureau shall be the members of the municipal bureau which it will be succeeding.

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

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

The quorum at meetings shall be a majority of the members in office.

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

(1) borrow money on the credit of the bureau ;

(2) issue bonds or other securities of the bureau and give them as security or sell them for the price and amount deemed appropriate ;

(3) hypothecate or pledge the present or future immovables or movables of the bureau, to ensure the payment of such bonds or other securities, or give only part of that security for those purposes ;

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

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

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

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

15. The new municipality shall adopt a budget for its entire territory for the 2002 fiscal year.

Articles 954 to 957 of the Municipal Code of Québec, adapted as required, shall apply to the procedure for the preparation and adoption of the budget, in particular :

(1) the period referred to in subsection 1 of article 954 ends on 15 March 2002 ;

(2) the time limit referred to in the first paragraph of article 955 is two weeks.



Until the budget of the new municipality is adopted, one twelfth of the total budget appropriations of each of the former municipalities for the 2001 fiscal year shall apply to the entire territory of the new municipality.

An expenditure recognized by the council of the new municipality as resulting from the amalgamation shall be paid out of the subsidy for the first year of the municipal amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM).

Any balance from the amount provided for in the program referred to in the preceding paragraph shall be paid to the general fund of the new municipality.

16. Any deficit accumulated by a former municipality at the time of coming into force of this Order in Council shall remain charged to all the taxable immovables in the sector made up of the territory of the former municipality that accumulated it.

17. Any surplus accumulated by a former municipality at the time of coming into force of this Order in Council shall be used for the benefit of the ratepayers in the sector made up of the territory of that municipality, to repay loans contracted by that municipality, to carry out work in that sector, to reduce taxes applicable to all the taxable immovables located therein or to repay any debt referred to in section 26.

18. Any balance in principal and interest on the loans contracted under the following by-laws adopted by the former Municipalité de Deschambault shall be charged to all the taxable immovables in the new municipality on the basis of their value as it appears on the assessment roll in effect each year :

By-laws	Object
148-1, 16-90 and 46-91	Acquisition of land, industrial park
25-91	Miscellaneous capital expenditures
38-91	Fire truck
41-91	Acquisition (fire hall and garage)
43-91	Waterworks – Route Dussault
55-92	Repair – 3 <sup>e</sup> Rang Sud
59-92	Waterworks – Route 138
66-92	Waterworks – 2 <sup>e</sup> Rang
69-92	Recreation centre

By-laws	Object
70-92	Édifce P.-Benôit
71-92	Renovation (fire hall and garage)
79-93	Sewer system
94-94	Waterworks – Lachevrotière 2 <sup>e</sup> Rang Ouest – Route Dussault
109-95	Waterworks – Route 138 – Rue Saint-Laurent
110-95	Waterworks – Villa Tremblay
53-97	Refinancing 148-1, 154-155
186-00	Extension of sewer system
193-00	Waterworks – 3 <sup>e</sup> Rang

19. Any balance in principal and interest on the loans contracted under the following by-laws adopted by the former Municipalité de Deschambault shall be charged to the taxable immovables covered by the taxation clauses provided for in those by-laws :

By-laws	Object
154-155, 10-90 and 26-91	Infrastructures – industrial park
59-92	Waterworks – Route 138
160-98	Water purification

If the new municipality amends those by-laws, only the taxable immovables located in the sector made up of the territory of the former Municipalité de Deschambault may be subject to the special tax that will be imposed by the amendment.

Furthermore, the decisions related to work provided for under the by-laws referred to in this section, for the period between the coming into force of the amalgamating order and the polling day for the third general election, shall be made by the majority vote of the members of the council representing the territory of the former Municipalité de Deschambault.

20. The balance in principal and interest on the loan contracted under By-law 95-56 adopted by the former Municipalité de Grondines shall continue to be charged to the taxable immovables covered by the taxation clauses of that by-law.

Notwithstanding the foregoing, if the new municipality amends the By-law, only the taxable immovables located in the sector made up of the territory of the former *Municipalité de Grondines* may be subject to the special tax that will be imposed by the amendment.

Furthermore, the decisions related to work provided for under that By-law, for the period between the coming into force of this Order in Council and the polling day for the third general election, shall be made by the majority vote of the members of the council representing the territory of the former *Municipalité de Grondines*.

21. The aliquot share that was payable to the former *Municipalité de Deschambault* in accordance with paragraph 4 of section 5 of the intermunicipal agreement on the supply of drinking water and providing services to the former *Municipalité de Grondines*, covered by By-law 127-96 and its amendments, shall continue to be charged to the taxable immovables located in the territory described in By-law 95-56 within the sector made up of the territory of the former *Municipalité de Grondines*, until the extinguishment of the debt contracted by the former *Municipalité de Deschambault*.

22. Financing for the purchase of garbage bins intended for citizens of the former *Municipalité de Grondines* shall continue to be charged to the ratepayers of the sector made up of the territory of that former municipality.

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

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

24. The property assessment roll of the former *Municipalité de Grondines* drawn up for the 2001, 2002 and 2003 fiscal years, together with the property assess-

ment roll of the former *Municipalité de Deschambault* drawn up for the 2000, 2001 and 2002 fiscal years, shall constitute the property assessment roll of *Municipalité de Deschambault-Grondines* for the 2002 fiscal year.

Notwithstanding section 119 of the Act respecting municipal territorial organization, there shall be no adjustment of the values entered on the rolls.

With respect to an entry on the property assessment roll of *Municipalité de Deschambault-Grondines* that precedes the first roll that the municipality shall have drawn up under section 14 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), it is considered that for the purposes of establishing the actual value entered on that roll, the conditions in the property market have been taken into account, as they existed on 1 July 2000.

For the purposes of determining the market conditions on the date referred to in the previous paragraph, information relating to property transfers before and after that date may be taken into account.

The date referred to in the third paragraph must appear, where applicable, on any notice of assessment, tax account, notice of alteration to the roll or any assessor's certificate issued upon the updating of the roll.

The median proportion and the comparative factor of the assessment roll of *Municipalité de Deschambault-Grondines* for the 2002 fiscal year that must appear, where applicable, on any notice of assessment, tax account, notice of alteration to the roll or any assessor's certificate issued upon the updating of the roll shall be established respectively at 99 and 1.01.

The municipal body responsible for the assessment shall have the first three-year property assessment roll of *Municipalité de Deschambault-Grondines* drawn up in accordance with section 14 of the Act respecting municipal taxation for the 2003, 2004 and 2005 fiscal years.

Notwithstanding the second paragraph of section 46.1 of the Act respecting municipal taxation, the assessor shall equilibrate the values entered on the roll in drawing up the first three-year property assessment roll for the 2003, 2004 and 2005 fiscal years.

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

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

Proceeds from the sale of an immovable that belonged to a former municipality shall be used first to repay the balance of the debt contracted by that former municipality to acquire and develop the immovable. Any balance of the proceeds from the sale shall be paid into the general fund of the new municipality.

27. A service centre shall be maintained in the sector made up of the territory of the former Municipalité de Grondines in order to provide citizens with better access to municipal services. The duration of the maintenance of that service centre and the services that will be offered there shall be determined by the council on the basis of the needs expressed by the citizens of the former Municipalité de Grondines and the technical capability of providing them.

28. The new municipality shall succeed to the rights, obligations and responsibilities of the former municipalities. It shall be, without continuance of suit, a party to any proceeding in lieu and place of those former municipalities.

29. Pursuant to the Order in Council respecting the amendment to the agreement relating to the Cour municipale de la Ville de Donnacona that will be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de la Ville de Donnacona will have jurisdiction over the territory of the new municipality.

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

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

OFFICIAL DESCRIPTION OF THE TERRITORIAL BOUNDARIES OF MUNICIPALITÉ DE DESCHAMBAULT-GRONDINES, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE PORTNEUF

The territory of Municipalité de Deschambault-Grondines, in municipalité régionale de comté de Portneuf, following the amalgamation of the former municipalities of Deschambault and Grondines, comprises all the lots of the cadastres of the parishes of Deschambault and Grondines, thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter that starts at the apex of the northern angle of Lot 294 of the cadastre of Paroisse de Deschambault and that runs, successively, along the following lines and

demarcations: in reference to that cadastre, southeasterly, successively, the broken line bordering to the northeast lots 294, 533, 529, 532, 524, 293A and 523 and in part Lot 1 to its northwestern line; northeasterly, the northwestern line of the said lot to its northeastern extremity; southeasterly, part of the northeastern line of Lot 1 and its extension to the centre line of the St. Lawrence River, that northeastern line crossing Autoroute Félix-Leclerc, Route 138 and a railway right-of-way that it meets; in a general southwesterly direction, the centre line of the said river, upstream, to its meeting point with a straight line that is parallel to the southwestern line of Lot 207 of the cadastre of Paroisse des Grondines and whose starting point is the southwestern extremity of Lot 206 of the said cadastre; in a general northwesterly direction, successively, that straight line to its starting point, part of the southwestern line of Lot 206 to its meeting point with the extension of the southwestern line of Lot 207 of the said cadastre, the said extension then the dividing line between the cadastres of the parishes of des Grondines and Sainte-Anne-de-la-Pérade to the apex of the western angle of Lot 410 of the first cadastre, that line crossing Route 138, Autoroute Félix-Leclerc and a railway right-of-way (Lot 477 of the cadastre of Paroisse des Grondines) that it meets; in a general northeasterly direction, the broken dividing line between the cadastres of the parishes of des Grondines and Saint-Casimir, running along the southwest and southeast boundaries of the right-of-way of the road bordering to the southwest and southeast lots 17 and 18 of the cadastre of Paroisse de Saint-Casimir, to the apex of the northern angle of Lot 476 of the cadastre of Paroisse des Grondines; in reference to that cadastre, southeasterly, the broken line bordering to the northeast the said lot by crossing a railway right-of-way (Lot 478) that it meets; southwesterly, the southeastern line of lots 476, 475, 474, 473, 472, 471 and 470 then part of the southeastern line of Lot 469 to the apex of the northern angle of Lot 311; southeasterly, the northeastern line of the said lot by crossing Chemin du 3<sup>e</sup> Rang Est that it meets; in a general northeasterly direction, the broken line bordering to the northwest lots 301 to 306 of the cadastre of Paroisse des Grondines and lots 161, 162, 171 to 174, 178 to 184, 186 to 190, 193, 194, 196, 198, 200 to 203, 207, 209 and 210 of the cadastre of Paroisse de Deschambault, that line crossing Route Arcand and Route Dussault that it meets; in reference to that cadastre, southeasterly, part of the northeastern line of Lot 210 to the northwestern line of Lot 211; northeasterly, part of that line to the dividing line between the seigneuries of Deschambault and La Chevrotière; in Lot 371 northwesterly, part of the dividing line between the said seigneuries to the northwestern line of the said lot, that line crossing Chemin du 3<sup>e</sup> Rang and the railway right-of-way (Lot 524) that it meets; finally, in a general northeasterly direction, the broken line bordering to the

northwest lots 371, 370, 369, 368, 366, 364, 363, 362, 361, 360, 359, 358, 357, 355, 354, 353, 352, 351, 350, 349, 348, 345 in declining order to 338, 333, 332, 331, 330, 329, 327, 326, 325, 324, 321, 320, 318, 317, 315, 314, 310, 309, 308, 305, 304, 301, 300, 299, 298, 297, 296, 295 and 294 to the starting point, that line crossing Route Létourneau that it meets.

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

Charlesbourg, 19 November 2001

Prepared by: JEAN-FRANÇOIS BOUCHER,  
*Land surveyor*

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Gouvernement du Québec

### **O.C. 110-2002, 13 February 2002**

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

Amalgamation of Ville de Sainte-Agathe-des-Monts, Municipalité de Sainte-Agathe-Nord and Municipalité d'Ivry-sur-le-Lac

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

WHEREAS municipal restructuring has begun for the metropolitan regions of Montréal, Québec, the Outaouais, Saguenay, Sherbrooke and Trois-Rivières;

WHEREAS Ville de Sainte-Agathe-des-Monts, Municipalité de Sainte-Agathe-Nord and Municipalité d'Ivry-sur-le-Lac are covered by the first phase of the policy regarding the consolidation of local municipalities;

WHEREAS, on 21 December 2000, the Minister required those municipalities to file a joint application for amalgamation and the first deadline was extended several times to end on 30 April 2001 and the Minister appointed Robert Sabourin as a conciliator to assist the municipalities;

WHEREAS the Minister did not receive the joint application for amalgamation within the time prescribed;

WHEREAS the conciliator gave a report on the situation to the Minister;

WHEREAS the Government may, under the Act respecting municipal territorial organization (R.S.Q., c. O-9), order the constitution of local municipalities resulting from amalgamations, in particular as a means of achieving greater fiscal equity and of providing citizens with services at lower cost or better services at the same cost;

WHEREAS it is expedient to order the constitution of a local municipality under section 125.11 of the Act, enacted by section 1 of chapter 27 of the Statutes of 2000;

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

1. A local municipality is hereby constituted under the name "Ville de Sainte-Agathe-des-Monts".

2. The provisional council shall contact the Commission de toponymie du Québec as soon as possible after the coming into force of the amalgamation order in order to have the toponym "Ivry-sur-le-Lac" attributed to the sector formed of the territory of the former Municipalité d'Ivry-sur-le-Lac.

3. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 5 November 2001; that description appears as a schedule to this Order in Council.

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

5. The territory of municipalité régionale de comté des Laurentides includes the territory of the new town.

6. Until the term of a majority of candidates elected in the first general election begins, the new town shall be governed by a provisional council made up of the mayor and the six councillors of the former Ville de Sainte-Agathe-des-Monts, the mayor and one councillor of the former Municipalité de Sainte-Agathe-Nord and the mayor of the former Municipalité d'Ivry-sur-le-Lac.

A councillor of the former Municipalité d'Ivry-sur-le-Lac shall be designated by and among the members of the council of that former municipality to represent it within the provisional council when the mayor of that former municipality is absent. The third paragraph applies, adapted as required by that designation.

Each councillor of the former municipalities of Sainte-Agathe-Nord and Ivry-sur-le-Lac shall be designated by

and among the members of the council of the former municipality the councillor represented. If such designation is not made before the coming into force of this Order in Council, the Minister of Municipal Affairs and Greater Montréal shall designate each councillor.

7. The mayor of the former Ville de Sainte-Agathe-des-Monts shall be mayor of the new town until the mayor elected in the first general election begins his or her term.

8. The mayor of the former Municipalité de Sainte-Agathe-Nord and the mayor of the former Municipalité d'Ivry-sur-le-Lac shall alternate as acting mayor of the new town. The mayor of the former Municipalité de Sainte-Agathe-Nord shall act first as acting mayor as of the date of the coming into force of this Order in Council until the last day of the month of that coming into force, from which time the mayor of the former Municipalité d'Ivry-sur-le-Lac shall act as acting mayor for a month and so on, alternating each month, until the date on which the term of a majority of candidates elected in the first general election begins.

9. If, during the term of the provisional council, the office of mayor of that council becomes vacant, a councillor designated by and among the councillors of the former Ville de Sainte-Agathe-des-Monts shall be appointed to replace the mayor.

If the vacant office is the office of a councillor, an additional vote shall be allotted to the mayor of the former municipality that the councillor represented within the provisional council.

If the vacant office is the office of the mayor of the former Municipalité de Sainte-Agathe-Nord or of the former Municipalité d'Ivry-sur-le-Lac, a councillor designated by and among the councillors of the former municipality that the mayor represented shall be appointed to replace the mayor.

10. The mayors of the former municipalities shall continue to sit on the council of municipalité régionale de comté des Laurentides until the first general election is held and they shall have the same number of votes as they had before the coming into force of this Order in Council.

11. The by-law respecting the salary of the elected members of the former Ville de Sainte-Agathe-des-Monts applies to the members of the provisional council.

12. A majority of the members of the provisional council in office at any time shall constitute a quorum.

13. The first sitting of the provisional council shall be held at the meeting room of the town hall located in the territory of the former Ville de Sainte-Agathe-des-Monts.

Notwithstanding the first paragraph of section 110.1 of the Act respecting municipal territorial organization, the first sitting of the council shall be fixed at the second Tuesday following the date of coming into force of this Order in Council.

14. Until the council decides otherwise, Benoît Fugère shall become clerk of the new town, Denis Savard shall become director general of the new town and Gilles Chamberland shall become the treasurer of the new town.

Until the council elected in the first general election decides otherwise, the administrative offices of the new town shall be located at the town hall of the former Ville de Sainte-Agathe-des-Monts.

15. The polling for the first general election shall take place on 2 November 2003 and the second general election shall be held in 2005.

For the purposes of the first general election, the council of the new town shall be made up of a mayor and nine councillors. The councillors' seats shall be numbered from 1 to 9. For the purposes of the second general election, the council of the new town will decide if it will divide its territory into electoral districts in accordance with the Act. Failing that, the council of the new town shall be made up of a mayor and six councillors.

16. For the first general election and any by-election held before the second general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if the election were an election of the council members of the former Ville de Sainte-Agathe-des-Monts shall be eligible for seats 1 to 6; only those persons who would be eligible under that Act if the election were an election of the council members of the former Municipalité de Sainte-Agathe-Nord shall be eligible for seats 7 and 8; and only those persons who would be eligible under that Act if the election were an election of the council members of the former Municipalité d'Ivry-sur-le-Lac shall be eligible for seat 9.

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

18. A municipal housing bureau is constituted under the name of "Office municipal d'habitation de la Ville de Sainte-Agathe-des-Monts". The name of the bureau may initially be changed by a simple resolution of the board of directors in the year following its constitution. A notice of the change of name must be sent to the Société d'habitation du Québec and published in the *Gazette officielle du Québec*.

On the date of coming into force of this Order in Council, that municipal bureau succeeds the municipal housing bureau of the former Ville de Sainte-Agathe-des-Monts, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) apply to the new municipal housing bureau as though it had been constituted by letters patent under section 57 of that Act.

The bureau shall be administered by a board of directors formed of seven members. Three members shall be appointed by the municipal council of Ville de Sainte-Agathe-des-Monts, two members shall be elected by all the lessees of the bureau, pursuant to the Act respecting the Société d'habitation du Québec, and two members shall be appointed by the Minister of Municipal Affairs and Greater Montréal, after consultation, from among the most representative socioeconomic groups of the bureau's territory.

Until the date on which a majority of the members appointed under the third paragraph begin their terms, the members of the board of directors of the bureau shall be the members of the municipal housing bureau which it will be succeeding.

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

The term of the board of directors is three years and is renewable. The board members shall remain in office until reappointed or replaced even though their terms expire.

A majority of the members in office shall constitute a quorum.

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

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

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

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

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

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

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

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

- (1) that budget shall remain applicable ;
- (2) the expenditures and revenues of the new town for the remainder of the fiscal year in which this Order in Council comes into force shall continue to be accounted for separately on behalf of each former municipality as if the amalgamation had not taken place ;
- (3) an expenditure recognized by the council of the new town as resulting from the amalgamation shall be charged to each former municipality based on the proportion of its standardized property value to the total standardized property values of the former municipalities as they appear in the financial statements of the former municipalities for the fiscal year preceding the year in which this Order in Council comes into force ; and
- (4) the amount paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), less the expenditures recognized by the council under paragraph 3 and financed directly from that amount, shall constitute a reserve that shall be paid into the general fund of the new town for the first fiscal year for which it adopts a budget for its entire territory.

20. Any surplus accumulated on behalf of the former Ville de Sainte-Agathe-des-Monts at the end of the last fiscal year for which separate budgets were adopted shall be used for the benefit of the ratepayers of the sector made up of the territory of that former town to repay loans contracted by that town, to reduce taxes applicable to all the taxable immovables in that territory or to carry out works in that sector.

Any surplus accumulated on behalf of the former Municipalité de Sainte-Agathe-Nord and any surplus accumulated on behalf of the former Municipalité d'Ivry-sur-le-Lac at the end of the last fiscal year for which separate budgets are adopted shall be used for the benefit of the ratepayers of the sector made up of the territory of the former municipality that accumulated it to carry out public works.

21. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets are adopted shall remain charged to all the taxable immovables in the sector made up of the territory of that municipality.

22. The working fund of the new town shall be constituted of the working fund of each of the former municipalities as it exists at the end of the last fiscal year for which separate budgets apply.

Moneys borrowed from the working fund of each of the former municipalities shall be repaid out of the general fund of the new town.

23. Amounts accumulated in a special fund constituted by a former municipality to create parks, playgrounds and natural areas, under Division II.1 of Chapter IV of Title I of the Act respecting land use planning and development (R.S.Q., c. A-19.1), shall be paid into a special fund constituted for those purposes by the new town and accounted for separately to be used for the benefit of the sector made up of the territory of that former municipality.

24. The annual payment of the instalments in principal and interest on all the loans contracted under by-laws adopted by a former municipality before the coming into force of this Order in Council shall remain charged to the territory of the former municipality that contracted them pursuant to the taxation clauses of those by-laws.

Notwithstanding the foregoing, the council of the new town may decide to charge infrastructures that are for the benefit of all the ratepayers of the new town to all the taxable immovables of the new town and may amend the taxation clauses of the by-laws referred to in the first paragraph.

25. Expenses related to the management, operation and maintenance of the water system and sanitary and storm sewer system of the new town shall be covered by one or more distinct taxes so as to make sure that only ratepayers benefiting from any of those services contribute to finance them in accordance with Division III.1 of Chapter XVIII of the Act respecting municipal taxation (R.S.Q., c. F-2.1).

The new town shall charge the costs related to the construction of new water and sanitary and storm sewer pipes or of a lighting system to all the taxable immovables located in front of the work or within the basin benefiting from it, except overdepth work (exceeding 6 m in depth) or oversizing work (pipes whose diameter exceeds 200 mm) which may be charged to all the immovables served by the new town.

The new town shall charge all the costs related to the reconstruction of water and sanitary and storm sewer pipes or of a lighting system to all the immovables served by the service being reconstructed.

26. For the purposes of sections 27 to 33, the territory of the former Municipalité de Sainte-Agathe-Nord, the territory of the former Municipalité d'Ivry-sur-le-Lac and the territories of the former Ville de Sainte-Agathe-des-Monts and of the former Village de Sainte-Agathe, as the latter two existed on 31 December 1998 shall each constitute a sector, and section 18 of Order in Council 1529-98 dated 16 December 1998 respecting the amalgamation of Ville de Sainte-Agathe-des-Monts and Village de Sainte-Agathe-Sud ceases to apply.

27. The new town is subject to the rules provided for by law with respect to local municipalities, particularly the rules that prohibit the setting of different rates for the general property tax for different parts of the municipal territory and the rules that provide for the use of specific sources of revenue to finance debt-related expenses.

Notwithstanding the foregoing, the new town may derogate from these rules only if required to do so for the purposes of one of the provisions of sections 28 to 33.

Where, under any of sections 28 to 33, the revenue of a former municipality for a given fiscal year must be compared with the revenue of the new town for the following fiscal year, the revenue provided for in each of the budgets adopted for those two fiscal years shall be taken into account.

However, where a statement comparing the revenues provided for in the budget and those which, according to later forecasts, will be the revenues of the fiscal year shows the necessity to update budgetary forecasts, the

updated forecasts shall be considered, provided that the statement is filed before the town adopts the budget for the following fiscal year. If several statements are filed successively, the last one shall be considered.

28. The new town may, for a fiscal year, set any rate for the general property tax so that, with respect to the previous fiscal year, the increase in the tax burden for all the units of assessment located in a sector to which part of the rate or the full rate applies, is limited to 5%.

The following shall constitute the tax burden :

(1) the revenues derived from the general property tax that result from applying all or part of a rate of that tax ;

(2) the revenues derived from other taxes, including the taxes imposed on the basis of the rental value of immovables and compensations considered by the applicable legislation to be taxes, in particular the taxes used to finance services such as the drinking water supply, waste water purification, snow removal, waste disposal and residual materials recovery ;

(3) the revenues taken into account in establishing the aggregate taxation rate and derived from compensations and modes of tariffing not referred to in subparagraph 2 ;

(4) the revenues derived from the amounts in lieu of taxes that must be paid in respect of immovables by the Government pursuant to the second paragraph of section 210 of the Act respecting municipal taxation or by the Government pursuant to section 254 and the first paragraph of section 255 of the Act, amended by section 325 of chapter 12 of the Statutes of 2000, or by the Crown in right of Canada or by one of its mandataries ; and

(5) the revenues of which the town was deprived by granting a credit in respect of any source of revenue referred to in any of subparagraphs 1 to 4 for the purpose of carrying out section 20 with respect to the allocation of the credit from a surplus.

However, the revenues referred to in the second paragraph used to finance debt-related expenses are not included in the tax burden.

The rate specific to the category referred to in section 244.36 of the Act respecting municipal taxation, enacted by section 82 of chapter 54 of the Statutes of 2000, does not constitute one of the rates of the general property tax referred to in the first paragraph and subparagraph 1 of the second paragraph. For the purposes of subparagraphs

2 and 3 of the second paragraph, the word “immovables” means business establishments where the business tax or the amount in lieu thereof is referred to.

29. The new town may replace the maximum percentage increase in section 28 by another maximum percentage increase, which must be less than 5%, that applies only to the group of sectors in question.

If the increase under section 28 does not result solely from the constitution of the new town, the maximum shall apply only in respect of the portion of the increase that results from the constitution.

30. The new town shall, subject to rules provided for in any regulation under the second paragraph of section 150.5 of Schedule I to chapter 56 of the Statutes of 2000, enacted by section 286 of chapter 25 and amended by section 129 of chapter 68 of the Statutes of 2001, prescribe the rules to determine whether the increase under section 28 results solely from the constitution of the new town and, if not, to establish the part resulting from the constitution.

If, for any of the fiscal years referred to in section 28, a surtax or tax on non-residential immovables is imposed, the town shall prescribe the rules to enable the appropriate correspondences to be made to obtain the same results, for the purposes of that section, as if the town imposed the general property tax for that fiscal year pursuant to section 244.29 of the Act respecting municipal taxation, enacted by section 82 of chapter 54 of the Statutes of 2000, with a rate specific to the category described in section 244.33 of the Act, enacted by section 82 of chapter 54 of the Statutes of 2000.

31. Should the new town adopt a by-law under section 232 of the Act respecting municipal taxation, the rate of the business tax of the town applicable to business establishments located in the sectors made up of the territories of the former municipalities of Sainte-Agathe-Nord and Ivry-sur-le-Lac will be, for the 2003 fiscal year, 20% of the rate of the business tax then in effect at the time of the coming into force of this Order in Council in the sector made up of the territory of the former Ville de Sainte-Agathe-Nord ; for the 2004 fiscal year, it will be 40% of the rate of that tax ; for the 2005 fiscal year, it will be 60% of the rate of that tax ; for the 2006 fiscal year, it will be 80% of the rate of that tax.

For the four fiscal years referred to in the first paragraph, the rate of the business tax in effect in the sector made up of the territory of the former Ville de Sainte-Agathe-des-Monts shall remain the rate that was in effect on the date of coming into force of this Order in Council with respect to that territory.



32. For the purpose of establishing the percentage increase referred to in section 28 for the 2003 fiscal year, where the local municipality whose territory constitutes the sector in question has appropriated as revenue for the 2002 fiscal year all or part of its surpluses from preceding fiscal years in an amount exceeding the average of the amounts it appropriated for the 1996 to 2001 fiscal years, the difference obtained by subtracting from that excess amount the sum that the municipality was exempt from paying by the operation of sections 90 to 96 of chapter 54 of the Statutes of 2000 for the special local activities financing fund shall be included in the tax burden borne by the aggregate of the units of assessment in the sector for the 2002 fiscal year.

33. The new town may avail itself of the powers provided for in Division III.1 of Chapter XVIII of the Act respecting municipal taxation with respect to one sector and not to another or vary their exercise according to the sectors.

For each of the fiscal years from 2002 to 2006, the town may, where under section 244.29 of the Act respecting municipal taxation, it imposes the general property tax with a rate specific to the category provided for in section 244.36 of that Act, set several such rates that differ according to the sectors; the same applies, where the town imposes the surtax on vacant land, for the rate of that surtax.

34. Sections 27 to 33 apply to the first five fiscal years for which the new town adopts a budget for its territory.

35. The aggregate of the property assessment rolls of the former Municipalité d'Ivry-sur-le-Lac and of the former Ville de Sainte-Agathe-des-Monts, drawn up for the 2001, 2002 and 2003 fiscal years and the property assessment roll of the former Municipalité de Sainte-Agathe-Nord, drawn up for the 2000, 2001 and 2002 fiscal years, shall constitute the property assessment roll of the new Ville de Sainte-Agathe-des-Monts from the date of coming into force of this Order in Council to 31 December 2002.

Notwithstanding section 119 of the Act respecting municipal territorial organization, no adjustment to the values in the property assessment rolls shall be made for the 2002 fiscal year.

With respect to an entry on the assessment roll of the new Ville de Sainte-Agathe-des-Monts that precedes 1 January 2003, it is considered that for the purposes of establishing the actual value entered on that roll, the conditions in the property market respective to each of the property assessment rolls referred to in the first

paragraph, have been taken into account, as they existed on 1 July of the second fiscal year that preceded the coming into force of those rolls.

For the purposes of determining the market conditions on the date referred to in the third paragraph, the information related to transfers of ownership that occurred before and after that date may be taken into account.

The date of reference to the property market of each of the rolls referred to in the first paragraph, determined under the third paragraph, shall appear, where applicable, on any notice of assessment, tax account, notice of amendment to the roll or any assessor's certificate issued within the scope of the update of the roll.

The median proportions and comparative factors of the property assessment roll of the new Ville de Sainte-Agathe-des-Monts for the 2002 fiscal year that must appear, where applicable, on any notice of assessment, tax account, notice of amendment to the roll or any assessor's certificate issued within the scope of the update of the roll are respectively those of the property assessment rolls referred to in the first paragraph.

36. The roll of rental values of the former Ville de Sainte-Agathe-des-Monts shall remain in effect from the date of constitution of the new Ville de Sainte-Agathe-des-Monts to 31 December 2002.

The third, fourth, fifth and sixth paragraphs of section 35 apply adapted as required.

37. The property assessment roll of the new Ville de Sainte-Agathe-des-Monts referred to in the first paragraph of section 35 and amended, in accordance with the second paragraph of this section, shall remain in effect for the 2003 fiscal year.

An adjustment to the values entered on the assessment roll of the new Ville de Sainte-Agathe-des-Monts shall be made, for the units of assessment of the former municipalities of Ivry-sur-le-Lac and Sainte-Agathe-Nord, by dividing those values by the median proportion of their respective assessment roll established for the 2002 fiscal year and by multiplying them by the median proportion of the assessment roll of the former Ville de Sainte-Agathe-des-Monts established for the 2002 fiscal year.

With respect to an entry on the property assessment roll of the new Ville de Sainte-Agathe-des-Monts for the 2003 fiscal year, it is considered that for the purposes of establishing the actual value entered on that roll, the conditions in the property market have been taken into account, as they existed on 1 July 2000.

For the purposes of determining the market conditions on the date referred to in the third paragraph, the information related to transfers of ownership that occurred before and after that date may be taken into account.

The date referred to in the third paragraph shall appear, where applicable, on any notice of assessment, tax account, notice of amendment to the roll or any assessor's certificate issued within the scope of the update of the roll.

The median proportion and the comparative factor of the new Ville de Sainte-Agathe-des-Monts for the 2003 fiscal year that must appear, where applicable, on any notice of assessment, tax account, notice of amendment to the roll or any assessor's certificate issued within the scope of the update of the roll shall be those established by the assessor of the former Ville de Sainte-Agathe-des-Monts for the 2002 fiscal year.

The town shall have the first three-year assessment roll drawn up, in accordance with section 14 of the Act respecting municipal taxation, for the 2004, 2005 and 2006 fiscal years.

38. Where the new Ville de Sainte-Agathe-des-Monts adopts, for the 2003 fiscal year, a by-law under section 232 of the Act respecting municipal taxation, the roll of the rental value of the former Ville de Sainte-Agathe-des-Monts, drawn up for the 2001, 2002 and 2003 fiscal years, and amended, in accordance with the second paragraph, shall constitute the roll of the rental value of the new Ville de Sainte-Agathe-des-Monts for the 2003 fiscal year.

The entry on the roll of the rental value of the new Ville de Sainte-Agathe-des-Monts of business establishments of the former municipalities of Ivry-sur-le-Lac and Sainte-Agathe-Nord shall be made by alterations to the roll, in accordance with sections 174.2 to 184 of the Act respecting municipal taxation. Those alterations shall take effect as of 1 January 2003.

The second, third, fourth, fifth and sixth paragraphs of section 37 apply, adapted as required.

The town shall have the first three-year roll of the rental value drawn up by its assessor, in accordance with section 14.1 of the Act respecting municipal taxation, for the 2004, 2005 and 2006 fiscal years.

39. The assessor of the town is qualified, from the date of coming into force of this Order in Council, to perform all the acts required by the Act respecting municipal taxation and the regulations and by-laws made thereunder with respect to the property assessment roll and the roll of rental values of the new town.

40. Amounts to be provided in the future, entered in the accounting books of the former municipalities as they exist at the end of the last fiscal year for which they adopted separate budgets shall be charged or used for the benefit of all the taxable immovables of the new town.

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

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

The first paragraph does not apply to the zoning and subdivision by-laws that were applicable the day before the date of coming into force of this Order in Council in the territory of the former Municipalité d'Ivry-sur-le-Lac and to the zoning by-law that was applicable at the time of that coming into force with respect to Zone Up-2 (Lac Brûlé) in the territory of the former Ville de Sainte-Agathe-des-Monts.

42. Any debt or gain that may result from legal proceedings in respect of an act performed or an omission by a former municipality shall be charged to or used for the benefit of all the taxable immovables in the sector made up of the territory of that municipality.

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

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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OFFICIAL DESCRIPTION OF THE LIMITS OF THE  
NEW VILLE DE SAINTE-AGATHE-DES-MONTS, IN  
MUNICIPALITÉ RÉGIONALE DE COMTÉ DES  
LAURENTIDES

The territory of the new Ville de Sainte-Agathe-des-Monts, in municipalité régionale de comté des Laurentides, following the amalgamation of the former municipalities of Ivry-sur-le-Lac and Sainte-Agathe-Nord with the former Ville de Sainte-Agathe-des-Monts, comprises all the lots of the cadastres of Canton de Wolfe and of Paroisse de Sainte-Agathe-des-Monts, the thoroughfares, hydrographical and topographical elements, built-up places or parts thereof included within the perimeter that starts at the apex of the northern angle of Lot 8 of Rang 11 Canton Doncaster of the cadastre of Paroisse de Sainte-Agathe-des-Monts and that follows, successively, the following lines and demarcations : southeasterly, part of the dividing line between the cadastres of Paroisse de Sainte-Agathe-des-Monts and Canton de Doncaster to the apex of the eastern angle of Lot 8 of Rang 3 Canton Doncaster of the cadastre of Paroisse de Sainte-Agathe-des-Monts, that line crossing Chemin Vendette, Lac Arpin, route 329 and Lac Ludger that it meets ; in reference to the latter cadastre, southwesterly, part of the dividing line between Rang 3 Canton Doncaster and Rang 2 Canton Doncaster to the dividing line between the townships of Doncaster and Morin ; northwesterly, part of the dividing line between the said townships to the southeastern line of Lot 42 of Rang 11 Canton Morin ; southwesterly, the southeastern line of the said lot and its extension to the centre line of Rivière du Nord, that line extended across the right-of-way of a railway (Lot 81) and a public road that it meets ; northwesterly, the centre line of the said river upstream to its meeting with the dividing line between the townships of Beresford and Morin ; southerly, part of the dividing line between the said townships to the northeastern line of Lot 1 of Rang 9 Canton Morin ; southeasterly, successively, part of the northeastern line of Lot 1 of Rang 9 Canton Morin, the northeastern line of Lot 7 of Rang 9 Canton Morin then, again, part of the northeastern line of Lot 1 of Rang 9 Canton Morin to the dividing line between Rang 9 Canton Morin and Rang 8 Canton Morin ; southwesterly, the dividing line between the said ranges crossing Autoroute des Laurentides that it meets ; southerly, part of the dividing line between the townships of Beresford and Morin to the southern line of the cadastre of Paroisse de Sainte-Agathe-des-Monts, that line crossing Lac du Gore that it meets ; westerly, the southern line of the said cadastre crossing Route 329 and Lac de la Borne and Lac Travers that it meets ; northerly, part of the western line of the cadastre of Paroisse de Sainte-Agathe-des-Monts to the dividing line between ranges 3 and 2 of the cadastre of Canton de Wolfe ; in reference to the latter cadastre, westerly, part of the dividing line between the

said ranges to the dividing line between lots 5 and 6 of Rang 3 ; northerly, the dividing line between the said lots ; easterly, part of the dividing line between ranges 3 and 4 to the western line of Canton de Beresford ; northerly, part of the western line of the said township crossing Lac de la Brume and Lac Vaseux, Route 117, the right-of-way of a railway, Lac Gordon and Lac Quenouilles that it meets ; finally, successively south-easterly and northeasterly, the broken dividing line between Canton d'Archambault and the townships of Beresford and Doncaster to the starting point, and crossing Lac Quenouilles and Lac Maxime that it meets in its first segment and Chemin Val-des-Lacs in its second segment.

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

Charlesbourg, 5 November 2001

Prepared by : JEAN-PIERRE LACROIX,  
*Land surveyor*

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Gouvernement du Québec

**O.C. 123-2002, 13 February 2002**

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

Designation of Cour municipale commune de la Ville  
de Saguenay

WHEREAS, in accordance with section 125.11 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), enacted by section 1 of chapter 27 of the Statutes of 2000, the territories of Ville de Chicoutimi, Ville de Jonquière, Ville de La Baie, Ville de Laterrière and the municipalities of Lac-Kénogami and Shipshaw were amalgamated in order to constitute Ville de Saguenay, by Order in Council 841-2001 dated 27 June 2001 ;

WHEREAS Ville de Chimoutimi and Ville de Laterrière as well as various other municipalities submitted their territory to the jurisdiction of Cour municipale commune of the former Ville de Chicoutimi ;

WHEREAS Ville de Jonquière and the municipalities of Lac-Kénogami and Shipshaw submitted their territory to the jurisdiction of Cour municipale commune of the former Ville de Jonquière ;

WHEREAS Ville de La Baie as well as various other municipalities submitted their territory to the jurisdiction of Cour municipale commune of the former Ville de La Baie;

WHEREAS Ville de Jonquière and Ville de La Baie will be part of the new Ville de Saguenay from its constitution on 18 February 2002;

WHEREAS, under section 18.4 of the Act respecting municipal courts (R.S.Q., c. C-72.01), enacted by section 31 of chapter 54 of the Statutes of 2000, where more than one municipal court has jurisdiction in the municipalities referred to in the order made pursuant to section 125.11 of the Act respecting municipal territorial organization on the day preceding the date of coming into force of the order, the Government shall designate, on the recommendation of the Minister of Justice, the municipal court to have jurisdiction in the territory of the municipality resulting from the amalgamation;

WHEREAS it is expedient to designate Cour municipale commune de la Ville de Saguenay as the common municipal court having jurisdiction in the territory of the new Ville de Saguenay and that the name of the common municipal court be “Ville de Saguenay Common Municipal Court”;

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

THAT Cour municipale commune de la Ville de Saguenay be designated as the common municipal court having jurisdiction in the territory of the new Ville de Saguenay and that the name of the common municipal court be “Ville de Saguenay Common Municipal Court”;

THAT this Order in Council come into force on 18 February 2002.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## Index Statutory Instruments

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

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