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Part

2

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Laws and Regulations

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Summary

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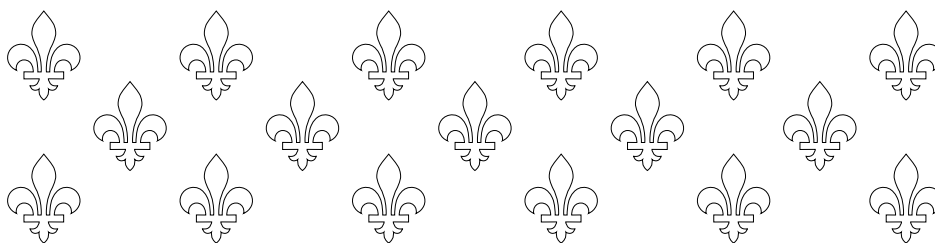
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NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 37

(2003, chapter 11)

Appropriation Act No. 2, 2003-2004

Introduced 12 December 2003

Passage in principle 12 December 2003

Passage 12 December 2003

Assented to 12 December 2003

**Québec Official Publisher
2003**

EXPLANATORY NOTES

The object of this bill is to authorize the Government to pay out of the consolidated revenue fund the sum of \$571,000,000.00 being the appropriations to be voted for each of the programs of the portfolios listed in the Schedule and representing the 2003-2004 Supplementary Estimates No. 1.

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

Bill 37

APPROPRIATION ACT NO. 2, 2003-2004

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The Government may draw out of the consolidated revenue fund a sum not exceeding \$571,000,000.00 to defray a part of the Expenditure Budget of Québec proposed in the Supplementary Estimates for the fiscal year 2003-2004 as laid before the National Assembly, not otherwise provided for, being the amount of each of the estimates to be voted for various programs set forth in the Schedule to this Act.
- 2.** In the case of programs in respect of which a provision has been made to this effect, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs or portfolios, for the reason and, if need be, under the conditions described in the Expenditure Budget.
- 3.** Except for the programs covered by section 2, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs in a given portfolio, provided that such a transfer does not increase or reduce by more than 10% the amount of the appropriation by statute.
- 4.** This Act comes into force on 12 December 2003.

SCHEDULE

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 2

Government Operations	217,000,000.00
	<hr/>
	217,000,000.00

EMPLOI, SOLIDARITÉ SOCIALE ET FAMILLE

PROGRAM 2

Financial Assistance Measures	295,000,000.00
	<u>295,000,000.00</u>

SÉCURITÉ PUBLIQUE

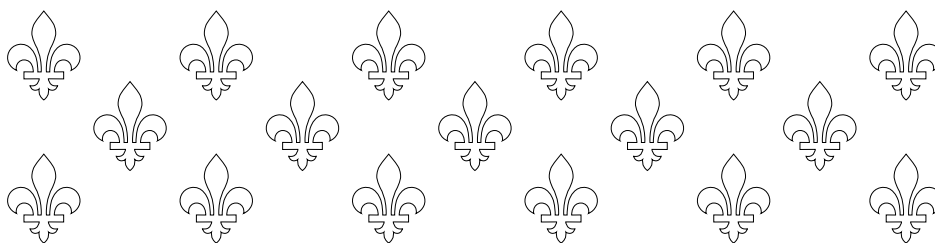
PROGRAM 2

Sûreté du Québec

59,000,000.00

59,000,000.00

571,000,000.00



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 194
(2003, chapter 10)

An Act to proclaim Armenian Genocide Memorial Day

Introduced 12 November 2003
Passage in principle 19 November 2003
Passage 28 November 2003
Assented to 10 December 2003

**Québec Official Publisher
2003**

EXPLANATORY NOTES

*The purpose of this bill is to proclaim 24 April of each year
Armenian Genocide Memorial Day.*

Bill 194

AN ACT TO PROCLAIM ARMENIAN GENOCIDE MEMORIAL DAY

WHEREAS since 1980, the National Assembly of Québec has unanimously supported every motion to commemorate the Armenian genocide;

WHEREAS, in recent years, a number of countries have in various ways acknowledged the existence of the Armenian genocide;

WHEREAS the Armenian community of Québec has over 20,000 members;

WHEREAS our fellow citizens of Armenian origin strongly desire to perpetuate the memory of those who died;

WHEREAS Quebecers wish to share the painful memory their fellow citizens of Armenian origin have of the tragic events of 1915, and have expressed this wish on many occasions in the National Assembly of Québec;

WHEREAS, in keeping with their social values, Quebecers have always rejected intolerance and ethnic exclusion;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The twenty-fourth of April is proclaimed Armenian Genocide Memorial Day.
- 2.** This Act comes into force on 10 December 2003.

Regulations and other acts

Gouvernement du Québec

O.C. 1377-2003, 17 December 2003

An Act respecting the Ministère des Ressources naturelles, de la Faune et des parcs
(R.S.Q., c. M-25.2)

Scientific and technical public independent study commission

— **Management of the forests in the domain of the State**

— **Signing of certain deeds, documents or writings**

Regulation respecting the signing of certain deeds, documents or writings of the scientific and technical public independent study commission on management of the forests in the domain of the State

WHEREAS, by Order in Council 1121-2003, the Government established a scientific and technical public independent study commission on management of the forests in the domain of the State;

WHEREAS the Government entrusted the Minister of Natural Resources, Wildlife and Parks with the mandate to provide the commission with the technical and administrative support necessary to carry out its work;

WHEREAS, under section 8 of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., c. M-25.2), amended by chapter 8 of the Statutes of 2003, the Government may determine by regulation the documents which, when signed by a member of the personnel of the department, bind the department and may be attributed to the Minister;

WHEREAS, under paragraph 1 of section 3 of the Regulations Act (R.S.Q., c. R-18.1), that Act does not apply to the Regulation;

WHEREAS it is expedient to make the Regulation respecting the signing of certain deeds, documents or writings of the scientific and technical public independent study commission on management of the forests in the domain of the State;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources, Wildlife and Parks and the Minister for Forests, Wildlife and Parks:

THAT the Regulation respecting the signing of certain deeds, documents or writings of the scientific and technical public independent study commission on management of the forests in the domain of the State, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the signing of certain deeds, documents or writings of the scientific and technical public independent study commission on management of the forests in the domain of the State

An Act respecting the Ministère des ressources naturelles, de la Faune et des Parcs
(R.S.Q., c. M-25.2, amended by chapter 8 of the Statutes of 2003)

1. The chair and vice-chair of the scientific and technical public independent study commission on management of the forests in the domain of the State are authorized to sign all deeds, documents or writings relating to the general administration of the commission, including staffing documents and contracts for services.

6103

Extract from the Standing Orders of the National Assembly

CHAPTER III

RULES FOR THE CONDUCT OF PROCEEDINGS RESPECTING PRIVATE BILLS

32. Objects – A bill relating to private or local matters must be introduced by a Member of the Assembly.

33. Deposit with law clerk – A Member who sponsors a bill relating to private or local matters shall deposit such bill with the law clerk.

The said Member shall not be answerable for the contents of the bill, nor shall he be required to endorse anything that may be provided therein.

34. Documents to be provided – Such bill shall be accompanied by a notice stating the name of the Member who is to introduce it and by a copy of every document mentioned therein and of every other document that may be pertinent thereto.

Any bill relating to a municipal corporation governed by the Cities and Towns Act, the Municipal Code, or a special charter shall likewise be accompanied by a certified true copy of the resolution authorizing its introduction.

35. Introduction and passage during same sessional period – No bill deposited with the law clerk between the second Tuesday in March and the twenty-third day of June or between the second Tuesday in September and the twenty-first day of December may be passed within that same period.

36. Notice in *Gazette officielle du Québec* – The applicant for a private bill shall cause to be published in the *Gazette officielle du Québec*, over his signature, a notice entitled “Avis de présentation d’un projet de loi d’intérêt privé.” Such notice shall specify the objects of the bill and state that any party whose interest may be affected by it and who wishes to make submissions with respect thereto must so advise the law clerk.

37. Notices in newspaper – The said notice shall likewise be published in a newspaper circulating in the judicial district wherein the applicant is domiciled; and if there be no newspaper circulating in that district, it shall be published in a newspaper circulating in the nearest district thereto.

Such notice shall be published once in each week for four weeks.

A copy of this notice shall accompany the bill upon its deposit with the law clerk.

38. Reports from the law clerk – The law clerk shall submit to the President of the Assembly a report stating whether such notice has been drafted and published in accordance with these rules.

The President shall forward a copy of this report to the Government House leader and to the Member sponsoring the bill.

39. Private bills register – The law clerk shall keep a register in which he shall enter the name, the occupation, and the place of residence of the applicant for a private bill and those of every party who has advised him that his interest is affected by such bill and that he wishes to make submissions with respect thereto.

The law clerk shall provide to the Government House leader and to the Member who is to introduce such bill a list of the parties who have advised him of their wish to make submissions with respect thereto.

40. Notices to interested parties – The director of the Secrétariat des commissions shall convene the interested parties not less than seven days before such bill is to be considered in committee.

41. Annual publication of rules – The law clerk shall publish in the *Gazette officielle du Québec*, in January of each year, the rules pertaining to private bills, together with Title III, Chapter IV, of the Standing Orders of the National Assembly.

CHAPTER IV PRIVATE BILLS

264. Notice and introduction – Any Member may, at the request of an interested person or body of persons, introduce a bill relating to private or local matters.

He shall give notice of his intent not later than the sitting day preceding that on which such bill is to be introduced and shall provide a copy thereof to the President before the sitting at which it is to be introduced.

265. Report from law clerk – Before such bill is introduced the President shall communicate to the Assembly the contents of the report from the law clerk thereon.

266. Preamble – A private bill shall require no explanatory notes; but every such bill shall contain a preamble setting out the facts on which it is founded and the circumstances giving rise to the necessity for it.

267. Referral to committee – When a private bill has been introduced the Government House leader shall move, without notice, that it be referred to a committee; and such motion shall be decided without debate.

The committee shall hear the interested parties, examine the bill clause by clause, and report thereon to the Assembly. The question for concurrence in such report shall be put forthwith and decided without debate.

268. Motions for passage in principle and passage – The passage in principle of the bill shall be set down for a future sitting day. No motion may be made to divide such bill or to defer its passage in principle.

A private bill when passed in principle shall not again be referred to a standing committee but may be passed during the same sitting day, and Standing Order 257 shall apply: Provided that the bill may not then be passed if opposition to its passage is taken by five Members.

269. Debate – During the debates on the passage in principle and the final passage of a private bill, each Member may speak for up to ten minutes: Provided that the Member sponsoring the bill and the leaders of the parliamentary groups may each speak for up to thirty minutes.

270. Procedure – Except as otherwise provided in this chapter of these Standing Orders, the general rules pertaining to bills shall apply to private bills.

6046

M.O., 2003-027F

Order of the Minister of Natural Resources, Wildlife and Parks and of the Minister for Forests, Wildlife and Parks dated 12 December 2003

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

CONCERNING the Rivière-Dartmouth Controlled Zone

THE MINISTER OF NATURAL RESOURCES, WILDLIFE AND PARKS AND THE MINISTER FOR FORESTS, WILDLIFE AND PARKS,

GIVEN that under section 104 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provides that the minister may establish controlled zones on lands in the domain of the State, for the purposes of the development, utilisation and conservation of wildlife or of a wildlife species and accessorially, for the practice of recreational activities;

GIVEN that the Rivière-Dartmouth Controlled Zone was established in accordance with section 104 of that Act, by the adoption of the Order in Council 123-89 dated February 8, 1989;

GIVEN section 33 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29) which provides that orders made by the Government under section 104 of the Act respecting the conservation and development of wildlife before 17 June 1998 remain in force until they are replaced by an order of the Minister;

CONSIDERING that it is expedient to alter the territory of the Rivière-Dartmouth Controlled Zone;

CONSIDERING that it is expedient to replace the Schedule V of the Order in Council 123-89 dated February 8, 1989;

ORDER that:

Schedule V, attached hereto be substituted for Schedule V to Order in Council 123-89 dated February 8, 1989;

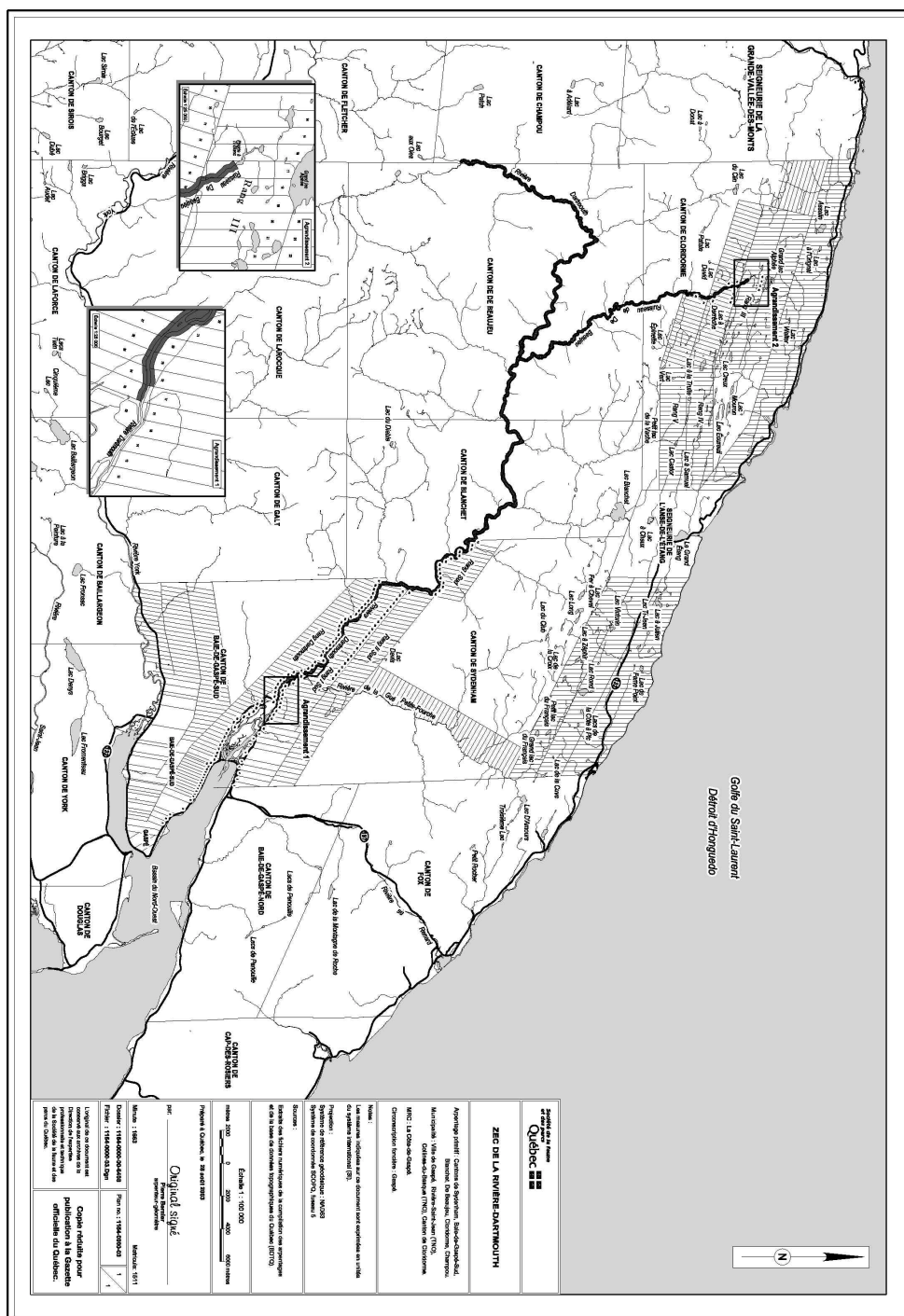
This Order comes into force on the day of its publication in the *Gazette officielle du Québec*.

Québec, 12 December 2003

SAM HAMAD,
*Minister of Natural
Resources, Wildlife
and Parks*

PIERRE CORBEIL,
*Minister for Forest,
Wildlife and Parks*

SCHEDULE V



Draft Regulations

Draft Decree

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

Installation of Petroleum Equipment — Amendment

Notice is hereby given, under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received a petition from the contracting parties to amend the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r. 33) and that, under 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 45 days following this publication.

The purpose of the draft Regulation is to correct a clerical error modifying the scope of the provisions related to overtime hours worked on Saturday.

To do so, the draft proposes to rectify the incorrect wording by providing that, from the beginning of the fifth hour, the hours worked over and above the regular workday or workweek are paid double time.

During the consultation period, the impact of the amendments sought will be clarified. According to the 2002 annual report of the Comité paritaire de l’installation d’équipement pétrolier, the Decree governs 48 employers, 5 artisans and 315 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^e étage, Québec (Québec) G1R 5S1, telephone: (418) 528-9701, fax: (418) 528-0559, e-mail: michel.roberge@travail.gouv.qc.ca

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

JEAN-PAUL BEAULIEU,
Deputy Minister of Labour

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

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

1. The following is substituted for section 4.02 of the Decree respecting the installation of petroleum equipment:

“**4.02.** The first four hours worked over and above the regular workday and the first four hours worked on Saturday are paid time and a half.”.

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

6097

* The Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33) was last amended by the Regulation made by Order in Council No. 655-2003 dated 11 June 2003 (2003, G.O. 2, 1923). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

Treasury Board

Gouvernement du Québec

T.B. 200520, 16 December 2003

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

WHEREAS, under paragraph 2 of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2), the Government may, by regulation, determine the bonuses, allowances, compensations or other additional remuneration which are included in the basic salary defined in section 9;

WHEREAS the Government made the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services by Order in Council 1842-88 dated 14 December 1988 and its subsequent amendments;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 164 of the Act to amend the pension plans of the public and parapublic sectors (2002, c. 30), the first regulation made on or after the date of assent to the Act pursuant to section 9 of the Act respecting the Pension Plan of Peace Officers in Correctional Services in respect of employees covered by that plan who are members of the Ordre des infirmières et infirmiers du Québec may, where it so provides, have effect from 1 January 1992;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Minister of Finance has been consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, attached to this Decision, is hereby made.

ALAIN PARENTEAU,
Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services *

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2, s. 9, 2nd par., s. 130, par. 2;
2002, c. 30, s. 164)

1. Section 2 of the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services is amended by adding the following at the end:

“(3) any additional remuneration paid to an employee who is a member of the Ordre des infirmières et infirmiers du Québec having already reached the maximum of the salary scale, following recognized post-school training in nursing care in accordance with the provisions of the collective labour agreement applying to the employee; and

(4) the lump sum paid to an employee, under an agreement concerning the extension of the collective labour agreements ending on 30 June 2002 or under conditions of employment arising from the agreements or established on the basis of the same parameters, that corresponds to a percentage of the basic salary of the employee.”.

* The Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, made by Order in Council 1842-88 dated 14 December 1988 (1988, *G.O.* 2, 4149), was last amended by the regulation made by Decision of the Conseil du trésor T.B. 199294 dated 28 January 2003 (2003, *G.O.* 2, 929). For previous amendments to the Regulation, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

2. This Regulation comes into force on the day it is made. However, paragraph 3 introduced by section 1 has effect from 1 January 1992.

6099

Gouvernement du Québec

T.B. 200521, 16 December 2003

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under subparagraph 4 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may, by regulation, determine the bonuses, allowances, compensations or any other additional remuneration that are included in the basic salary defined in section 14;

WHEREAS, under the first paragraph of section 134, the Government shall make the regulation after the Commission administrative des régimes de retraite et d'assurances has consulted the Comité de retraite referred to in section 164 of the Act;

WHEREAS the Comité de retraite has been consulted;

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan by Order in Council 1845-88 dated 14 December 1988 and its subsequent amendments;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Minister of Finance has been consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES :

THAT the Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan, attached to this Decision, is hereby made.

ALAIN PARENTEAU,
Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan*

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 14, 2nd par. and s. 134, 1st par., subpar. 4)

1. Section 8 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan is amended by adding the following at the end :

“(4) the lump sum paid to an employee, under an agreement concerning the extension of the collective labour agreements ending on 30 June 2002 or under conditions of employment arising from the agreements or established on the basis of the same parameters, that corresponds to a percentage of the basic salary of the employee.”.

2. This Regulation comes into force on the day it is made.

6102

* The Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988 (1988, *G.O.* 2, 4154), was last amended by the regulation made by Decision of the Conseil du trésor T.B. 200380 dated 11 November 2003 (2003, *G.O.* 2, 3365). For previous amendments to the Regulation, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

Gouvernement du Québec

T.B. 200522, 16 December 2003

An Act respecting the Teachers Pension Plan
(R.S.Q., c. R-11)

Regulation
— Amendment

Regulation to amend the Regulation under the Act respecting the Teachers Pension Plan

WHEREAS, under subparagraph 4 of the first paragraph of section 73 of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11), the Government may, by regulation, determine the bonuses, allowances, compensations or other additional remuneration that are included in the basic salary defined in section 11;

WHEREAS, under section 73 of the Act, the Government shall make the Regulation after the Commission administrative des régimes de retraite et d'assurances has consulted the Comité de retraite referred to in section 164 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10);

WHEREAS the Comité de retraite has been consulted;

WHEREAS the Government made the Regulation under the Act respecting the Teachers Pension Plan by Decision of the Conseil du trésor T.B. 169291 dated 29 November 1988 and its subsequent amendments;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Minister of Finance has been consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Teachers Pension Plan, attached to this Decision, is hereby made.

ALAIN PARENTEAU,
Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Teachers Pension Plan*

An Act respecting the Teachers Pension Plan
(R.S.Q., c. R-11, s. 11, 2nd par. and s. 73, par. 4)

1. Section 4 of the Regulation under the Act respecting the Teachers Pension Plan is amended by adding the following at the end:

“(4) the lump sum paid to a teacher, under an agreement concerning the extension of the collective labour agreements ending on 30 June 2002 or under conditions of employment arising from the agreements or established on the basis of the same parameters, that corresponds to a percentage of the basic salary of the teacher.”.

2. This Regulation comes into force on the day it is made.

6100

Gouvernement du Québec

T.B. 200523, 16 December 2003

An Act respecting the Civil Service Superannuation Plan
(R.S.Q., c. R-12)

Regulation
— Amendment

Regulation to amend the Regulation under the Act respecting the Civil Service Superannuation Plan

WHEREAS, under paragraph 2 of section 109 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12), the Government may, by regulation, determine the bonuses, allowances, compensations or other additional remuneration that are included in the basic salary defined in section 19 or 51;

* The Regulation under the Act respecting the Teachers Pension Plan, made by Decision of the Conseil du trésor T.B. 169291 dated 29 November 1988 (1988, *G.O.* 2, 4085), was last amended by the regulation made by Decision of the Conseil du trésor T.B. 185179 dated 10 May 1994 (1994, *G.O.* 2, 1955). For previous amendments to the Regulation, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

WHEREAS, under section 109 of the Act, the Government shall make the Regulation after the Commission administrative des régimes de retraite et d'assurances has consulted the Comité de retraite referred to in section 164 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10);

WHEREAS the Comité de retraite has been consulted;

WHEREAS the Government made the Regulation under the Act respecting the Civil Service Superannuation Plan by Decision of the Conseil du trésor T.B. 169292 dated 29 November 1988 and its subsequent amendments;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor shall, after consulting the Minister of Finance, exercise the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Minister of Finance has been consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Civil Service Superannuation Plan, attached to this Decision, is hereby made.

ALAIN PARENTEAU,
Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Civil Service Superannuation Plan*

An Act respecting the Civil Service Superannuation Plan
(R.S.Q., c. R-12, s. 19, 2nd par., s. 51, 2nd par. and s. 109, par. 2)

1. Section 2 of the Regulation under the Act respecting the Civil Service Superannuation Plan is amended by adding the following at the end:

* The Regulation under the Act respecting the Civil Service Superannuation Plan, made by Decision of the Conseil du trésor T.B. 169292 dated 29 November 1988 (1988, *G.O.* 2, 4088), was last amended by the regulation made by Decision of the Conseil du trésor T.B. 185180 dated 10 May 1994 (1994, *G.O.* 2, 1956). For previous amendments to the Regulation, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

“(4) the lump sum paid to a civil servant, under an agreement concerning the extension of the collective labour agreements ending on 30 June 2002 or under conditions of employment arising from the agreements or established on the basis of the same parameters, that corresponds to a percentage of the basic salary of the civil servant.”.

2. This Regulation comes into force on the day it is made.

6101

Gouvernement du Québec

T.B. 200524, 16 December 2003

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel

WHEREAS, under subparagraph 4 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may, by regulation, determine the bonuses, allowances, compensations or other additional remuneration that are included in the basic salary referred to in section 25;

WHEREAS, under the first paragraph of section 196 of the Act, the Government shall make the regulation after the Commission administrative des régimes de retraite et d'assurances has consulted the Comité de retraite referred to in section 173.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10);

WHEREAS the Comité de retraite has been consulted;

WHEREAS the Conseil du trésor made the Regulation under the Act respecting the Pension Plan of Management Personnel by Decision T.B. 197329 dated 27 November 2001 and its subsequent amendments;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor shall, after consulting the Minister of Finance, exercise the

powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the Minister of Finance has been consulted;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel, attached to this Decision, is hereby made.

ALAIN PARENTEAU,
Clerk of the Conseil du trésor

Regulation to amend the Regulation under the Act respecting the Pension Plan of Management Personnel*

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 25, 2nd par., s. 196, 1st par., subpar. 4)

1. The Regulation under the Act respecting the Pension Plan of Management Personnel is amended by inserting the following after Division I.1:

“DIVISION I.2

**BONUSES, ALLOWANCES, COMPENSATIONS
OR OTHER ADDITIONAL REMUNERATION
INCLUDED IN THE BASIC SALARY**

1.2. The basic salary also includes

(1) any lump sum paid to an employee, within the scope of the measures intended to protect the employee's salary, following reassignment, career reorientation, demotion or another similar event, in order to compensate for a decrease in the employee's previous basic salary;

(2) any lump sum paid to an employee, within the scope of the measures intended to guarantee a percentage increase in the employee's basic salary during periodic salary reviews;

(3) any additional remuneration paid to an employee who is a member of the Ordre des infirmières et infirmiers du Québec having already reached the maximum of the salary scale following post-school training in nursing care recognized under the collective agreement applicable to the employee; and

(4) the lump sum paid to an employee, under an agreement concerning the extension of the collective labour agreements ending on 30 June 2002 or under conditions of employment arising from the agreements or established on the basis of the same parameters, that corresponds to a percentage of the basic salary of the employee.”.

2. This Regulation comes into force on the day it is made.

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* The Regulation under the Act respecting the Pension Plan of Management Personnel, made by Decision of the Conseil du trésor T.B. 197329 dated 27 November 2001 (2001, *G.O.* 2, 6317), was last amended by the regulation made by Decision of the Conseil du trésor T.B. 200380 dated 11 November 2003 (2003, *G.O.* 2, 3365). For previous amendments to the Regulation, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

Decisions

Decision

An Act respecting school elections
(R.S.Q., c. E-2.3)

Chief electoral officer

— **Des Affluents, des Îles and Sir-Wilfrid-Laurier school boards**

— **Holding of new elections**

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, concerning the holding of new elections in the des Affluents, des Îles and Sir-Wilfrid-Laurier school boards

WHEREAS a general school election was held on November 16, 2003, in the school boards of Québec;

WHEREAS, following tie votes in electoral division number 2 of the Commission scolaire des Affluents, in electoral division number 7 of the commission scolaire des Îles and in electoral division number 11 of the Commission scolaire Sir-Wilfrid-Laurier, judicial recounts were held pursuant to section 144 of the Act respecting school elections (R.S.Q., c. E-2.3);

WHEREAS the tie votes were confirmed by the judicial recounts;

WHEREAS section 156 of the Act respecting school elections provides that, if a tie vote still exists after a judicial recount, the returning officer shall order a new election for the electoral division concerned and shall fix the dates for nominations and for the poll;

WHEREAS section 156 of the Act respecting school elections does not provide for the conditions of the new election, and whereas it would be appropriate to adapt the provisions of the Act due to the exceptional circumstances surrounding a tie vote;

WHEREAS section 30.8 of the Act respecting school elections allows the chief electoral officer to adapt a provision of the Act where it comes to his attention that, subsequent to an error or an exceptional circumstance, the provision does not meet the demands of the resultant situation;

WHEREAS the chief electoral officer has first informed the Minister of Education of the decision he intends to make;

The chief electoral officer, pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, has decided to adapt the provisions of the Act respecting school elections as follows:

— The returning officer of a school board in which a new election must be held shall select the date of the poll from among the Sundays falling within the four months following the date of the judgment confirming the tie vote;

— When establishing the date of the poll, the returning officer may provide for an election period that begins at least twenty-eight days prior to the date selected;

— The public notice of election provided for in section 38 and the notice of revision of the list of electors provided for in section 51 may be given at the same time;

— The request of an elector entered pursuant to the second paragraph of section 15 on the list of electors of an English language school board all or part of whose territory overlaps the territory of the electoral division of the French language school board in which a new election must be held, and who wishes, pursuant to the second paragraph of section 17, to revoke the choice he has made, may be presented before the review board established by the returning officer of the French language school board in which a new election must be held; in such a case, the returning officer shall transmit the decision of the review board to the director general of the English language school board in which the elector was previously entered;

— The notice of revision provided for in section 52 is optional;

— On the last day established for the submission of nominations, the office of the returning officer shall remain open continuously from 9:00 a.m. to 5:00 p.m.;

— Any deadlines set by the Act respecting school elections that must be adapted to suit the election period mentioned above shall be so adapted in accordance with the electoral calendar attached to this decision;

— The authorization granted to a candidate pursuant to Division III of Chapter XII or the recognition of a ticket pursuant to section 66 for the poll of November 16, 2003, shall remain valid for the election period mentioned above;

— Delegations made pursuant to section 206.4 in respect of the authorization of candidates shall remain valid for the election period mentioned above;

— The following decisions made by the chief electoral officer during the election period ending on November 16, 2003, shall apply, adapted as required, to any new election held in the school boards contemplated in this decision:

– Decision of October 3, 2003, concerning the power to swear in election staff;

– Decision of October 3, 2002, concerning the acceptance of nominations by an assistant to the returning officer;

– Decision of October 3, 2002, concerning the ballot, the poll book and the statement of votes;

– Decision of November 11, 2002, concerning the entry of electors on the list of electors for the poll of November 16, 2003; this decision shall apply after the revision period only.

This decision shall take effect on November 27, 2003.

MARCEL BLANCHET,
*Chief Electoral Officer and
Chairman of the Commission de
la représentation électorale*

Parliamentary Committees

Committee on Public Finance

General consultation

Working Group Report on the Role of the Québec Government in Venture Capital

The Committee on Public Finance has been instructed to hold public hearings beginning on 24 February 2004 in pursuance of a general consultation on a paper entitled "Working Group Report on the Role of the Québec Government in Venture Capital".

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 6 February 2004. 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 20 copies.

Briefs, correspondence, and requests for information should be addressed to: Mrs. Denise Léonard, Clerk of the Committee on Public Finance, édifice Pamphile-Le May, 1035, rue des Parlementaires, 3^e étage, Québec (Québec) G1A 1A3.

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

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Committee on Social Affairs

General consultation

Adapting the Pension Plan to Québec's new realities

The Committee on Social Affairs has been instructed to hold public hearings beginning on 24 February 2004 in pursuance of a general consultation on the document entitled Adapting the Pension Plan to Québec's new realities.

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 6 February 2004. 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 20 copies.

Briefs, correspondence, and requests for information should be addressed to: Mrs Denise Lamontagne, lawyer, Clerk of the Committee on Social Affairs, Édifice Pamphile-Le May, 1035, rue des Parlementaires, 3^e étage, Québec (Québec) G1A 1A3.

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