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**2**

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**Laws and Regulations**

Volume 134

**Summary**

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Legal deposit – 1st Quarter 1968  
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## Regulations and other acts

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Gouvernement du Québec

### **O.C. 423-2002, 10 April 2002**

Ecological Reserves Act  
(R.S.Q., c. R-26.1)

#### **Chicobi Ecological Reserve — Establishment**

Establishment of the Chicobi Ecological Reserve

WHEREAS, under section 1 of the Ecological Reserves Act (R.S.Q., c. R-26.1), the Government may establish as an ecological reserve lands in the domain of the State where the Government considers it expedient for any of the following purposes:

- (1) to conserve the lands in their natural state;
- (2) to reserve the lands for scientific research and, where applicable, for education; and
- (3) to protect threatened or vulnerable plant and animal species;

WHEREAS the Government is of the opinion that it is expedient to globally safeguard a group of representative ecosystems of the Abitibi region on a permanent and integral basis;

WHEREAS the proposal to establish the Chicobi Ecological Reserve complies with the five-year plan for the establishment of ecological reserves, the Programmation quinquennale de constitution des réserves écologiques 1996-2001, approved by the Government in July 1996;

WHEREAS the lands on which the ecological reserve will be established are state-owned lands;

WHEREAS no part of the lands to be constituted as an ecological reserve is located in an area selected for control purposes or an agricultural zone established within the meaning of the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1);

WHEREAS the Commission municipale du Québec has come to the conclusion that the project complies with the objectives of the development plan of the Municipalité régionale de comté d'Abitibi;

WHEREAS the Commission de toponymie du Québec has given a positive opinion on the use of the name "Chicobi Ecological Reserve";

WHEREAS the Ministère des Ressources naturelles has been consulted and has given a positive opinion on the constitution of the Chicobi Ecological Reserve and the territory in question has been withdrawn from staking, map designation, mining exploration or mining operations;

WHEREAS, in accordance with section 2 of the Ecological Reserves Act (R.S.Q., c. R-26.1), a brief description of the ecological reserve project was published on 27 June 2001 in the *Gazette officielle du Québec* and on 22 and 25 July 2001 in the regional newspapers *Le Citoyen d'Abitibi-Est* and *Contact*;

WHEREAS section 3 of the Ecological Reserves Act provides that any order made pursuant to sections 1 and 2 comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

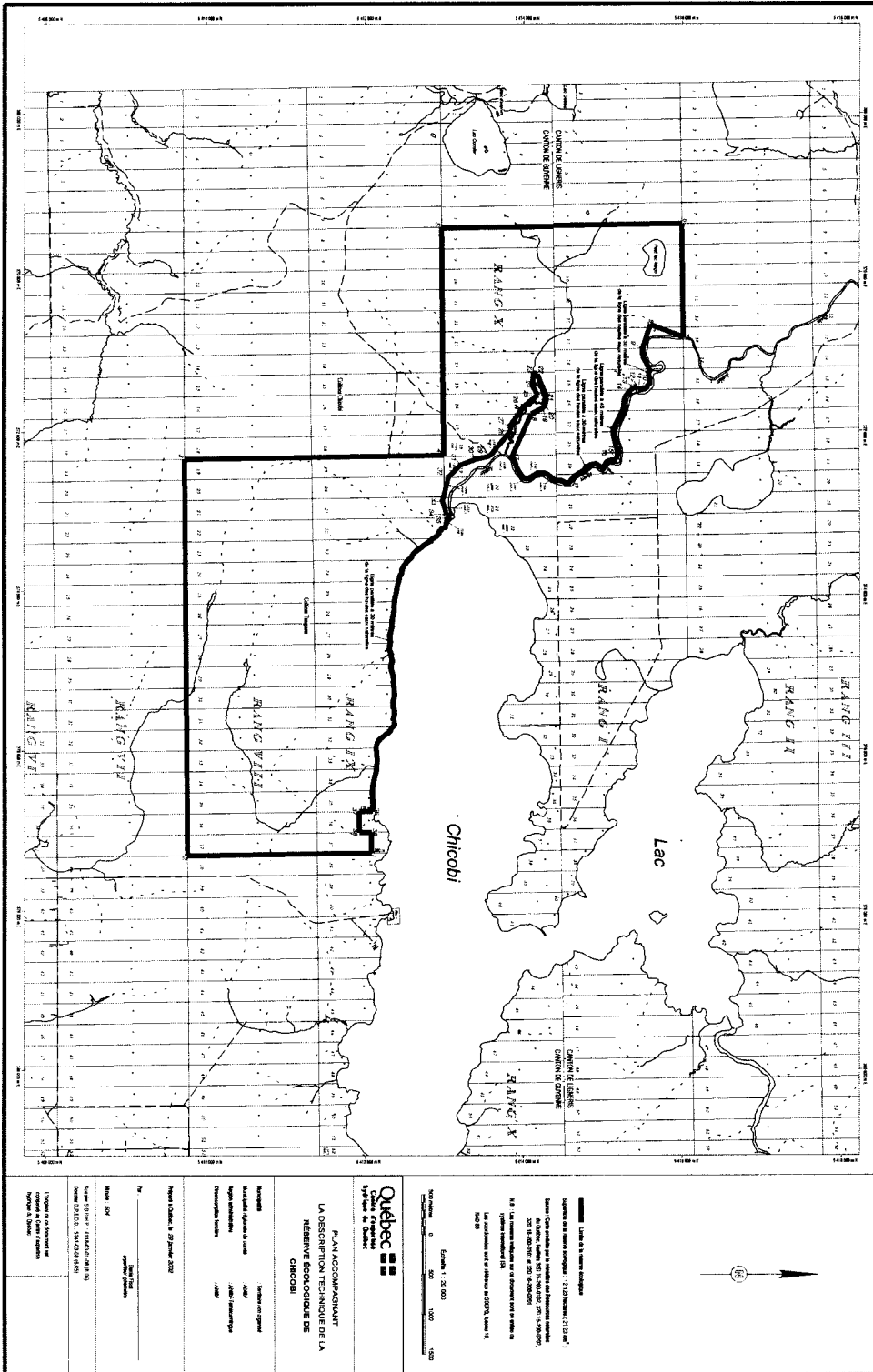
IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Municipal Affairs and Greater Montréal, the Environment and Water and Minister of the Environment:

THAT the territory covered by the plan and the technical description attached to this Order in Council be established as the Chicobi Ecological Reserve;

THAT this Order in Council come 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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**1** Carte de territoire cadastré  
 Surface de la réserve scolaire : 1 120 hectares (11 200 ha)  
 Surface cadastrée par le Service des Maires et des Services  
 Locaux : 1 000 000 m<sup>2</sup> (10 000 000 pi<sup>2</sup>)  
 N.B. : Les renseignements sur le territoire sont en vigueur au  
 1<sup>er</sup> janvier 2002.  
 Les modifications sont en vigueur le 20/04/2002. (voir la  
 page 2223)

**Québec**  
 Québec Éducation  
 Québec  
 Québec

**PLAN ACCOMPAGNANT  
 LA DESCRIPTION TECHNIQUE DE LA  
 RÉSERVE ÉCOLE DE LA  
 CHICOBÍ**

**Matériau** : Papier non gravé  
**Matériau original** : Papier  
**Approuvé** : [Signature]  
**Document** : [Signature]

**Projet** : [Signature]  
**Date** : [Signature]

**Projet** : [Signature]  
**Date** : [Signature]  
**Projet** : [Signature]  
**Date** : [Signature]

PROVINCE OF QUÉBEC  
REGISTRATION DIVISION OF ABITIBI

TECHNICAL DESCRIPTION  
CHICOBÍ ECOLOGICAL RESERVE

A territory of irregular shape, located on the territory of Municipalité régionale de comté d'Abitibi, in the Abitibi-Témiscamingue administrative region, and comprising in reference to the original survey the lots and parts and lots mentioned below :

In Canton de Guyenne

Lots 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37 of Rang VIII ;

Lot 19 and part of lots 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37 of Rang IX ;

Lots 8, 9, 10, 11, 12, 13, 14, two parts of lots 15, 16, 17, 18 (two parts of lot 18A cad.) and 19 (part of lots 19A and 19C cad.), three parts of lot 20 (part of lots 20A, 20C and 20D cad.) and a part of lots 21 (part of 21A cad.) and 22 (part of lot 22A cad.) of Rang X ;

In Canton de Ligneris :

Lots 8, 9, 10 and 11, part of lot 12, two parts of lot 13 and part of lots 14, 15, 16, 17, 18, 19 and 20 of Rang I.

The cadastral designation is identical to that of the original survey except when mentioned between brackets and except in Canton of Ligneris where there is no cadastre.

The perimeter of that territory may be described as follows, namely :

Starting from Point 1 located on the dividing line between lots 37 and 38 of Rang IX of Canton de Guyenne, 200 metres from the intersection of that line with the normal high water mark of Lac Chicobi ;

Thence, southerly, following in Canton de Guyenne the dividing line between lots 37 and 38 of Rang IX then the dividing line between lots 37 and 38 of Rang VIII to its intersection with the dividing line between ranges VII and VIII, that is, Point 2 ;

Thence, westerly, following the dividing line between ranges VII and VIII, to its intersection with the dividing line between lots 18 and 19 of Rang VIII, that is, Point 3 ;

Thence, northerly, following the dividing line between lots 18 and 19 of Rang VIII then the dividing line between

lots 18 and 19 of Rang IX to its intersection with the dividing line between ranges IX and X, that is, Point 4 ;

Thence, westerly, following the dividing line between ranges IX and X to its intersection with the dividing line between lots 7 and 8 of Rang X, that is, Point 5 ;

Thence, northerly, following the dividing line between lots 7 and 8 of Rang X of Canton de Guyenne, then the dividing line between lots 7 and 8 of Rang I of Canton de Ligneris to its intersection with the dividing line between ranges I and II of Canton de Ligneris, that is, Point 6 ;

Thence, easterly, following the dividing line between ranges I and II to Point 7, located to the west of Rivière Authier, 5 metres measured perpendicularly from the normal high water mark of the right bank (west side) of the said river ;

Thence, southerly, following a straight line to Point 8 whose coordinates are :

5 415 601 m North, 370 657 m East ;

Thence, easterly, following a straight line to Point 9, located to the south of Rivière Authier 30 metres, measured perpendicularly from the normal high water mark of the right bank (south side) of the said river and whose coordinates are :

5 415 505 m North, 370 957 m East ;

Thence, in an average easterly direction, following a line parallel to the normal high water mark of Rivière Authier and 30 metres therefrom to Point 10 whose coordinates are :

5 415 492 m North, 371 474 m East ;

Thence, in an average southerly direction, following segments of straight lines forming a broken line whose coordinates are :

Point 11 : 5 415 452 m North, 371 470 m East,  
Point 12 : 5 415 435 m North, 371 441 m East,  
Point 13 : 5 415 389 m North, 371 444 m East,

To Point 14, located to the southwest of Rivière Authier, 45 metres measured perpendicularly from the normal high water mark of the right bank (southwest side) of the said river and whose coordinates are :

5 415 362 m North, 371 486 m East ;

Thence, in an average easterly direction, following a line parallel to the normal high water mark of the right bank of the Rivière Authier, 45 metres from that bank to Point 15 whose coordinates are:

5 415 177 m North, 372 354 m East;

Thence, southerly, following a straight line to Point 16, located to the west of Rivière Authier, 30 metres measured perpendicularly from the normal high water mark of the right bank (west side) of the said river and whose coordinates are:

5 415 135 m North, 372 365 m East;

Thence, in an average southerly direction, following a line parallel to the normal high water mark of the right bank of Rivière Authier and 30 metres from that bank to Point 17 whose coordinates are:

5 413 856 m North, 372 318 m East;

Thence, first in an average westerly direction then in an average southeasterly direction, following segments of straight lines forming a broken line, the coordinates of the apexes being:

Point 18: 5 414 100 m North, 371 777 m East,  
 Point 19: 5 414 243 m North, 371 708 m East,  
 Point 20: 5 414 278 m North, 371 672 m East,  
 Point 21: 5 414 297 m North, 371 575 m East,  
 Point 22: 5 414 177 m North, 371 280 m East,  
 Point 23: 5 414 130 m North, 371 256 m East,  
 Point 24: 5 414 115 m North, 371 422 m East,  
 Point 25: 5 414 183 m North, 371 549 m East,  
 Point 26: 5 414 004 m North, 371 683 m East,  
 Point 27: 5 413 830 m North, 371 937 m East,  
 Point 28: 5 413 850 m North, 371 986 m East,  
 Point 29: 5 413 578 m North, 372 306 m East,  
 Point 30: 5 413 393 m North, 372 350 m East,  
 Point 31: 5 413 207 m North, 372 420 m East,  
 Point 32: 5 413 055 m North, 372 568 m East,  
 Point 33: 5 412 980 m North, 372 872 m East,  
 Point 34: 5 413 029 m North, 373 046 m East,

to Point 35, to the south of Lac Chicobi, 30 metres measured perpendicularly from the normal high water mark of the said lake and whose coordinates are:

5 413 087 m North, 373 076 m East;

Thence, in an average easterly direction, following a line parallel to the normal high water mark of the south side of Lac Chicobi and located 30 metres from that mark to the dividing line between lots 35 and 36 of Rang IX of Canton de Guyenne, that is, Point 36;

Thence, southerly, following the dividing lines between the said lots 35 and 36 over a distance of 170 metres, that is, Point 37;

Thence, easterly, following a line perpendicular to the dividing line between lots 35 and 36 to Point 38, located on the dividing line between lots 36 and 37 of Rang IX of Canton de Guyenne;

Thence, northerly, following the dividing line between the said lots 36 and 37 to its intersection with a line perpendicular to the dividing line between lots 37 and 38 of Rang IX of Canton de Guyenne starting from Point 1, that is, Point 39;

Thence, easterly, following the latter perpendicular line to the starting Point 1.

The territory within the above-described perimeter has an area of 2 123 hectares (21.23 square kilometres).

The territory described appears on a plan drawn on an extract of the survey compilation map prepared by the Ministère des Ressources naturelles du Québec, folios 32D 15-200-0102, 32D 15-200-0202, 32D 16-200-0101 and 32D 16-200-0201. The plan, prepared by the undersigned, bears the same minute number as this technical description of which it is an integral part.

#### Notes:

The coordinates used in this technical description are given in metres in reference to the Québec coordinates system, the SCOPQ, Modified Transverse Mercator projection (MTM), Time Zone 10 (central meridian 79°30'00" West), North American Datum 1983 (NAD 83).

The measures comply with the International System of Units (SI).

The surveying of the limits of the territory will specify the perimeter of the ecological reserve.

Prepared at Québec, on 29 January 2002, under number 504 of my minutes.

By: (s) DENIS FISET,  
*Land surveyor*

Ministère de l'Environnement du Québec  
 Service de la gestion du domaine hydrique de l'état  
 File No. 4116-03-01-08 (8.05)

Direction du patrimoine écologique et  
 du développement durable  
 File No. 5141-03-08 (8.05)



Gouvernement du Québec

## O.C. 424-2002, 10 April 2002

Ecological Reserves Act  
(R.S.Q., c. R-26.1)

### Mine-aux-Pipistrelles Ecological Reserve — Establishment

Establishment of the Mine-aux-Pipistrelles Ecological Reserve

WHEREAS, under section 1 of the Ecological Reserves Act (R.S.Q., c. R-26.1), the Government may establish as an ecological reserve lands in the domain of the State where the Government considers it expedient for any of the following purposes:

- (1) to conserve the lands in their natural state;
- (2) to reserve the lands for scientific research and, where applicable, for education; and
- (3) to protect threatened or vulnerable plant and animal species;

WHEREAS the Government is of the opinion that it is expedient to ensure the protection of the winter site of the largest and most diversified bat population in the Estrie region, which represents four out of the five species of bats hibernating in Québec;

WHEREAS the Government is also of the opinion that it is important to ensure the protection of the only known winter site of the eastern pipistrelle, an endangered or vulnerable species likely to be designated as such;

WHEREAS the proposal to establish the Mine-aux-Pipistrelles Ecological Reserve complies with the five-year plan for the establishment of ecological reserves, the Programmation quinquennale de constitution des réserves écologiques 1996-2001, approved by the Government in July 1996;

WHEREAS the lands on which the ecological reserve will be established are state-owned lands and are not part of an area selected for control purposes or an agricultural zone within the meaning of the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1);

Whereas the Municipalité régionale de comté de Memphrémagog has given its opinion that the project complies with its development plan;

WHEREAS the Commission de toponymie du Québec has given a positive opinion on the use of the name “Mine-aux-Pipistrelles Ecological Reserve”;

WHEREAS, in accordance with section 2 of the Ecological Reserves Act (R.S.Q., c. R-26.1), a brief description of the ecological reserve project was published on 21 November 2001 in the *Gazette officielle du Québec* and on 24 November 2001 in the regional newspaper *Le Guide*;

WHEREAS section 3 of the Ecological Reserves Act provides that any order made pursuant to sections 1 and 2 comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

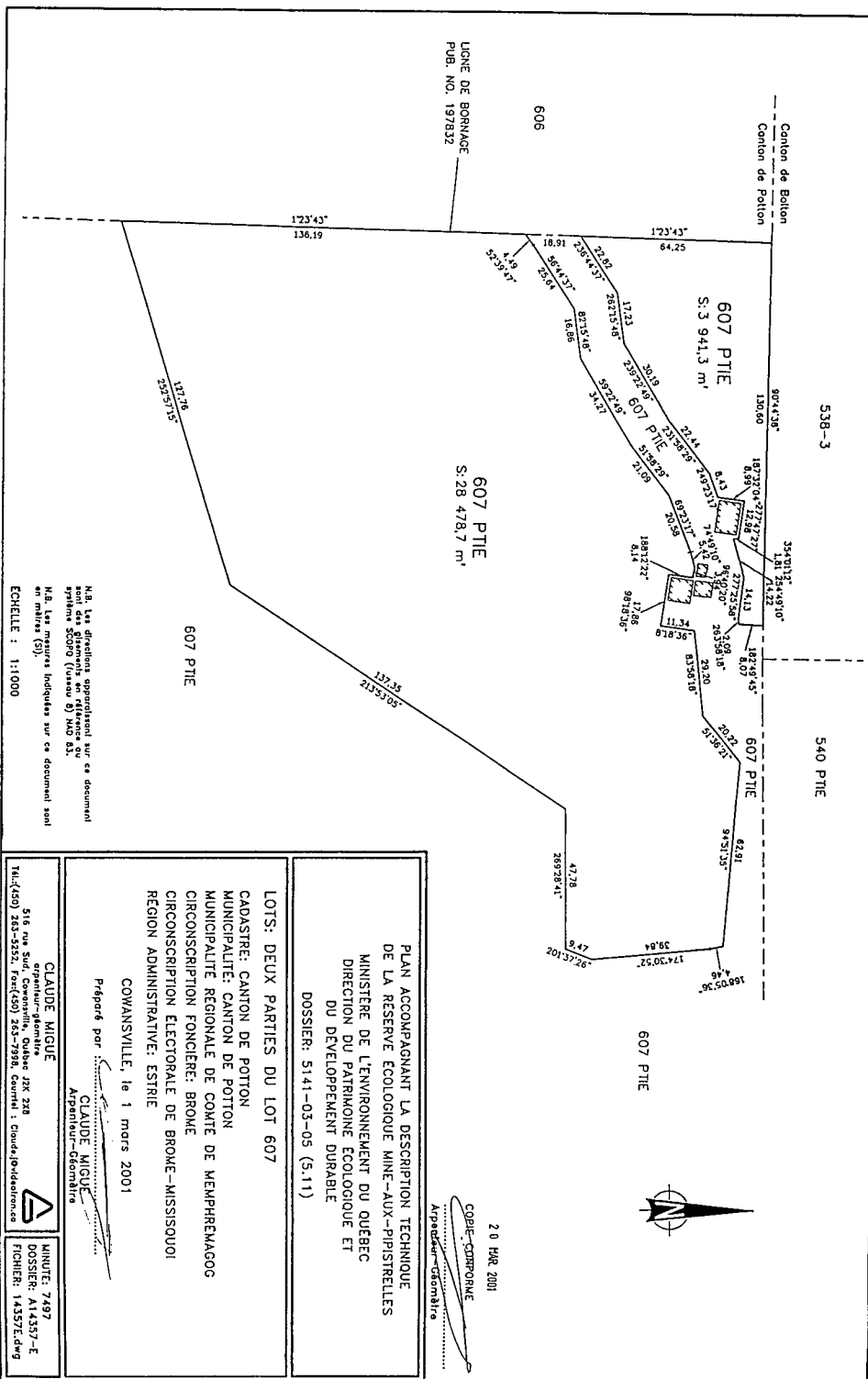
IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Municipal Affairs and Greater Montréal, the Environment and Water and Minister of the Environment:

THAT the territory covered by the plan and the technical description attached to this Order in Council be established as the Mine-aux-Pipistrelles Ecological Reserve;

THAT this Order in Council come 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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CANADA  
PROVINCE OF QUÉBEC  
REGISTRATION DIVISION OF BROME

TECHNICAL DESCRIPTION  
MINE-AUX-PIPISTRELLES ECOLOGICAL  
RESERVE

A territory composed of two parcels of land of irregular shape, being composed of parts of lot 607 official cadastre of Canton de Potton, in the territory of Municipalité régionale de comté de Memphrémagog, in the Estrie administrative region and described as follows :

**(A) First part of lot 607**

Starting at a point located at a distance of 83.16 metres along a bearing of  $1^{\circ} 23' 43''$ , south of the north-west corner of lot 607, called "starting point".

Thence, northeasterly, along a bearing of  $52^{\circ} 39' 47''$ , over a distance of four metres and forty-nine hundredths (4.49 metres).

Thence, northeasterly, along a bearing of  $56^{\circ} 44' 37''$ , over a distance of twenty-five metres and sixty-four hundredths (25.64 metres).

Thence, easterly, along a bearing of  $82^{\circ} 15' 48''$ , over a distance of sixteen metres and eighty-six hundredths (16.86 metres).

Thence, northeasterly, along a bearing of  $59^{\circ} 22' 49''$ , over a distance of thirty-four metres and twenty-seven hundredths (34.27 metres).

Thence, northeasterly, along a bearing of  $51^{\circ} 58' 29''$ , over a distance of twenty-one metres and nine hundredths (21.09 metres).

Thence, easterly, along a bearing of  $69^{\circ} 23' 17''$ , over a distance of twenty metres and fifty-eight hundredths (20.58 metres).

Thence, easterly, along a bearing of  $74^{\circ} 49' 10''$ , over a distance of five metres and forty-two hundredths (5.42 metres).

Thence, easterly, along a bearing of  $96^{\circ} 40' 20''$ , over a distance of three metres and ninety-four hundredths (3.94 metres).

Thence, southerly, along a bearing of  $188^{\circ} 12' 22''$ , over a distance of eight metres and fourteen hundredths (8.14 metres).

Thence, easterly, along a bearing of  $98^{\circ} 18' 36''$ , over a distance of seventeen metres and eighty-six hundredths (17.86 metres).

Thence, northerly, along a bearing of  $8^{\circ} 18' 36''$ , over a distance of eleven metres and thirty-four hundredths (11.34 metres).

Thence, easterly, along a bearing of  $83^{\circ} 58' 18''$ , over a distance of twenty-nine metres and twenty hundredths (29.20 metres).

Thence, northeasterly, along a bearing of  $51^{\circ} 36' 21''$ , over a distance of twenty metres and twenty-two hundredths (20.22 metres).

Thence, easterly, along a bearing of  $94^{\circ} 51' 35''$ , over a distance of sixty-two metres and ninety-one hundredths (62.91 metres).

Thence, southerly, along a bearing of  $168^{\circ} 05' 36''$ , over a distance of four metres and forty-six hundredths (4.46 metres).

Thence, southerly, along a bearing of  $174^{\circ} 30' 52''$ , over a distance of thirty-nine metres and eighty-four hundredths (39.84 metres).

Thence, southerly, along a bearing of  $201^{\circ} 37' 26''$ , over a distance of nine metres and forty-seven hundredths (9.47 metres).

Thence, westerly, along a bearing of  $269^{\circ} 28' 41''$ , over a distance of forty-seven metres and seventy-eight hundredths (47.78 metres).

Thence, southwesterly, along a bearing of  $213^{\circ} 53' 05''$ , over a distance of one hundred and thirty-seven metres and thirty-five hundredths (137.35 metres).

Thence, westerly, along a bearing of  $252^{\circ} 57' 15''$ , over a distance of one hundred and twenty-seven metres and seventy-six hundredths (127.76 metres).

Thence, northerly, following the eastern limit of lot 606, along a bearing of  $1^{\circ} 23' 43''$ , over a distance of one hundred and thirty-six metres and nineteen hundredths (136.19 metres) to the starting point.

The part of lot 607 described above is bordered as follows :

Westerly by lot 606 and by another part of lot 607 : northwesterly, northerly, southerly, southeasterly and easterly by other parts of lot 607.

Containing an area of twenty eight thousand four hundred and seventy-eight square metres and seven hundredths (28 478.7 sq. metres).

**(B) Second part of lot 607**

Starting at the northwest corner of lot 607, called "starting point".

Thence, easterly, following the northern limit of lot 607, along a bearing of  $90^{\circ} 44' 38''$ , over a distance of one hundred and thirty metres and sixty hundredths (130.60 metres).

Thence, southerly, along a bearing of  $182^{\circ} 49' 45''$ , over a distance of eight metres and seven hundredths (8.07 metres).

Thence, westerly, along a bearing of  $263^{\circ} 58' 18''$ , over a distance of two metres and nine hundredths (2.09 metres).

Thence, westerly, along a bearing of  $277^{\circ} 25' 58''$ , over a distance of fourteen metres and thirteen hundredths (14.13 metres).

Thence, westerly, along a bearing of  $254^{\circ} 49' 10''$ , over a distance of fourteen metres and twenty-two hundredths (14.22 metres).

Thence, northerly, along a bearing of  $354^{\circ} 01' 12''$ , over a distance of one metre and eighty-one hundredths (1.81 metres).

Thence, westerly, along a bearing of  $277^{\circ} 47' 27''$ , over a distance of twelve metres and ninety-eight hundredths (12.98 metres).

Thence, southerly, along a bearing of  $187^{\circ} 32' 04''$ , over a distance of eight metres and ninety-nine hundredths (8.99 metres).

Thence, westerly, along a bearing of  $249^{\circ} 23' 17''$ , over a distance of eight metres and forty-three hundredths (8.43 metres).

Thence, southwesterly, along a bearing of  $231^{\circ} 58' 29''$ , over a distance of twenty-two metres and forty-four hundredths (22.44 metres).

Thence, southwesterly, along a bearing of  $239^{\circ} 22' 49''$ , over a distance of thirty metres and nineteen hundredths (30.19 metres).

Thence, westerly, along a bearing of  $262^{\circ} 15' 48''$ , over a distance of seventeen metres and twenty-three hundredths (17.23 metres).

Thence, southwesterly, along a bearing of  $236^{\circ} 44' 37''$ , over a distance of twenty- two metres and eighty-two hundredths (22.82 metres).

Thence, northerly, following the eastern limit of lot 606, along a bearing of  $1^{\circ} 23' 43''$ , over a distance of sixty-four metres and twenty-five hundredths (64.25 metres) to the starting point.

The part of lot 607 described above is bordered as follows:

Northerly by lot 538-3; easterly, southerly and south-easterly by other parts of lot 607 and by lot 606.

Containing an area of three thousand nine hundred and forty-one square metres and three hundredths (3 941.3 sq metres).

Note: The western limit of the above-described property was surveyed and the minute thereof is published at the Bureau de la publicité des droits de Brome, minute No. 197 832.

The measurements mentioned in this technical description are given in metres (SI) and the directions are bearings in reference to the SCOPQ system, Time Zone 8 (NAD 83).

The plan and the technical description are indissociable.

The whole as shown on the plan prepared by Claude Migué, land surveyor, bearing number 7497 of his minutes.

Prepared in Cowansville, the first day of the month of March 2001.

CLAUDE MIGUÉ,  
*Land surveyor*

Minute: 7497

4983

Gouvernement du Québec

## O.C. 425-2002, 10 April 2002

An Act respecting the Ministère de la Famille et de l'Enfance  
(R.S.Q., c. M-17.2)

### Ministère de la Famille et de l'Enfance — Terms and conditions of the signing of certain deeds, documents or writings — Amendments

Amendments to the Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille et de l'Enfance

WHEREAS, under the second paragraph of section 17 of the Act respecting the Ministère de la Famille et de l'Enfance (R.S.Q., c. M-17.2), no deed, document or writing is binding on the Minister or may be attributed to him unless it is signed by him, the Deputy Minister, a member of the personnel of the department or the holder of a position and, in the latter two cases, only so far as determined by the Government;

WHEREAS, under the second paragraph of section 18 of that Act, the Government may also allow a facsimile of the signature to be engraved, lithographed or printed on the documents it determines. The facsimile must be countersigned by a person authorized by the Minister;

WHEREAS, by Order in Council 1507-98 dated 15 December 1998, the Government entrusted the Secrétariat à la condition féminine to the Minister responsible for the Status of Women;

WHEREAS, by Order in Council 228-2001 dated 8 March 2001, the Government entrusted the personnel implementing the duties of the Minister of Relations with the Citizens and Immigration as regards senior citizens to the Minister responsible for Seniors;

WHEREAS the Minister of Child and Family Welfare has also been the Minister responsible for the Status of Women and Minister responsible for Seniors since 8 March 2001;

WHEREAS, by Order in Council 875-99 dated 4 August 1999, the Government made the Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille et de l'Enfance;

WHEREAS it is expedient to amend those Terms and conditions to take into account the new administration of the Department;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Social Solidarity and Child and Family Welfare, Minister of Child and Family Welfare and Minister responsible for the Status of Women and Minister responsible for Seniors:

THAT the Amendments to the Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille et de l'Enfance, attached as a Schedule to this Order in Council, be made;

THAT those Amendments come into force on the date of their publication in the *Gazette officielle du Québec*.

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

## SCHEDULE

### AMENDMENTS TO THE TERMS AND CONDITIONS OF THE SIGNING OF CERTAIN DEEDS, DOCUMENTS OR WRITINGS OF THE MINISTÈRE DE LA FAMILLE ET DE L'ENFANCE\*

1. Section 2 of the Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille et de l'Enfance is amended

(1) by inserting the words “and Associate Deputy Ministers” after the words “Assistant Deputy Ministers” in the part preceding subparagraph 1 of the first paragraph;

(2) by adding the following after subparagraph 8 of the first paragraph:

“(9) agreements with any person, association, partnership or body under section 10 of the Act respecting the Ministère de la Famille et de l'Enfance (R.S.Q., c. M-17.2).”

2. The following is inserted after section 9:

“9.1. The Secretary of the Secrétariat à la condition féminine is authorized to sign, for her sector of activity,

(1) the writings referred to in section 2, including those related to information technologies;

\* The Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille et de l'Enfance were made by Order in Council 875-99 dated 4 August 1999 (1999, G.O. 2, 2711).

(2) agreements with a government other than that of Québec, one of its departments, an international organization or a body of that government or organization, under section 9 of the Act respecting the Ministère de la Famille et de l'Enfance.

The secretary is also authorized, for her sector of activity, to certify as true any document or copy thereof emanating from the department or forming part of its records.

9.2. The Director General of the Secrétariat à la condition féminine is authorized to sign, for her sector of activity, the writings referred to in section 4, including those related to information technologies.

The Director General is also authorized, for her sector of activity, to certify as true any document or copy thereof emanating from the department or forming part of its records.

9.3. The Administrative Director of the Secrétariat à la condition féminine is authorized to sign, for her sector of activity, the writings referred to in section 4, including those related to information technologies.

The Administrative Director is also authorized, for her sector of activity, to certify as true any document or copy thereof emanating from the department or forming part of its records.

9.4. The Secretary of the Secrétariat aux aînés is authorized to sign, for his sector of activity, the writings referred to in section 4, as well as memorandums of agreement establishing the rules governing the parties following subsidy grants to the regional seniors' consultation committees.

The Secretary is also authorized, for his sector of activity, to certify true any document or copy thereof emanating from the department or forming part of its records.”.

3. The following is added to section 10:

“A facsimile of the signature of the Assistant Deputy Minister of the Direction générale des services à la famille et à l'enfance may be engraved, lithographed or printed on the permit referred to in subparagraph 1 of the first paragraph. The permit must be countersigned by a person authorized by the Minister.”.

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Gouvernement du Québec

## O.C. 429-2002, 10 April 2002

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

### Chambre de la sécurité financière — Compulsory professional development

Regulation to amend the Regulation governing compulsory professional development of the Chambre de la sécurité financière

WHEREAS, under paragraph 2 of the first paragraph of section 313 of the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2), each Chamber shall determine, by regulation, the rules governing compulsory professional development in each sector or class of sectors other than financial planning in which its contributors carry on business;

WHEREAS, under the second paragraph of that section, a regulation made under the first paragraph shall be submitted to the Government for approval with or without amendment;

WHEREAS the Government approved the Regulation governing compulsory professional development of the Chambre de la sécurité financière by Order in Council 1171-99 dated 13 October 1999;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Chambre de la sécurité financière made the Regulation to amend the Regulation governing compulsory professional development of the Chambre de la sécurité financière;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 6 February 2002, with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation governing compulsory professional development of the Chambre de la sécurité financière, attached to this Order in Council, be approved.

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

### **Regulation to amend the Regulation governing compulsory professional development of the Chambre de la sécurité financière\***

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

**1.** The Regulation governing compulsory professional development of the Chambre de la sécurité financière is amended by substituting the following for section 3:

“**3.** As of 9 May 2002, any representative who holds a certificate shall, between that date and 31 December 2003, and as of 1 January 2004, for each 24-month period, take part in training activities recognized by the Chamber in accordance with Division III and consisting of at least 30 PDUs from among the following subjects:

(1) general subjects:

- (a) analysis of financial requirements;
- (b) the Civil Code;
- (c) accounting;
- (d) client counselling;
- (e) ethics;
- (f) economics;
- (g) finance;
- (h) management of a financial service firm;
- (i) business planning;

- (j) financial planning;
- (k) tax planning;
- (l) professional practice;
- (m) professional liability;
- (n) actuarial sciences;
- (o) underwriting or risk management;
- (2) subjects specific to insurance of persons:
  - (a) disability insurance;
  - (b) life insurance;
  - (c) retirement and estate planning;
  - (d) laws governing insurance of persons, individual annuities and estates;
  - (e) trusts;
  - (f) death taxes;
  - (g) risk management in insurance of persons;
  - (h) rating principle in insurance of persons;
  - (i) accident or health insurance plans;
  - (j) separate funds;
  - (k) accruing and use strategy;
  - (l) deferred income plans;
  - (m) legal and testamentary estates;
- (3) subjects specific to group insurance of persons:
  - (a) group insurance plans and pension plans;
  - (b) guarantees and rating principle in group insurance and annuities;

\* The Regulation governing compulsory professional development of the Chambre de la sécurité financière, approved by Order in Council 1171-99 dated 13 October 1999 (1999, *G.O.* 2, 3701), was last amended by the Regulation approved by Order in Council 1252-2000 dated 25 October 2000 (2000, *G.O.* 2, 5262).

(c) implementation of a program in group insurance and annuities;

(d) preparation of a specification manual and analysis of tenders in group insurance and annuities;

(e) development of a recommendation in group insurance and annuities;

(f) public plans and private plans;

(g) laws governing plans in group insurance and annuities;

(h) financial management of group insurance plans and annuity plans;

(i) claims management in group insurance of persons;

(4) subjects specific to group savings plan brokerage, investment contract brokerage and scholarship plan brokerage:

(a) the various monetary products;

(b) mutual funds;

(c) derivative products;

(d) development of an investor profile and allocation of assets;

(e) investment strategy;

(f) investment income and its tax treatment;

(g) risk management related to investment;

(h) taxation related to various investment products;

(i) scholarship plans;

(j) basic knowledge of investment contracts.

The representative shall also, during the same period, take part in training activities recognized by the Chamber and consisting of, in addition to the 30 PDUs required under the first paragraph, 10 additional PDUs in the subjects specific to each sector in which the representative is authorized to practise by virtue of his or her certificate and that are provided for in subparagraphs 2 to 4 of the first paragraph.

The representative to whom a certificate is issued between 1 January 2002 and 31 December 2003, or over the course of any 24-month period thereafter, shall accumulate a number of PDUs in the subjects listed in the first paragraph, regardless of the specific subjects by sector, in a proportion that represents the number of complete months the representative has held a certificate during those 24 months, unless the representative has held the certificate for less than 6 months.

The representative authorized to practise in a new sector between 1 January 2002 and 31 December 2003, or over the course of any 24-month period thereafter, is deemed to comply with the second paragraph.”.

**2.** Section 4 is amended

(1) by substituting “20 PDUs in the subjects listed in the first paragraph of section 3, including 5 PDUs in the subjects specific to the insurance of persons listed in subparagraph 2 of the first paragraph of section 3” for “30 PDUs” in the first paragraph; and

(2) by substituting “Any representative to whom such a certificate is issued over the course of one of the periods referred to in the first paragraph shall accumulate a number of PDUs in the subjects listed in the first paragraph of section 3, regardless of the subjects specific to insurance of persons listed in subparagraph 2 of the first paragraph of section 3, in a proportion that represents” for “The number of PDUs to be accumulated by any representative to whom such a certificate is issued over the course of one of the periods mentioned in the first paragraph shall be prorated based on” in the second paragraph.

**3.** Section 9 is amended by substituting “in sections 2 and 3” for “in section 2” in the first paragraph.

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

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Gouvernement du Québec

## O.C. 430-2002, 10 April 2002

An Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45)

### Regulation

#### — Amendments

Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons

WHEREAS, under the third paragraph of section 97 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45), amended by section 6 of chapter 20 of the Statutes of 2001, the Government may also, by regulation and in particular circumstances, grant an exemption to a class of registrants as regards the requirement to declare certain information under section 10 of the Act;

WHEREAS, under paragraph 3 of section 99 of the Act, the Government may, in exercising its regulatory powers, establish categories based on the activities carried on by registrants or the enterprises operated by them;

WHEREAS the Government made the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons by Order in Council 1856-93 dated 15 December 1993;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons was published in Part 2 of the *Gazette officielle du Québec* of 6 February 2002, with a notice that it could be made by the Government upon the expiry of a 45-day period following its publication;

WHEREAS no comments have been made on the draft Regulation and no amendments have been brought;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons, attached to this Order in Council, be made.

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

### Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons\*

An Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45, s. 97, 3rd par. and s. 99, par. 3; 2001, c. 20, s. 6)

**1.** The Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons is amended by adding the following after section 25.1:

#### “DIVISION V.2

#### REGISTRANTS EXEMPTED FROM DECLARING CERTAIN INFORMATION

**25.2.** Registrants whose activity consists in providing shelter to victims of violence are exempted from declaring the information referred to in subparagraph 4 of the first paragraph and subparagraphs 1 and 6 of the second paragraph of section 10 of the Act.”

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

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\* The Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons, made by Order in Council 1856-93 dated 15 December 1993 (1993, *G.O.* 2, 7022), was last amended by the Regulations made by Order in Council 1414-2001 dated 28 November 2001 (2001, *G.O.* 2, 6181) and Order in Council 309-2002 dated 20 March 2002 (2002, *G.O.* 2, 1671). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.

Gouvernement du Québec

**O.C. 437-2002**, 10 April 2002

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

**Chambre des huissiers de justice**  
— **Terms and conditions for the issue of a permit**

Regulation to amend the Regulation respecting the terms and conditions for the issue of a permit by the Chambre des huissiers de justice du Québec

WHEREAS, under paragraphs *h* and *i* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may, by regulation, determine the other terms and conditions for issuing permits, in particular the obligation to serve periods of professional training and pass the professional examinations and the acts that may be engaged in by persons serving a period of professional training;

WHEREAS the Bureau of the Chambre des huissiers de justice du Québec made the Regulation to amend the Regulation respecting the terms and conditions for the issue of a permit by the Chambre des huissiers de justice du Québec;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 30 January 2002, with a notice that it could be submitted to the Government which may approve it with or without amendment upon the expiry of a 45-day period following its publication;

WHEREAS, in accordance with section 95 of the Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting the terms and conditions for the issue of a permit by the Chambre des huissiers de justice du Québec, the text of which is attached to this Order in Council, be approved.

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

**Regulation to amend the Regulation respecting the terms and conditions for the issue of a permit by the Chambre des huissiers de justice du Québec\***

Professional Code  
(R.S.Q., c. C-26, s. 94, pars. *h* and *i*)

**1.** The Regulation respecting the terms and conditions for the issue of a permit by the Chambre des huissiers de justice du Québec is amended by deleting section 21.

**2.** Section 22 is amended by striking out the words “which continue to apply with respect to candidates who were admitted to their training period before the date of the coming into force of this Regulation.”.

**3.** Section 23 is amended by substituting the words “until 30 June 2005” for the words “for a period of three years”.

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Gouvernement du Québec

**O.C. 438-2002**, 10 April 2002

An Act respecting the Ministère des Relations internationales  
(R.S.Q., c. M-25.1.1)

**Ministère des relations internationales**  
— **Signing of certain deeds, documents or writings**

Terms and conditions governing the signing of certain deeds, documents or writings of the Ministère des Relations internationales

WHEREAS under the second paragraph of section 7 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1), no deed, document or writing binds the Minister or may be attributed to him unless it is signed by him, by the Deputy Minister, by a member of the staff of the department or by an employee of the Government and, in these last two cases, only as far as determined by the Government;

WHEREAS under section 9 of that Act, every document or copy of a document emanating from the department or forming part of its records, if signed or certified

\* The Regulation respecting the terms and conditions for the issue of a permit by the Chambre des huissiers de justice du Québec, approved by Order in Council 449-99 dated 21 April 1999 (1999, *G.O.* 2, 1101) has never been amended.

true by a person contemplated in the second paragraph of section 7, is authentic;

WHEREAS by Order in Council 910-94 dated 22 June 1994, the Government made the Rules respecting the signing of certain writings of the Ministère des Affaires internationales, de l'Immigration et des Communautés culturelles;

WHEREAS it is expedient to replace those Rules;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for International Relations and Minister of International Relations;

THAT the Terms and conditions governing the signing of certain deeds, documents or writings of the Ministère des Relations internationales, attached to this Order in Council, be made;

THAT this Order in Council replace the Rules respecting the signing of certain writings of the Ministère des Affaires internationales, de l'Immigration et des Communautés culturelles, made by Order in Council 910-94 dated 22 June 1994;

THAT those Terms and conditions come into force on the date of their publication in the *Gazette officielle du Québec*.

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

## SCHEDULE

### TERMS AND CONDITIONS GOVERNING THE SIGNING OF CERTAIN DEEDS, DOCUMENTS OR WRITINGS OF THE MINISTÈRE DES RELATIONS INTERNATIONALES

1. Members of the staff of the Ministère des Relations internationales who hold, on a permanent or temporary basis, the positions set forth in this Schedule are authorized, within the limits of their respective duties, to sign alone and with the same authority as the Minister of International Relations the deeds, documents or writings listed after their respecting position, on the conditions prescribed under the Financial Administration Act (R.S.Q., c. A-6) and the Public Administration Act (R.S.Q., c. A-6.01).

2. Assistant Deputy Ministers, Associate Deputy Ministers, the secretary of the Department, directors general, assistant directors general, directors, assistant directors, service heads, general delegates, delegates or

any person responsible in any way for organizing the representation of Québec on foreign soil are authorized to sign, for their sector of activities:

- (1) calls for tenders and contracts for services;
- (2) calls for tenders and supply contracts;
- (3) lease contracts; and

(4) agreements on the granting of subsidies according to standards approved by the Government or the Conseil du trésor.

3. The Director of Financial and Material Resources is authorized to sign

(1) transactions or contracts related to loans, borrowings, investments and cash advances;

(2) agreements for the occupation and equipment of immovables with the Société immobilière du Québec; and

(3) contracts for the construction or purchase of immovables related to the representation activities of Québec on foreign soil.

4. The Assistant Director of the Direction des ressources financiers et matérielles is authorized to sign the deeds, documents or writings listed in paragraphs 2 and 3 of section 3.

5. General delegates, delegates or any person responsible in any way for organizing the representation of Québec on foreign soil are authorized to sign contracts for the hiring of the housekeeping staff required in the performance of their duties.

6. Any person in charge of acquisitions or any administrative officer is authorized to sign, up to a maximum of \$1 000 and for the units to which he provides administrative support:

- (1) contracts for auxiliary services; and
- (2) supply contracts.

7. Assistant Deputy Ministers, Associate Deputy Ministers, the secretary of the Department, directors general and assistant directors general are also authorized, for their sector of activities, to certify as true any document of copy thereof emanating from the department or forming part of its records.

Gouvernement du Québec

## O.C. 442-2002, 10 April 2002

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

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

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

WHEREAS under section 16 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), a person doing work under a project of any government, whether or not the person is a worker within the meaning of the Act, may be considered to be a worker employed by that government, by an agency or by a legal person, on the conditions and to the extent provided by an agreement between the Commission de la santé et de la sécurité du travail and the government, agency or legal person concerned;

WHEREAS the Commission and the Office Québec-Amériques pour la jeunesse have entered into such an agreement to consider as workers, the persons enrolled in programs established and administered by the agency;

WHEREAS under section 170 and subparagraph 39 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission may make regulations to take the necessary measures for the implementation of such an agreement;

WHEREAS in accordance with section 224 of that Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 29 August 2001, with a notice that upon the expiry of 60 days following that notice it would be adopted by the Commission with or without amendment and submitted to the Government for approval;

WHEREAS the Commission adopted, at its sitting of 21 February 2002, the Regulation respecting the implementation of the Agreement regarding the programs of the Office Québec-Amériques pour la jeunesse, with amendments;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation respecting the implementation of the Agreement regarding the programs of the Office Québec-Amériques pour la jeunesse, attached to this Order in Council, be approved.

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

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

An Act respecting occupational health and safety  
(R.S.Q., c. S-2.1, s. 223, 1st par., subpar. 39)

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

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

#### SCHEDULE I

##### AGREEMENT BETWEEN

THE OFFICE QUÉBEC-AMÉRIQUES POUR  
LA JEUNESSE

AND

THE COMMISSION DE LA SANTÉ ET DE  
LA SÉCURITÉ DU TRAVAIL

WHEREAS the Office Québec-Amériques pour la jeunesse, established under section 1 of the Act respecting the Office Québec-Amériques pour la jeunesse (R.S.Q., c. O-5.1) is, under section 2 of the Act, a legal person, mandatory of the state and has the general powers of such a legal person and the special powers conferred upon it by that Act;

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

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

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

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

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

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

THEREFORE, THE PARTIES HEREBY AGREE TO THE FOLLOWING:

CHAPTER 1.00 ENABLING PROVISION

*Enabling provision* 1.01 This Agreement is entered into under section 16 of the Act.

CHAPTER 2.00 PURPOSES OF THE AGREEMENT

*Purposes* 2.01 The purposes of this Agreement are to provide for the application of the Act to certain interns of the agency and to determine the respective obligations of the agency and the Commission on the conditions and to the extent set forth therein.

CHAPTER 3.00 DEFINITIONS

For the purpose of this Agreement:

“Commission” (a) Commission means the Commission de la santé et de la sécurité du travail;

“employment” (b) employment means, as the case may be, the remunerated employment the intern has at the time his or her employment injury occurs, that for which the intern is registered with the Commission or, if the intern has no remunerated employment or is not registered with the Commission at the time the injury occurs, his or her usual employment or, if he or she does not carry on such employment, the employment that could have been his or her usual employment considering his or her training, work experience and physical and intellectual capacity before the injury occurred;

“employment injury” (c) employment injury means an injury or a disease arising out of or in the course of an industrial accident or an occupational disease, including a recurrence, relapse or aggravation;

“Act” (d) Act means the Act respecting industrial accidents and occupational diseases;

“agency” (e) agency means the Office Québec-Amériques pour la jeunesse;

“intern” (f) intern means a person who is doing work under the programs administered by the agency, in particular the programs provided for in Schedule I, except a person covered by section 10 or paragraph 4 of section 11 of the Act.

CHAPTER 4.00 OBLIGATIONS OF THE AGENCY

*Employer* 4.01 The agency is deemed to be the employer of any intern covered by this Agreement.

*Restrictions* Notwithstanding the foregoing, that employer-employee relationship shall be recognized only for the purposes of indemnities, assessments and imputation of the cost of benefits payable under the Act and shall not be considered as an admission of de facto status which may be open to interpretation in other fields of activity.

|                               |      |  |                                 |      |  |
|-------------------------------|------|--|---------------------------------|------|--|
| <i>General obligations</i>    | 4.02 | As an employer, the agency is bound, <i>mutatis mutandis</i> , by all the obligations provided for in the Act, including in particular the obligation to keep a register of industrial accidents occurring in the establishment within the meaning of the Act respecting occupational health and safety where the interns are located and the obligation to inform the Commission, using the form prescribed by the Commission, that an intern is unable to continue his or her program by reason of his or her employment injury. | <i>Annual statement</i>         | 4.06 | The agency shall send to the Commission, before 15 March of each year, a statement setting out, in particular,<br><br>(1) the amount of gross wages earned by the interns during the preceding calendar year calculated on the basis of the length of the internship; and<br><br>(2) an estimate of the gross wages calculated on the basis of the length of the internship of the interns registered or likely to be registered for an internship during the current calendar year. |
| <i>Register of accidents</i>  |      | However, the agency is required to make the register of industrial accidents referred to in the first paragraph available only to the Commission.  | <i>Register</i>                 | 4.07 | The agency shall keep a detailed register of the names and addresses of interns and, if the interns are employed during their internships, the names and addresses of their respective employers.  |
| <i>Information</i>            |      | At the request of the Commission, the agency shall forward a description of the program and of the tasks or activities performed by the intern at the time the employment injury appeared.   | <i>Availability</i>             |      | The agency shall make the register available to the Commission if the latter so requires.  |
| <i>Exceptions</i>             | 4.03 | Notwithstanding section 4.02, section 32 pertaining to the dismissal, suspension or transfer of a worker, the practice of discrimination or the taking of reprisals against him or her, sections 179 and 180 concerning temporary assignment and Chapter VII of the Act respecting the right to return to work, do not apply to the agency.  | <i>Description of programs</i>  | 4.08 | The agency shall forward to the Commission, upon the coming into force of this Agreement, a description of every program appearing in Schedule I.  |
| <i>First aid</i>              |      | The agency shall see to it that first aid is given to an intern who suffers an employment injury, in accordance with sections 190 and 191 of the Act and shall pay for the related costs.  | <i>New program or amendment</i> |      | Every new program or every subsequent amendment to a program provided for in Schedule I shall be forwarded so that it may be evaluated and a decision may be made whether to include it or retain it under this Agreement.   |
| <i>Payment of assessments</i> | 4.04 | The agency agrees to pay the assessment calculated by the Commission in accordance with the Act and its regulations and the fixed administrative costs associated with each financial record.  | CHAPTER                         | 5.00 | OBLIGATIONS OF THE COMMISSION  |
| <i>Assessment</i>             | 4.05 | For assessment purposes, the agency is deemed to pay wages that correspond, as the case may be, to the annual gross employment income of each intern at the time he or she registered in a program provided for in Schedule I, to the employment insurance benefits received by the intern or to the minimum wage, if the intern has no other employment income.   | <i>Worker status</i>            | 5.01 | The Commission shall consider an intern covered by this Agreement to be a worker within the meaning of the Act, except in respect of travel between Québec and the country where the internship will be carried out.   |
| <i>Minimum</i>                |      | The assessment shall be based on the wages that the agency is deemed to pay and on the length of the internship. However, the wages that the agency is deemed to pay may not in any case be less than \$2000 per intern.   | <i>Indemnity</i>                | 5.02 | An intern who suffers an employment injury is entitled to an income replacement indemnity from the first day following the beginning of his or her inability to carry on his or her employment by reason of the injury.  |
|                               |      |  | <i>Payment</i>                  |      | Notwithstanding section 60 of the Act, the Commission shall pay to such intern the income replacement to which he or she is entitled.  |

|  |      |  |                              |      |  |
|--|------|--|------------------------------|------|--|
| <i>Calculation of the indemnity</i>        | 5.03 | For the purposes of calculating the income replacement indemnity, the intern's gross annual employment income is, as the case may be, that which he or she derives from the remunerated employment he has at the time the employment injury occurs, that which corresponds to the employment insurance benefits received, that for which the intern is registered with the Commission or, if the intern is unemployed or if he or she is a self-employed worker not registered with the Commission, that determined on the basis of the minimum wage provided for in section 3 of the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3) and the regular work week referred to in section 52 of the Act respecting labour standards (R.S.Q., c. N-1.1), as they read on the date on which they are to be applied when the injury occurs. | <i>Addresses for notices</i> | 6.02 | For the purposes of sending a notice prescribed by this Agreement, the following are the respective addresses of the Commission and the agency:<br><br>(a) Le Secrétaire de la Commission<br>Commission de la santé et de la sécurité du travail<br>1199, rue De Bleury, 14 <sup>e</sup> étage<br>Montréal (Québec) H3C 4E1;<br><br>(b) Le Secrétaire général de l'Office<br>Office Québec-Amériques pour la jeunesse<br>265, rue de la Couronne, bureau 200<br>Québec (Québec) G1K 6E1. |
| <i>Recurrence, relapse or aggravation</i>  |      | In the event of a recurrence, a relapse or an aggravation, when the intern has a remunerated employment, the gross annual income is, for the purposes of calculating the income replacement indemnity, established in accordance with section 70 of the Act. However, if the intern is unemployed at the time of the recurrence, relapse or aggravation, the gross annual income is that which he or she derived from employment out of or in the course of which the emplacement injury appeared; that gross income is revalorized on 1 January of each year from the date the intern ceased to hold his or her employment.   | CHAPTER                      | 7    | COMING INTO FORCE, TERM AND CANCELLATION   |
| <i>Financial records</i>                   | 5.04 | At the request of the agency, the Commission shall open a special financial record for each program covered by this Agreement.   | <i>Taking effect</i>         | 7.01 | This Agreement takes effect on the date of coming into force of the Regulation adopted for that purpose by the Commission under section 170 of the Act respecting occupational health and safety.  |
| <i>Unit of activity</i>                    |      | Such record shall be classified in the unit corresponding to the activities described in the "Programme d'aide à la création d'emploi" unit or, should amendments be made after this Agreement is signed, in a unit corresponding to those activities.   | <i>Term</i>                  |      | It shall remain in force until 31 December 2002.   |
| CHAPTER                                    | 6.00 | MISCELLANEOUS  | <i>Tacit renewal</i>         | 7.02 | It shall subsequently be renewed tacitly from one calendar year to the next, unless one of the parties sends to the other party, by registered or certified mail, at least 90 days before the term expires, a notice in writing to the effect that it intends to terminate the Agreement or make amendments thereto.   |
| <i>Monitoring of progress of agreement</i> | 6.01 | Within 15 days of the coming into force of this Agreement, both the Commission and the agency shall designate a person who will be responsible for monitoring the progress of this Agreement.  | <i>Amendments</i>            | 7.03 | In the latter case, the notice shall contain the amendments which the party wishes to make.  |
|  |      |  | <i>Renewal</i>               |      | The sending of such notice shall not preclude the tacit renewal of this Agreement for a period of one year. If the parties do not agree on the amendments to be made to the Agreement, the Agreement shall be terminated, without further notice, at the expiry of that period.  |
|  |      |  | CHAPTER                      | 8.00 | CANCELLATION OF THE AGREEMENT  |
|  |      |  | <i>Non-compliance</i>        | 8.01 | If the agency fails to comply with any of its obligations, the Commission may request that the agency remedy that failure within a period set by the Commission. Should the failure not be remedied within the period set, the Commission may cancel this Agreement unilaterally by giving notice in writing.  |

|                              |      |  |
|------------------------------|------|--|
| <i>Date</i>                  | 8.02 | The Agreement shall then be cancelled on the date the notice in writing was sent.  |
| <i>Financial adjustments</i> | 8.03 | In the event of cancellation, the Commission shall make financial adjustments on the basis of the amounts payable under this Agreement.              |
| <i>Amount due</i>            |      | Any amount due after such financial adjustments have been made shall be payable on the due date appearing on the notice of assessment.               |
| <i>Mutual agreement</i>      | 8.04 | The parties may cancel this Agreement by mutual agreement at any time.   |
| <i>Damages</i>               | 8.05 | In the event of cancellation, neither party shall be required to pay damages, interest or any other form of indemnity or charges to the other party. |

IN WITNESS WHEREOF, the parties have signed

At \_\_\_\_\_, this \_\_\_\_\_ At \_\_\_\_\_ this \_\_\_\_\_  
( ) day of \_\_\_\_\_ 2002. ( ) day of \_\_\_\_\_ 2002.

\_\_\_\_\_  
LUCIE LATULIPPE,  
*Chief Executive Officer*  
*Office Québec-Amériques*  
*pour la jeunesse*

\_\_\_\_\_  
JACQUES LAMONDE,  
*Chairman of the Board of Directors*  
*and Chief Executive Officer of the*  
*Commission de la santé et de*  
*la sécurité du travail*

## SCHEDULE I TO THE AGREEMENT

### LIST OF PROGRAMS SUBJECT TO THE AGREEMENT

— Internship programs in the workplace outside Québec :

- curriculum ;
- bridges ;
- portfolio.

4990

Gouvernement du Québec

Election Act  
(R.S.Q., c. E-3.3)

AGREEMENT CONCERNING NEW METHODS  
OF VOTING FOR AN ELECTION USING  
COMPUTERIZED POLLING STATIONS AND  
“ACCU-VOTE ES 2000 ” BALLOT BOXES

AGREEMENT ENTERED INTO  
BETWEEN

The MUNICIPALITY OF BEAUHARNOIS, a legal person established in the public interest, having its head office at 660 street Ellice, room 100, Beauharnois (Québec) J6N 1Y1, Province of Québec, represented by the mayor, Michel Quevillon, and the clerk Jean Beaulieu, under resolution number 2002-073, hereinafter called

THE MUNICIPALITY

AND

Mtre. Marcel Blanchet, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBÉC, duly appointed to that office under the Election Act (R.S.Q., c. E-3.3), acting in that capacity and having his main office at 3460, rue de La Pérade, Sainte-Foy, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

the Honourable André Boisclair, in his capacity as MINISTER OF MUNICIPAL AFFAIRS AND GREATER MONTRÉAL of the Province of Québec, having her main office at 10, rue Pierre-Olivier-Chauveau, Québec, Province of Québec, hereinafter called

MINISTER

WHEREAS the council of the MUNICIPALITY, by its resolution no. 2002-050, passed at its meeting of February 19th, 2002, expressed the desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities and to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of electronic ballot boxes for the general election of April 14th, 2002, in the MUNICIPALITY ;



WHEREAS under sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2):

“**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer.”;

WHEREAS the MUNICIPALITY expressed the desire to avail itself of those provisions to hold an general election on February, 19th, 2002., and, could, with the necessary adaptations, avail itself of those provisions for elections held after the date of the agreement, the necessary adaptations to be included in an addendum to this agreement;

WHEREAS it is expedient to provide the procedure that applies to the territory of the MUNICIPALITY for that election;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the MUNICIPALITY is solely responsible for the technological choice elected;

WHEREAS the council of the MUNICIPALITY passed, at its meeting of March 12th, 2002, resolution no. 2002-073 approving the text of the agreement and authorizing the mayor and the clerk or secretary-treasurer to sign this agreement;

WHEREAS the returning officer of the MUNICIPALITY is responsible for the application of this agreement and the means necessary to carry it out;

THEREFORE, the parties agree to the following:

## 1. PREAMBLE

The preamble to this agreement is an integral part of the agreement.

## 2. INTERPRETATION

Unless stated otherwise, expressly or as a result of the context of a provision, the following expressions, terms and words have, for the purposes of this agreement, the meaning and application given in this section.

2.1 “Computerized polling station” means an apparatus consisting of the following devices:

— a computer with the list of electors for the polling place stored in its memory (the computers at the same polling place are linked together);

— a card reader for cards with bar codes;

— one or more printers per polling place for printing the list of electors who voted during the advance poll or on polling day.

2.2 “Electronic ballot box” means an apparatus containing a vote tabulator, a memory card, a printer, a card-board recipient or, if need be, plastic for ballot papers and a modem, where necessary.

2.3 “Vote tabulator” means a device that uses an optical scanner to detect a mark made in a circle on a ballot paper by an elector.

2.4 “Memory card” means a memory device that computes and records the marks made by an elector for each of the candidates whose names are printed on the ballot paper and the number of rejected ballot papers according to the subdivisions of the vote tabulator program.

2.5 “Recipient for ballot papers” means a box into which the ballot paper cards fall.

2.6 If need be, the expression “transfer box” appoints the box which are deposited the supports of ballots during the use of a plastic recipient of the electronic ballot box.

2.7 “Ballot paper card” means the card on which the ballot paper or papers are printed.

2.8 “Refused card” means a ballot paper card the insertion of which into the tabulator is refused.

2.9 “Confidentiality sleeve” means a sleeve designed to receive the ballot paper card.

### 3. ELECTION

3.1 For the purposes of the general election of April 14th, 2002, in the municipality, a sufficient number of Accu-Vote ES 2000 model electronic ballot boxes will be used.

3.2 Before the publication of the notice of election, the municipality must take to appropriately inform the electors of the new method of voting.

### 4. SECURITY MECHANISMS

#### 4.1 Computerized polling stations

The list of electors for a polling place must correspond to the data provided by the returning officer. Access to the computers at a polling place must be secured by a password.

#### 4.2 Electronic ballot boxes

The electronic ballot boxes used must include the following security mechanisms:

(1) a report displaying a total of “zero” must be automatically produced by an electronic ballot box upon being turned on on the first day of advance polling and on polling day;

(2) a verification report must be generated on a continuous basis and automatically saved on the memory card, and must record each procedural operation;

(3) the electronic ballot box must not be placed in “end of election” mode while the poll is still under way;

(4) the compilation of results must not be affected by any type of interference once the electronic ballot box has been placed in “election” mode;

(5) each electronic ballot box must be equipped with a back-up power source (battery) able to operate for two to five hours, unless all the electronic ballot boxes are connected to a generator;

(6) if a ballot box is defective, the memory card may be removed and transferred immediately into another electronic ballot box in order to allow the procedure to continue.

### 5. PROGRAMMING

Each memory card used is specially programmed either by the firm Cognicase inc., or by the returning officer under the supervision of the firm Cognicase inc., to recognize and tally ballot papers in accordance with this agreement.

### 6. AMENDMENTS TO THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

#### 6.1 Election officers

Section 68 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) is amended by inserting the words “senior deputy returning officer, assistant to the senior deputy returning officer” after the word “assistant”.

#### 6.2 Senior deputy returning officer, assistant to the senior deputy returning officer

The following is substituted for section 76 of the Act:

“**76.** The returning officer shall appoint the number of senior deputy returning officers and assistants to the senior deputy returning officer that he deems necessary for each polling place.

The returning officer shall appoint a deputy returning officer and a poll clerk for each polling station.”.

#### 6.3 Duties of the senior deputy returning officer, assistant to the senior deputy returning officer and deputy returning officer

The following is substituted for section 80 of the Act:

“**80.** The senior deputy returning officer shall, in particular,

(1) see to the installation and preparation of the electronic ballot box;

(2) ensure that the polling is properly conducted and maintain order in the vicinity of the electronic ballot box;

(3) facilitate the exercise of the right to vote and ensure that voting is secret;

(4) ensure that the electronic ballot box functions correctly;

(5) print out the results compiled by the electronic ballot box at the closing of the poll;

(6) complete an overall statement of the poll from the partial statements and the results compiled by the electronic ballot box;

(7) give the returning officer, at the closing of the poll, the results compiled by the electronic ballot box, the overall statement and the partial statement or statements of the poll;

(8) when a ballot paper card has been refused by the tabulator, ask the elector to return to the polling booth, mark all the circles and go to the polling station in order to obtain another ballot paper card;

(9) advise the returning officer immediately of any defect in the memory card or the electronic ballot box.

**80.1.** The assistant to the senior deputy returning officer shall, in particular,

(1) assist the senior deputy returning officer in the latter's duties;

(2) receive any elector referred by the senior deputy returning officer;

(3) verify the polling booths in the polling place;

(4) get the pencils and confidentiality sleeves back from the senior deputy returning officer and redistribute them to each deputy returning officer.

**80.2.** The deputy returning officer shall, in particular,

(1) see to the arrangement of the polling station;

(2) ensure that the polling is properly conducted and maintain order in the polling station;

(3) facilitate the exercise of the right to vote and ensure that voting is secret;

(4) receive electors' identification;

(5) give the electors a ballot paper card, a confidentiality sleeve and a pencil to exercise their right to vote;

(6) receive from electors any ballot paper cards that are refused by the tabulator and give them another ballot paper card, and record the occurrence in the poll book;

(7) note on the screen "has voted" next to the names of electors to whom he has given a ballot paper card."

#### 6.4 Duties of the poll clerk

The following is substituted for section 81 of the Act:

**"81.** The poll clerk shall, in particular,

(1) enter in the poll book the particulars relating to the conduct of the polling;

(2) note on the paper list of electors "has voted" next to the names of electors to whom the deputy returning officer gives ballot paper cards;

(3) assist the deputy returning officer."

#### 6.5 Discretion of the Chief Electoral Officer upon observing an error, emergency or exceptional circumstance

The following is substituted for section 90.5 of the Act:

**"90.5.** Where, during the election period, within the meaning of section 364, it comes to the attention of the Chief Electoral Officer that, subsequent to an error, emergency or exceptional circumstance, a provision referred to in section 90.1 or in the agreement provided for in section 659.2 of this Act does not meet the demands of the resultant situation, the Chief Electoral Officer may adapt the provision in order to achieve its object.

The Chief Electoral Officer shall first inform the Minister of Municipal Affairs and Greater Montréal of the decision he intends to make.

Within 30 days following polling day, the Chief Electoral Officer shall transmit to the President or the Secretary General of the National Assembly a report of the decisions made pursuant to the first paragraph. The President shall table the report in the National Assembly within 30 days of receiving it or, if the National Assembly is not sitting, within 30 days of resumption."

#### 6.6 Notice of election

The following is added after paragraph 7 of section 99 of the Act:

"(8) the fact that the method of voting is voting by means of electronic ballot boxes."

#### 6.7 Polling subdivisions

The following is substituted for section 104 of the Act:

**"104.** The returning officer shall divide the list of electors into polling subdivisions.

The polling subdivisions shall have a number of electors determined by the returning officer. That number shall not be greater than 750 electors."

### 6.8 Verification of computerised polling stations and electronic ballot box

The Act is amended by inserting the following subdivisions after subdivision 1 of Division IV of Chapter VI of Title I:

#### “§1.1 *Verification of computerized polling stations*

**173.1.** The returning officer shall, at a time considered to be expedient but at the latest before the polling stations open on the first day of advance polling or before the polling stations open on polling day, in cooperation with the firm’s representative and, if necessary, the representatives of the candidates, for all polling places, ensure that all computers contain the list of electors for that place. In particular, the returning officer shall perform the following tests:

(1) searching for an elector using the card with the bar code;

(2) searching for an elector using the keyboard, typing either the elector’s name or address;

(3) indicating to the computer that a certain number of electors have voted and ensuring that each computer in the polling place displays “has voted” for the electors concerned;

(4) printing out the list of electors who have voted, in a non-cumulative way, by elector number and polling subdivision, and ensuring that the results are consistent with the data entered in the computer.

#### §1.2 *Verification of electronic ballot box*

**173.2.** The returning officer shall, at least five days before the first day fixed for the advance poll and at least three days before the day fixed for the polling, test the electronic ballot box to ensure that the vote tabulator discovers faithfully the mark made on the ballot, that it tallies the number of votes cast accurately and precisely, in the presence of a representative of the firm Cognicase inc. and the representatives of the candidates.

**173.3.** During the testing of the electronic ballot box, adequate security measures must be taken by the returning officer to guarantee the integrity of the system as a whole and of each component used to record, compile and memorize results. The returning officer must ensure that no electronic communication that could change the programming of the electronic ballot box, the recording of data, the tallying of votes, the memorization of results or the integrity of the system as a whole may be established.

**173.4.** The returning officer shall conduct the test by performing the following operations:

(1) he shall mark the memory card with the returning officer’s initials and insert it into the electronic ballot box;

(2) he shall insert into the electronic ballot box a pre-determined number of ballot paper cards, previously marked and tallied manually. The ballot paper cards shall include

(a) a sufficient and pre-determined number of ballot papers correctly marked to indicate a vote for each of the candidates;

(b) a sufficient and pre-determined number of ballot papers that are not correctly marked;

(c) a sufficient and pre-determined number of ballot papers marked to indicate a vote for more than one candidate for the same office;

(d) a sufficient and pre-determined number of blank ballot papers;

(3) he shall place the electronic ballot box in “end of election” mode and ensure that the results compiled by the electronic ballot box are consistent with the manually-compiled results;

(4) once the test has been successfully completed, he shall reset the memory card to zero and seal it; the returning officer and the representatives who wish to do so shall note the number entered on the seal;

(5) he shall place the tabulator in the travel case and place a seal on it; the returning officer and the representatives who wish to do so shall note the number entered on the seal;

(6) where an error is detected, the returning officer shall determine with certitude the cause of the error, make the necessary corrections and proceed with a further test, and shall repeat the operation until the optical scanner of the vote tabulator detect faithfully the mark made on the ballot and until a perfect compilation of results is obtained. Any error or discrepancy shall be noted in the test report;

(7) he may not change the programming for the scanning of the mark in a circle without supervision from the firm Cognicase inc. ”.

### 6.9 Mobile polling station

The said Act is amended by inserting the following sections after section 175 :

**“175.1.** The electors shall indicate their vote on the same type of ballot paper as that used in an advance polling station. After marking the ballot paper, each elector shall insert it in the confidentiality sleeve and place it in the ballot box provided for that purpose. At the close of the mobile poll, the deputy returning officer and the mobile poll clerk shall seal the ballot box and affix their initials to it.

**175.2.** The returning officer shall, before the opening of the advance polling station, give the senior deputy returning officer the ballot box containing the ballot papers from the mobile polling station.

The senior deputy returning officer shall, in the presence of the assistant to the senior deputy returning officer, remove from the ballot box the confidentiality sleeves containing the ballot papers and insert the ballot papers, one by one, in the electronic ballot box. The representatives of the candidates may be present.”.

### 6.10 Advance polling

The following is substituted for sections 182, 183 and 185 of the Act :

**“182.** After the close of the advance polling station, the poll clerk shall enter the following particulars in the poll book :

- (1) the number of ballot paper cards received from the returning officer ;
- (2) the number of electors who were given a ballot paper card ;
- (3) the number of spoiled, refused or cancelled ballot paper cards and the number of unused ballot paper cards ;
- (4) the names of the persons who have performed duties as election officers or as representatives.

The deputy returning officer shall place in separate envelopes the spoiled, refused or cancelled ballot paper cards, the unused ballot paper cards, the forms, the poll book and the list of electors. The deputy returning officer shall then seal the envelopes. The deputy returning officer, the poll clerk and the representatives who wish to do so shall affix their initials to the seals of the envelopes. The envelopes, except those containing the list of electors, shall be given to the senior deputy returning officer for deposit in a box reserved for that purpose.

**182.1.** The senior deputy returning officer, in the presence of the candidates or of their representative who wish to be present, shall seal the recipient for ballot papers, and then place the electronic ballot box in its travel case and place a seal the case. The senior deputy returning officer and the representatives who wish to do so shall note the number entered on the seal.

The senior deputy returning officer shall then give the recipient or recipients for ballot papers, the transfer box and the envelopes containing the list of electors to the returning officer or to the person designated by the returning officer.

The returning officer shall have custody of the recipient or recipients for ballot papers until the results of the advance poll have been compiled and then for the time prescribed for the conservation of electoral documents.

**183.** Immediately before the time fixed for the opening of the polling station on the second day, where applicable, the senior deputy returning officer, before the persons present, shall open the transfer box and give each deputy returning officer the poll books, the envelopes containing unused ballot paper cards and the forms. Each deputy returning officer shall open the envelopes and take possession of their contents. The spoiled, refused or cancelled ballot paper cards shall remain in the transfer boxes, which the senior deputy returning officer shall seal.

The senior deputy returning officer, before the persons present, shall remove the seal from the travel case of the tabulator.

The returning officer, or the person designated by the returning officer, shall give each deputy returning officer the list of electors of the grouped polling station or stations, where applicable.

At the close of the second day of advance polling, where applicable, the senior deputy returning officer, the deputy returning officer and the poll clerk shall perform the same actions as at the close of the first day of advance polling. In addition, the senior deputy returning officer shall withdraw the memory card from the electronic ballot box, place it in an envelope, seal the envelope, place the envelope in the recipient for ballot papers, and seal the recipient.

The spoiled, refused or cancelled ballot paper cards from the second day shall be placed in separate sealed envelope. They shall also be placed in a sealed transfer box.

The senior deputy returning officer and the representatives who wish to do so shall affix their initials to the seals.”.

“**185.** From 7:00 p.m. on polling day, the returning officer or the person designated by the returning officer shall print out the results compiled by the electronic ballot box at an advance polling station, in the presence of the deputy returning officers, the poll clerks and the representatives who wish to be present.

The results shall be printed out at the location determined by the returning officer. The print-out shall be performed in accordance with the rules applicable to the printing-out of the results from polling day, adapted as required.”.

#### 6.11 Booths

The following is substituted for section 191 of the Act:

“**191.** Where electronic ballot boxes are used in an election, the polling station shall have the number of polling booths determined by the returning officer.”.

#### 6.12 Ballot papers

The following is substituted for section 193 of the Act:

“**193.** With the exception of the entry stating the office to be filled, the ballot papers shall be printed by reversing process so that, on the obverse, the indications appear in white on a black background and the circles provided to receive the elector’s mark appear in white on an orange vertical strip.”.

Section 195 of the Act is revoked.

#### 6.13 Identification of the candidates

Section 196 of the Act is amended

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

“**196.** The ballot paper card shall contain a ballot paper for the office of mayor and the ballot papers for the office or offices of councillor. Each ballot paper shall allow each candidate to be identified. It shall contain, on the obverse:”;

(2) by adding the following after subparagraph 3 of the first paragraph:

“(4) the offices in question and, where applicable, the number of the seat to be filled. The indications of the offices in question shall correspond to those contained in the nomination papers.”.

#### 6.14 Ballot paper cards

The following is substituted for section 197 of the Act:

“**197.** The ballot paper cards shall contain on the obverse, as shown in the Schedule,

(1) the name of the municipality;

(2) the indication “municipal election” and the date of the poll;

(3) the ballot papers;

(4) the bar code.

The ballot paper cards shall contain, on the reverse, as shown in the Schedule,

(1) a space intended to receive the initials of the deputy returning officer;

(2) a space intended to receive the number of the polling subdivision;

(3) the name and address of the printer;

(4) the bar code.”.

#### 6.15 Confidentiality sleeve

The Act is amended by inserting the following after section 197:

“**197.1.** The returning officer shall ensure that a sufficient number of confidentiality sleeves are available. Confidentiality sleeves shall be sufficiently opaque to ensure that no mark affixed on the ballot paper may be seen through them.”.

#### 6.16 Withdrawal of a candidate

Section 198 of the Act is amended by adding the following paragraphs at the end:

“Where electronic ballot boxes are used in an election, the returning officer shall ensure that the memory card is adjusted so that it does not take into account the candidates who have withdrawn.

Any vote in favour of those candidates before or after their withdrawal is null.”.

### 6.17 Withdrawal of authorization or recognition

Section 199 of the Act is amended by adding the following paragraph at the end:

“Where electronic ballot boxes are used in an election, the returning officer shall ensure that the memory card is adjusted so that it does not take into account the party or the ticket from which recognition has been withdrawn.”.

### 6.18 Number of electronic ballot boxes

The following is substituted for section 200 of the Act:

“**200.** The returning officer must ensure that there are as many electronic ballot boxes as polling places available and that a sufficient number of replacement electronic ballot boxes are available in the event of a breakdown or technical deficiency.

The returning officer shall ensure that a sufficient number of recipients for ballot papers are available for each electronic ballot box.”.

### 6.19 Provision of polling materials

Section 204 of the Act is amended by substituting the word “recipient” for the words “ballot box” in the second line of the first paragraph.

### 6.20 Examination of the electronic ballot box and polling materials

The following is substituted for section 207 of the Act:

“**207.** In the hour preceding the opening of the polling stations, the senior deputy returning officer, before the persons present, shall initialize the electronic ballot box for the polling place. The senior deputy returning officer shall ensure that the electronic ballot box displays a total of zero recorded ballot papers by verifying the printed report of the electronic ballot box.

The senior deputy returning officer shall keep the report and show it to any person present who wishes to examine it.

The senior deputy returning officer shall examine the documents and materials provided by the returning officer.

**207.1.** In the hour preceding the opening of the polling stations, the deputy returning officer and poll clerk shall open the envelope and examine the documents and polling materials provided by the returning officer.”.

The following is substituted for section 209 of the Act:

“**209.** Immediately before the hour fixed for the opening of the polling stations, the senior deputy returning officer, before the deputy returning officers, the poll clerks and the representatives of the candidates present, shall ensure that the recipient of the electronic ballot box is empty.

The recipient shall then be sealed by the senior deputy returning officer. The senior deputy returning officer and the representatives present who wish to do so shall affix their initials to the seal. The electronic ballot box shall be placed in such a way that it is in full view of the polling officers and the electors.”.

## POLLING PROCEDURE

### 6.21 Presence at the polling station

The following is substituted for the third paragraph of section 214 of the Act:

“In addition, only the deputy returning officer, the poll clerk and the representatives assigned to the polling station, together with the returning officer, the election clerk, the assistant to the returning officer, the senior deputy returning officer and the assistant to the senior deputy returning officer may be present at the station. The officer in charge of information and order may be present, at the request of the deputy returning officer for as long as may be required. The poll runner may be present for the time required to perform his duties. Any other person assisting an elector under section 226 may be present for the time required to enable the elector to exercise his right to vote.”.

### 6.22 Initialling of ballot papers

The following is substituted for section 221 of the Act:

“**221.** The deputy returning officer shall give the ballot paper card to which the elector is entitled to each elector admitted to vote, after initialling the ballot paper card in the space reserved for that purpose and entering the number of the polling subdivision. The deputy returning officer shall also give the elector a confidentiality sleeve and a pencil.

The deputy returning officer shall instruct the elector how to insert the ballot paper card in the confidentiality sleeve after having voted.”.

### 6.23 Voting

The following is substituted for section 222 of the Act:

“**222.** The elector shall enter the polling booth and, using the pencil given by the deputy returning officer, mark one of the circles on the ballot paper or papers opposite the indications pertaining to the candidates whom the elector wishes to elect to the offices of mayor, councillor or councillors.

The elector shall insert the ballot paper card, without folding it, into the confidentiality sleeve in such a way that the deputy returning officer’s initials can be seen.”.

### 6.24 Following the vote

The following is substituted for section 223 of the Act:

“**223.** After marking the ballot paper or papers and inserting the ballot paper card in the confidentiality sleeve, the elector shall leave the polling booth and go to the electronic ballot box.

The elector shall allow the senior deputy returning officer to examine the initials of the deputy returning officer.

The elector or, at the elector’s request, the senior deputy returning officer shall insert the ballot paper card on the reverse side into the electronic ballot box without removing it from the confidentiality sleeve.”.

### 6.25 Automatic acceptance

The Act is amended by inserting the following after section 223:

“**223.1.** The electronic ballot box shall be programmed to accept automatically every ballot paper card that is inserted on the reverse side and that was given by the deputy returning officer to an elector.

**223.2.** If a ballot paper card becomes blocked in the recipient for ballot paper cards, the senior deputy returning officer, in the presence of the representatives of the candidates who wish to be present, shall open the recipient, restart the electronic ballot box, close it and seal the recipient again in their presence, before authorizing voting to resume.

The senior deputy returning officer must report to the returning officer the time during which voting was stopped. Mention of that fact shall be made in the poll book.

If a ballot paper card becomes blocked in the tabulator, the senior deputy returning officer, in the presence of the representatives of the candidates who wish to be present, shall unblock the tabulator and restart the electronic ballot box.”.

### 6.26 Cancelled ballots

The following is substituted for section 224 of the Act:

“**224.** The senior deputy returning officer shall prevent the insertion into the electronic ballot box of any ballot paper card that is not initialled or that is initialled by a person other than the deputy returning officer of a polling station. The elector must return to the polling station.

The deputy returning officer of the polling station in question shall, if his initials are not on the ballot paper card, initial it before the persons present, provided that the ballot paper card is *prima facie* a ballot paper card given to the elector by the deputy returning officer that was not initialled by oversight or inadvertence. The elector shall return to insert the ballot paper card into the electronic ballot box.

If the ballot paper card has been initialled by a person other than the deputy returning officer, or if the ballot paper card is not a ballot paper card given to the elector by the deputy returning officer, the deputy returning officer of the polling station in question shall cancel the ballot paper card.

The occurrence shall be recorded in the poll book.”.

### 6.27 Visually impaired person

Section 227 of the Act is amended:

(1) by substituting the following for the second and third paragraphs:

“The assistant to the senior deputy returning officer shall set up the template and the ballot paper card, give them to the elector, and indicate to the elector the order in which the candidates’ names appear on the ballot papers and the particulars entered under their names, where such is the case.



The senior deputy returning officer shall help the elector insert the ballot paper card into the electronic ballot box.”; and

(2) by striking out the fourth paragraph.

## COMPILATION OF RESULTS AND ADDITION OF VOTES

### 6.28 Compilation of results

The following is substituted for sections 229 and 230 of the Act:

“**229.** After the closing of the poll, the senior deputy returning officer shall place the electronic ballot box in “end of election” mode and print out the results compiled by the electronic ballot box. The representatives assigned to the polling stations at the polling place may be present.

The report on the compiled results shall indicate the total number of ballot paper cards, the number of ballot papers marked to indicate a vote for more than one candidate, the number of blank ballot papers and the number of valid votes for each office.

**230.** After the closing of the poll, the deputy returning officer of each polling station in the polling place shall complete the partial statement of the poll according to section 238 and shall give a copy of it to the senior deputy returning officer.

The poll clerk of the polling station shall enter the following particulars in the poll book:

(1) the number of ballot paper cards received from the returning officer;

(2) the number of electors admitted to vote;

(3) the number of spoiled, refused or cancelled ballot paper cards and the number of unused ballot paper cards;

(4) the names of the persons who have performed duties as election officers or representatives assigned to that station.”.

The Act is amended by inserting the following after section 230:

“**230.1.** The senior deputy returning officer shall ensure, before the persons present, that the results entered on the printed report of the electronic ballot box and the total number of unused, spoiled, refused and cancelled ballot paper cards entered on the partial statement of the poll of each deputy returning officer corres-

pond to the total number of ballot paper cards issued by the returning officer.

**230.2.** Using the partial statement or statements of the poll, the senior deputy returning officer shall complete an overall statement of the poll in a sufficient number so that each representative assigned to a polling station or each candidate can have a copy of it.”.

### 6.29 Compiling sheet

Section 231 of the Act is revoked.

### 6.30 Counting of the votes

Section 232 of the Act is revoked.

### 6.31 Rejected ballot papers

The following is substituted for section 233 of the Act:

“**233.** The electronic ballot box shall be programmed in such a way as to reject any ballot paper that

(1) has not been marked;

(2) has been marked in favour of more than one candidate;

(3) has been marked in favour of a person who is not a candidate.

For the purposes of the poll, the memory card shall be programmed in such a way as to ensure that the electronic ballot box processes and conserves all the ballot paper cards inserted, in other words both the cards containing valid ballot papers and those containing rejected ballot papers, except any ballot paper cards that have been refused.”.

### 6.32 Rejected ballot papers, procedural omission, valid ballot papers

Sections 233 to 236 of the Act, adapted as required, shall apply only in the case of a judicial recount.

### 6.33 Contested validity

The following is substituted for section 237 of the Act:

“**237.** The poll clerk, at the request of the senior deputy returning officer, shall enter in the poll book every objection raised by a representative present at the printing out of the results compiled by an electronic ballot box in respect of the validity of the results.”.

### 6.34 Partial statement of the poll, overall statement of the poll and copy to representatives of candidates

The following is substituted for section 238 of the Act:

“**238.** The deputy returning officer shall draw up the partial statement of the poll, setting out

- (1) the number of ballot paper cards received from the returning officer;
- (2) the number of spoiled, refused or cancelled ballot paper cards that were not inserted into electronic ballot box;
- (3) the number of unused ballot paper cards.

The deputy returning officer shall make two copies of the partial statement of the poll, one of which must be given to the senior deputy returning officer.

Using the partial statements of the poll and the results compiled by the electronic ballot box, the senior deputy returning officer shall draw up an overall statement of the poll.

The senior deputy returning officer shall immediately give a copy of the overall statement of the poll to the representatives.”

Sections 239 and 240 of the Act are revoked.

### 6.35 Separate, sealed and initialled envelopes given to the returning officer

The following is substituted for sections 241, 242 and 243 of the Act:

“**241.** After the closing of the poll, each deputy returning officer shall place in separate envelopes the list of electors, the poll book, the forms, the spoiled, refused or cancelled ballot paper cards that were not inserted into the electronic ballot box, the unused ballot paper cards and the partial statement of the poll. Each deputy returning officer shall seal the envelopes, place them in a recipient, seal it, and give it to the senior deputy returning officer. The deputy returning officer, the poll clerk and the representatives assigned to the polling station who wish to do so shall initial the seals.

**242.** After the results compiled by the electronic ballot box have been printed, in the presence of the candidates or representatives who wish to be present, the senior deputy returning officer:

— if the recipient of the electronic ballot box is plastic, place the ballots papers cards, which are in the recipient of the electronic ballot box, in a transfer box. He remove the memory card from the electronic ballot box and insert it in an envelope with a copy of the report on the results compiled by the electronic ballot box. He shall seal the envelope, initial it, allow the representatives who wish to do so to initial it and place it in the transfer box. He shall seal and initial the transfer box and allow the representatives who wish to do so to initial it;

— if the recipient of the electronic ballot box is cardboard, remove the cardboard recipient containing the ballots papers. He remove the memory card from the electronic ballot box and insert it in an envelope with a copy of the report on the results compiled by the electronic ballot box. He shall seal the envelope, initial it, allow the representatives who wish to do so to initial it and place it in the cardboard recipient. He shall seal the cardboard recipient and allow the representatives who wish to do so to initial it.

The senior deputy returning officer give the transfer box or the recipients to the returning officer or to the person whom it appoints.

**243.** The senior deputy returning officer shall place in an envelope a copy of the overall statement of the poll stating the results of the election and the partial statements of the poll. The senior deputy returning officer shall then seal and initial the envelope and give it to the returning officer.

The representatives assigned to the polling stations may initial the seal.”

Section 244 of the Act is revoked.

### 6.36 Addition of votes

The following is substituted for section 247 of the Act:

“**247.** The returning officer shall proceed with the addition of the votes using the overall statements of the poll drawn up by each senior deputy returning officer.”

### 6.37 Adjournment of the addition of votes

Section 248 of the Act is amended:

(1) by substituting the words “an overall statement of the poll” for the words “a statement of the poll” in the first line of the first paragraph;

(2) by substituting the following for the second paragraph:

“Where it is not possible to obtain an overall statement of the poll, or the printed report on the results compiled by an electronic ballot box, the returning officer shall, in the presence of the senior deputy returning officer and the candidates concerned or their representatives if they so wish, print out the results using the memory card taken from the transfer box opened in the presence of the persons listed above.”.

### 6.38 Placing in envelope

The following is substituted for section 249 of the Act:

“**249.** After printing and examining the results, the returning officer shall place them in an envelope together with the memory card.

The returning officer shall seal the envelope, put the envelope in the transfer box and then seal the box.

The returning officer, the candidates and the representatives present may initial the seals.”.

### 6.39 New counting of the votes

The following is substituted for section 250 of the Act:

“**250.** Where it is not possible to print a new report on the results compiled using the memory card, the returning officer, on the date, at the time and at the place that he determines, in the presence of the candidates or their representatives who wish to be present, shall recover the ballot paper cards used for the office or offices concerned and shall insert them, one by one, in the opening of the electronic ballot box equipped with a new programmed memory card. He shall then print out the results compiled by the electronic ballot box.”.

### 6.40 Notice to the Minister

Section 251 of the Act is amended by substituting the words “overall statement of the poll, the report on the results compiled by the electronic ballot box and the ballot paper cards” for the words “statement of the poll, the statement of votes and the ballot papers” in the first line of the first paragraph.

### 6.41 Access to ballot papers

The following is substituted for section 261 of the Act:

“**261.** Except for the purposes of an examination of rejected ballot papers pursuant to this agreement, the returning officer or the person responsible for providing access to the documents held by the municipality may not issue copies of the ballot papers used, or allow any person to examine the ballot papers, without being required to do so by an order issued by a court or judge.”.

### 6.42 Application for a recount

Section 262 of the Act is amended by substituting the words “an electronic ballot box” for the words “a deputy returning officer, a poll clerk or the returning officer” in the first and second lines of the first paragraph.

## 7. EXAMINATION OF REJECTED BALLOT PAPERS

Within 120 days from the date on which an election is declared or contested, the returning officer must, at the request of the Chief Electoral Officer or the Minister, examine the rejected ballot papers to ascertain the grounds for rejection. The returning officer must verify the ballot paper cards contained in the recipients for ballot papers.

The returning officer must notify the candidates or their representatives that they may be present at the examination. The Chief Electoral Officer and the Minister shall be notified and they may delegate their representatives. The representative of the company that sold or rented out the electronic ballot boxes must attend the examination to explain the operation of the mechanism for rejecting ballot papers and to answer questions from the participants.

The programming parameters for rejecting ballot papers must be disclosed to the participants.

The examination of the rejected ballot papers shall in no way change the results of the poll or be used in a court to attempt to change the results of the poll.

A report on the examination must be drawn up by the returning officer and include, in particular, the assessment sheet for the grounds for rejection and a copy of the related ballot paper. Any other relevant comment concerning the conduct of the poll must also be included.

Prior to the examination of the rejected ballot papers, the rejected ballot papers must be separated from the other ballot papers, using the electronic ballot box duly programmed by the representative of the firm, and a sufficient number of photocopies must be made for the participants present. The candidates or their representatives may be present during this operation.

## 8. DURATION AND APPLICATION OF AGREEMENT

The returning officer of the municipality is responsible for the application of this agreement and, consequently, for the proper conduct of the application of the new method of voting during general elections and by-elections held before next regular elections.

## 9. AMENDMENT

The parties agree that this agreement may be amended if need be to ensure the proper conduct of the general elections or subsequent by-elections provided for in the agreement.

Mention of that fact shall be made in the assessment report.

## 10. ASSESSMENT REPORT

Within 120 days following the general election held on April 14th, 2002, the returning officer of the municipality shall forward, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), an assessment report to the Chief Electoral Officer and the Minister setting out relevant ways to improve the trial and addressing, in particular, the following points:

— the preparations for the election (choice of the new method of voting, communications plan, etc.);

— the conduct of the advance poll and the poll;

— the cost of using the electronic voting system:

– the cost of adapting election procedures;

– non-recurrent costs likely to be amortized;

– a comparison between the actual polling costs and the estimated polling costs using the new methods of voting and the projected cost of holding the general election on April 14th 2002, using traditional methods;

— the number and duration of incidents during which voting was stopped, if any;

— the advantages and disadvantages of using the new method of voting;

— the results obtained during the addition of the votes and the correspondence between the number of ballot paper cards issued to the deputy returning officers and the number of ballot paper cards returned used and unused;

— the examination of rejected ballot papers, if it has been completed.

## 11. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) shall apply to the general election held on April 14th, 2002, in the municipality, subject to the provisions of the Act that this agreement amends or replaces.

## 12. EFFECT OF THE AGREEMENT

This agreement has effect from the time when the returning officer performs the first act for the purposes of an election to which this agreement applies.

### AGREEMENT SIGNED IN THREE COPIES:

In Beauharnois, on this 14th day of the month of March of the year 2002.

### THE MUNICIPALITY OF BEAUHARNOIS

By: \_\_\_\_\_  
MICHEL QUEVILLON, *mayor*

\_\_\_\_\_  
JEAN BEAULIEU, *clerk*

In Sainte-Foy, on this 20th day of the month of March of the year 2002.

### THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
MARCEL BLANCHET

In Québec, on this 28th day of the month of March of the year 2002.

### THE MINISTER OF MUNICIPAL AFFAIRS AND GREATER MONTRÉAL

\_\_\_\_\_  
JEAN PRONOVOST, *deputy minister*

**SCHEDULE**

MODEL BALLOT PAPER HOLDER

**MUNICIPALITY OF MATTEAU**

Municipal Election - November 3, 2002

**“SPÉCIMEN”**

|  |   |
|--|---|
| Mayor Office   |   |
| <b>Marie BONENFANT</b>                               | ● |
| <b>Jean-Charles BUREAU</b><br>Appartenance politique | ● |
| <b>Pierre-A. LARRIVÉE</b>                            | ● |

|  |   |
|--|---|
| City Councillor<br>District 1                    |   |
| <b>Luc GAUTHIER</b>                              | ● |
| <b>Carl LUSSIER</b>                              | ● |
| <b>Hélène ROCHETTE</b><br>Appartenance politique | ● |
| <b>Sylvain SAINT-PIERRE</b>                      | ● |

**Initials of the deputy  
returning officer**

**Polling subdivision**

Imprimerie Atwater Inc.  
3009, rue Notre-Dame Ouest  
Montréal (Québec)  
H4C 1N9

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## Draft Regulations

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### Draft Regulation

Public Administration Act  
(R.S.Q., c. A-6.01)

#### Payment of interest to government suppliers — 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 government may pass a “Regulation to amend the Regulation respecting payment of interest to government suppliers”, as worded below, after the expiration of a term of 45 days from the date of this publication.

The purpose of such draft regulation is to reduce from 60 to 30 days the term after which interest may be charged on late payments to government suppliers.

Additional information may be obtained from Mr Christian Beaudet, Department Head of the Service des politiques et de soutien à la gestion, Conseil du trésor, 875, Grande Allée Est, 4-C, Québec (Québec) G1R 5R8, telephone: (418) 528-6256

Any person interested in submitting comments may do so in writing to the Minister responsible for Administration and the Public Service and Chair of the Conseil du trésor, 885, Grande Allée Est, 4<sup>e</sup> étage, Québec (Québec) G1R 6C2 before the expiration of the 45-day term.

JOSEPH FACAL

*Minister responsible for Administration  
and the Public Service and Chair of the  
Conseil du trésor*

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### Regulation to amend the Regulation respecting payment of interest to government suppliers\*

Public Administration Act  
(R.S.Q., c. A-6.01, s. 58)

**1.** The Regulation to amend the Regulation respecting payment of interest to government suppliers is amended by replacing the number “60” by the number “30” in the second paragraph of section 4.

**2.** Section 5 of said Regulation is amended by replacing the number “60” by the number “30”.

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

4974

### Draft Regulation

Labour Code  
(R.S.Q., c. C-27; 2001, c. 26)

#### Remuneration of arbitrators

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

The purpose of the draft Regulation is to update certain elements of the remuneration of arbitrators provided for in the current Regulation. The hourly rate for arbitrator fees will be set at \$120.

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\* The Regulation respecting payment of interest to government suppliers (R.R.Q., 1981, c. A-6, r.18) was last modified by the regulation passed under orders n° 396-84 of 22 February 1984 (1984, *G.O.* 2, 1343). For previous amendments, see *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 Septembre 2001.

The draft Regulation replaces the mode of remuneration of arbitrators, characterized by the negotiability of hourly rates and of the duration of the period for deliberation and the drafting of awards, by a new method of determination that allows arbitrators to claim the tariff of remuneration declared in accordance with the prescriptions indicated in this draft Regulation.

The draft Regulation also prescribes a special mode of remuneration for arbitrators who are members of a group of arbitrators or the Tribunal d'arbitrage procédure alléguée (TAPA).

Finally, its purpose is to exempt organizations in the public service sector and in the education sector from the application of the Regulation, considering the governmental constraints to which they are subject and the special practices that resulted therefrom in respect of remuneration of arbitrators.

Further information may be obtained by contacting Marc Pelletier at (418) 644-0291 or by fax at (418) 644-3331.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of 45 days provided for in the first paragraph, to the undersigned, Minister of State for Human Resources and Labour and Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

JEAN ROCHON,  
*Minister of State for Human Resources  
and Labour and Minister of Labour*

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## Regulation respecting the remuneration of arbitrators

Labour Code  
(R.S.Q., c. C-27, s. 103 ; 2001, c. 26, s. 57)

**1.** This Regulation applies to arbitrators of grievances and disputes.

It does not apply to the arbitration of a grievance involving an association of employees within the meaning of the Labour Code (R.S.Q., c. C-27) and the Government or a department, a government agency the personnel of which is appointed or remunerated under the Public Service Act (R.S.Q., c. F-3.1.1), a college or school board referred to in the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., c. R-8.2).

**2.** An arbitrator is entitled to fees of \$120 for each hour of arbitration hearing, for each hour of deliberation with the assessors and, subject to section 4, for each hour of deliberation and drafting of an award.

An arbitrator is entitled, for each day of hearing, to a minimum remuneration equivalent to three hours of fees at the rate set by the first paragraph.

**3.** A grievances arbitrator is also entitled to fees at the rate set by section 2 for each hour of a pre-hearing conference.

**4.** For deliberation and the drafting of awards, a grievances arbitrator is entitled to fees at the rate set by section 2 up to a maximum of 14 hours per day of hearing, 22 hours for two days of hearing and, where there are three days of hearing or more, 22 hours for the first two days and 5 hours for each subsequent day.

A disputes arbitrator is entitled to fees at the rate set by section 2 up to a maximum of 14 hours per day of hearing, 22 hours for two days of hearing, 27 hours for three days of hearing and, where there are four days of hearing or more, 27 hours for the first three days and 3 hours for each subsequent day.

An arbitrator is entitled to fees at the rate set by section 2 up to a maximum of 14 hours if no arbitration hearing is held.

**5.** For all expenses related to arbitration, namely fees for opening files, telephone calls, correspondence and the drafting and filing of duplicates or copies of the arbitration award, an arbitrator is also entitled to one hour of fees at the rate set by section 2.

**6.** An arbitrator's transportation costs and meal and accommodation expenses shall be reimbursed in accordance with the Directive sur les frais remboursables lors d'un déplacement et autres frais inhérents (C.T. 194603 dated 30 March 2000) as it reads at the time it applies.

**7.** An arbitrator is entitled to a travel allowance when performing duties outside the office.

The amount of the allowance corresponds to the amount obtained by multiplying the rate of \$80 by the number of hours required for a round trip using the fastest means of transportation except for the first two hours of the trip which are not remunerated.

**8.** When a case is discontinued or fully settled more than 30 days before the hearing date, an arbitrator is entitled to an indemnity of only one hour of fees at the rate set by section 2 and to the expenses related to arbitration provided for in section 5.



When a case is discontinued, fully settled or postponed at the request of a party 30 days or less before the date of the hearing, an arbitrator is entitled to only three hours of fees at the rate set by section 2.

**9.** An arbitrator is entitled to reimbursement of the actual costs incurred in renting a room for a hearing.

**10.** Except as provided for in sections 11, 15, 16 and 17, an arbitrator may not claim any fees, expenses, allowances or indemnities other than those set by sections 2 to 9.

**11.** An arbitrator chosen and remunerated by the parties or by any one of them may claim a remuneration different from that set by sections 2 to 8.

To that end, an arbitrator must declare to the Minister of Labour a tariff of remuneration that includes the hourly rate that will be claimed under sections 2 to 5, the amount of the expenses, allowances and indemnities referred to in sections 6 to 8 and the conditions for the application of those amounts.

**12.** The tariff of remuneration must be declared using the form proposed by the Ministère du Travail from 15 April to 15 May of each year.

**13.** The remuneration provided for in the tariff may be claimed only in respect of a grievance or dispute submitted to an arbitrator as of 1 July that follows the period referred to in section 12.

**14.** The tariff of remuneration remains in effect as long as it is not altered in accordance with section 12. Section 13 applies to the altered tariff of remuneration.

**15.** An arbitrator whose name is entered on the list of arbitrators referred to in section 77 of the Labour Code after the period referred to in section 12 may nonetheless declare the tariff of remuneration within 30 days following the date of that entry.

Notwithstanding section 13, the remuneration provided for in the tariff declared under the first paragraph may be claimed only in respect of a grievance or dispute submitted to an arbitrator from the date on which the Minister notifies the arbitrator that the declared tariff was entered on the list referred to in section 18.

**16.** Where an arbitrator belongs to a group of arbitrators, the arbitrator remunerated by the parties or by one of them may, to the extent provided for in this section, claim as remuneration, the lump sum provided for in the group tariff in respect of the grievance or dispute that was submitted to the arbitrator by the group.

The group of arbitrators must be constituted according to a juridical form prescribed by law and governed by an expedited arbitration process that prescribes in particular a common tariff of remuneration for all members.

The tariff must specify, among the remunerated acts and expenses referred to in sections 2 to 8, the acts and expenses included in the lump sum provided and the conditions for the application of the amount.

The tariff of remuneration must be declared to the Minister of Labour by the group of arbitrators and sections 12 to 14 apply, adapted as required.

The group of arbitrators must also send a copy of its deed of incorporation, the list of its members and of its expedited arbitration process.

**17.** A grievances arbitrator acting as a member of the Tribunal d'arbitrage procédure allégée (TAPA) shall be remunerated in accordance with the tariff established by the provisions of the expedited arbitration of grievances process administered by that court.

**18.** The Minister of Labour shall draw up a list of tariffs of remuneration declared under sections 11, 15 and 16, send a copy thereof to the Conseil consultatif du travail et de la main-d'oeuvre and ensure periodically the updating and distribution thereof in particular with the most representative associations of arbitrators, employees and employers.

The Minister shall put a copy of that list at the disposal of the public by any means he or she deems to be appropriate.

**19.** Unless otherwise provided in the collective agreement, the parties shall assume jointly and equally payment of the fees, expenses, allowances and indemnities of a grievances arbitrator.

The parties shall assume jointly and equally payment of the fees, expenses, allowances and indemnities of an arbitrator in the case of a dispute referred under section 75 of the Labour Code or where the collective agreement prescribes that the dispute be referred to arbitration.

The Minister of Labour shall assume payment of the fees, expenses, allowances and indemnities of the arbitrator of a dispute referred under sections 93.3 and 97 of the Labour Code.

**20.** An arbitrator shall submit a detailed account of fees, making it possible to verify the validity of the fees, expenses, allowances and indemnities claimed per day.

**21.** Notwithstanding sections 11 and 16, an arbitrator and a group of arbitrators may declare the tariff of remuneration referred to in those sections within 30 days that follow (*enter the date of coming into force of this section*) and the remuneration provided for in the tariff declared during that period may be claimed only in respect of a grievance or dispute submitted to an arbitrator as of 1 September 2002.

**22.** The provisions of the Regulation respecting the remuneration of arbitrators as they read before being replaced by this Regulation continue to apply in respect of the grievances and disputes submitted to arbitration before 1 September 2002.

**23.** This Regulation replaces the Regulation respecting the remuneration of arbitrators made by Order in Council 1486-96 dated 27 November 1996.

**24.** This Regulation comes into force on 1 September 2002, except section 3 which comes into force on the date of coming into force of section 49 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 21 which comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

4979

## Draft Regulation

An Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)

### Upper limit of kill for moose – 2002

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the draft Regulation respecting the 2002 upper limit of kill for moose, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to renew for one year the limit of kill for moose allocated to the native people and non-Natives in Area 17.

To that end, the Regulation proposes to limit the kill for moose in Area 17 to the same number as for 2001, that is, 140 moose.

To date, study of the matter has revealed no impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting :

Serge Bergeron  
Société de la faune et des parcs du Québec  
Direction des territoires fauniques et de la réglementation  
675, boulevard René-Lévesque Est, 11<sup>e</sup> étage, boîte 96  
Québec (Québec)  
G1R 5V7

Telephone: (418) 521-3880, extension 4078  
Fax: (418) 646-5179  
E-mail: serge.bergeron@fapaq.gouv.qc.ca

Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister responsible for Wildlife and Parks, 900, boulevard René-Lévesque Est, Bureau 336, Québec (Québec) G1R 2B5.

RICHARD LEGENDRE,  
*Minister responsible for Wildlife and Parks*

## Regulation respecting the 2002 upper limit of kill for moose

An Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1, s. 78, 1st par., subpar. f, and 2nd and 3rd pars.)

**1.** The upper limit of kill for moose allocated to the native people and non-natives in Area 17 determined by the Fishing, Hunting and Trapping Areas Regulation, made by Order in Council 27-90 dated 10 January 1990, is 140 moose for the period extending from 1 August 2002 to 31 July 2003.

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

4975

## Decisions

### Decision, 12 April 2002

Decision varying the Québec Fishery Regulations, 1990, SOR/90-214 dated March 29, 1990; SOR/2001-51 dated January 23, 2001

Pursuant to subsection 4(1) of the Québec Fishery Regulations, 1990, SOR/90-214 dated March 29, 1990, replaced by section 3 of the Regulation amending the Québec Fishery Regulations, 1990, SOR/2001-51 dated January 23, 2001, the Société de la faune et des parcs du Québec may vary close times, fishing quotas or limits on the size or weight of fish applicable to sport fishing that are fixed in respect of an area under these Regulations so that the variation applies in respect of that area or any portion of that area;

Pursuant to section 1 of the Regulation respecting the application of the Québec Fishery Regulations, 1990, by the Société de la faune et des parcs du Québec, adopted by resolution n° 01-35 of March 28, 2001 of the board of directors of the Société, the Director of Wildlife Territories and Regulations of the Société may, pursuant to section 4 of the Québec Fishery Regulations, 1990, vary close times, fishing quotas or limits on the size or weight of fish applicable to sport fishing that are fixed in respect of an area under these Regulations so that the variation applies in respect of that area or any portion of that area;

CONSIDERING that there is reason to vary the limits on the size established in paragraph 40c and in subparagraph 40d ii of the Québec Fishery Regulations, 1990, SOR/90-214 dated March 29, 1990

I HAVE RENDERED THE FOLLOWING DECISION:

1. The limit on the size for lake trout mentioned in paragraph 40c of the Regulations is varied as follows:

40 (c) i. a lake trout 35 cm or more but not more than 50 cm in length taken from the waters set out in any of Schedules I to VI, unless the waters are within a wildlife reserve;

ii. a lake trout measuring less than 40 cm in length taken from the waters set out in any of Schedules IX and XI or in any Parts I to V of Schedules X, XII to XV and XVIII, unless the waters are within a wildlife reserve or are referred to in subparagraph iii;

iii. a lake trout measuring less than 50 cm in length taken from the following waters:

A) Archambault and Ouareau lakes (Zone 9);

B) De l'Argile, Blue Sea, Du Cerf, Dumont, Gagnon (Preston and Gagnon townships), Heney, Lynch (Forant and Rochefort townships), Nomingue lakes and Poisson Blanc reservoir (Zone 10);

C) Tremblant lake (Zone 11);

D) Duval lake (Anjou and Brie townships) (Zone 12);

E) Audouin, Grindston, Hunter, Kipawa, Matchi-Manitou and MacLachlin lakes (Zone 13);

F) Cousineau (47°01'N., 73°59'W.), Culotte (47°09'N., 74°02'W.), Devenyns, Kempt (47°26'N., 74°16'W.), Légaré (46°58'N., 73°57'W.), Maskinongé, Opwaiak, Saint-Joseph, Troyes and Villiers (47°08'N., 74°02'W.) lakes (Zone 15).

2. The limit on the size for pickerel mentioned in subparagraph 40d ii of the Regulations is varied as follows:

40 (d) ii. measuring less than 30 cm in length taken from the La Vérendrye Wildlife Sanctuary, the waters of the lands in the domain of the State designated and delineated by Order in Council 493-98 of April 8, 1998, (1998) 130 (G.O.Q., 2, 2335), or the waters in Area 13 or 16, excluding the following waters:

A) Abitibi lake located in Area 13 (48°40' N., 79°31' W.),

B) La Garde lake located in the Restigo ZEC (46°46'00"N., 78°14'22" W.),

C) the waters of Area 13 located in outfitting operation territories for fishing granted under item 86 of An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), except the waters located in the outfitting operation Camachigama described in Schedule 178 made by Order in Council 573-87 of April 8, 1987,

D) the waters of Area 16 located in the Mistaouac outfitting operation described in Schedule 112 made by Order in Council 573-87 of April 8, 1987,

E) the waters of lakes unnamed: (48°59'57"N., 75°00'33"W.), (49°09'00"N., 76°08'50"W.), (49°09'04"N., 76°22'41"W.), (49°09'11"N., 76°32'54"W.), (49°09'14"N., 76°35'15"W.), (49°09'18"N., 75°42'44"W.), (49°12'31"N., 74°56'31"W.), (49°12'35"N., 74°53'47"W.) and à l'Eau Rouge, Fauvel, Feuquières, Hébert, Mistatim, Atikamekwranan, Nelson, Némégousse, Podeur, Robert, Valreille (Chambalon township) and Ventadour lakes, located in Area 16,

F) the waters referred to in subparagraph *iii*; or

*iii*. measuring less than 35 cm in length taken from the following waters:

A) Jean-Péré lake located in the La Vérendrye Wildlife Sanctuary (47°04' N., 76°38' W.),

B) the waters of Dumoine ZEC,

C) the waters of Kipawa ZEC,

D) the waters of Maganasipi ZEC,

E) the waters of Restigo ZEC, excluding La Garde lake (46°46'00"N., 78°14'22" W.).

The Société de la faune et des parcs du Québec give notice of it to the persons affected or likely to be affected by publishing annually the brochure Sportfishing in Québec – Main regulations, and by publishing a notice in the *Gazette officielle du Québec*.

This decision comes into force on April 12, 2002.

RÉAL PERRON,  
*Director of Wildlife Territories  
and Regulations*

4992

## Decision, 12 April 2002

CONCERNING the close time applicable to commercial fishing established by the Québec Fishery Regulations, 1990, SOR/90-214 dated March 29, 1990; SOR/2001-51 dated January 23, 2001

Pursuant to section 4 of the Québec Fishery Regulations, 1990, SOR/90-214 dated March 29, 1990, replaced by section 3 of the Regulation amending the Québec Fishery Regulations, 1990, SOR/2001-51 dated January 23, 2001, the Société de la faune et des parcs du Québec may vary any close time applicable to commercial fishing under these Regulations in respect of the waters referred to in subsection 3(1) or to any portion of them;

Under paragraph 4(4)f) of these Regulations, the Société may notify the persons affected or likely to be affected of the decision made under the terms of subsection 4(2) of these Regulations by publishing a notice in the *Gazette officielle du Québec*;

Pursuant to section 1 of the Regulation respecting the application of the Québec Fishery Regulations, 1990, by the Société de la faune et des parcs du Québec, adopted by resolution n° 01-35 of March 28, 2001 of the board of directors of the Société, the Director of Wildlife Territories and Regulations of the Société may, pursuant to section 4 of the Québec Fishery Regulations, 1990, vary any close time applicable to commercial fishing under these Regulations in respect of the waters referred to in subsection 3(1) or to any portion of them;

CONSIDERING that there is reason to vary the close time applicable to commercial fishing established in section 50 of the Québec Fishery Regulations, 1990, SOR/90-214 dated March 29, 1990;

I HAVE RENDERED THE FOLLOWING DECISION :

The close time established in section 50 of the Québec Fishery Regulations, 1990, SOR/90-214 dated March 29, 1990, is varied so as to meet the modalities of commercial fishing foreseen in the Plan de gestion de la pêche approved by government and published annually in the *Gazette officielle du Québec*.

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

Québec, 12 April 2002

RÉAL PERRON,  
*Director of Wildlife Territories  
and Regulations*

4991

## Municipal Affairs

Gouvernement du Québec

### **O.C. 417-2002, 10 April 2002**

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

Amalgamation of Canton de Grenville and Village de Calumet

WHEREAS each of the municipal councils of Canton de Grenville and Village de Calumet 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, 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 the application be granted and that a local municipality be constituted through the amalgamation of Canton de Grenville and Village de Calumet, on the following conditions:

#### **CHAPTER I CONSTITUTION OF THE MUNICIPALITY**

1. The name of the new municipality shall be “Municipalité de Grenville-sur-la-Rouge”.

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 “Calumet” assigned to the sector made up of the territory of the former Village de Calumet.

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 31 January 2002; that description is attached as a schedule to this Order in Council.

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

4. The territory of Municipalité régionale de comté d'Argenteuil comprises the territory of the new municipality.

5. Subject to the powers and fields of jurisdiction granted to the borough councils under Chapter II, the affairs of the municipality shall be administered by the council of the new municipality.

6. Until a majority of the candidates elected in the first general election begin their terms, a provisional council formed of seven members including five members of the former Canton de Grenville and two members of the former Village de Calumet shall administer the new municipality. The representatives designated by the councils of the former municipalities to sit on the provisional council of the new municipality shall be

(1) the mayor and the councillors on seats 1, 2, 4 and 5 for the former Canton de Grenville; and

(2) the mayor and the councillor on seat 2 for the former Village de Calumet.

An additional vote on the provisional council shall be allotted to the mayor of the former municipality for each seat that becomes vacant after the coming into force of this Order in Council, where that seat on the provisional council had been until that time filled by a member of the council of that former municipality.

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

7. Throughout the term of the provisional council, the mayor of the former Canton de Grenville shall act as mayor of the new municipality and the mayor of the former Village de Calumet shall act as acting mayor.

Until the mayor elected in the first general election begins his or her term, the mayors shall continue to sit on the council of Municipalité régionale de comté d'Argenteuil and shall have the same number of votes as they had before the coming into force of this Order in Council.

8. By-law 160-3-94, as amended by by-law 160-7-99, of the former Canton de Grenville and respecting the remuneration of elected officers, applies to the new municipality until it is amended by the council of the new municipality.

Notwithstanding the foregoing, a member of the provisional council may not have a remuneration and an expense allowance lower than those he or she had in the former municipality that he or she represents.

Any member of the council of a former municipality whose term is shortened following the amalgamation shall continue to receive, for his or her term, the salary (basic remuneration and expense allowance) that he or she received. The member shall cease to be entitled to receive that salary if, during that period, he or she fills an office on the council of the new municipality or on the council of a municipality in the territory of Québec.

Expenses relating to the remuneration of members who are not on the provisional council or the new elected council shall be charged to the new municipality.

9. The first sitting of the provisional council shall be held at the town hall of the former Canton de Grenville.

10. The first general election shall be held on 24 November 2002. The second general election shall be held in 2005.

11. For the first two general elections and for any by-election held before the third 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 Canton de Grenville shall be eligible for seats 1, 2, 3 and 4; and only those persons who would be eligible under that Act if the election were an election of the council members of the former Village de Calumet shall be eligible for seats 5 and 6.

12. Christine Groulx, secretary-treasurer of the former Canton de Grenville, shall act as first secretary-treasurer of the new municipality.

13. 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 municipality for the remainder of the fiscal year in which this Order in Council comes into force shall continue to be accounted for separately on behalf of each former municipality as if the amalgamation had not taken place;

(3) an expenditure recognized by the council of the new municipality as resulting from the amalgamation shall be charged to each former municipality based on the proportion of its standardized property 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 municipality for the first fiscal year for which it adopts a budget for its whole territory.

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

15. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall be used for the benefit of the ratepayers of the sector made up of the territory of that former municipality. It may be used to carry out public work in the sector or to reduce taxes applicable to all the taxable immovables in that territory.

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

17. As of the first fiscal year for which the new municipality adopts a budget with respect to its whole territory, all the taxable immovables in the territory of the new municipality shall be subject to the tax levied under by-laws 286 (limited partnership with Hydro-Québec), 308 (water tank) and 309 (fire engine) of the former Canton de Grenville.

All the taxable immovables in the territory of the new municipality shall also be subject to payment of the cost of the leases with purchase option entered into under resolutions 98-07-149 (John Deere grader), 99-02-34 (International truck) and 01-02-48 (Ford truck).

18. As of the first fiscal year for which the new municipality adopts a budget with respect to its whole territory and until the fifth fiscal year of the new municipi-

pality, an additional general property tax rate shall be levied on all the taxable immovables in the sector made up of the territory of the former Village de Calumet. The additional rate shall be \$0.18 per \$100 of assessment for the first fiscal year and shall decrease by \$0.036 per \$100 of assessment every year until it is extinguished the sixth year.

Notwithstanding the foregoing, the general property tax rate provided for in the first paragraph will be entirely levied only if the financial assistance paid by the Gouvernement du Québec with respect to the sector made up of the territory of the former Canton de Grenville for taking charge of the local road network remains the same assistance as that paid with respect to the territory of that former municipality in 2001. Should the amount of the financial assistance be lower, the additional rate provided for in the first paragraph shall be reduced by any increase in the general property tax rate attributable to the decrease of the financial assistance.

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

20. 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 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 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 whole territory of the new municipality.

## CHAPTER II BOROUGHS

21. For the exercise of certain fields of jurisdiction, two boroughs shall be created out of the territory of the new municipality under the names "Grenville Borough" and "Calumet Borough". The territories of those boroughs shall correspond respectively to the territory of the former Canton de Grenville and the territory of the former Village de Calumet, as they existed before the coming into force of this Order in Council.

Grenville Borough is deemed to be recognized in accordance with section 29.1 of the Charter of the French language (R.S.Q., c. C-11). It shall retain that recognition until, at its request, the recognition is withdrawn by the Government under section 29.1 of the Charter.

Officers or employees of the new municipality who exercise their functions or perform work in connection with the powers of Grenville Borough are, for the purposes of sections 20 and 26 of that Charter, deemed to be officers or employees of that borough.

22. The borough council is, as regards the exercise of its fields of jurisdiction, subject to the rules provided for in the Municipal Code of Québec with respect to a municipal council, in particular, the rules pertaining to the public nature of the council's meetings.

23. A borough council is made up of three councillors chosen by secret ballot, by and from among the members of the municipal council; at least two of those councillors must, at the time they are elected members of the municipal council, be eligible to represent the territory constituting the borough. The members of a borough council shall designate a chair from among themselves by secret ballot.

Should it be impossible to choose two borough councillors who, at the time of their election as members of the municipal council, were eligible to represent the territory that constitutes the borough, the council of the new municipality shall, according to the terms and conditions it determines, appoint additional councillors, up to the number missing, during a meeting of the council held for that purpose. The additional councillors, who are not members of the municipal council, must be eligible to represent the territory that constitutes the borough.

No later than the third day preceding the date set for holding the meeting, the secretary-treasurer of the new municipality shall give public notice of the date, time and place of the meeting and its purpose.

24. The council of the new municipality may fix an additional remuneration for the municipal councillors who sit on the borough council and for the chair. The additional remuneration is deemed to be referred to in the second paragraph of section 2 of the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001).

The council of the new municipality may also fix a remuneration for a borough councillor who is not a member of the municipal council. In accordance with Chapter II of the Act respecting the remuneration of elected municipal officers and adapted as required, the councillor is entitled to the reimbursement of his or her expenses.

Any borough councillor who is not a member of the municipal council and who has a direct or indirect interest in an enterprise putting his or her own interest in conflict with that of the new municipality must, under pain of forfeiture of office, disclose that interest to the borough council in writing and refrain from taking part in any deliberation and any decision on the enterprise in which the councillor has an interest or in any part of a meeting of the municipal council during which his or her interest is discussed.

25. The borough council may, with respect to its territory, submit opinions and make recommendations to the council of the new municipality on the annual budget, the establishment of capital expenditure priorities, the preparation or amendment of the planning program, amendments to planning by-laws, or any other subject submitted to it by the council of the new municipality.

26. The new municipality may determine an annual allotment to ensure the good operation of the borough. The borough council is responsible for the management of its budget.

27. The new municipality is the employer of all its officers and employees, whether they exercise their functions or perform work in connection with responsibilities under the authority of the municipality or in connection with responsibilities under the authority of the borough council, and decisions relating to their hiring and dismissal, and negotiation of their conditions of employment, are within the authority of the council of the new municipality.

28. 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 BOUNDARIES  
OF THE TERRITORY OF MUNICIPALITÉ DE  
GRENVILLE-SUR-LA-ROUGE IN MUNICIPALITÉ  
RÉGIONALE DE COMTÉ D'ARGENTEUIL

The territory of Municipalité de Grenville-sur-la-Rouge in Municipalité régionale de comté d'Argenteuil, following the amalgamation of Canton de Grenville and Village de Calumet, includes all the lots of the cadastres of Canton de Grenville and the enlargement of Canton de Grenville, thoroughfares, hydrographic and topographic features, built-up lots or parts thereof within the perimeter starting at the apex of the northeastern angle of Lot 1 of Rang 11 of the cadastre of Canton de Grenville,

along successively, the following lines and demarcations: southerly, the dividing line between that cadastre and the cadastre of Canton de Chatham, crossing Route 327, a railway right-of-way (Lot 28) and Route 148 and Route 344 that it meets, to the north bank of the Ottawa River (high water mark before the raising of water caused by Carillon dam); in a general westerly direction, the said north bank to the dividing line between the cadastres of Canton de Grenville and Village de Grenville; successively, northerly and westerly, part of the broken dividing line between the said cadastres to the eastern line of Lot 8A of Rang 2 of the cadastre of Canton de Grenville, that broken line crossing Rue Principale and Rue Maple that it meets; in reference to that cadastre, northerly, part of the eastern line of the said lot to the apex of its northeastern angle; westerly, the southern limit of the right-of-way of Route 148 (shown on the original) to the eastern line of Lot 9C of Rang 2; southerly, the line bordering to the east lots 9C, 9B and 9A of Rang 2, that line crossing Chemin de la Baie-Grenville and Rivière Kingham (shown on the original) that it meets; westerly, the line bordering to the south lots 9A and 9D of Rang 2, crossing Baie Grenville (shown on the original) that it meets, to the north bank of the Ottawa River (high water mark before the raising of water caused by Carillon dam); in a general westerly direction, the said north bank to the dividing line between the cadastre of the enlargement of Canton de Grenville of the cadastre of Paroisse de Notre-Dame-de-Bonsecours; northerly, the dividing line between the said cadastres, crossing Route 148, a railway right-of-way (Lot 2-28) and Lac Courier that it meets, then its extension into Lac Papineau to its meeting point with the extension of the line dividing the cadastres of the enlargement of Canton de Grenville and Canton de Grenville from the cadastre of Canton de Harrington; easterly, the said extension of the dividing line between the said cadastres crossing the roads and watercourses that it meets; lastly, successively southerly and easterly, the broken dividing line between the cadastres of the townships of Grenville and Wentworth to the starting point.

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

Québec, 31 January 2002

Prepared by: (s) \_\_\_\_\_  
JEAN-FRANÇOIS BOUCHER,  
*Land surveyor*

G-144/1

4980



Gouvernement du Québec

## O.C. 418-2002, 10 April 2002

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

Respecting the amalgamation of the cities of Salaberry-de-Valleyfield and Saint-Timothée and the Municipalité de Grande-Île

WHEREAS, on April 25, 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 this restructuring has begun for the census-enumerated metropolitan region of Montréal, Québec, Outaouais, Saguenay, Sherbrooke and Trois-Rivières;

WHEREAS, on August 24, 2001, the Minister required the cities of Salaberry-de-Valleyfield and Saint-Timothée and the Municipalité de Grande-Île to file a joint application for the amalgamation no later than October 3, 2001 and appointed Jacques Lapointe as a conciliator to assist the municipalities;

WHEREAS the Minister received the joint application for amalgamation within the prescribed time;

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

WHEREAS under section 108 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) it is expedient to grant the joint application with the amendments proposed by the Minister of Municipal Affairs and Greater Montréal:

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

THAT a local municipality issuing from the amalgamation of the cities of Salaberry-de-Valleyfield and Saint-Timothée and Municipalité de Grande-Île, in accordance with the following provisions:

1. The name of the new city is “Salaberry-de-Valleyfield”.

2. The description of the territory of the new city shall be the description drawn up by the Minister of Natural Resources on October 11, 2001; this description appears as Schedule A of this Order in Council.

3. The new city shall be governed by the Cities and Towns Act (R.S.Q., c. C-19) and the following provisions shall apply to the city:

1° sections 12 and 114 of the Act to consolidate the charter of the city of Salaberry-de-Valleyfield (1931-1932, c. 111);

2° The Act respecting the city of Salaberry-de-Valleyfield (1968, c. 102 amended by 1971, c. 107, par. 1979, c. 126 and par. 1989, c. 89);

3° The Act respecting the city of Salaberry-de-Valleyfield (1987, c. 123).

4. The territory of the new city is included in the Municipalité régionale de comté de Beauharnois-Salaberry.

5. Until a majority of the candidates elected in the first general election takes office, a provisional council made up of 15 members shall administer the new city. The representatives appointed by the council of each of the former municipalities to sit on the provisional council are as follows:

### Former Ville de Salaberry-de-Valleyfield :

- Mr. Denis Lapointe, Mayor;
- Ms. Madeleine Lefebvre, Councillor;
- Mr. Claude Reid, Councillor;
- Mr. Jacques Derepentigny, Councillor;
- Mr. Denis Vaudrin, Councillor;
- Mr. Jean-Marc Rochon, Councillor;
- Mr. Pierre-Paul Messier, Councillor;
- Mr. Philippe Carrière, Councillor.

### Former Ville de Saint-Timothée :

- Mr. Jean-Noël Tessier, Mayor;
- Mr. Normand Amesse, Councillor;
- Mr. Gaston Morand, Councillor;
- Mr. Denis Chatigny, Councillor.

**Former Municipalité de Grande-Île :**

- Ms. Madame Nicole-L. Séguin, Mayor.
- Ms. Lucie Joannette, Councillor;
- Mr. Jean Benoit, Councillor.

If a representative of a former municipality resigns or is unable to act, the persons below, in the following order, shall act as the representatives of the former municipality :

**Former Ville de Salaberry-de-Valleyfield :**

- Mr. Michel Meloche, Councillor.

**Former Ville de Saint-Timothée :**

- Mr. Roland Latreille, Councillor.

**Former Municipalité de Grande-Île :**

- Mr. Denis Laître, Councillor.

6. The mayor of the former Ville de Salaberry-de-Valleyfield shall act as mayor of the new city and the mayor of the former Ville de Saint-Timothée shall act as deputy mayor for the term of the provisional council.

7. For the term of the provisional council, the mayors of the former municipalities shall continue to hold their positions on the council of the Municipalité régionale de comté de Beauharnois-Salaberry and shall have the same number of votes as before the coming into force of this Order in Council. Furthermore, they shall continue to hold their positions with the regional county municipality, take part in its committees and carry out any other duties.

8. The quorum of the provisional council shall be the majority of members in office at any time.

9. The first sitting of the provisional council shall be held at the city hall of the former Ville de Salaberry-de-Valleyfield.

10. By-law no. 705 of the former Ville de Salaberry-de-Valleyfield regarding the sittings of the council shall apply to the provisional council until decided otherwise.

11. By-law 1045 respecting the remuneration of the elected councillors of the former Ville de Salaberry-de-Valleyfield shall apply to the provisional council members and to the elected council of the new city until decided otherwise. Nonetheless, the mayor of the former

Ville de Saint-Timothée, in his capacity as deputy mayor of the new city, shall receive for the term of the provisional council, the remuneration that he received as the mayor of the former Ville de Saint-Timothée, as specified in by-law 145 of this former city.

Except for the mayor of the former Ville de Saint-Timothée, provisional council members from municipalities other than the former Ville de Salaberry-de-Valleyfield shall receive that remuneration only while they are members of the provisional council.

Until the end of the fiscal year for which separate budgets have been adopted, the difference between the remuneration received by the provisional council members and the one they would have received as mayor or councillor of their respective municipality shall be considered by the new city council as an expense resulting from the amalgamation and shall be charged to the former municipality and financed directly by the amount paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM).

The new city shall continue to remunerate the council members of the former municipalities who are unable to carry out their term solely because their council was dissolved and, if applicable, shall pay their severance allowance and transition allowance until the end of their current term.

The Government shall participate in the financing of half the expense represented by the payment of the portion of funds referred to under the fourth paragraph that is based on the basic remuneration or, as the case may be, on the minimal annual remuneration, provided under the Act respecting the remuneration of elected municipal officers (R.S.Q. c. T-11.001), of the person eligible for the program and on the amount of the provisional contribution payable with regard to this portion of these funds.

The Government shall transmit to the new city, whose territory includes that of the former municipality where the person eligible for the said sum of money was a member of the council, any amount corresponding to the portion of expenses to which it shall contribute.

12. Until the elected council of the new city decides otherwise, Ms. Murielle Giroux, deputy clerk of the former Ville de Salaberry-de-Valleyfield, shall act as clerk of the new city; Mr. Pierre Lafrance, director general of the former Ville de Salaberry-de-Valleyfield, shall act as director general; Mr. André Hallé, director general of the former Ville de Saint-Timothée, shall act as deputy director general and Mr. Alain Gagnon, direc-

tor general and secretary-treasurer of the former Municipalité de Grande-Île, shall act as deputy director general. Until the elected council of the new city has confirmed these appointments, these people shall continue receiving the salary and fringe benefits to which they were entitled prior to the coming into force of this Order in Council.

13. The first general election shall be held on September 29, 2002. The second general election shall be held in 2005.

Mr. Claude Barette, clerk of the former Ville de Salaberry-de-Valleyfield, shall act as the returning officer for the first general election.

14. For the purposes of the first general election and any by-election held before the second general election, the new city shall be divided into eight electoral districts. The description of the electoral districts appears under “Schedule B” of this Order in Council.

15. At the first general election, the new city council shall be made up of nine members, including a mayor and eight councillors.

For the purposes of the second general election, the new city shall be divided into a number of electoral districts varying between eight and ten. This division shall be carried out in compliance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2)

16. For the first fiscal year in which the new city adopts a budget to cover all of its territory, and up to the sixth fiscal year, a general property tax credit is granted to all taxable immovables located in the sector making up the territory of the former Municipalité de Grande-Île. The rate for this tax credit is \$0.00 per \$100 of assessment for the first fiscal year and it decreases at a rate of \$0.04 per \$100 of assessment annually until its expiration in the sixth year.

17. For the first fiscal year during which the new city adopts a budget to cover all of its territory, and up to the ninth fiscal year of the new city, the difference between the rate specific to the category of non-residential immovables and the base rate set under section 244.38 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) for the former Ville de Saint-Timothée as well as the difference between the rate specific to the category of non-residential immovables and the base rate set under this same section for the former Municipalité de Grande-Île shall correspond to the following proportions of this same difference calculated for the former Ville de Salaberry-de-Valleyfield :

|                    | <b>Saint-Timothée</b> | <b>Grande-Île</b> |
|--------------------|-----------------------|-------------------|
| Fiscal Year 2002 : | 71.4%                 | 62.2%             |
| Fiscal Year 2003 : | 75.5%                 | 66.4%             |
| Fiscal Year 2004 : | 79.6%                 | 70.6%             |
| Fiscal Year 2005 : | 83.7%                 | 74.8%             |
| Fiscal Year 2006 : | 87.7%                 | 79.0%             |
| Fiscal Year 2007 : | 91.8%                 | 83.2%             |
| Fiscal Year 2008 : | 95.9%                 | 87.4%             |
| Fiscal Year 2009 : | 100%                  | 91.6%             |
| Fiscal Year 2010 : | 100%                  | 95.8%             |
| Fiscal Year 2011 : | 100%                  | 100%              |

18. For the first nine fiscal years during which the new city adopts a budget to cover all of its territory, the difference between the rate specific to the category of industrial immovables and the base rate set under section 244.38 of the Act respecting municipal taxation for the former Ville de Saint-Timothée as well as the difference between the rate specific to the category of industrial immovables and the base rate set under this same section for the former Municipalité de Grande-Île shall correspond to the following proportions of this same difference calculated for the former Ville de Salaberry-de-Valleyfield :

|                    | <b>Saint-Timothée</b> | <b>Grande-Île</b> |
|--------------------|-----------------------|-------------------|
| Fiscal Year 2002 : | 69.3%                 | 60.3%             |
| Fiscal Year 2003 : | 73.7%                 | 64.7%             |
| Fiscal Year 2004 : | 78.1%                 | 69.1%             |
| Fiscal Year 2005 : | 82.5%                 | 73.5%             |
| Fiscal Year 2006 : | 86.9%                 | 78.0%             |
| Fiscal Year 2007 : | 91.2%                 | 82.4%             |
| Fiscal Year 2008 : | 95.6%                 | 86.8%             |
| Fiscal Year 2009 : | 100%                  | 91.2%             |
| Fiscal Year 2010 : | 100%                  | 95.6%             |
| Fiscal Year 2011 : | 100%                  | 100%              |

19. For the first five fiscal years during which the new city adopts a budget to cover all of its territory, the reimbursement of loans made during these fiscal years for the performance of rehabilitation works on aqueducts or drainage conduits are to be paid by taxable immovables served by an aqueduct or drainage network in the sector made up of the former municipality where the works are performed, and paid by those in the new city, in the following proportions :

|                    | <b>Sector</b> | <b>New City</b> |
|--------------------|---------------|-----------------|
| Fiscal Year 2003 : | 60%           | 40%             |
| Fiscal Year 2004 : | 50%           | 50%             |
| Fiscal Year 2005 : | 40%           | 60%             |
| Fiscal Year 2006 : | 30%           | 70%             |
| Fiscal Year 2007 : | 20%           | 80%             |

This section does not include conduits where the works have a direct positive impact on the aqueduct or drainage network of some other municipality and conduits that serve public utility buildings.

20. The new city shall succeed to the rights, obligations and liabilities of the municipalities referred to in the amalgamation as they were prior to the coming into force of this Order in Council.

The new city shall become, without continuance of suit, a party to any proceedings in the place and stead of each of the former municipalities.

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

22. Where an intermunicipal agreement provided for the constitution of an intermunicipal board made up in part of the municipalities subject to this amalgamation, the new city may apply to the Minister of Municipal Affairs and Greater Montréal to have the date of the dissolution of the agreement changed to allow for the dissolution of the board. Should the Minister agree, sections 468.48 and 468.49 of the Cities and Towns Act shall apply, adapted as required, from the date a copy of the Minister's acceptance was sent to the intermunicipal board and to the member municipalities.

23. A municipal housing bureau shall be constituted under the name of "Office municipal d'habitation de la Ville de Salaberry-de-Valleyfield". 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 municipal bureau shall succeed on the date of coming into force of this Order in Council to the municipal housing bureau of the former Ville de Salaberry-de-Valleyfield and the former Ville de Saint-Timothée, which was dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) shall apply to the new municipal housing bureau as though it had been incorporated by letters patent under section 57 of that Act.

The bureau shall be administered by a board of directors formed of seven members. Three members shall be appointed by the council of the new city, two shall be

elected by all the lessees of the bureau in accordance with the Act respecting the Société d'habitation du Québec, and two shall be appointed by the Minister of Municipal Affairs and Greater Montréal, after consultation, from among the most representative socio-economic groups of the bureau's territory.

Until the directors are appointed in compliance with the terms provided under the third paragraph of this section, the provisional directors of the new bureau shall be Messrs. Pierre-Paul Messier and Gérard Racine, respectively president and vice-president of the board of directors of the Office d'habitation of the former Ville de Salaberry-de-Valleyfield and Mr. Roland Latreille, director on the board of directors of the Office d'habitation of the former Ville de Saint-Timothée. Should the council of the new city, all the lessees of the new bureau and the Minister of Municipal Affairs and Greater Montréal fail to appoint, prior to July 1, 2002, the members in compliance with the third paragraph of this section, the mandate of the provisional directors terminates on this date.

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

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

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

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

- (1) secure loans on behalf of the bureau;
- (2) issue debentures or other securities of the bureau and use them as a guarantee or dispose of them for the price and amount deemed appropriate;
- (3) hypothecate or use as collateral the present or future immovables or movables of the bureau to ensure the payment of such debentures or other securities, or give only part of the guarantees for those purposes;
- (4) hypothecate the immovables and movables of the bureau or otherwise affect them, or give various types of surety, to ensure the payment of loans secured other than by the issue of debentures, as well as the payment or execution of other debts, contracts and instalments of the bureau; and

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

The employees of the bureaus that have 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.

The budgets of the dissolved bureaus shall remain applicable on the date this Order in Council comes into force. The new bureau's expenditures and revenues for the remaining period of the current fiscal year, shall be accounted for separately on behalf of each of the dissolved bureaus as if the amalgamation had not taken place.

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

24. The new city shall constitute a development fund for social housing.

The new city shall pay into the fund annually an amount at least equal to the basic contribution required to allow the building of housing granted by the Société d'habitation du Québec on its territory.

The Société transmits to the new city information needed for determining the amount to be paid.

25. The new city shall adopt a budget for its entire territory for the 2002 fiscal year. If a budget was adopted by a former municipality for the fiscal year in which this Order in Council comes into force:

(1) the budget shall remain applicable;

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

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

(4) the subsidy paid for the first year of the amalgamation under the Programme d'aide financière au regroupement municipal (PAFREM), after deducting the expenditures recognized by the council under paragraph 3 and financed by the subsidy, shall constitute a reserve to be paid into the general working fund of the new city for the first fiscal year for which it adopts a budget for the entire territory it covers.

26. For purposes of tabling the new city's budget for the fiscal year 2002 before the provisional council, section 474.1 of the Cities and Towns Act shall not apply.

27. Where applicable, any surplus, any balance available from loan by-laws and any reserve and ensuing interest accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted, excluding amounts to be provided in the future referred to under section 29, shall be used for the benefit of the taxpayers of the sector made up of the territory of that former municipality; in particular, to repay their loans, to reduce the taxes applicable to all taxable immovables on their territory or to carry out capital works.

Until December 31, 2012, any amount resulting from the sale of property assets belonging to a former municipality, other than property acquired for unpaid taxes, shall be used for the benefit of the taxpayers of the sector made up of the territory of the former municipality, to repay their loans, to reduce the taxes applicable to all taxable immovables located in that sector or to carry out capital works.

28. If applicable, any deficit accumulated by a former municipality at the end of the last fiscal year in which separate budgets were adopted, excluding amounts to be provided in the future referred to under section 29, shall continue to be charged or credited to the taxable immovables in the sector formed by that municipality.

To make up for any deficit, if applicable, for the former Ville de Saint-Timothée, the new city shall levy, beginning in the first fiscal year during which it adopts a budget, a special tax apportioned over a minimum period of five years and a maximum of ten years on all taxable immovables in the sector made up of the former Ville de Saint-Timothée on the basis of their value as it appears on the assessment rolls in force each year.

29. The balance of amounts to be provided in the future, entered in the ledgers of a former municipality, following the coming into force of the new accounting standards contained in the Manual for presenting municipal financial data, shall be charged or credited to the entire sector made up of the territory of this former municipality. It is depreciated or apportioned in compliance with these new standards.

30. A working fund of \$750,000 shall be created from the working funds of each of the former municipalities. The working funds of the former cities shall be abolished and the amounts in those funds, whether or not committed, shall be transferred into the new working fund up to an amount of \$500,000 for the former Ville de Salaberry-de-Valleyfield, \$157,500 for the former Ville de Saint-Timothée and \$92,500 for the former Municipalité de Grande-Île.

The amounts still available, if applicable, shall be added to the accumulated surplus on behalf of each of the former municipalities. Repayment of instalments unmatured as at December 31, 2002 and transferred into the new fund, shall be considered to be a loan repayment and shall follow the rules established under section 34.

31. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, section 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 city in order to replace all the zoning and subdivision by-laws applicable to its territory by a new zoning by-law and a new subdivision by-law applicable to the entire territory of the new city respectively, provided that such a by-law comes into force within four years of the coming into force of this Order in Council.

Such a by-law shall be approved, in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) by the qualified voters of the entire territory of the new city.

32. Notwithstanding section 422 of the Cities and Towns Act, streets, alleys, sidewalks, roadways and places used for public purposes within the boundaries of the former municipalities shall become the property of the new city and shall be to such end streets, alleys, sidewalks, roadways and public places over their entire surface area. Any claim, any proceedings regarding the ownership of land or tax basis is dissolved and prescribed, if such action has not been instituted within the year following the coming into force of this Order in Council.

33. Until the coordination of land planning by-laws has been completed, by-law 1095 of the former Ville de Salaberry-de-Valleyfield constituting a land planning advisory committee shall apply to the territory of the new city upon the coming into force of this Order in Council and is amended so that at least one representative from each of the former municipalities sits on this committee.

34. The annual repayment of the instalments in principal and interest of the loans made under loan by-laws of a former municipality before the coming into force of this Order in Council shall be charged to the taxable immovables of the sector made up of the territory of the former municipality that contracted them, in accordance with the by-law taxation clauses. If the council decides to amend the taxation clauses in accordance with the law, the amendments may only apply to the taxable immovables located in the sector made up of the territory of this former municipality.

Notwithstanding the first paragraph, the annual repayment of instalments in principal and interest of the loan made under by-laws 942, 957, 1118, 1139, 1143, 1186, 1188 (for the portion concerning the renovation of the city hall), 1199, 1201 and 1202 of the former Ville de Salaberry-de-Valleyfield shall be charged to all the taxable immovables located within the territory of the new city.

The annual repayment of instalments in principal and interest of the loan made under by-law 1207 of the former Ville de Salaberry-de-Valleyfield shall be charged to all the taxable immovables located within the territory of the new city and serviced by an aqueduct network.

The taxation clauses of these by-laws shall be amended accordingly.

35. If applicable, if the sector made up of the territory of the former Ville de Saint-Timothée is serviced with drinking water following a connection with the current network in the sector of the former Ville de Salaberry-de-Valleyfield, the costs of these works plus those required at the water purification plant for providing this service shall be charged to the taxable immovables in the sector formed by the territory of the former Ville de Saint-Timothée serviced by the aqueduct network.

36. The sums accumulated in a special fund constituted by a former municipality for purposes of parks, playgrounds and natural landscapes under section II.1 of Chapter IV of Title I of the Act respecting land use planning and development shall be paid into a special

fund constituted for such purpose by the new city and accounted for separately for the beneficiary use of the sector made up of the territory of this former municipality.

37. Notwithstanding the second paragraph under section 27, the net profit from the sale of immovables acquired under the Act respecting municipal industrial immovables (R.S.Q., c. I-0.1) shall be used only for expenses favouring the industrial development of the new city.

38. The assessed contributions payable to the Société québécoise d'assainissement des eaux under agreements signed between the Québec government and the former municipalities shall be charged to all the taxable immovables of the new city serviced by an aqueduct network.

39. The sums paid by Hydro-Québec to the new city for the works performed by this company at the Langlois Station, located in the sector made up of the territory of the former Ville de Saint-Timothée, are assigned to community-oriented capital works in this sector.

40. The unit constituted by the assessment roll of the former Municipalité de Grande-Île, drawn up for the fiscal years of 2000, 2001 and 2002, the assessment roll of the former Ville de Saint-Timothée, drawn up for the fiscal years of 2001, 2002 and 2003 and the assessment roll of the former Ville de Salaberry-de-Valleyfield, drawn up for the fiscal years of 2002, 2003 and 2004, constitutes the assessment roll for the new city, beginning on the date of the coming into force of this Order in Council until December 31, 2002.

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

With regard to registration on an assessment roll of the new city, which precedes January 1, 2003, it is considered that to establish the actual value that is recorded on this roll, the real estate market conditions pertaining to each of the assessment rolls identified in the first paragraph were taken into account, as they were on July 1st of the second fiscal year that preceded the coming into force of these rolls.

To determine market conditions on the date referred to in the third paragraph, information pertaining to ownership transfers occurring before and after this date may be taken into account.

The reference date to the real-estate market of each of the rolls identified in the first paragraph, mentioned in the third paragraph, shall appear, if applicable, on any assessment notice, tax assessment, notice of change to the roll or any certificate from an assessor issued during the updating of the roll.

The median proportions and comparative factors of the assessment roll of the new city for the 2002 fiscal year that shall appear, if applicable, on any assessment notice, tax assessment, notice of change to the roll or assessor's certificate issued during the updating of the roll shall respectively be those of the assessment rolls mentioned in the first paragraph.

41. The assessment roll for the new city referred to in the first paragraph of section 40 and amended in conformity with the second paragraph of this section, shall remain in force for the 2003 and 2004 fiscal years.

An adjustment of the values recorded in the assessment roll of the new city shall be performed for the assessment units of the former Municipalité de Grande-Île and the former Ville de Saint-Timothée, by dividing them by the median proportion established for the 2002 fiscal year of their respective rolls and by multiplying them by the median proportion established for the 2002 fiscal year of the assessment roll of the former Ville de Salaberry-de-Valleyfield.

Regarding the registering on the assessment roll of the new city for the 2003 and 2004 fiscal years, it is considered that to establish the actual value that is entered on this roll, the real-estate market conditions as they were on July 1, 2000 were taken into account.

To determine market conditions on the date referred to in the third paragraph, information pertaining to ownership transfers occurring before and after this date may be taken into account.

The date mentioned in the third paragraph, shall appear, if applicable, on any assessment notice, tax assessment, notice of change to the roll or any certificate from an assessor issued during the updating of the roll.

The median proportion and comparative factor of the assessment roll of the new city for the 2003 and 2004 fiscal years that shall appear, if applicable, on any assessment notice, tax assessment, notice of change to the roll or assessor's certificate issued during the updating of the roll shall be those that were established by the assessor of the former Ville de Salaberry-de-Valleyfield for the 2002 fiscal year.

The first tri-annual property assessment for the new city shall be drawn up in conformity with section 14 of the Act respecting municipal taxation for the fiscal years 2005, 2006 and 2007.

42. The assessor for the new city is authorized, beginning on the date that this Order in Council comes into force, to perform all acts required by the Act respecting municipal taxation and the regulations issuing therefrom as regards the assessment roll of the new city.

43. Where, for a fiscal year prior to the year in which the first assessment roll drawn up specifically for the city comes into force, the new city sets, under section 244.29 of the Act respecting municipal taxation, a rate for the general property tax that is specific to one of the categories provided for in sections 244.34 and 244.35 of the Act, the coefficient referred to in sections 244.44 and 244.47 of the Act shall be the coefficient that is established on the basis of the comparison of the last two property assessment rolls of the former Ville de Salaberry-de-Valleyfield.

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

Any expense issuing from the decision to appeal a case to a higher court of law shall be charged to the taxable immovables of the new city.

The new city shall, in the event of any debt charged to the sector made up by the territory of the former Ville de Saint-Timothée resulting from a judgment of the Superior Court or, if applicable, from a decision of the Court of Appeal involving litigation opposing the former Ville de Saint-Timothée and the former Ville de Salaberry-de-Valleyfield regarding the agreement pertaining to the membership of Saint-Timothée on the Régie intermunicipale de police des Riverains, levy a special tax apportioned over a minimum period of five years and a maximum of 10 years on all of the taxable immovables of the sector made up of the territory of this former municipality.

45. Any decision of the new city council involving litigation opposing the former Ville de Saint-Timothée and the former Ville de Salaberry-de-Valleyfield regarding the agreement pertaining to the membership of Saint-Timothée on the Régie intermunicipale de police des Riverains, shall be made in the interest of the citizens in the sectors made up of the territory of each of these

former cities. To this end, an affirmative vote by a representative of each of these sectors in the council is required for making the decision.

46. Until a rationalization plan for fire protection services has been adopted, the new city shall maintain all equipment for ensuring this service in the sectors made up from the territory of the former Ville de Saint-Timothée and the former Municipalité de Grande-Île, with at least the same human resources as the ones available upon the date when this Order in Council comes into force.

47. Until a rationalization plan for library services has been adopted, the new city shall maintain public libraries located in the sectors made up from the territory of the former Ville de Saint-Timothée and the former Municipalité de Grande-Île, with at least the same resources as the ones they had at their disposal upon the date of coming into force of this Order in Council.

48. Until a rationalization plan for recreational and open-air equipment has been adopted, the new city shall maintain the open-air activities centre at Île-des-Patriotes located in the sector made up from the territory of the former Municipalité de Grande-Île, as well as the parc des îles de Saint-Timothée.

49. The new city shall draw up and present to the population, before the end of the year 2002, a strategic plan for economic development and an implementation plan.

50. The new city shall draw up, before the end of the year 2002, an integrated quality management policy for its operations so as to satisfy citizens' needs. This policy will make it possible to follow up and evaluate the results of the new city's performance as regards efficiency and quality in the production, delivery and citizen access to various services, and to identify means for improvement, establish objectives and anticipated results and follow up on the implementation of these actions.

51. The new city shall draw up a plan concerning the development of its territory that shall especially take into account its objectives for historic, tourist, community, cultural and social development.

52. Until December 31, 2005, the new city shall maintain, in the premises of the city hall of the former Ville de Saint-Timothée, a service outlet on behalf of citizens from the sector made up of the territory of the former municipality.



53. Policies for recognition and support of organizations, as well as the current practices of granting financial assistance to unaccredited organizations or those financially dependent on the former municipalities shall be maintained under their current form until the second general election or until a master plan is adopted by the new city to favour overall coordination.

54. If the new city decides to set up a public transit system for serving part of its territory, the cost of this service shall be charged to taxable immovables on the territory so served.

55. 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*

## SCHEDULE A

### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW VILLE DE SALABERRY-DE-VALLEYFIELD, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE BEAUHARNOIS-SALABERRY

The current territory of Municipalité de Grande-Île and of the cities of Saint-Timothée and Salaberry-de-Valleyfield, in the Municipalité régionale de comté de Beauharnois-Salaberry, comprising Lot 1 685 969 of the cadastre of Québec (Île d'Aloigny) and, in reference to the cadastres of the parishes of Sainte-Cécile and Saint-Timothée and to the cadastre of the Ville de Salaberry-de-Valleyfield, the lots or parts of lots, the blocks or parts of blocks and their present and future subdivisions as well as the roads, routes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the boundaries described hereinafter, namely: starting from the intersecting point of the centre line of Fleuve Saint-Laurent with the extension of the dividing line between the cadastres of the parishes of Saint-Timothée and Saint-Clément; from there, successively, the following lines and demarcations: southeasterly, said extension and the broken line separating the cadastres of said parishes, this line crossing Route 132, Chemin du Canal Est, the railway right-of-way (Lot 592 of the cadastre of Paroisse de Saint-Timothée), Rang Sainte-Marie Est, Rang Saint-Joseph Est and Canal de Beauharnois that it meets; southwesterly, successively, the dividing line between the cadastres of the parishes of Saint-Timothée and Saint-Louis-de-Gonzague, crossing

Canal de Beauharnois, Route de la Station and the railway right-of-way (Lot 591 of the cadastre of Paroisse de Saint-Timothée) that it meets, then part of the dividing line between the cadastres of the parishes of Sainte-Cécile and Saint-Louis-de-Gonzague up to the centre line of Canal de Beauharnois; in a general northwesterly direction, the centre line of said canal until it meets with the extension, towards the northwest and in Lac Saint-François, of the dividing line between the cadastres of the parishes of Sainte-Cécile and Saint-Stanislas-de-Kostka; in a northwesterly direction, said extension to the centre line of Lac Saint-François; in reference to the cadastre of Paroisse de Sainte-Cécile, in a general northeasterly direction, successively, the centre line of said lake then an irregular line passing halfway between Île aux Chats (Lot 99) and the southeastern shore of Baie Saint-François until it meets with a straight line linking the northwestern tip of the southwestern line of Lot 1504 at the intersection of the southeastern shore of said bay with the southeastern limit of the right-of-way of the road linking said island to land; northwesterly, part of this straight line up to the southeastern limit of said right-of-way; southwesterly, said southeastern limit; in a clockwise direction, the contour of Île aux Chats (Lot 99) up to the northwestern limit of the right-of-way of the road linking this island to land; northeasterly, the northwestern limit of said right-of-way to the southeastern shore of Fleuve Saint-Laurent; in a general northeasterly direction, the southeastern shore of said river up to the dividing line of the cadastres of the parishes of Sainte-Cécile and Saint-Timothée; northwesterly, the extension of this latter line to the centre line of Fleuve Saint-Laurent; finally, in a general easterly direction, the centre line of said river, downstream and passing to the south of the islands that are part of the cadastre of Paroisse de Saint-Joseph-des-Cèdres and to the north of the islands that are part of the cadastre of Paroisse de Saint-Timothée, to the starting point.

The said boundaries define the territory of the new Ville de Salaberry-de-Valleyfield, in the Municipalité régionale de comté de Beauharnois-Salaberry.

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

Charlesbourg, 11 October 2001

Prepared by:

JEAN-FRANÇOIS BOUCHER,  
*Land surveyor*

**SCHEDULE B**

Province of Québec  
Ville de Salaberry-de-Valleyfield  
Municipalité régionale de Comté de Beauharnois-Salaberry

**TECHNICAL DESCRIPTION OF THE ELECTORAL DISTRICTS****Electoral district #1**

Bounded to the northwest and the north by Fleuve Saint-Laurent, to the northeast by the dividing line between the cadastres of the parishes of Sainte-Cécile and Saint-Timothée, to the southeast by Rang du Milieu, to the south and the southeast by Boulevard Monseigneur Langlois and Rue des Bétonnières up to the northeastern limit of Lot 95 of the cadastre of Paroisse de Sainte-Cécile, to the northeast by the northeastern limit of said Lot 95, to the southeast by the Canadian National railway line up to the shore of Baie Saint-François and to the west by the shore of Baie Saint-François and of Fleuve Saint-Laurent. Île aux chats and Île d'Aloigny are also part of this district.

**Electoral district #2**

Bounded to the north by the centre line of Fleuve Saint-Laurent, to the southeast by the centre line of Rivière Saint-Charles and its extension to reach the centre line of Fleuve Saint-Laurent passing to the north of Île Forest, to the northeast by Rue Masson, to the northwest by Rue Léger up to its intersection with Rue du Ruisseau, to the northeast by Rue du Ruisseau and its extension to the centre line of the old Canal de Beauharnois, to the southeast by the centre line of the old Canal de Beauharnois, to the southwest by the dividing line between the cadastres of the parishes of Sainte-Cécile and Saint-Timothée, to the southeast by Rang du Milieu and to the southwest and the southeast by the dividing line between the cadastres of the parishes of Sainte-Cécile and Saint-Timothée and its extension to the centre line of Fleuve Saint-Laurent.

**Electoral district #3**

Bounded to the northwest by the Canadian National railway line (from the shore of Baie Saint-François up to the northeastern limit of Lot 95 of the cadastre of Paroisse de Sainte Cécile), to the southwest by the northeastern limit of said Lot 95, to the northwest by Rue des Bétonnières and Boulevard Monseigneur Langlois, to the northeast by Rue Maden and its extension to the centre of Rivière Saint-Charles, to the southeast by the centre line of Rivière Saint-Charles, to the south and the southeast by the centre line of Baie Saint-François and to the west by the boundaries of the city.

**Electoral district #4**

Bounded to the north by Boulevard Monseigneur Langlois, to the northwest by Rang du Milieu, to the northeast by the dividing line between the cadastres of the parishes of Sainte-Cécile and Saint-Timothée, to the southeast, the south and the southwest by the centre line of Rivière Saint-Charles and its southern branch, to the south by Jetée Victoria and the centre line of the old Canal de Beauharnois, to the west by Avenue du Centenaire, to the northwest by the centre line of Rivière Saint-Charles, and to the southwest by Rue Maden and its extension to the centre of Rivière Saint-Charles.

**Electoral district #5**

Bounded to the northwest by the boundaries of the city and the centre line of Baie Saint-François up to the extension of Boulevard Quevillon, to the northeast by Boulevard Quevillon and its extension in said bay, to the northwest by the rear lot line of the lots of Rue Saint-Joseph (northwestern side), to the northeast by Rue Bissonnette, to the southeast by Rue Taillefer, to the northeast by the extension of Boulevard Quevillon to the centre line of Canal de Beauharnois (St. Lawrence Seaway), to the south by the centre line of Canal de Beauharnois and to the west and the northwest by the boundaries of the city.

**Electoral district #6**

Bounded to the northwest and the north by the centre line of Baie Saint-François, to the east by Avenue du Centenaire, to the north by the centre line of Canal de Beauharnois and Jetée Victoria, to the northeast by the southwestern limit of Lot 131-90 and its extension to the centre line of the southern branch of Rivière Saint-Charles, to the southeast by the southeastern limit of Lot 131-90 and its extension to the rear lot line of the lots of Rue Quenneville (northeastern side), to the northeast by the rear lot line of the lots of Rue Quenneville (northeastern side) and its extension to the CSX railway line, to the south and the southeast by the CSX railway line, to the southwest by Rue Jacques-Cartier, to the southeast by Avenue du Parc and its extension to Rue Jeanne-Mance, to the northeast by Rue Jeanne-Mance, to the southeast by Rue Poissant and its extension to Rue Saint-François, to the southwest by Rue Saint-François, to the southeast by the rear lot line of the lots of Rue Poissant (northwestern side), to the southwest by Rue Bissonnette, to the southeast by the rear lot line of the lots of Rue Saint-Joseph (northwestern side) and to the southwest by Boulevard Quevillon and its extension to the centre line of Baie Saint-François.

**Electoral district #7**

Bounded to the northwest and the north by the CSX railway line, to the northeast by the southwestern limit of Lot 139-112 and its extension to the CSX railway line, to the northwest by the extension of Rue Trudeau (from the southwestern limit of Lot 135-172 to the southwestern limit of Lot 139-112), to the northeast by the southwestern limit of Lot 135-172, to the northeast by the southwestern limit of Lot 131-75 and its extension to Autoroute 30, to the northeast by the southwestern limit of Lot 130-3, to the north by the southern limit of lots 1352, 129-4 and 130-3, to the northeast by the northeastern limit of Lot 187-3 and its extension to the southeast to the boundaries of the city, to the southeast by the boundaries of the city, to the south by the centre line of Canal de Beauharnois (St. Lawrence Seaway), to the southwest by the extension of Boulevard Quevillon, to the northwest by Rue Taillefer, to the southwest by Rue Bissonnette, to the northwest by the rear lot line of the lots of Rue Poissant (northwestern side), to the northeast by Rue Saint-François, to the northwest by Rue Poissant and its extension to rue Saint-François, to the southwest by Rue Jeanne-Mance, to the northwest by Avenue du Parc and its extension to Rue Jeanne-Mance and to the northeast by Rue Jacques-Cartier.

**Electoral district #8**

Bounded to the northwest by the centre line of Rivière Saint-Charles and its extension to reach the centre line of Fleuve Saint-Laurent passing to the north of Île Forest, to the north by the centre line of Fleuve Saint-Laurent, to the northeast, the east and the southeast by the boundaries of the city, to the southwest by the northeastern limit of Lot 187-3 and its extension to the southeast up to the boundaries of the city, to the south by the southern limit of lots 1352, 129-4 and 130-3, to the southwest by the southwestern limit of Lot 130-3, to the southwest by the southwestern limit of Lot 131-75 and its extension to Autoroute 30, to the southwest by the southwestern limit of Lot 135-172, to the southeast by the extension of Rue Trudeau (from the southwestern limit of Lot 135-172 to the southwestern limit of Lot 139-112), to the southwest by the southwestern limit of Lot 139-112 and its extension to the CSX railway line, to the north by the CSX railway line, to the southwest by the rear lot line of the lots of Rue Quenneville (northeastern side) and its extension to the CSX railway line, to the northwest by the southeastern limit of Lot 131-90 and its extension to the rear lot line of the lots of Rue Quenneville (northeastern side), to the southwest by the southwestern limit of Lot 131-90, and its extension to the centre line of the southern branch of Rivière Saint-Charles, to the north-

east, the north and the northwest by the centre line of Rivière Saint-Charles and its southern branch up to its intersection with the dividing line between the cadastres of the parishes of Sainte-Cécile and Saint-Timothée, to the northeast by the dividing line between the cadastres of the parishes of Sainte-Cécile and Saint-Timothée, to the northwest by the centre line of the old Canal de Beauharnois, to the southwest by Rue du Ruisseau and its extension to the centre line of the old Canal de Beauharnois, to the southeast by Rue Léger and to the southwest by Rue Masson.

Signed at Salaberry-de-Valleyfield, this twenty-fifth day of the month of March in the year two thousand and two (2002), under number two thousand and six (2006) of my minutes.

26 March 2002

MICHEL CAZA,  
*Land surveyor*

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