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# Laws and Regulations

# **Summary**

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# **Coming into force of Acts**

Gouvernement du Québec

### **O.C. 689-2002,** 5 June 2002

# An Act respecting transportation services by taxi (2001, c. 15)

#### Coming into force of certain provisions

Coming into force of certain provisions of the Act respecting transportation services by taxi

WHEREAS the Act respecting transportation services by taxi (2001, c. 15) was assented to on 21 June 2001;

WHEREAS, under section 152 of the Act, the provisions of the Act come into force on the date or dates to be fixed by the Government, except sections 35 to 47, 72 to 78 and 135 to 138 which came into force on 21 June 2001;

WHEREAS the Government fixed 15 May 2002 as the date of coming into force of the third paragraph of section 10 and subparagraphs 4 and 8 of the first paragraph of section 79 of the Act by Order in Council 556-002 dated 7 May 2002;

WHEREAS it is expedient to fix 5 June 2002 as the date of coming into force of the fourth paragraph of section 12 and section 88 of the Act;

WHEREAS it is expedient to fix 30 June 2002 as the date of coming into force of sections 1 to 9, the first and second paragraphs of section 10, section 11, the first, second and third paragraphs of section 12, sections 13 to 17, section 18 except subparagraph 1 of the third paragraph, sections 19 to 25, section 26 except subparagraph 3 of the first paragraph, sections 27 to 34, 48 to 71, subparagraphs 1 to 3, 5 to 7 and 9 to 12 of the first paragraphs of that section, sections 80 to 87, 89 to 134 and 139 to 151 of the Act;

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

THAT the fourth paragraph of section 12 and section 88 of the Act respecting transportation services by taxi (2001, c. 15) come into force on 5 June 2002;

THAT sections 1 to 9, the first and second paragraphs of section 10, section 11, the first, second and third paragraphs of section 12, sections 13 to 17, section 18 except subparagraph 1 of the third paragraph, sections 19 to 25, section 26 except subparagraph 3 of the first paragraph, sections 27 to 34, 48 to 71, subparagraphs 1 to 3, 5 to 7 and 9 to 12 of the first paragraph of section 79, the second, third and fourth paragraphs of that section, sections 80 to 87, 89 to 134 and 139 to 151 of the Act come into force on 30 June 2002.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

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## **Regulations and other acts**

Gouvernement du Québec

### O.C. 609-2002, 29 May 2002

An Act respecting the Ministère du Conseil exécutif (R.S.Q., c. M-30)

#### Ministère du Conseil exécutif — Signing of certain documents

Regulation to amend the Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif

WHEREAS, under the first paragraph of section 2 of the Act respecting the Ministère du Conseil exécutif (R.S.Q., c. M-30), no deed, document or writing shall bind the department or be attributed to the Prime Minister in his capacity as Chairman of the department unless it is signed by him, by the Deputy Minister or by a functionary, and only, as regards the latter, to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS, under section 3 of the Act, every copy of a document from the records of the department, certified true by a person authorized to sign that document in conformity with the first paragraph of section 2 of the Act, is authentic and has the same force as the original;

WHEREAS the Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif was made by Order in Council 717-2000 dated 15 June 2000;

WHEREAS it is expedient to amend the Regulation;

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

THAT the Regulation to amend the Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif, attached to this Order in Council, be made.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

### Regulation to amend the Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif<sup>\*</sup>

An Act respecting the Ministère du Conseil exécutif (R.S.Q., c. M-30, s. 2, 1st par. and s. 3)

**I**• The Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif is amended by substituting the following for section 3:

**"3.** The Director General for Administration is authorized to sign on behalf of the Premier, and with the same effect, for all the programs of the department, any deed, document or writing, up to an amount of \$500 000 in the case of services contracts, purchase contracts, leasing contracts, leases, purchases of capital assets and construction of immovables.

The Director of Human, Financial and Material Resources is authorized to sign on behalf of the Premier, and with the same effect, for all the programs of the department, services contracts, purchase contracts and leasing contracts, up to an amount of \$25 000.

The Director of Data Processing and Records Management is authorized to sign on behalf of the Premier, and with the same effect, for all the programs of the department, services contracts, purchase contracts and leasing contracts, up to an amount of \$25 000.

The Head of the Service des ressources financières is authorized to sign on behalf of the Premier, and with the same effect, for all the programs of the department, services contracts, purchase contracts and leasing contracts, up to an amount of \$10 000.

The Head of the Service des ressources matérielles is authorized to sign on behalf of the Premier, and with the same effect, for all the programs of the department, services contracts, purchase contracts and leasing contracts, up to an amount of \$10 000.

<sup>&</sup>lt;sup>\*</sup> The Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif, made by Order in Council 717-2000 dated 15 June 2000 (2000, *G.O.* 2, 2847) has not been amended since it was made.

The Head of the Service des ressources humaines is authorized to sign on behalf of the Premier, and with the same effect, for all the programs of the department, services contracts, purchase contracts and leasing contracts, up to an amount of \$10 000.".

**2.** The following is substituted for sections 7, 8 and 9:

**"7.** The Director of Internal Trade and Québec External Policy is authorized to sign on behalf of the Premier, and with the same effect, with respect to the administration of the Coopération intergouvernementale et Francophonie program and for the administration of Québec offices in Canada, services contracts, purchase contracts and leasing contracts, up to an amount of \$25 000.

Any head of post of Québec offices in Canada is authorized to sign on behalf of the Premier, and with the same effect, services contracts, purchase contracts and leasing contracts for that administrative unit, up to an amount of \$10 000.

**8.** The Associate Secretary General for Native Affairs is authorized to sign on behalf of the Premier, and with the same effect, any deed, document or writing concerning the administration of the Native Affairs program.

The Assistant Secretary for Relations with Native Persons is authorized to sign on behalf of the Premier, and with the same effect, any deed, document or writing concerning the administration of the Native Affairs program, up to an amount of \$100 000.

The Assistant Secretary for Government Relations and Communications is authorized to sign on behalf of the Premier, and with the same effect, any deed, document or writing concerning the administration of the Native Affairs program, up to an amount of \$100 000.

The Head of the office of the Associate Secretary General for Native Affairs is authorized to sign on behalf of the Premier, and with the same effect, services contracts, purchase contracts and leasing contracts for the Native Affairs program, up to an amount of \$10 000.

**9.** The Associate Secretary General, the Assistant Secretary for Government Relations and Communications, the Assistant Secretary for Relations with Native Persons or the person responsible for the registry of agreements relating to Native affairs is authorized to certify as true the copies of documents kept under Division III.2 of the Act respecting the Ministère du Conseil exécutif.

**9.1** The Associate Secretary General for the Secrétariat à la jeunesse is authorized to sign on behalf of the Premier, and with the same effect, any deed, document or writing concerning the administration of the Secrétariat, up to an amount of \$10 000.

The Assistant Secretary for the Secrétariat à la jeunesse is authorized to sign on behalf of the Premier, and with the same effect, any deed, document or writing concerning the administration of the Secrétariat, up to an amount of \$10 000.

**9.2** The Associate Secretary General for the Bureau de la Capitale Nationale is authorized to sign on behalf of the Premier, and with the same effect, any deed, document or writing concerning the administration of the Développement de la Capitale-Nationale program.".

**3.** Section 10 is amended by substituting the words "Réjean Vallerand and to Martine Nadeau, for as long as they perform their" for "Mr. Réjean Vallerand, for as long as he performs his".

**4.** Order in Council 1035-2001 dated 12 September 2001 is revoked.

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

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Gouvernement du Québec

### **O.C. 615-2002**, 29 May 2002

An Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16)

#### Terms and conditions for computing pensions of mayors and councillors — Amendment

Regulation to amend the Regulation respecting terms and conditions for computing pensions of mayors and councillors

WHEREAS, under section 42 of the Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16), the Government may make a regulation to determine the terms and conditions for purposes of computing the pension provided for in the Act;

WHEREAS the Government made the Regulation respecting terms and conditions for computing pensions of mayors and councillors (R.R.Q., 1981, c. R-16, r.6);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a regulation may be made without the prior publication of a draft regulation in the *Gazette* officielle du Québec if the authority making the regulation is of the opinion that the urgency of the situation requires it;

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

WHEREAS the purpose of the amendment proposed by the Regulation to amend the Regulation respecting terms and conditions for computing pensions of mayors and councillors is to immediately correct a situation that could create a serious imbalance among the beneficiaries of the retirement plan of the mayors and councillors of municipalities and threaten the plan's financial stability;

WHEREAS compliance with the normal procedure and periods with regard to the publication of a draft regulation and the date of coming into force of the regulation on the fifteenth day following its publication in the *Gazette officielle du Québec*, provided for in sections 11 and 17 of the Regulations Act, could make the proposed amendment obsolete;

WHEREAS the Government is of the opinion that the urgency due to those circumstances justifies the coming into force of the Regulation to amend the Regulation respecting terms and conditions for computing pensions of mayors and councillors without the publication of a draft regulation and justifies the coming into force of the Regulation on the date of its publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting terms and conditions for computing pensions of mayors and councillors, attached to this Order in Council, be made.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

### Regulation to amend the Regulation respecting terms and conditions for computing pensions of mayors and councillors<sup>\*</sup>

An Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16, s. 42)

**1**. Section 2 of the Regulation respecting terms and conditions for computing pensions of mayors and councillors is amended by substituting the following for paragraph *a*:

"(*a*) effective from the date of computation of the pension, the interest applicable to the accrued sum is credited for a period of ten years at a rate of 11% per year and at a rate of 6% per year for the following years;".

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

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Gouvernement du Québec

#### O.C. 620-2002, 29 May 2002

An Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1)

#### Acquisition of books by certain persons from accredited bookstores — Amendments

Regulation to amend the Regulation respecting the acquisition of books by certain persons from accredited bookstores

WHEREAS, under section 38 of the Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1), the Government may make regulations to dispense, in whole or in part, a category of persons, of undertakings or of activities from the application of this Act and the regulations;

<sup>\*</sup> The Regulation respecting terms and conditions for computing pensions of mayors and councillors (R.R.Q., 1981, c. R-16, r.6) has not been amended since its consolidation.

WHEREAS the Government made the Regulation respecting the acquisition of books by certain persons from accredited bookstores (R.R.Q., 1981, c. D-8.1, r.1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 38, any draft regulation contemplated in that section shall be submitted to the advisory board on reading and the book industry for examination;

WHEREAS the draft Regulation to amend the Regulation respecting the acquisition of books by certain persons from accredited bookstores was submitted to the advisory board on reading and the book industry for examination and the advisory board gave its advice on 4 February 2002;

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 acquisition of books by certain persons from accredited bookstores, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 3 April 2002, on page 2099, with a notice that it could be made by the Government upon the expiry of a 45-day period following that publication;

WHEREAS it is expedient to make the Regulation without amendment after consultations held with the advisory board on reading and the book industry;

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

THAT the Regulation to amend the Regulation respecting the acquisition of books by certain persons from accredited bookstores, attached to this Order in Council, be made.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

### Regulation to amend the Regulation respecting the acquisition of books by certain persons from accredited bookstores<sup>\*</sup>

An Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1, ss. 3 and 38)

**1**. The Regulation respecting the acquisition of books by certain persons from accredited bookstores is amended by inserting the following after section 8:

**"8.1.** The Bibliothèque nationale du Québec may acquire books from an accredited bookstore in any region if the acquisitions are divided up in accordance with this Regulation.".

**2.** Section 10 is amended by substituting ", 8 and 8.1" for "and 8".

**3.** 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. 627-2002, 29 May 2002

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

#### Income support — Amendments

Regulation to amend the Regulation respecting income support

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

<sup>&</sup>lt;sup>\*</sup> The Regulation respecting the acquisition of books by certain persons from accredited bookstores (R.R.Q., 1981, c. D-8.1, r.1) was last amended by the Regulation made by Order in Council 832-92 dated 10 June 1992 (1992, *G.O.* 2, 2909). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting income support was published in Part 2 of the *Gazette officielle du Québec* of 20 March 2002, p. 1619, with a notice that it could be made by the Government upon the expiry of a 45-day period from that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Social Solidarity and Child and Family Welfare and Minister of Social Solidarity:

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

JEAN ST-GELAIS, Clerk of the Conseil exécutif

#### **Regulation to amend the Regulation** respecting income support<sup>\*</sup>

An Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001, s. 156, par. 12, and s. 160)

**L** Section 36 of the Regulation respecting income support is amended by substituting the amounts "\$107.75", "\$90.58" and "\$84.08" for the amounts "\$104.58", "\$87.91" and "\$81.66".

**2.** Section 39 is amended by substituting "\$264.75 for the first child, \$247.58 for the second child and \$247.75 for each subsequent child" for "\$234.50 for the first child; and \$217.33 for the second and each subsequent child" after the word "education:".

**3.** Section 1 comes into force on 1 July 2002.

**4.** Section 2 comes into force on 1 August 2002.

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Gouvernement du Québec

### O.C. 641-2002, 29 May 2002

An Act respecting transportation services by taxi (2001, c. 15)

# Establishment, division, delimitation and merging of taxi areas

Establishment, division, delimitation and merging of taxi areas

WHEREAS the Act respecting transportation services by taxi (2001, c. 15) was assented to on 21 June 2001;

WHEREAS the Government set 15 May 2002 as the date of coming into force of subparagraph 4 of the first paragraph of section 79 of the Act by Order in Council 556-2002 dated 7 May 2002;

WHEREAS that provision authorizes the Government to determine the criteria and factors that the Commission des transports du Québec must consider to establish, divide, delimit or merge areas in the territory of a municipal or supramunicipal authority;

WHEREAS it is expedient to determine those criteria and factors;

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

THAT the Commission des transports du Québec take into account the following general criteria and factors to establish, divide, delimit or merge taxi areas in the territory of a municipal or supramunicipal authority:

(1) preservation of the continuity of the urban fabric;

(2) consolidation of zones of influence and zones with which people identify themselves;

(3) the territorial delimitation of municipalities, regional county municipalities and metropolitan communities;

THAT the Commission consider, to establish and delimit the first areas, the taxi areas established under the Act respecting transportation by taxi (R.S.Q., c. T-11.1) and the mergers of certain municipal territories although, in the latter case, the territory of a taxi area does not have to correspond to the territory of a borough.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

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<sup>\*</sup> The Regulation respecting income support, made by Order in Council 1011-99 dated 1 September 1999 (1999, *G.O.* 2, 2881), was last amended by Order in Council 279-2002 dated 13 March 2002 (2002, *G.O.* 2, 1615). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

Gouvernement du Québec

### O.C. 690-2002, 5 June 2002

An Act respecting transportation services by taxi (2001, c. 15)

#### Taxi transportation

Taxi transportation regulation

WHEREAS the Act respecting transportation services by taxi (2001, c. 15) was assented to on 21 June 2001;

WHEREAS section 88 of the Act provides that the Government may make a regulation on the matters set forth in that section;

WHEREAS section 141 provides that the first regulation enacted under the Act is not subject to the publication requirements of section 8 of the Regulations Act (R.S.Q., c. R-18.1);

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

THAT the Taxi Transportation Regulation, attached hereto, be made.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

### **Taxi Transportation Regulation**

An Act respecting transportation services by taxi (2001, c. 15, s. 88)

#### **DIVISION I** ISSUE OF PERMITS

ISSUE OF PERMITS

*§1.* Taxi owner's permit

**1.** In addition to the conditions provided for in the first paragraph of section 8, the second paragraph of section 11 and the second paragraph of section 19 of the Act respecting transportation services by taxi (2001, c. 15), every natural person, in order to obtain a taxi owner's permit from the Commission des transports du Québec, must

(1) be a Canadian citizen or a permanent resident within the meaning of the Immigration Act (R.S.C., 1985, c. I-2);

(2) be of full age;

(3) provide a negative search certificate for the purposes of the first and third paragraphs of section 18 of the Act respecting transportation services by taxi;

(4) be the holder of a taxi driver's permit allowing the applicant to carry out that occupation in the urban area for which the taxi owner's permit is requested;

(5) have the knowledge or experience required to operate a taxi transportation business;

(6) file an inventory of human and material resources for the purpose of establishing the applicant's ability to administer such a business;

(7) submit budget estimates covering a period of at least 12 months, so that the profitability of the business may be evaluated; and

(8) pay a fee of \$250 to the Commission.

Where a municipal or supramunicipal authority levies a fee in addition to that referred to in subparagraph 8 of the first paragraph, the fee payable for obtaining a taxi owner's permit on its territory is decreased to \$25.

**2.** Holders of a taxi owner's permit must keep their permit or a permit certificate issued by the Commission in the taxi to which it is attached at all times.

When the taxi is in service, the permit or certificate must be kept in the glove compartment and be available should a client ask to consult it.

**3.** Holders of a taxi owner's permit must notify the Commission in writing within 30 days of any change in their name or their domicile address.

§2. Taxi driver's permit

**4.** In order to obtain a taxi driver's permit from the Société de l'assurance automobile du Québec, a person must

(1) be a Canadian citizen or a permanent resident within the meaning of the Immigration Act;

(2) be of full age;

(3) hold a Class 4C driver's license issued under the Regulation respecting licenses, enacted by Order in Council 1421-91 dated 16 October 1991;

(4) understand, speak and read French sufficiently to carry on the occupation;

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(5) provide a negative search certificate for the purposes of subparagraphs 2 to 4 of the first paragraph of section 26 of the Act respecting transportation services by taxi;

(6) not have had his or her taxi driver's permit suspended or revoked under section 30 of the Act, before three months have elapsed from the date of the end of the suspension or revocation;

(7) if applicable, not have failed, at least in the past month, the examination referred to in subparagraph 1 of the first paragraph of section 26 of the Act; the passing grade for the examination is 60% and the fees payable are \$25;

(8) if applicable, produce a certificate attesting that the person attended the course referred to in paragraph 1 of section 27 of the Act;

(9) if applicable, produce a certificate attesting that the person attended the course referred to in paragraph 2 of section 27 of the Act; and

(10) pay a fee of \$25, plus \$10 for each permit issued to replace a lost or damaged permit, to the Société or, if applicable, pay the fees required by a municipal or supramunicipal authority referred to in the second paragraph of section 25 of this Act.

**5.** When on duty, holders of a taxi driver's permit must display their taxi driver's permit so that a client sitting in the back seat can read the information it contains.

**6.** Holders of a taxi driver's permit must notify the Société within 30 days of any change in their name or their domicile address. However, if the permit was issued by an authorized municipal or supramunicipal authority, the holder must notify that authority.

*§3. Taxi transportation service intermediary's permit* 

**7.** A person or partnership, in order to obtain a taxi transportation service intermediary's permit from the Commission, must

(1) have the knowledge or experience required to operate a taxi transportation service intermediary business;

(2) file an inventory of human, material and information resources for the purpose of establishing the ability to administer such a business; (3) in the case of a person or a partnership, be entered in the register of sole proprietorships, partnerships and legal persons under section 58 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

(4) not have had the taxi transportation service intermediary's permit suspended or revoked under subparagraph 3 of the first paragraph of section 79 of the Act respecting transportation services by taxi, before three months have elapsed from the date of the end of the suspension or revocation;

(5) show that the services to be offered meet a need in the urban area concerned, in particular with regard to the transportation services required by disabled persons;

(6) file the draft of the general by-law to be imposed upon holders of a taxi owner's permit and holders of a taxi driver's permit who contract the applicant's services;

(7) file a copy of the contract to be concluded with holders of a taxi owner's permit and holders of a taxi driver's permit who contract the applicant's services; and

(8) pay a fee of \$250 to the Commission.

**8.** Holders of a taxi transportation service intermediary's permit must notify the Commission in writing within 30 days of any change in their name or in their domicile or head office address.

#### **DIVISION II**

ASSIGNMENT, TRANSFER AND RENEWAL OF PERMITS

**9.** A person or partnership, in order to obtain authorization from the Commission to assign or transfer a taxi owner's permit issued before 15 November 2000, must

(1) have the knowledge or experience required to operate a taxi transportation business;

(2) file an inventory of human and material resources for the purpose of establishing the ability to administer such a business; and

(3) pay a fee of \$250 to the Commission.

In addition to the conditions provided for in the first paragraph, a natural person must

(1) be a Canadian citizen or permanent resident within the meaning of the Immigration Act; (2) be of full age; and

(3) provide a negative search certificate for the purposes of the first and third paragraphs of section 18 of the Act respecting transportation services by taxi.

In addition to the conditions provided for in the first paragraph, a legal person or a partnership must provide, in respect of its managers and its chief shareholder, a negative search certificate for the purposes of the first and third paragraphs of section 18 and subparagraphs 2 to 4 of the first paragraph of section 26 of the Act.

**10.** Notwithstanding section 9, a hypothecary creditor or an heir is only subject to the condition referred to in subparagraph 3 of the first paragraph of that section if the application is only to obtain authorization to assign or transfer the taxi owner's permit to a third party within no more than 90 days from the date of the Commission's decision.

**11.** Notwithstanding section 9, a person may not apply to the Commission to be assigned or transferred a taxi owner's permit if the person possesses or controls, directly or indirectly, over 20 taxi owner's permits, unless these permits were acquired before 1 November 1973 or unless they are for transportation services required by disabled persons using an accessible vehicle.

**12.** The taxi owner's permit holder referred to in section 11 who has obtained authorization to assign or transfer a permit may not then proceed to increase the number of permits thus reduced to over 20.

**13.** For a taxi owner's permit to be renewed, the holder must pay an annual fee of \$100 to the Commission and, if applicable, pay any fine referred to in the second paragraph of section 84 of this Act.

Where a municipal or supramunicipal authority levies an annual fee in addition to that referred to in the first paragraph, the fee payable for renewing a taxi owner's permit in its territory is decreased to \$10 annually.

**14.** The holder of a taxi owner's permit referred to in section 13 is subject to the provisions of sections 2 and 3.

**15.** For a taxi driver's permit to be renewed, a person must pay a fee of \$50 every two years to the Société de l'assurance automobile du Québec or, if applicable, to the municipal or supramunicipal authority referred to in the second paragraph of section 25 of the Act.

**16.** For the purposes of section 15, a taxi driver's permit is renewed during the three months preceding the birthday of its holder, as follows:

(1) if the holder's date of birth falls in an evennumbered year, the fee for renewal of the permit is payable during the first even-numbered year after the permit was issued and then every two years after that during the same period preceding the holder's birthday;

(2) if the holder's date of birth falls in an oddnumbered year, the fee for renewal of the permit is payable during the first odd-numbered year after the permit was issued and then every two years after that during the same period preceding the holder's birthday.

**17.** A taxi driver's permit must at least contain the date of the beginning and the end of its period of validity, the name of the holder and the Société's name or, if applicable, the name of the authorized municipal or supramunicipal authority which issued it.

The holder of the taxi driver's permit must sign it.

**18.** To have a taxi transportation service intermediary's permit renewed, its holder must

(1) submit a statement of the human, material and information resources available for administering and operating the business;

(2) submit a description of the services provided to the public and to contracting parties, whether they are holders of a taxi owner's permit or holders of a taxi driver's permit;

(3) file a copy of the general by-law in effect;

(4) file a copy of the contract concluded with holders of a taxi owner's permit and taxi drivers; and

(5) pay a fee of \$100 to the Commission.

#### **DIVISION III**

ACQUISITION OF INTEREST AND SPECIALIZATION OF SERVICES

**19.** A person or a partnership applying for authorization to acquire an interest in the business of a holder of a taxi owner's permit must file with the Commission a copy of the document attesting to that interest as well as proof that the notice of acquisition was served on the taxi owner's permit holder concerned, and pay a fee of \$250 to the Commission.

**20.** In order to obtain authorization for a taxi business to specialize in limousine and "de grand luxe" limousine services, a person must

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(1) have the knowledge or experience needed to offer such a specialized service;

(2) file an inventory of human and material resources establishing the ability to administer such a specialized service;

(3) show that the services to be offered meet a service need in the territory concerned;

(4) submit budget estimates covering a period of at least 12 months, so that the profitability of the specialized service may be evaluated;

(5) establish that the automobile to be attached to the permit complies with the provisions of Division IV and that its chassis was manufactured less than two years before the date of the specialization application in the case of a limousine or less than four years before in the case of a "de grand luxe" limousine;

(6) file a copy of the purchase, leasing or rental contract, which must have been concluded for a term of at least one year, for an automobile referred to in paragraph 5, as well as a copy of the contract for converting an automobile into a "de grand luxe" limousine, if applicable; the contracts may be conditional upon service specialization authorization by the Commission;

(7) specify the rates to be charged; and

(8) pay a fee of \$250 to the Commission.

**21.** In order to obtain authorization for a taxi business to specialize in transportation with personal attendants for beneficiaries of the health care system, a person must

(1) have the knowledge or experience needed to offer such a specialized service;

(2) file an inventory of human and material resources establishing the ability to administer and operate such a specialized service;

(3) show that the services to be offered meet a clientbase need in the territory concerned;

(4) submit a written commitment to have all holders of a taxi driver's permit in the applicant's service, once service specialization authorization is obtained from the Commission, take at least the part of the course referred to in the first paragraph of section 27 that bears on the knowledge required for the transportation of disabled persons; (5) submit budget estimates for a period of at least 12 months, so that the profitability of the specialized services applied for may be evaluated;

(6) file a copy of the contract for transportation with personal attendants for beneficiaries of the health care system concluded with a public institution within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or a regional health and social services council within the meaning of the Act; the contract may be conditional upon service specialization authorization by the Commission;

(7) file a copy of the purchase, leasing or rental contract, which must have been concluded for a term of at least one year, for the automobile or vehicle to be used; and

(8) pay a fee of \$250 to the Commission.

#### **DIVISION IV**

# AUTOMOBILES AND OTHER AUTHORIZED VEHICLES

**22.** The holder of a taxi owner's permit offering non-specialized services must use as a taxi a sedan or station wagon-type automobile

(1) whose model has been on the market for no more than 10 years and which meets the requirements of the Motor Vehicle Safety Act (Statutes of Canada, 1993, c. 16);

(2) which, as of the date of the application to the Commission to have it attached to a taxi owner's permit, is no more than five years old;

(3) which has a wheelbase of at least 261 centimetres;

(4) which is equipped by the manufacturer with at least four safety belts;

(5) which has a solid roof; and

(6) which has at least four side doors.

The following vehicles may also be used if they meet the requirements referred to in subparagraphs 1 to 5 of the first paragraph, if they are equipped by the manufacturer to transport a maximum of nine persons and if their net weight is under 3500 kg

(1) a van with a running board and three or four side doors, each with its own window;

(2) a utility vehicle with three or four side doors and four drive wheels or a device allowing full traction; or

(3) a disabled accessible vehicle which is equipped with a ramp for wheelchair access or a wheelchair lift, fitted to carry at least two persons in wheelchairs and equipped with a restraining device, fixed to the floor with four anchorages, used to keep each wheelchair in the same position as the permanent seats installed by the manufacturer, as well as seat belts for each wheelchair consisting of a shoulder belt and a lap belt.

Notwithstanding the second paragraph, a disabled accessible vehicle equipped with a wheelchair lift may have a net weight of up to 4000 kg.

**23.** The holder of a taxi owner's permit offering specialized transportation with personal attendants for beneficiaries of the health care system must use as a taxi an automobile or vehicle referred to in section 22

(1) which is equipped by the manufacturer with temperature-controlled air conditioning; and

(2) which is equipped with a cellular phone or an intercommunication system that allows the driver to "radio" the main establishment of the business or of its contracting party.

**24.** The holder of a taxi owner's permit offering specialized limousine transportation services must use as a limousine an automobile or vehicle referred to in section 22 - with a wheelbase of at least 280 centimetres, however. In addition, the automobile or vehicle must

(1) be a model that is no more than two years old at the time of the application to the Commission to have it attached to a taxi owner's permit and correspond to the most luxurious make marketed by its manufacturer at the time;

(2) have side doors with power windows;

(3) be equipped by the manufacturer with temperature-controlled air conditioning;

(4) have an interior without any stains or tears; and

(5) have a rust-free body coated with paint that is neither flaking nor scratched.

**25.** The holder of a taxi owner's permit offering specialized "de grand luxe" limousine transportation services must use as a "de grand luxe" limousine an automobile or vehicle referred to in section 22 - with a wheelbase of at least 340 centimetres, however. In addition, the automobile or vehicle must

(1) be a model that is no more than four years old at the time of the application to the Commission to have it attached to a taxi owner's permit and correspond to the most luxurious make marketed by its manufacturer at the time;

(2) have side doors with power windows;

(3) have a partition separating the front seat from the passenger compartment;

(4) be equipped with temperature-controlled air conditioning and heating that can be controlled by passengers in the back seat;

(5) be equipped with a cellular phone accessible to clients; and

(6) have a rust-free body coated with paint that is neither flaking nor scratched.

Notwithstanding the first paragraph, an automobile or vehicle with an unaltered chassis may also be used if it has a wheelbase of more than 330 centimetres. Likewise, a vehicle weighing over 3500 kg may be used if it is referred to in subparagraph 2 of the second paragraph of section 22 even if it has only two drive wheels.

#### DIVISION V

#### TAXI DRIVER TRAINING

**26.** In order to obtain or maintain a taxi driver's permit, a person who wishes to carry on the occupation in an urban area or territory referred to in Schedule I must attend a course given by the Commission scolaire des Premières-Seigneuries, for the purposes of subparagraph 1 of section 27 of the Act respecting transportation services by taxi; the course is to last at least 50 hours and cover the toponymic and geographical knowledge required to work as a taxi driver.

**27.** In order to obtain or maintain a taxi driver's permit, a person who wishes to carry on the occupation in an urban area or territory referred to in Schedule II must attend a course given by the Centre de formation professionnelle pour l'industrie du taxi du Québec Inc., the Commission scolaire des Premières-Seigneuries or the Commission scolaire de la Rivière-du-Nord, for the purposes of subparagraph 2 of section 27 of the Act.

At least seven hours of the course, which is to last a minimum of 30 hours, deal with the transportation of disabled persons and the remaining hours cover knowledge of the provisions of the Act respecting transportation services by taxi and its regulations as well as basic knowledge of the skills, abilities and conduct required to work as a taxi driver in a specific urban area or territory.

### DIVISION VI

# MANDATORY EQUIPMENT, MECHANICAL MAINTENANCE AND REPORTS

#### §1. Mandatory equipment

**28.** Holders of a taxi owner's permit must equip their taxis with a taximeter unless exempted following a decision by the Commission under subparagraph 7 of the first paragraph of section 79 of this Act.

A taximeter must include a digital display that lights up when activated and allows clients sitting in the back seat to read the information it displays.

**29.** The holder of a taxi owner's permit must use a taximeter which shows a reading at all times that is in keeping with the rates in effect and may not vary by more than 1% in relation to the rates fixed by the Commission under section 60 of the Act.

**30.** The holder of a taxi owner's permit must ensure that a taxi's taximeter is sealed at all times. The holder must have the taximeter inspected and have a new seal affixed by the Commission at the holder's own expense

(1) within 30 days of the effective date of a change in the rate fixed by the Commission;

(2) immediately after the taximeter or taxi transmission is replaced, repaired or altered;

(3) immediately after a change in the size of the tires on the drive wheels of the taxi; and

(4) every six months.

**31.** Holders of a taxi owner's permit must equip their taxis with a domelight that is securely fastened to the front part of the roof, unless their permit is a specialized permit.

The domelight must be made of translucent material, be equipped with an internal lighting device, and allow the taxi to be recognized when it is in service and to be identified among others in the urban area concerned.

**32**. Notwithstanding section 31, in a territory served by a holder of a taxi owner's permit for specialized limousine and "de grand luxe" limousine services, the holder of a taxi owner's permit is authorized to remove the domelight when transporting someone under a written contract concluded with that holder.

In addition to the first paragraph, the holder of a taxi owner's permit may, at the client's request, remove the domelight from a taxi if the holder is providing transportation services under a written contract concluded with that client. The contract must be kept in the taxi during the trip.

#### §2. Mechanical maintenance and reports

**33.** During the pre-departure inspection performed for the purposes of section 51 of the Act, the driver of a taxi, a limousine or a "de grand luxe" limousine must carry out a visual check or, as the case may be, an auditory check of the following:

(1) the brake fluid level, which should never be under the level indicated by the manufacturer or, if not indicated, any more than 10 mm under the filler neck opening;

(2) the parking brake, which must be activated a number of times in order to check whether its cables are operating freely, its compliance with regard to vehicle immobilization and the activation of a dashboard indicator that lights up or turns off depending on whether the brake is applied or released;

(3) the vehicle's headlights, lights and signals, including in particular low-beam headlights, turn-signal lights, emergency flashers and parking lights, which must be operational and securely fastened in the places provided for by the manufacturer, and their dashboard indicators, which must activate the electrical circuits enabling them to work at the intensity intended by the manufacturer;

(4) the tires, which must not show any wear, cracks, cuts or tears exposing the tire rib or the steel belt, have any bulges or abnormal deformities, or be affected by material or an object stuck in the tread or tire wall, which could cause a flat;

(5) the tire valves, which must not be worn, damaged, scraped or cut and the projecting part of which must be long enough to allow tires to be filled easily and tire pressure to be checked;

(6) the horn, which must work properly in keeping with the manufacturer's standards;

(7) the windshield wipers and windshield washer fluid, all of the components of which must be complete, properly adjusted and in good condition to ensure that they work effectively; (8) the rearview mirror, which must be vertically and horizontally adjustable and remain in the desired position, be an adequate size and securely fastened and not have any sharp edges, the mirror of which should not be broken, cracked, tarnished or dull; and

(9) the domelight, which must be securely fastened and work properly.

**34.** The driver must perform a pre-departure inspection every time the vehicle is to be used.

**35.** The pre-departure inspection report must contain the following :

(1) the date and time of the last pre-departure inspection;

(2) the license plate number of the vehicle inspected;

(3) a description of the defects noted during the last pre-departure inspection and of any defects noted after departure; and

(4) the driver's name and taxi driver's permit number.

The taxi driver's permit holder must sign the report.

**36.** The holder of a taxi owner's permit or, if applicable, the holder of a taxi transportation service intermediary's permit, if the holder manages the vehicle's use, must ensure that all the pre-departure inspection reports for the current month are kept in the taxi.

**37.** The taxi driver referred to in section 54 of the Act must send each taxi owner's permit holder for whom he or she works as a taxi driver, by registered mail, a copy of the document certifying the modification, suspension or revocation of his or her taxi driver's permit, driver's license or class authorizing the driving of a taxi, upon receipt of a notice to that effect from the Société or, if applicable, from the municipal or supramunicipal authority referred to in the second paragraph of section 25 of the Act.

**38.** The holder of a taxi owner's permit referred to in section 56 of the Act must keep a record of the nature and date of any repairs made to the vehicle attached to the permit, attach the supporting documents and keep this record for as long as the holder is the owner of the vehicle.

**39.** The holder of a taxi transportation service intermediary's permit referred to in section 59 of the Act or the holder of a taxi owner's permit, if applicable, must keep the following documents:

(1) the employment contract or taxi rental contract concluded with the taxi driver's permit holder;

(2) a copy of the driver's license and taxi driver's permit;

(3) a copy of the registration certificate for each taxi driven by that holder according to the holder's working time; and

(4) if applicable, a copy of a certificate attesting that the holder attended the course referred to, as the case may be, in paragraph 1 or 2 of section 27 of the Act.

The documents must be kept for as long as the driver is employed by a person referred to in the first paragraph or rents one of the person's taxis and for a 12-month period after the driver's termination of employment or the end of the taxi rental.

#### DIVISION VII CLIENT SERVICE

§1. Client service

**40.** The holder of a taxi driver's permit must be properly dressed in clean clothing.

**41.** Holders of a taxi driver's permit must afford clients the courtesy, comfort and safety required by their occupation.

**42.** At night, holders of a taxi driver's permit must keep the taxi domelight on when the taxi is available and when

(1) driving in their urban area; or

(2) parked in the first space at a public taxi station.

**43.** Holders of a taxi driver's permit may not refuse to make a trip starting inside the urban area for which the taxi permit was issued, unless the destination is over 50 kilometres outside the boundaries of the urban area.

**44.** A holder of a taxi driver's permit who is hailed by a client may not let the client get into the taxi if there is a public taxi station less than 60 metres away and a taxi is parked there and available for service. If this is the case, the holder must inform the client that the taxi already waiting can meet his or her need for service.

The first paragraph does not apply, however, if the client is a disabled person in a wheelchair.

**45.** When parking the taxi at a public taxi station, the holder of a taxi driver's permit must park in the first space available.

The holder must move up one space when the space ahead becomes free.

**46.** Notwithstanding section 43, a holder of a taxi driver's permit who does not occupy the first space in a public taxi station must turn down a client who asks for a ride and direct the client to the first taxi in the line-up, unless the client requires a special means of payment – credit card payment in particular – or requires a disabled accessible vehicle or a special accessory such as a luggage rack.

By the same token, a holder of a taxi driver's permit who is waiting at a public taxi station must turn down a trip his or her taxi transportation service intermediary calls in if a taxi with the same intermediary is ahead of him or her at the station, unless the intermediary is calling the holder as a result of a special request from a client with regard to a means of payment other than cash, a driver's special qualifications, the taxi's wheelbase or accessibility, or a special accessory or equipment.

**47.** The holder of a taxi driver's permit must help a passenger get in or out of the automobile or vehicle safely if he or she notes that the client obviously needs assistance because of age, apparent state of health or a handicap.

**48.** Unless the client directs otherwise, the holder of a taxi driver's permit must take the most direct route to the destination.

**49.** The holder of a taxi driver's permit offering private transportation services is obliged to offer this transportation exclusively to the client or persons designated by the client.

**50.** The holder of a taxi driver's permit must start the taximeter at the beginning of the trip and, unless the client directs otherwise, stop it as soon as the taxi arrives at the destination.

Furthermore, after finding out the destination from the client, the holder must turn off the domelight.

For the purposes of this section, a taxi trip begins when the client gets into the taxi or when the client explicitly asks the driver to wait for him or her.

**51.** If the taximeter becomes defective during a trip, the taxi driver's permit holder must agree with the client on the fare and this fare must correspond to that calcu-

lated by taximeter. In urban areas where the Commission authorizes odometer billing, the holder must agree with the client on the fare if the odometer becomes defective.

The holder shall not make any other trips until the taximeter or odometer has been repaired or replaced.

**52.** When a trip entails expenses for meals or accommodation for the holder of a taxi driver's permit, the reimbursement of those expenses by the client must be agreed upon with the client prior to departure.

When a trip involves expenses for crossing a bridge or using a ferry, or highway toll expenses, the expenses are added to the amount for the trip.

When a trip requires the use, at the client's request, of special equipment, with the exception of equipment needed to compensate for a physical handicap, reimbursement of the related expenses by the client must be agreed upon with the client prior to departure.

**53.** When a holder of a taxi driver's permit is paid for a trip, he or she must give the client the exact amount of change, if applicable.

The holder does not have to accept payment for a trip with a bill that is over \$30 more than the fare. If the holder accepts the bill, however, he or she may charge the client for the cost of driving to a place where the exact change can be obtained.

**54.** The holder of a taxi driver's permit must give each client a receipt upon request. The receipt must include at least the following information:

(1) the name of the holder of a taxi owner's permit or of the taxi transportation service intermediary's permit;

(2) the name of the holder of the taxi driver's permit;

(3) the date; and

(4) the amount of the fare.

The holder of a taxi driver's permit must sign the receipt.

§2. Rates

**55.** The rates fixed by the Commission under section 60 of the Act for private transportation by taxi are the same for all holders of a taxi owner's permit in the same urban area, except in the case of specialized permits for transportation with personal attendants for beneficiaries of the health care system, limousine services or "de grand luxe" limousine services.

The rates in effect must be displayed inside the taxicab.

**56.** The method of charging to be used during a trip made partly outside the urban area for which the permit is issued is the same as that used for trips within the urban area when the fare is calculated by taximeter or odometer, if applicable.

However, where the rates are fixed by zone for an urban area, the fare for the portion of the trip made outside the urban area is calculated by taximeter or odometer, or by the hour, according to the method used by the Commission to fix rates for service outside an urban area.

**57.** Where the rates are fixed by the Commission so that the fare can be calculated by odometer, the holder of a taxi driver's permit only takes into account the pick-up charge and the distance covered with the client.

Where the rates are fixed by zone, the holder of the taxi driver's permit, when determining the fare, only takes into account the number of zones crossed or entered, even partially.

**58.** Notwithstanding sections 55 to 57, the holder of a taxi owner's permit, a taxi transportation service intermediary's permit or a taxi driver's permit may conclude a contract referred to in the second paragraph of section 62 of the Act which allows the holder to agree upon the fare with the client if the contract

(1) is written;

(2) names the parties and indicates that they signed it;

(3) identifies the persons or group of persons to be transported;

(4) mentions the date and duration of the contract;

(5) mentions the fare determined or the method to be used to calculate it;

(6) indicates the starting point and destination.

#### **DIVISION VIII** SERVICES PROVIDED BY TAXI TRANSPORTATION SERVICE INTERMEDIARIES

**59.** Subject to the restrictions indicated on the permit and established by the Commission under subparagraph 3 of the first paragraph of section 79 of the Act, the holder of a taxi transportation service intermediary's permit must handle call distribution 24 hours a day, 7 days a week for the urban area territory specified on the permit.

**60.** For each call from a client, the holder of a taxi transportation service intermediary's permit must note and keep the following information:

(1) the date and time of the call;

(2) the address where the taxi is required;

(3) the number of the taxi assigned; and

(4) the outcome of the call.

This information must be kept for three months from the date it is noted.

**61.** The holder of a taxi transportation service intermediary's permit must adopt a general by-law containing at least

(1) the conditions for joining so that holders of a taxi owner's permit may conclude contracts for their services;

(2) the working conditions of holders of a taxi driver's permit if the intermediary employs or refers any;

(3) the rules of conduct and ethics which employees and contracting parties must adhere to;

(4) a chart identifying the penalties, according to their severity, for offenses against the rules referred to in paragraph 3; and

(5) the nature of the information that may be contained in the files concerning employees and contracting parties as well as the way that this information is accessed.

**62.** The holder of a taxi transportation service intermediary's permit, when concluding a contract with a holder of a taxi owner's permit, must indicate in the contract the rights and obligations of each party. The contract must also

(1) name the parties concerned and include their signature;

(2) give the intermediary's name and address;

(3) indicate the date and duration of the contract;

(4) mention the price fixed for services or the method used to calculate it;

(5) designate a natural person to represent the holder of a taxi transportation service intermediary's permit, for the holder of a taxi owner's permit to contact for execution of the contract; and (6) specify how the rules and penalties referred to in paragraphs 3 and 4 of section 61 are to be applied.

**63.** There must be at least one disabled accessible taxi in the taxi fleet of the holder of a taxi transportation service intermediary's permit who provides services to at least 20 contracting parties, whether the taxis in the fleet are owned by the holder or by the holder's contracting parties.

#### DIVISION IX

#### SHARED TRANSPORTATION SERVICES

**64.** The provisions in this Division prevail over any other provisions in this Regulation with which they might be incompatible.

**65.** A holder of a taxi owner's permit who provides shared transportation services for the purposes of section 7 of the Act must install on the front part of the taxi roof, in place of the domelight, a sign identifying the holder and indicating that the taxi is providing shared transportation.

The sign must be made of translucent material and have an internal lighting device. The holder of the taxi driver's permit must ensure that it is lit at night when providing shared transportation and remove it once the taxi is no longer in service.

The first paragraph does not apply to shared transportation services reserved for disabled persons.

**66.** The fare charged to a client for shared taxi transportation to or from an airport referred to in Schedule III is the fare provided for therein.

**67.** A holder of a taxi owner's permit for an urban area referred to in Schedule III may offer shared taxi transportation to or from an airport on the conditions provided for therein.

#### DIVISION X

LIMOUSINE AND "DE GRAND LUXE" LIMOUSINE SERVICES

**68.** The provisions in this Division prevail over any other inconsistent provisions in this Regulation.

**69.** Holders of a taxi owner's permit offering specialized limousine services or "de grand luxe" limousine services and holders of a taxi driver's permit who drive such limousines or "de grand luxe" limousines shall not provide shared transportation, do any soliciting or "cruise" for fares.

**70.** Holders of a taxi driver's permit who drive limousines or "de grand luxe" limousines must not park their limousines or "de grand luxe" limousines in a public taxi station when on duty.

**71.** Holders of a taxi driver's permit who drive limousines or "de grand luxe" limousines must wear townwear when on duty.

**72.** Holders of a taxi owner's permit specializing in limousine or "de grand luxe" limousine services and holders of a taxi driver's permit who drive limousines or "de grand luxe" limousines must not display any commercial notices inside or outside their limousine or "de grand luxe" limousine, install a domelight or sign, or equip the limousine or "de grand luxe" limousine with a taximeter or other similar meter.

**73.** Holders of a taxi owner's permit offering specialized limousine or "de grand luxe" limousine services must propose rates to the Commission for their limousine or "de grand luxe" limousine services which must include a one-hour minimum to be charged to all clients as soon as the limousine or "de grand luxe" limousine is placed at their disposal. They are also authorized to ask the Commission to take fractions of hours into account in fixing their rates after the first hour charged.

**74.** A holder of a taxi driver's permit who drives a limousine or "de grand luxe" limousine may charge a client for using a cellular phone with which the vehicle is equipped; the charges must be in line with the actual cost of the service, plus the required taxes.

#### DIVISION XI PENAL

**75.** Any contravention of the provisions in sections 2, 3, 5, 6, 8 and 14, the second paragraph of section 17, sections 28 to 32, 36, 38 and 40 to 43, the first paragraph of section 44, sections 45 to 49, the first and second paragraphs of section 50, section 51, the first paragraph of section 52, the first paragraph of section 53, or sections 54, 59, 60, 63, 65, 66 and 69 to 72 constitutes an offence punishable by the fine provided for in section 115 of the Act.

#### DIVISION XII

TRANSITIONAL AND FINAL

**76.** The provisions in subparagraphs 3, 4, 6 and 7 of the first paragraph of section 1 do not apply to a holder whose taxi owner's permit was issued by the Commission between 15 November 2000 and 30 June 2002.

**77.** Notwithstanding section 7, a person who has been operating a taxi transportation service intermediary business for 12 months on the date of an order made for the purpose of the first paragraph of section 32 of the Act is only required to meet the conditions referred to in paragraphs 6 to 8 of section 7 if the person files an application for a permit with the Commission within 60 days of the order. During the 60-day period allowed to file the application and until the Commission renders its decision, the person is presumed to be a holder of a taxi transportation service intermediary's permit.

**78.** Notwithstanding sections 22 to 25, the holder of a taxi owner's permit may continue to use, until 30 June 2004, an automobile or vehicle whose model is over ten years old on 30 June 2002. Notwithstanding subparagraph 3 of the first paragraph of section 22, the holder may also continue to use until 30 June 2004, a taxi whose wheelbase is between 246 and 260 centimetres.

**79.** Section 26 only applies to a person who is issued his or her first taxi driver's permit as of 1 September 2002.

**80.** Notwithstanding section 27, a person who, on the date that a regulation referred to in paragraph 2 of section 27 of the Act comes into force, is the holder of a taxi driver's permit issued under the Act respecting transportation by taxi (R.S.Q., c. T-11.1) only needs to attend the 7-hour part of the course on the knowledge required for the transportation of disabled persons before 1 January 2005 in order to maintain or renew his or her taxi driver's permit. During that period, he or she is presumed to be the holder of a taxi driver's permit.

**81.** This Regulation replaces the Transportation by Taxi Regulation made by Order in Council 1763-85 dated 28 August 1985.

**82.** This Regulation comes into force on 30 June 2002, except for subparagraph 3 of the first paragraph of section 1 and paragraph 5 of section 4 which will come into force on 30 June 2003 and section 63 which will come into force on 31 March 2005.

#### **SCHEDULE I**

(s. 26)

Territory where special toponymic and geographical knowledge is required to carry on the occupation of taxi driver:

— Ville de Québec.

#### SCHEDULE II

(s. 27)

Territories or urban areas where knowledge on the transportation of disabled persons is required in order to carry on the occupation of taxi driver, as well as knowledge of the provisions of the Act respecting transportation services by taxi and its regulations and basic knowledge of skills, abilities and conduct:

- 1. Ville de Québec;
- 2. Ville de Longueuil;
- 3. Ville de Laval.

# SCHEDULE III (s. 66)

#### RATE FOR SHARED TAXI TRANSPORTATION TO AND FROM THE AÉROPORT DE MONT-JOLI

Shared airport transportation services may be provided at the Aéroport de Mont-Joli by holders of a taxi owner's permit who are empowered to do so by this Schedule, if they meet the conditions that apply.

The shared taxi service must be offered in keeping with the departure and arrival time of commercial flights. The fare is set at \$35 per trip, plus the required taxes, and must be shared by all clients in the same taxi, regardless of each client's destination or the number of clients.

Where the number of clients requires the use of more than one taxi, considering the number of seatbelts, the fare is \$35 per taxi, plus the required taxes, and it must be divided equally among the clients, no matter which taxi they are in.

All holders of a taxi owner's permit in the urban area which includes the territory of Ville de Mont-Joli are authorized to provide shared transportation for trips starting at the Aéroport de Mont-Joli and ending at any of the following addresses:

- 155, boulevard René-Lepage Est, Rimouski;
- 130, rue Saint-Barnabé, Rimouski;
- 53, rue de l'Évêché Est, Rimouski;
- 556, rue Saint-Germain Est, Rimouski Est;
- 922, boul. Sainte-Anne, Pointe-au-Père;
- 225, boul. René-Lepage Est, Rimouski.

All holders of a taxi owner's permit in the urban area which includes the territory of Ville de Rimouski are authorized to provide shared transportation for trips starting at any of the above-mentioned addresses and ending at the Aéroport de Mont-Joli. Gouvernement du Québec

### O.C. 691-2002, 5 June 2002

An Act respecting transportation services by taxi (2001, c. 15)

# Road vehicle registration — Amendment

Regulation to amend the Regulation respecting road vehicle registration

WHEREAS, by Order in Council 1420-91 dated 16 October 1991, the Government made the Regulation respecting road vehicle registration;

WHEREAS the rules for the registration of taxis must be amended to take into account the amendments made by the Act respecting transportation services by taxi (2001, c. 15) to the boundaries of the territories and the nature of the specialized taxi transportation services;

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

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of such publication:

— section 141 of the Act respecting transportation services by taxi prescribes that the first regulation enacted under the Act is not subject to the publication requirements provided for in section 8 of the Regulations Act; the first Regulation respecting transportation services by taxi, made by Order in Council 689-2002 dated 5 June 2002, must come into force on 30 June 2002; the amendments to the Regulation attached to this Order in Council which comply with that Regulation must therefore come into force on that date;

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

THAT the Regulation to amend the Regulation respecting road vehicle registration, attached to this Order in Council, be made.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

# Regulation to amend the Regulation respecting road vehicle registration\*

Highway Safety Code (R.S.Q., c. C-24.2, s. 618, par. 13)

**1**. Section 109 of the Regulation respecting road vehicle registration is amended by substituting the following for the first three paragraphs:

**"109**. The licence plate of a taxi shall bear the prefix "T" or "TR".

If the taxi is used for limousine service or "de grand luxe" limousine service, the licence plate shall bear the prefix "TS"; if the taxi is used for transportation with personal attendants of beneficiaries of the health care system, the licence plate shall bear the prefix "TB".

The fees payable to retain the right to operate a road vehicle referred to in this section are \$104 for each payment period. ".

**2.** This Regulation comes into force on 30 June 2002.

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Gouvernement du Québec

### **O.C. 693-2002,** 5 June 2002

An Act respecting labour standards (R.S.Q., c. N-1.1)

### Registration system or the keeping of a register and report transmittal

— Amendments

Regulation to amend the Regulation respecting a registration system or the keeping of a register and report transmittal

WHEREAS, under paragraph 3 of section 29 of the Act respecting labour standards (R.S.Q., c. N-1.1), the Commission des normes du travail may, by regulation, require an employer or a category of employers to have a system of registration or to keep a register;

<sup>&</sup>lt;sup>\*</sup> The Regulation respecting road vehicle registration, made by Order in Council 1420-91 dated 16 October 1991 (1991, *G.O.* 2, 4111), was last amended by the Regulation made by Order in Council 100-2001 dated 7 February 2001 (2001, *G.O.* 2, 1224). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

WHEREAS, under paragraph 3.1 of that section, the Commission des normes du travail may, by regulation, require an employer or every employer of a category of clothing industry employers to transmit to the Commission a report containing the particulars deemed useful in the application of the Act;

WHEREAS the Commission des normes du travail made the Regulation amending the Regulation respecting a registration system or the keeping of a register and report transmissal;

WHEREAS, under section 32 of the Act respecting labour standards, the Regulation is submitted to the approval of the Government;

WHEREAS, in accordance with sections 10 and 13 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation amending the Regulation respecting a registration system or the keeping of a register and report transmissal was published in Part 2 of the *Gazette officielle du Québec* of 1 May 2002 with a notice that it could be approved by the Government, with or without amendment, upon the expiry of a 20-day period following that publication;

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 to amend the Regulation respecting a registration system or the keeping of a register and report transmittal, attached to this Order in Council, be approved.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

### Regulation to amend the Regulation respecting a registration system or the keeping of a register and report transmittal<sup>\*</sup>

An Act respecting Labour Standards (R.S.Q., c. N-1.1, s. 29, pars. 3 and 3.1)

**1**. Section 3 of the Regulation respecting a registration system or the keeping of a register and report transmittal is amended by substituting "31 December 2003" for "1 July 2002" in the second line of the first paragraph.

**2.** This Regulation comes into force on 1 July 2002.

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### M.O., 2002-010

#### Order of the Minister responsible for Wildlife and Parks dated 29 May 2002

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

Delimiting areas on land in the domain of the State in view of increased utilization of wildlife resources of the Lake Salomon, located on the territory of the MRC de la Vallée-de-la-Gatineau, in the municipality of Grand-Remous

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING that under section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Minister responsible for Wildlife and Parks may delimit, after consultation with the Minister of Natural Resources, areas on land in the domain of the State in view of increased utilization of wildlife resources and secondarily, the practice of recreational activities;

CONSIDERING that it is expedient to delimit the areas on land in the domain of the State specified in appendix attached to this Order in view of increased utilization of wildlife resources and secondarily, the practice of recreational activities;

CONSIDERING that the Minister of Natural Resources has been consulted on the issue;

ORDERS that:

The areas on lands in the domain of the State specified in appendix attached to this Order are delimited in view of increased utilization of wildlife resources and secondarily, the practice of recreational activities;

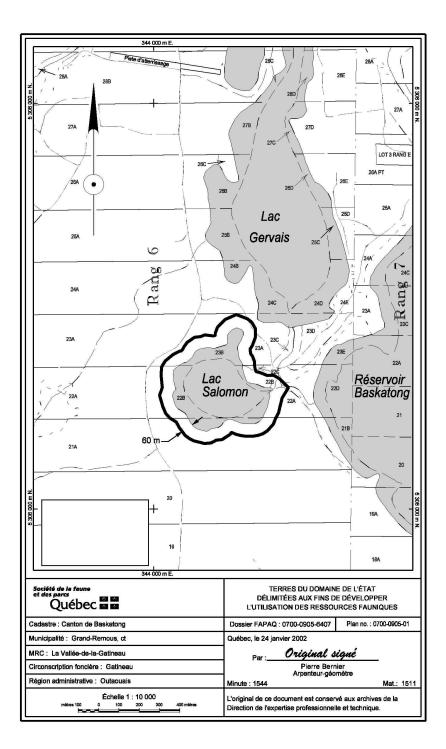
This Order comes into force on the day of its publication in the *Gazette officielle du Québec*.

Québec, 29 May 2002

RICHARD LEGENDRE, Minister responsible for Wildlife and Parks

<sup>&</sup>lt;sup>\*</sup> The Regulation respecting a registration system or the keeping of a register and report transmittal (R.R.Q., 1981, c. N-1.1, r.6) was last amended by the Regulation made by Order in Council 679-2000 dated 1 June 2000 (2000, *G.O.* 2, 2547). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

#### SCHEDULE



Gouvernement du Québec

#### Agreement

An Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2)

AGREEMENT CONCERNING NEW METHODS OF VOTING FOR AN ELECTION USING "ACCU-VOTE ES 2000" BALLOT BOXES

#### AGREEMENT ENTERED INTO

#### BETWEEN

The MUNICIPALITY OF CHERTSEY, a legal person established in the public interest, having its head office at 333, avenue de l'Amitié, Chertsey, Province of Québec, represented by the mayor, Daniel Brazeau, and the clerk or secretary-treasurer, Pierre Mercier, under resolution number 2002-083, hereinafter called

#### THE MUNICIPALITY

#### AND

Mtre. Marcel Blanchet, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, 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 his main office at 10, rue Pierre-Olivier-Chauveau, Québec, Province of Québec, hereinafter called

#### THE MINISTER

WHEREAS the council of the MUNICIPALITY, by its resolution no. 2002-083, passed at its meeting of April 15th, 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 municipal election of November 3rd, 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 a municipal election on November 3rd, 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 municipal 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 April 15th, 2002, resolution no. 2002-083 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 "Electronic ballot box" means an apparatus containing a vote tabulator, a memory card, a printer, a cardboard or, where necessary, plastic recipient for ballot papers and a modem, where necessary.

2.2 "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.

2.3 "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.

2.4 "Recipient for ballot papers" means a box into which the ballot paper cards fall.

2.5 Where applicable, "transfer box" means the box in which the ballot paper cards are placed when a plastic recipient is used for the electronic ballot box.

2.6 "Ballot paper card" means the card on which the ballot paper or papers are printed.

2.7 "Refused card" means a ballot paper card the insertion of which into the tabulator is refused.

2.8 "Confidentiality sleeve" means a sleeve designed to receive the ballot paper card.

#### 3. ELECTION

3.1 For the purposes of the municipal election of November 3rd, 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 the necessary steps to provide its electors with adequate information concerning the testing of the new method of voting.

#### 4. SECURITY MECHANISMS

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 proof of identity from electors;

(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.".

#### 6.4 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.".

#### 6.5 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.".

#### 6.6 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.".

#### 6.7 Verification of electronic ballot box

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

#### "§1.1 Verification of electronic ballot box

**173.1.** 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 accurately detects the mark made on a ballot paper and 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.

**173.2.** 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.

**173.3.** 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 predetermined 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 manuallycompiled 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 accurately detects the mark made on a ballot paper and until a perfect compilation of results is obtained. Any error or discrepancy observed 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.".

#### 6.8 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.".

#### 6.9 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.".

#### 6.10 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.".

#### 6.11 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.

#### 6.12 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.".

#### 6.13 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.".

#### 6.14 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.".

#### 6.15 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.".

#### 6.16 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.".

#### 6.17 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.".

#### 6.18 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.

# 6.19 Examination of the electronic ballot box and polling materials

The following is substituted for section 207of 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

#### 6.20 Presence at the polling station

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

"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.".

#### 6.21 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.".

#### 6.22 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.".

#### 6.23 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.".

#### 6.24 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.".

#### 6.25 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.".

#### 6.26 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

#### 6.27 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 correspond 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.".

#### 6.28 Compiling sheet

Section 231 of the Act is revoked.

#### 6.29 Counting of the votes

Section 232 of the Act is revoked.

#### 6.30 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.".

# 6.31 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.

#### 6.32 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.".

# 6.33 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 the 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.

# 6.34 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 plastic recipient has been used for the electronic ballot box, place the ballot paper cards from the recipient of the electronic ballot box in a transfer box. Next, he shall 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 cardboard recipient is used for the electronic ballot box, remove the cardboard recipient containing the ballot papers. Next, he shall 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 and initial the cardboard recipient and allow the representatives who wish to do so to initial it.

The senior deputy returning officer give the transfer boxes or the cardboard recipients to the returning officer or to the person designated by the returning officer.

**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.

#### 6.35 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.".

#### 6.36 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.".

#### 6.37 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.".

#### 6.38 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.".

#### 6.39 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.

#### 6.40 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.".

#### 6.41 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 trial application of the new method of voting during general elections and by-elections held before November 3rd, 2002.

#### 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 municipal election held on November 3rd, 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 municipal election on November 3rd, 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 municipal election held on November 3rd, 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 Chertsey, on this 18th day of the month of April of the year 2002

THE MUNICIPALITY OF CHERTSEY

By: DANIEL BRAZEAU, Mayor

PIERRE MERCIER, Clerk or Secretary-Treasurer

In Québec, on this 23th day of the month of April of the year 2002

THE CHIEF ELECTORAL OFFICER

MARCEL BLANCHET

In Québec, on this 24th day of the month of April of the year 2002

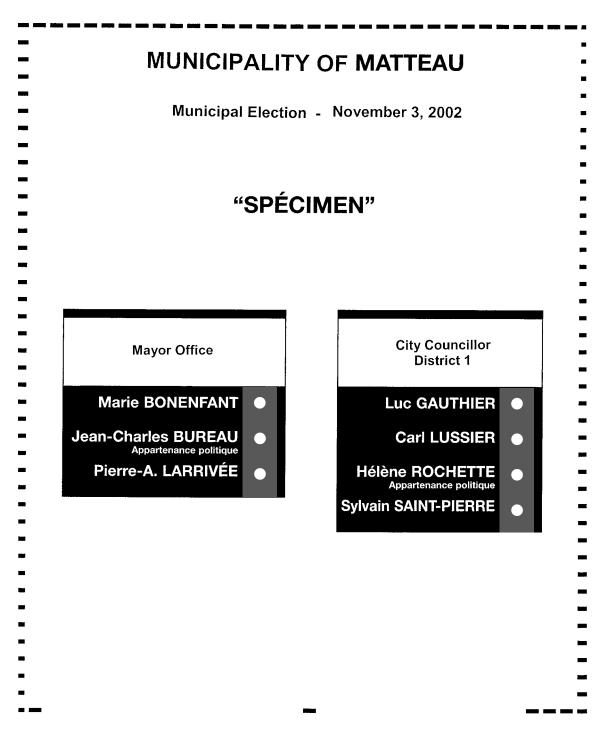
#### THE MINISTER OF MUNICIPAL AFFAIRS AND GREATER MONTRÉAL

Par:

JEAN PRONOVOST, Deputy minister

#### SCHEDULE

MODEL BALLOT PAPER HOLDER



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## **Draft Regulations**

## **Draft regulation**

Act respecting collective agreement decrees (R.S.Q., c. D-2)

#### Petroleum equipment — Installation — Amendments

Notice is hereby given that the Minister of State for Human Resources and Labour and Minister of Labour has received a petition to amend the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33) from the contracting parties governed by that Decree and that in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Decree to amend the Decree respecting the installation of petroleum equipment, the text of which appears below, may be made by the Government upon the expiry of the 45 days following this publication.

The purpose of this draft regulation is to increase the contribution to the fringe benefits fund of the employers and the employees governed by the Decree respecting the installation of petroleum equipment.

To that end, it proposes to increase the weekly contribution of the employer and the employee who works 24 hours or more during the week, from \$14.00 to \$17.20. It also proposes to increase the hourly contribution of the employer and the employee who works less than 24 hours per week, from \$0.35 to \$0.43.

The consultation period shall serve to clarify the impact of the proposed amendments. According to the 2001 annual report of the Comité paritaire de l'installation d'équipement pétrolier du Québec, the Decree covers 54 employers, 11 artisans and 339 employees.

Further information may be obtained by contacting Mr. Michel Roberge, Direction des politiques, de la construction et des décrets, ministère du Travail, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1 (telephone: (418) 528-9701, Fax.: (418) 528-0559, or by E-mail: michel.roberge@travail.gouv.qc.ca).

Any interested person having comments to make may send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6° étage, Québec (Québec) G1R 5S1.

ROGER LECOURT, Deputy Minister of Labour

### Decree to amend the Decree respecting the installation of petroleum equipment\*

Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

**1**• The following is substituted for sections 11.02 to 11.04 of the Decree respecting the installation of petro-leum equipment:

"**11.02.** The employer contributes to the fringe benefits fund managed by the Comité paritaire de l'installation d'équipement pétrolier du Québec, the amount of \$17.20 per week for each of his employees, except for the student.

**11.03.** The employer deducts from the pay of each of his employees, except for the student, the amount of \$17.20 per week for the fringe benefits fund.

**11.04.** In order for the amount stipulated in section 11.02 to be paid by the employer or for the amount stipulated in section 11.03 to be deducted from the wages of an employee, the employee must have worked 24 hours or more during the week, including overtime hours. Where an employee works less than 24 hours, the contribution of the employer and the employee is respectively \$0.43 per hour."

**2.** This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

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<sup>\*</sup> The last amendments to the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33) were approved by the regulation made by Order in Council No. 1341-2001 dated 7 November 2001 (2001, G.O. 2, 6037). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

## **Municipal Affairs**

Gouvernement du Québec

## O.C. 616-2002, 29 May 2002

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

Amendment to Order in Council 1479-2001 dated 12 December 2001 concerning the amalgamation of Ville de Beauharnois, Ville de Maple Grove and Village de Melocheville

WHEREAS Ville de Beauharnois was constituted on 1 January 2002 by Order in Council 1479-2001 dated 12 December 2001;

WHEREAS the Order in Council was made under section 125.11 of the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS, under section 214.2 of the Act respecting municipal territorial organization, the Government may amend an Order in Council made under that Act to correct an error in writing;

WHEREAS it is expedient to postpone the deadline by which a former member of the council of an amalgamated municipality may give a notice by which the member ceases to participate in the Pension Plan for Elected Municipal Officers;

WHEREAS it is expedient to correct a mistaken reference in section 33;

WHEREAS it is expedient to amend Order in Council 1479-2001;

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

THAT Order in Council 1479-2001 dated 12 December 2001 be amended:

(1) by substituting "29 May" for "15 February" in the first paragraph of section 33; and

(2) by substituting "in the first paragraph of section 30" for "in the first paragraph of section 28" in the first and second paragraphs of section 33.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

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Gouvernement du Québec

### O.C. 617-2002, 29 May 2002

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

Corrections to Order in Council 1201-2001 dated 10 October 2001 concerning the Amalgamation of Ville de Val-d'Or and the municipalities of Dubuisson, Sullivan, Vassan and Val-Senneville

WHEREAS, under Order in Council 1201-2001 dated 10 October 2001, Ville de Val-d'Or was constituted on 1 January 2002;

WHEREAS that Order in Council was made under sections 125.11 and 125.27 of the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS, under section 35 of that Order in Council, the polling for the first general election took place on 2 December 2001;

WHEREAS, under section 125.30 of the Act respecting municipal territorial organization, the Government may, within six months following the first general election in the new municipality, amend any Order in Council made under section 125.27 of that Act;

WHEREAS, by Order in Council 1537-2001 dated 19 December 2001, the Government amended Order in Council 1201-2001;

WHEREAS it is expedient to correct the reference date for the purposes of the second paragraph of section 176.5 of the Act respecting municipal territorial organization; WHEREAS it is expedient to extend to 21 months, as provided for in section 176.10 of the Act respecting municipal territorial organization, the period during which no application for certification may be made by a group of employees of the new city;

WHEREAS it is expedient to correct an inaccurate reference in section 53 of Order in Council 1201-2001;

WHEREAS it is expedient to amend Order in Council 1201-2001;

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

THAT Order in Council 1201-2001 dated 10 October 2001, amended by Order in Council 1537-2001 dated 19 December 2001, be further amended:

(1) by substituting "1 January" for "29 June" in paragraph 4 of section 27;

(2) by substituting "October" for "September" in paragraph 7 of section 27; and

(3) by substituting "in the first paragraph of section 54" for "in the first paragraph of section 49" in the first and second paragraphs of section 53.

JEAN ST-GELAIS, Clerk of the Conseil exécutif

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### **Committee on Public Finance**

#### **General consultation**

# Corporate social responsibility and socially responsible investment

The Committee on Public Finance will hold public hearings beginning on 9 September 2002 in pursuance of a general consultation based on a document prepared by the Committee, entitled "Corporate social responsibility and socially responsible investment". This document is available upon request at the committees secretariat and also on the National Assembly's website (www.assnat.qc.ca).

Individuals and organizations who wish to express their views on this matter must submit a brief to the above Committee. The Committee will select the individuals and organizations it wishes to hear from among those who have submitted a brief.

Briefs must be received by the committees secretariat not later than 9 August 2002. Every brief must be accompanied by a concise summary of its contents, and both documents must be submitted in 25 copies printed on letter-size paper. Those who wish to have their brief forwarded to the press gallery must provide an additional 25 copies.

Briefs, correspondence, and requests for information should be addressed to: Mrs. Ariane Mignolet, Clerk of the Committee on Public Finance, Édifice Pamphile-Le May, 1035, rue des Parlementaires, 3<sup>e</sup> étage, Québec (Québec) G1A 1A3.

Telephone: (418) 643-2722; facsimile: (418) 643-0248 E-Mail: amignolet@assnat.qc.ca

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