

Gazette
officielle
^{DU} Québec

Part

2

No. 27

6 July 2005

Laws and Regulations

Volume 137

Summary

Table of Contents

Acts 2005

Coming into force of Acts

Regulations and other acts

Draft Regulations

Parliamentary Committees

Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2005

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

Table of Contents

Page

Acts 2005

| | | |
|---|--|------|
| 97 | An Act to amend the Act respecting the Régie des installations olympiques | 2275 |
| 98 | An Act to amend the Building Act and other legislative provisions | 2279 |
| 104 | An Act to amend the Code of Civil Procedure and other legislative provisions | 2293 |
| List of Bills sanctioned (17 June 2005) | | 2271 |

Coming into force of Acts

| | | |
|----------|---|------|
| 651-2005 | Centre de services partagés du Québec, An Act respecting the... — Coming into force of certain provisions | 2297 |
|----------|---|------|

Regulations and other acts

| | | |
|--|--|------|
| 623-2005 | Financial assistance for education expenses (Amend.) | 2299 |
| 634-2005 | Professional Code — Activities engaged in and described in sections 39.7 and 39.8 (Amend.) | 2300 |
| 643-2005 | Road vehicles used for the transportation of school children (Amend.) | 2301 |
| 645-2005 | Division of the territory of Ville de Montréal into boroughs and electoral districts and composition of the borough councils | 2303 |
| 654-2005 | Tobacco Tax Act — Regulation (Amend.) | 2314 |
| 658-2005 | Attendance allowance of the members of the Comité paritaire de l'industrie des services automobiles de la région Saguenay–Lac-Saint-Jean | 2316 |
| Agreement concerning new methods of voting for an election using “Accu-Vote ES 2000” ballot boxes — Municipality of La Prairie | | 2317 |

Draft Regulations

| | | |
|---|--|------|
| Amendments to the conservation plans for the proposed biodiversity and aquatic reserves | | 2331 |
| Safety Code for the construction industry — Occupational health and safety | | 2338 |
| Tariff of fees for the recording and transcription of depositions of witnesses | | 2341 |

Parliamentary Committees

| | | |
|---|--|------|
| Committee on Culture — General consultation — Bill 86, An Act to amend the Act respecting access to documents held by public bodies and the protection of personal information and other legislative provisions | | 2345 |
|---|--|------|

PROVINCE OF QUÉBEC

1st SESSION

37th LEGISLATURE

QUÉBEC, 17 JUNE 2005

OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 17 June 2005

This day, at six minutes past nine o'clock in the morning, Her Excellency the Lieutenant-Governor was pleased to sanction the following bills:

- 2 An Act respecting the reciprocal issue and enforcement of support orders

- 108 An Act to amend the Act respecting parental insurance and other legislative provisions

- 110 An Act to amend the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons and other legislative provisions

- 57 Individual and Family Assistance Act

- 106 An Act to amend the Education Act and the Act respecting private education

- 103 An Act to amend the Act respecting administrative justice and other legislative provisions

- 38 An Act respecting the Health and Welfare Commissioner

- 94 An Act to amend the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs and other legislative provisions
- 95 An Act to amend various legislative provisions of a confessional nature in the education field
- 97 An Act to amend the Act respecting the Régie des installations olympiques
- 98 An Act to amend the Building Act and other legislative provisions
- 100 Budget Act No. 2 giving effect to the Budget Speech delivered on 30 March 2004 and to certain other budget statements
- 101 An Act respecting the Ministère de l'Immigration et des Communautés culturelles
- 102 An Act respecting the funding of certain pension plans
- 104 An Act to amend the Code of Civil Procedure and other legislative provisions
- 105 An Act to amend the Code of Penal Procedure and the Courts of Justice Act
- 111 An Act to amend various legislative provisions concerning municipal affairs
- 112 An Act to amend the Tobacco Act and other legislative provisions
- 115 An Act to amend the Act respecting the Cree Regional Authority
- 393 An Act to amend the Act respecting the Fondation Jean-Charles-Bonenfant
- 220 An Act respecting Ville de Thetford Mines
- 224 An Act respecting Ville de Saint-Jean-sur-Richelieu
- 225 An Act to amend the Act to incorporate the town of Lake St. Joseph
- 227 An Act respecting Ville de Magog
- 229 An Act respecting Pipeline Saint-Laurent

230 An Act respecting Ville de Gaspé

232 An Act to amend various loan by-laws issued
by Ville de Montréal

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



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 97
(2005, chapter 21)

An Act to amend the Act respecting the Régie des installations olympiques

Introduced 28 April 2005
Passage in principle 11 May 2005
Passage 8 June 2005
Assented to 17 June 2005

Québec Official Publisher
2005

EXPLANATORY NOTES

This bill amends the terms of the contract the Régie des installations olympiques may conclude with a third person for the retrofitting and maintenance of a portion of the Olympic Stadium roof. The bill provides that the maximum term of such a contract is 30 years. It also establishes that, as regards that portion of the stadium roof, the third person will be considered on the same footing as the Régie des installations olympiques with respect to municipal urban planning by-laws and to the payment of municipal property taxes and school taxes.

Bill 97

AN ACT TO AMEND THE ACT RESPECTING THE RÉGIE DES INSTALLATIONS OLYMPIQUES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 23.3 of the Act respecting the Régie des installations olympiques (R.S.Q., chapter R-7) is amended

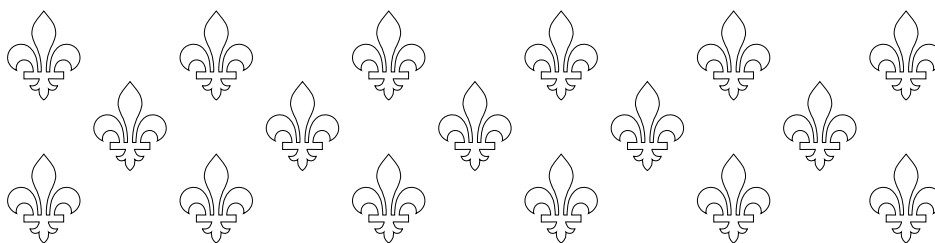
(1) by replacing “25” in the third line of the first paragraph by “30”;

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

“Work carried out under a contract entered into under the first paragraph is deemed to be work carried out by a mandatary of the State for the purposes of the applicable municipal urban planning by-laws.

The portion of the Olympic Stadium roof that is retrofitted under a contract entered into under the first paragraph is deemed to be an immovable included in a unit of assessment entered on the roll in the name of the board within the meaning of paragraph 2 of section 204 of the Act respecting municipal taxation (chapter F-2.1).”

2. This Act comes into force on 17 June 2005.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 98
(2005, chapter 22)

An Act to amend the Building Act and other legislative provisions

Introduced 19 April 2005
Passage in principle 5 May 2005
Passage 10 June 2005
Assented to 17 June 2005

Québec Official Publisher
2005

EXPLANATORY NOTES

This bill amends the Building Act to establish the Régie du bâtiment du Québec as a mandatary of the State and to review some of its governance rules. It separates the positions of chair of the board of directors and president and chief executive officer, and provides for the appointment of two vice-presidents not on the board of directors to assist the president and chief executive officer.

The bill abolishes the advisory committee established under the Building Act and consequently increases the number of members on the Régie's board of directors from five to nine. It requires that the activities of the Régie be financed out of the revenue it collects and that the Régie form an internal audit committee.

The bill furthermore discontinues the demerit points system and stipulates that a licence, once issued, remains valid until suspended or cancelled. The bill confirms that the Corporation of Master Electricians of Québec and the Corporation of Master Pipe-Mechanics of Québec may apply regulations made by the Régie until they adopt different regulations.

Lastly, the bill contains provisions to facilitate the application of the Act in addition to consequential and transitional provisions.

LEGISLATION AMENDED BY THIS BILL:

- Financial Administration Act (R.S.Q., chapter A-6.001);
- Building Act (R.S.Q., chapter B-1.1);
- Master Electricians Act (R.S.Q., chapter M-3);
- Master Pipe-Mechanics Act (R.S.Q., chapter M-4);
- Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20).

Bill 98

AN ACT TO AMEND THE BUILDING ACT AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

BUILDING ACT

1. Section 51 of the Building Act (R.S.Q., chapter B-1.1) is amended by replacing “or its renewal or amendment” in the first line by “or have a licence amended”.

2. Section 56 of the Act is amended by replacing the second paragraph by the following paragraphs:

“The holder of a licence may not transfer the licence.

The holder of a licence, when no longer entitled to the licence, must return it to the Board. The holder of a licence on which an amendment or restriction must be indicated must also return the licence to the Board. In either case, if the holder fails to return the licence, the Board shall confiscate it.”

3. Section 57 of the Act is replaced by the following section:

“**57.** A licence is issued on payment of the fees payable.”

4. Section 59 of the Act is amended by replacing the second paragraph by the following paragraph:

“It may also refuse to issue a licence if the natural person was an officer of a partnership or legal person whose licence is suspended or was cancelled under section 70 within less than three years or if the natural person held a licence so cancelled.”

5. Section 61 of the Act is amended

(1) by striking out “or not renewed” in the second line of subparagraph 3 of the first paragraph;

(2) by striking out “or not renewed” in the third line of the second paragraph.

6. Section 62 of the Act is amended by replacing “has been cancelled or not renewed” in the third and fourth lines by “was cancelled”.

7. Section 65 of the Act is amended by striking out “, renewal” in the first line.

8. Section 65.1 of the Act is amended by replacing “, on the licence issued or renewed by the Board, whether the licence” in the first and second lines by “on the licence whether it”.

9. The heading of Division III of Chapter IV of the Act is replaced by the following heading:

“SUSPENSION OR CANCELLATION OF A LICENCE”.

10. Section 70 of the Act is amended

(1) by replacing “, cancel or refuse to renew” in the first line of the first paragraph by “ or cancel”;

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

“(1) has been convicted of an offence under this Act, the Consumer Protection Act (chapter P-40.1), the Act respecting labour relations, vocational training and manpower management in the construction industry (chapter R-20) or the Act respecting occupational health and safety (chapter S-2.1), if the serious nature or frequency of the offence justifies the suspension or cancellation;”;

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

“(3.1) has not informed the Board as required under section 67;”;

(4) by replacing “, cancel or refuse to renew” in the first line of the second paragraph by “or cancel”.

11. Section 70.1 of the Act is repealed.

12. Section 71 of the Act is amended

(1) by striking out paragraph 5;

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

“(8) he did not pay the fees payable to maintain the licence when they were due.”

13. Section 75 of the Act is amended by replacing “, cancellation or refusal to renew” in the third and fourth lines of the first paragraph by “or cancellation of”.

14. Section 86.2 of the Act is amended by striking out “or the renewal of a licence” at the end of paragraph 8.

15. Section 88 of the Act is replaced by the following section:

“88. The Board is a legal person and a mandatary of the State.

Its property forms part of the domain of the State but the execution of its obligations may be levied against its property.

The Board binds none but itself when it acts in its own name.”

16. Sections 90 to 93 of the Act are replaced by the following sections:

“90. The Board shall be administered by a board of directors composed of nine members including a president and chief executive officer.

“91. The members of the board of directors are appointed by the Government for a term of up to five years.

The members of the board other than the president and chief executive officer are appointed in the following manner:

(1) three chosen from among persons identified with building contractors associations or with corporations incorporated under the Master Electricians Act (chapter M-3) or the Master Pipe-Mechanics Act (chapter M-4);

(2) one chosen from among persons identified with the financial sector;

(3) one chosen from among persons identified with consumer associations or persons living in or frequenting a building;

(4) one chosen from among persons identified with building owners associations;

(5) one chosen from among persons identified with the municipal sector;

(6) one chosen from among persons identified with the professional orders tied to the building and construction industry.

At the end of their terms, the members of the board remain in office until replaced or reappointed.

“91.1. The Government shall appoint a chair and a vice-chair from among the members of the board of directors.

“91.2. The positions of president and chief executive officer and of chair of the board of directors may not be held concurrently.

“91.3. The chair of the board of directors shall call and preside at the meetings of the board and see to the proper operation of the board. The chair shall also assume the other duties assigned by the board.

The vice-chair of the board shall perform the duties of the chair if the chair is absent or unable to act.

“91.4. The president and chief executive officer shall see that the decisions of the board of directors are carried out and is responsible for the management and direction of the Board within the scope of its by-laws and policies.

“91.5. The Government shall also appoint two vice-presidents for a term of up to five years. At the end of their terms, they shall remain in office until replaced or reappointed.

In addition to the powers and duties that may otherwise be assigned or delegated to them, the vice-presidents shall assist and advise the president and chief executive officer in the performance of the duties of office and shall perform their administrative duties under the authority of the president and chief executive officer.

“92. A vacancy on the board of directors other than in the position of president and chief executive officer shall be filled in the manner set out for the appointment of the member to be replaced.

Absence from the number of meetings of the board of directors determined in the internal by-laws of the Board, in the cases and circumstances specified, constitutes a vacancy.

“93. If the president and chief executive officer is absent or unable to act, the Minister shall designate the vice-president who is to replace the president and chief executive officer.

If a vice-president is absent or unable to act, the other vice-president shall assume the latter’s responsibilities.

If a member of the board of directors other than the president and chief executive officer is absent or unable to act, the Government may appoint an interim replacement on the conditions it determines.”

17. Section 94 of the Act is repealed.

18. Section 95 of the Act is replaced by the following section:

“95. The president and chief executive officer and the vice-presidents shall perform their duties on a full-time basis.”

19. Section 96 of the Act is amended by replacing the first paragraph by the following paragraph:

“96. The Government shall fix the remuneration, employment benefits and other conditions of employment of the president and chief executive officer and the vice-presidents.”

20. Section 97 of the Act is repealed.

21. Sections 100 and 101 of the Act are replaced by the following sections:

“100. The quorum at meetings of the board of directors is the majority of its members, including the president and chief executive officer or the chair.

Decisions of the board are made by a majority vote of the members present. In the case of a tie vote, the person presiding at the meeting has a casting vote.

“100.1. The members of the board of directors may waive notice of a meeting. Attendance at a meeting of the board constitutes a waiver of notice, unless the members are present to contest the legality of the meeting.

“100.2. If all agree, the members of the board of directors may take part in a meeting by means of equipment enabling all participants to communicate directly with one another.

“100.3. Written resolutions, signed by all members of the board of directors entitled to vote, have the same value as if they had been adopted during a meeting of the board.

A copy of all such resolutions is kept with the minutes of the proceedings or other equivalent record book.

“101. The Board shall adopt internal by-laws. The internal by-laws must, among other things, provide for the formation of an internal audit committee under the authority of the board of directors.

The mission of the internal audit committee includes assessing the performance of the Board and the quality of its internal controls and financial information as well as determining whether the way in which the Board manages its affairs is in compliance with law, regulation and ethics. The committee shall submit its findings and conclusions to the board of directors, along with any recommendations.

The internal by-laws come into force on the date of their approval by the Government.”

22. Division I.1 of Chapter VI of the Act, comprising sections 103 to 109.5, is repealed.

23. The heading of Division II of Chapter VI of the Act is amended by replacing “PURPOSE” by “MISSION”.

24. Section 110 of the Act is amended by replacing “purpose” in the first line by “mission”.

25. Section 111 of the Act is amended by replacing “its purpose” in the first line by “its mission”.

26. The Act is amended by inserting the following section after section 129.1.1:

“129.1.2. The Board may also enter into an agreement with a department or body of the Gouvernement du Québec for the carrying out of this Act or of an Act whose carrying out is under the responsibility of that department or body.”

27. Section 129.9 of the Act is amended by replacing “continue to apply” in the second line of the first paragraph by “apply”.

28. Section 130 of the Act is amended

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

“130. The Board may delegate to the president and chief executive officer, another member of the board of directors or a vice-president, in writing and to the extent specified, the functions assigned to it by this Act, except those conferred by sections 132, 173 to 179 and 185.”;

(2) by replacing “chairman or vice-chairman” in the second and third lines of the second paragraph by “president and chief executive officer”.

29. Section 130.1 of the Act is amended by striking out “, renewal” in the seventh line of the first paragraph.

30. The Act is amended by inserting the following section before section 141:

“140.1. The minutes of the meetings of the board of directors, approved by the board of directors and certified by the chair, the vice-chair, the president and chief executive officer, the secretary or another person authorized to do so by the Board, are authentic.”

31. Section 141 of the Act is amended

(1) by replacing “the chairman, the vice-chairman” in the second line by “the chair of the board of directors, the president and chief executive officer, a vice-president”;

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

“A member of the personnel of the Ministère du Travail is considered a member of the personnel of the Board for the purposes of the first paragraph, insofar as the member is assigned to an administrative activity the Board has delegated by agreement to that government department.”

32. Section 142 of the Act is replaced by the following section:

“**142.** The Board may, by regulation and subject to specified conditions, allow a signature to be affixed by means of an automatic device, an electronic signature to be affixed, or a facsimile of a signature to be engraved, lithographed or printed on specified documents. However, the facsimile has the same force as the signature itself only if the document is countersigned by a person authorized to do so by the president and chief executive officer.”

33. Section 144 of the Act is amended by replacing “, except a full-time member,” in the first line by “except the president and chief executive officer”.

34. Section 145 of the Act is amended by replacing “staff member” in the first line by “a vice-president, a staff member”.

35. Section 147 of the Act is amended by replacing “the financial statements” in the first and second lines of the first paragraph by “its financial statements and those”.

36. Section 149 of the Act is amended by replacing the second paragraph by the following paragraph:

“The report of the Auditor General or of the auditor designated by the Government must be submitted with the Board’s activities report and financial statements and the financial statements of the Board’s compensation fund.”

37. The Act is amended by inserting the following section after section 149:

“**149.1.** Every year, the Board shall submit its budget estimates for the following fiscal year to the Minister, at the time, and according to the form and content determined by the Minister.

The estimates require the approval of the Government.”

38. Section 150 of the Act is replaced by the following section:

“**150.** The Board shall finance its activities out of the revenue it collects.”

39. Section 151 of the Act is amended

(1) by replacing “renewing” in paragraph 1 by “maintaining”;

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

“(2) registration fees, examination or evaluation fees relating to the issue or amendment of a licence and licence maintenance fees;”.

40. Section 152 of the Act is amended by replacing “shall be paid into the consolidated revenue fund” in the second line by “are part of its assets”.

41. The Act is amended by inserting the following sections after section 155:

“**155.1.** The Board may not, without the Government’s authorization,

(1) contract a loan that causes the total of its current outstanding loans to exceed the amount determined by the Government;

(2) make a financial commitment in excess of the limits or contrary to the conditions determined by the Government;

(3) acquire or dispose of assets in excess of the limits or contrary to the conditions determined by the Government.

“**155.2.** The Government may, on the terms and conditions it determines,

(1) guarantee the payment, in principal and interest, of any loan contracted by the Board and any of its obligations;

(2) authorize the Minister of Finance to advance any amount to the Board that is considered necessary for the performance of its obligations or the pursuit of its mission.

The sums required for the purposes of this section are taken out of the consolidated revenue fund.”

42. Section 160 of the Act is amended by striking out “renewal,” in the first line of paragraph 2.

43. Section 164.1 of the Act is amended by striking out “renewal,” in the second line of subparagraph 1 of the first paragraph.

44. Section 182 of the Act is amended

(1) by striking out “for the renewal of the licence,” in the fourth and fifth lines of subparagraph 6.1 of the first paragraph;

(2) by adding “and of licence maintenance fees” at the end of that subparagraph.

45. Section 185 of the Act is amended

(1) by striking out “or renewal” in the second line of subparagraph 11 of the first paragraph;

(2) by replacing subparagraph 16 of the first paragraph by the following subparagraph:

“(16) determine the terms and conditions and set the fees payable for the issue, amendment or maintenance of a licence, and determine in what cases and at what intervals it will charge such fees;”;

(3) by replacing subparagraph 17 of the first paragraph by the following subparagraph:

“(17) determine classes and subclasses of licences and the fees payable for each class or subclass, and determine in what cases and at what intervals it will charge such fees;”;

(4) by replacing “entry dues, examination or evaluation fees for the issue, amendment or renewal of a licence” in the first and second lines of subparagraph 18 of the first paragraph by “registration fees, examination or evaluation fees for the issue or amendment of a licence or licence maintenance fees;”;

(5) by striking out subparagraph 19.1 of the first paragraph;

(6) by striking out “19.1,” in the fourth line of subparagraph 37 of the first paragraph.

46. Section 297.3 of the Act is repealed.

47. The Act is amended

(1) by replacing “building work” in sections 7, 8, 9, 12, 14, 15, 18, 24, 25, 42, 49, 50, 58, 62.1, 68 and 70, subparagraph 19 of the first paragraph of section 185 and section 299 by “construction work”;

(2) by replacing “corporation” in sections 52, 53, 54 and 59, the first line of the first paragraph of section 60 and sections 61, 62, 69, 71, 73, 196 and 197 by “legal person”;

(3) by replacing “alteration” and “altered” in sections 65 and 129.8, paragraph 3 of section 129.19, the first paragraph of section 130.1, subparagraph 1 of the first paragraph of section 164.1 and subparagraph 6.1 of the first paragraph of section 182 by “amendment” and “amended”, respectively.

AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

48. Schedule 1 to the Financial Administration Act (R.S.Q., chapter A-6.001), amended by section 61 of chapter 11 of the statutes of 2004, is again amended by striking out “Régie du bâtiment du Québec”.

49. Schedule 2 to the Act, amended by section 59 of chapter 25 of the statutes of 2004, section 50 of chapter 30 of the statutes of 2004, section 53 of chapter 32 of the statutes of 2004, section 39 of chapter 35 of the statutes of 2004, section 40 of chapter 37 of the statutes of 2004 and section 16 of chapter 40 of the statutes of 2004, is again amended by inserting “Régie du bâtiment du Québec” in alphabetical order.

MASTER ELECTRICIANS ACT

50. Section 12.0.2 of the Master Electricians Act (R.S.Q., chapter M-3) is amended

(1) by replacing “renewal” in the first line of subparagraph 1 of the second paragraph by “maintenance”;

(2) by replacing “alteration, renewal” in the fifth line of subparagraph 3 of the second paragraph by “amendment, maintenance”.

MASTER PIPE-MECHANICS ACT

51. Section 10.2 of the Master Pipe-Mechanics Act (R.S.Q., chapter M-4) is amended

(1) by replacing “renewal” in the first line of subparagraph 1 of the second paragraph by “maintenance”;

(2) by replacing “alteration, renewal” in the fifth line of subparagraph 3 of the second paragraph by “amendment, maintenance”.

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING
AND MANPOWER MANAGEMENT IN THE CONSTRUCTION
INDUSTRY

52. Section 123 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) is amended

(1) by replacing subparagraph 8.2 of the first paragraph by the following subparagraph:

“(8.2) determine in what cases, subject to what terms and conditions, and for how long a licence issued under the Building Act (chapter B-1.1) is to contain a restriction as regards the obtention of a public contract referred to in section 65.4 of that Act;”;

(2) by striking out “or renewed” in the fifth line of subparagraph 8.3 of the first paragraph.

TRANSITIONAL AND FINAL PROVISIONS

53. The Régie du bâtiment du Québec or the mandatory Corporation referred to in section 129.3 of the Building Act (R.S.Q., chapter B-1.1) issues a licence on (*insert the date of coming into force of this section*) to any person who, on that date, holds a valid licence issued under that Act.

The licence is for the class or subclass to which the operations authorized by the replaced licence belong.

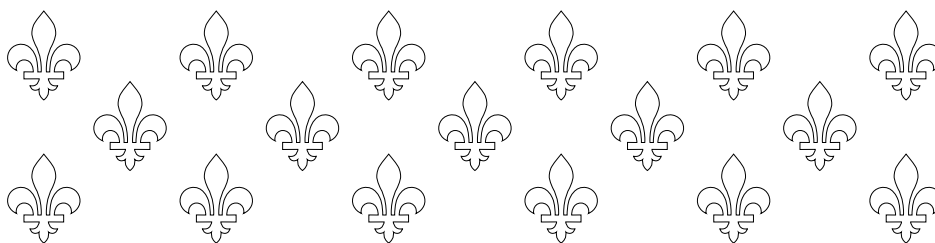
The fees payable under subparagraphs 16 and 17 of the first paragraph of section 185 of that Act are payable on the expiry date of the replaced licence.

This section does not apply to a licence issued to a trustee in bankruptcy or a liquidator referred to in section 76 of that Act.

54. The sums required to carry out the Building Act (R.S.Q., chapter B-1.1) during the fiscal year 2005-2006 are taken out of the consolidated revenue fund to the extent determined by the Government.

55. For the remainder of their respective terms of office, the chair of the board of directors of the Régie du bâtiment du Québec shall act as its president and chief executive officer, and the vice-chair and the full-time member of the board of directors, as its vice-presidents.

56. The provisions of this Act come into force on the date or dates to be set by the Government.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 104
(2005, chapter 26)

**An Act to amend the Code of Civil
Procedure and other legislative
provisions**

**Introduced 3 May 2005
Passage in principle 31 May 2005
Passage 10 June 2005
Assented to 17 June 2005**

**Québec Official Publisher
2005**

EXPLANATORY NOTES

This bill amends the Code of Civil Procedure, the Code of Penal Procedure and the Act respecting municipal courts to allow judges who are appointed to another court to continue and terminate the cases or proceedings of which they are seized at the time of their appointment.

The bill contains a transitional measure under which these amendments also apply to judges appointed to another court before the Act comes into force and who, at the time of their appointment, were seized of a case or proceedings.

LEGISLATION AMENDED BY THIS BILL:

- Code of Civil Procedure (R.S.Q., chapter C-25);
- Code of Penal Procedure (R.S.Q., chapter C-25.1);
- Act respecting municipal courts (R.S.Q., chapter C-72.01).

Bill 104

AN ACT TO AMEND THE CODE OF CIVIL PROCEDURE AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Article 464 of the Code of Civil Procedure (R.S.Q., chapter C-25) is amended by adding the following paragraph at the end:

“However, if a judge ceases to hold office because of an appointment to another court, the judge may, with the agreement of the chief judges or chief justices of the courts concerned, continue and terminate any case of which the judge was seized at the time of the appointment. Failing that, the procedure set out in the first two paragraphs is followed.”

2. Article 195 of the Code of Penal Procedure (R.S.Q., chapter C-25.1) is amended by adding the following paragraphs at the end:

“However, if a judge ceases to hold office because of an appointment to another court, the judge may, with the agreement of the chief judges or chief justices of the courts concerned, continue and terminate any proceedings of which the judge was seized at the time of the appointment. Failing that, the procedure set out in the first two paragraphs is followed.

For the purposes of this article, a court means a municipal court, the Court of Québec, the Superior Court or the Court of Appeal.”

3. Section 79 of the Act respecting municipal courts (R.S.Q., chapter C-72.01) is amended by adding the following paragraphs at the end:

“However, if a judge ceases to exercise the functions of office because of an appointment to another court, the judge may, with the agreement of the chief judges or chief justices of the courts concerned, continue and terminate any case of which the judge was seized at the time of the appointment. Failing that, the procedure set out in the first two paragraphs is followed.

For the purposes of this section, a court means a municipal court, the Court of Québec, the Superior Court or the Court of Appeal.”

4. The provisions of this Act also apply to any judge appointed to a municipal court, the Court of Québec, the Superior Court or the Court of Appeal before 17 June 2005, as regards a case or proceedings of which the judge was seized at the time of the appointment.

5. This Act comes into force on 17 June 2005.

Coming into force of Acts

Gouvernement du Québec

O.C. 651-2005, 23 June 2005

An Act respecting the Centre de services partagés du Québec (2005, c. 7)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act respecting the Centre de services partagés du Québec

WHEREAS the Act respecting the Centre de services partagés du Québec (2005, c. 7) was assented to on 24 May 2005;

WHEREAS under section 110 of the Act, the provisions of the Act come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set the date of coming into force of the Act, except sections 4 to 17, 37, 40 to 44, 49 to 53, 55 to 106 and 108;

IT IS ORDERED, therefore, on the recommendation of the Minister of Government Services:

THAT the provisions of the Act respecting the Centre de services partagés du Québec (2005, c. 7) come into force on 27 June 2005, except sections 4 to 17, 37, 40 to 44, 49 to 53, 55 to 106 and 108.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

6951

Regulations and other acts

Gouvernement du Québec

O.C. 623-2005, 23 June 2005

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3; 2003, c. 17; 2004, c. 28)

Financial assistance for education expenses — Amendments

Regulation to amend the Regulation respecting financial assistance for education expenses

WHEREAS, under section 57 of the Act respecting financial assistance for education expenses (R.S.Q., c. A-13.3), amended by section 41 of chapter 17 of the Statutes of 2003 and by section 3 of chapter 28 of the Statutes of 2004, the Government may make regulations for the carrying out of the Act;

WHEREAS the Government made the Regulation respecting financial assistance for education expenses by Order in Council 344-2004 dated 7 April 2004;

WHEREAS it is expedient to amend the Regulation respecting financial assistance for education expenses;

WHEREAS, under section 23.7 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., c. C-60), every draft regulation respecting the financial assistance programs established by the Act respecting Act respecting financial assistance for education expenses must be submitted for advice to the advisory committee on the financial accessibility of education;

WHEREAS a draft of the Regulation attached to this Order in Council was submitted to the advisory committee on the financial accessibility of education and the advisory committee has given its advice;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 6 May 2005, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education, Recreation and Sports:

THAT the Regulation to amend the Regulation respecting financial assistance for education expenses, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting financial assistance for education expenses*

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3, s. 57; 2003, c. 17, s. 41; 2004, c. 28, s. 3)

1. Section 51 of the Regulation respecting financial assistance for education expenses is replaced by the following:

“**51.** The maximum amount of a loan is increased by the following amount for each month in the year of allocation during which a student is in one of the situations referred to in subparagraphs 2 to 4 of the first paragraph of section 24:

- (1) \$200 at the secondary level, in vocational training;
- (2) \$220 at the college level;
- (3) \$305 at the undergraduate university level or the equivalent;
- (4) \$405 at the undergraduate university level, if the student has obtained an undergraduate degree in Québec or an undergraduate degree or the equivalent outside Québec;
- (5) \$405 at the master's or doctoral level.

* The Regulation respecting financial assistance for education expenses, made by Order in Council 344-2004 dated 7 April 2004 (2004, *G.O.* 2, 1211), was amended by the regulation made by Order in Council 670-2004 dated 30 June 2004 (2004, *G.O.* 2, 2293).

The maximum amount of a loan is increased by the amount of the fees allocated to a student pursuant to section 29, in the following cases:

(1) the student attends a private institution at the secondary level in vocational training or at the college level where the student pursues studies in a program subsidized under the Act governing that institution;

(2) the student attends an institution at the secondary level in vocational training or at the college level where the student pursues studies in a program not subsidized under the Act governing that institution;

(3) the student attends the École nationale de police du Québec; or

(4) the student attends an educational institution outside Québec.

The maximum amount of a loan is increased, in the case referred to in section 39, by the amount allocated to a student pursuant to that section.

The amount established in subparagraph 2 of the first paragraph is increased to \$315 if the student attends an educational institution at the college level where the student pursues studies in a program referred to in subparagraph 2 of the second paragraph.”.

2. For the 2005-2006 year of allocation, the amounts provided for in subparagraphs 1 to 5 of the first paragraph of section 51 of the Regulation respecting financial assistance for education expenses are replaced respectively by the following amounts:

- (1) “\$245”;
- (2) “\$255”;
- (3) “\$310”;
- (4) “\$410”;
- (5) “\$410”.

In addition, except in the cases where the maximum amount of a loan is increased by the amount of the fees allocated to a student pursuant to section 29 of the Regulation respecting financial assistance for education expenses, the maximum amount of a loan is increased by the following amount for each 4-month period during which the student is in one of the situations referred to in subparagraphs 2 to 4 of the first paragraph of section 24 of that Regulation:

(1) \$20 at the college level;

(2) \$270 at the university level.

3. This Regulation comes into force on 1 September 2005.

6946

Gouvernement du Québec

O.C. 634-2005, 23 June 2005

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

Activities engaged in and described in sections 39.7 and 39.8 of the Code — Amendments

Regulation to amend the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code

WHEREAS, under section 39.9 of the Professional Code (R.S.Q., c. C-26), the Office des professions du Québec may, by regulation, determine places, cases and circumstances in which a person may engage in the activities described in sections 39.7 and 39.8 of the Code as well as the applicable conditions and procedures;

WHEREAS, under that section, the Office des professions du Québec adopted the Regulation to amend the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 8 December 2004 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Chair of the Office did not receive any comments following that consultation;

WHEREAS, under section 13 of the Professional Code, every regulation adopted by the Office under the Code or an Act constituting a professional order must be submitted to the Government, which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code*

Professional Code
(R.S.Q., c. C-26, s. 39.9)

1. Section 1 of the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code is amended by replacing “referred to in paragraph 1” by “or a rehabilitation centre for physically impaired persons referred to in paragraphs 1 and 2”.

2. Section 2 is amended

(1) by inserting “on behalf of a rehabilitation centre for mentally impaired persons,” after “engaged in”; and

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

“The activities may be engaged in on behalf of a rehabilitation centre for physically impaired persons, at any place they are required, within the scope of the residential program or socio-occupational program administered by the centre.”.

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

6939

Gouvernement du Québec

O.C. 643-2005, 23 June 2005

Transport Act
(R.S.Q., c. T-12)

Road vehicles used for the transportation of school children — Amendments

Regulation to amend the Regulation respecting road vehicles used for the transportation of school children

WHEREAS, under paragraph *a* of section 5 of the Transport Act (R.S.Q., c. T-12), the Government may, by regulation, establish standards, conditions or modes of construction, use, safe-keeping, upkeep, ownership, possession, rent, hygiene or safety of any means of transport or transport system which it indicates;

WHEREAS the Regulation respecting road vehicles used for the transportation of school children was made by Order in Council 285-97 dated 5 March 1997;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting road vehicles used for the transportation of school children was published in Part 2 of the *Gazette officielle du Québec* of 22 September 2004, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Minister of Transport received comments following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Minister responsible for the Capitale-Nationale region:

THAT the Regulation to amend the Regulation respecting road vehicles used for the transportation of school children, attached hereto, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

* The Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code was made by Order in Council 66-2004 dated 29 January 2004 (2004, *G.O.* 2, 989) and has not been amended since.

Regulation to amend the Regulation respecting road vehicles used for the transportation of school children *

Transport Act
(R.S.Q., c. T-12, s. 5, par. a)

1. The Regulation respecting road vehicles used for the transportation of school children is amended in section 2

(1) by inserting “red” after “flashing” in subparagraph 2 of the first paragraph;

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

“(3) its chassis is built before 29 August 2005 and is equipped with the alternately flashing yellow lights referred to in section 34.”.

2. Section 4 is amended by adding the following paragraph at the end:

“A handicapped accessible vehicle is also a vehicle used for the transportation of school children if it is equipped with a wheelchair access ramp or a wheelchair lift, fitted to carry at least one person in a wheelchair, is equipped with a restraining device fixed to the floor with four anchorages and used to keep each wheelchair in the same position as the permanent seats installed by the manufacturer if seat belts consisting of a shoulder belt and a lap belt are installed for each wheelchair and if the vehicle is used under a contract concluded with a school board or a private educational institution for the exclusive purpose of transporting school children.”.

3. Section 11 is amended

(1) by inserting “and of the alternately flashing yellow lights” after “lights” in the second paragraph;

(2) by replacing “178 Rexdale Boulevard, Etobicoke,” in the third paragraph by “5060 Spectrum Way, Mississauga,”.

4. Section 30 is amended by inserting “red” before “lights” in the second paragraph.

5. Section 34 is amended by replacing the fourth paragraph by the following:

“A school bus must, in addition, be equipped with alternately flashing yellow lights to warn drivers that the bus is preparing to stop to take on or discharge school children. The lights shall be designed and installed in accordance with the provisions that apply to the flashing red lights prescribed by this section.”.

6. Section 35 is amended by inserting “red” before “lights” at the end of the second paragraph.

7. Section 37 is amended by adding the following paragraph at the end:

“If the owner chooses not to install such a sign, the owner must install in the same manner a dome light that has a yellow-coloured surface and on which the word “Écoliers” is displayed in black letters.”.

8. Section 44 is amended by replacing subparagraphs 1 and 2 of the first paragraph by the following:

“(1) at least three triangle reflectors that conform to CSA Standard D-250-03 entitled “School Buses” and published on 18 March 2003 by the Canadian Standards Association, as regards advanced warning devices;

(2) one adequately pressurized multi-purpose powder extinguisher having a minimum rating of 3A:40B:C that meets at least the requirements of CSA Standard D-250-03, as regards fire extinguishers, and that weighs between 2.0 and 2.5 kg; and”.

9. The following is inserted after section 44:

44.1. The driver of a school bus must, before turning on the flashing red lights and activating the stop signal in accordance with section 456 or 461 of the Highway Safety Code (R.S.Q., c. C-24.2), the alternately flashing yellow lights referred to in the fourth paragraph of section 34 to warn drivers that the bus is preparing to stop to take on or discharge school children or persons under 18 years of age.

44.2. A school bus the chassis of which was built before 29 August 2005 is not required to be equipped with the alternately flashing yellow lights prescribed by the fourth paragraph of section 34. In addition, the driver of such a school bus is exempt from the requirement of section 44.1 unless the bus is equipped with alternately flashing yellow lights warning drivers that the bus is preparing to stop to take on or discharge school children.

* The Regulation respecting road vehicles used for the transportation of school children, made by Order in Council 285-97 dated 5 March 1997 (1997, *G.O.* 2, 1441), has been amended once, by the regulation made by Order in Council 32-2001 dated 17 January 2001 (2001, *G.O.* 2, 1034).

The driver of a school bus referred to in the first paragraph that is not equipped with alternately flashing yellow lights must, before turning on the flashing red lights and activating the stop signal in accordance with section 456 or 461 of the Highway Safety Code, turn on the flashing emergency lights referred to in section 377 of the Code to warn drivers that the bus is preparing to stop to take on or discharge school children or persons under 18 years of age.”.

10. Section 50 is amended by adding the following paragraph at the end:

“(5) where a driver of a school bus does not turn on the alternately flashing yellow lights or the flashing emergency lights in contravention of section 44.1 or 44.2.”.

11. This Regulation comes into force on 29 August 2005.

6949

Gouvernement du Québec

O.C. 645-2005, 23 June 2005

Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities
(2003, c. 14)

Division of the territory of Ville de Montréal into boroughs and electoral districts and composition of the borough councils

WHEREAS, under section 39.1 of the Charter of Ville de Montréal (R.S.Q., c. C-11.4), not later than 1 December 2004, the council of Ville de Montréal was to report to the Minister of Municipal Affairs, Sports and Recreation on the number of borough councillors each borough council should include, the division of the borough territories for the purposes of the first general election to be held after that of 4 November 2001, and the manner in which city councillors and borough councillors should be elected in that election;

WHEREAS a report dated 22 November 2004 was sent to the Minister on 25 November 2004;

WHEREAS, under Order in Council 1109-2004 dated 2 December 2004, Ville de Montréal also was, not later than 13 February 2005, to make a proposal to the Minister on the division into boroughs and electoral districts of its territory as it is to exist after the withdrawal of the territory of any sector concerned where an affirmative answer was given to the referendum question;

WHEREAS a proposal was sent to the Minister on 31 January 2005;

WHEREAS, under section 50 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), with regard to the advance general election referred to in section 49 of the Act, the Government may establish rules on any matter governed by the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) or on any other matter related to an election that is the subject of provisions in the constituting Act or the charter of the city or the other existing municipality concerned;

WHEREAS it is expedient to establish such rules particularly as concerns the application of certain proposals in the report dated 22 November 2004 of Ville de Montréal for the purposes of the general election of 2005;

WHEREAS it is also expedient to determine the division of the territory of Ville de Montréal into boroughs and electoral districts for the purposes of the 2005 general election;

WHEREAS, in accordance with the second paragraph of section 50 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, the chief electoral officer has been consulted on the rules;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions:

THAT, for the purposes of the 2005 general election in the territory of Ville de Montréal as it is to exist after the withdrawal of the territory of any reconstituted municipality and for the purposes of any by-election held before the 2009 general election, the following rules be established:

1. The territory of Ville de Montréal is, for the exercise of certain of its fields of jurisdiction, divided into 19 boroughs whose boundaries are as follows:

(1) the boundaries described in Part I of Schedule B of the Charter of Ville de Montréal are maintained for the following boroughs:

- (a) Anjou;
- (b) Ahuntsic-Cartierville;
- (c) Lachine;
- (d) LaSalle;
- (e) Mercier-Hochelaga-Maisonneuve;
- (f) Montréal-Nord;
- (g) Outremont;
- (h) Le Plateau-Mont-Royal;

- (i) Rosemont–La Petite-Patrie;
- (j) Saint-Laurent;
- (k) Saint-Léonard;
- (l) Le Sud-Ouest;
- (m) Verdun;
- (n) Ville-Marie;
- (o) Villeray–Saint-Michel-Parc-Extension;

(2) the boundaries described as follows are established for the following boroughs:

(a) Côte-des-Neiges–Notre-Dame-de-Grâce: the part of the territory of the former Ville de Montréal delimited on the north by the boundary of the former Ville de Mont-Royal from the boundary of the former Cité de Côte-Saint-Luc to the boundary of the former Ville d'Outremont, by that boundary and its extension to Chemin Remembrance, by Chemin Remembrance to the boundary of the former Ville de Westmount, by that north, west and south boundary to Autoroute 20, by Autoroute 20 westerly to Pullman street, by Pullman street to the ridge of the Falaise Saint-Jacques, along that ridge to the meeting point of Sainte-Anne-de-Bellevue boulevard and the boundary of the former Ville de Montréal-Ouest, by that boundary to the boundary of the former Cité de Côte-Saint-Luc, by that boundary to the boundary of the former Ville de Hampstead, by that south, east and north boundary to the boundary of the former Cité de Côte-Saint-Luc, by that boundary to the boundary of the former Ville de Mont-Royal;

(b) L'Île-Bizard–Sainte-Geneviève: corresponds to the territory of the former Ville de L'Île-Bizard and the territory of the former Ville de Sainte-Geneviève;

(c) Pierrefonds-Roxboro: corresponds to the territory of the former Ville de Pierrefonds and the territory of the former Ville de Roxboro;

(d) Rivière-des-Prairies–Pointe-aux-Trembles: the part of the territory of the former Ville de Montréal delimited on the northwest by the boundary of Ville de Laval situated at the centre of the Des Prairies river, by that boundary to the St. Lawrence River, by the centre of the St. Lawrence River to the unorganized aquatic territory of the equivalent territory of Montréal, by that north and west boundary to the boundary of the former Ville de Montréal-Est, by that northeast and northwest boundary to the boundary of the former Ville d'Anjou, by that northwest boundary to the boundary of the former Ville de Montréal-Nord, by that northeast boundary to the boundary of Ville de Laval.

2. The division of the territory of Ville de Montréal into electoral districts is the division described in the Schedule.

3. The city council is composed of the mayor and 64 city councillors.

4. The councils of the Montréal-Nord, Pierrefonds-Roxboro, Saint-Laurent, Saint-Léonard, Sud-Ouest and Ville-Marie boroughs are composed of

(1) the borough mayor who is also a city councillor;

(2) a city councillor for each of the two electoral districts in the borough; and

(3) a borough councillor for each of the two electoral districts.

5. The councils of the LaSalle and Verdun boroughs are composed of

(1) the borough mayor who is also a city councillor;

(2) a city councillor for each of the two electoral districts in the borough; and

(3) two borough councillors for each of the two electoral districts.

For each district, the borough councillors referred to in subparagraph 3 of the first paragraph are elected for a numbered office; for the purposes of that election and of the Act respecting elections and referendums in municipalities, the district is considered to be a ward where there is more than one councillor.

6. The councils of the Anjou and Lachine boroughs are composed of

(1) the borough mayor who is also a city councillor;

(2) a city councillor for all the borough; and

(3) a borough councillor for each of the three electoral districts in the borough.

7. The councils of the Plateau-Mont-Royal and Rivière-des-Prairies–Pointe-aux-Trembles boroughs are composed of

(1) the borough mayor who is also a city councillor;

(2) a city councillor for each of the three electoral districts in the borough; and

(3) a borough councillor for each of the three electoral districts.

8. The councils of the L'Île-Bizard–Sainte-Geneviève and Outremont boroughs are composed of

(1) the borough mayor who is also a city councillor; and

(2) a borough councillor for each of the four electoral districts in the borough.

9. The councils of the Ahuntsic–Cartierville, Mercier–Hochelaga–Maisonneuve, Rosemont–La Petite-Patrie and Villeray–Saint-Michel–Parc-Extension boroughs are composed of

(1) the borough mayor who is also a city councillor; and

(2) a city councillor for each of the four electoral districts in the borough.

10. The council of the Côte-des-Neiges–Notre-Dame-de-Grâce borough is composed of

(1) the borough mayor who is also a city councillor; and

(2) a city councillor for each of the five electoral districts in the borough.

11. In respect of the borough mayor or the city councillor who, under sections 4 to 10, is to be elected for all the borough, every person who is entitled to vote at the election of another city councillor or borough councillor in any of the electoral districts in the borough as if all those districts formed only one district, is entitled to vote at the election of that borough mayor or that city councillor and, for the purposes of that election, the lists of electors of all those districts are deemed to constitute the list of electors.

For the purposes of the Act respecting elections and referendums in municipalities, the offices referred to in paragraphs 1 and 2 of section 6 are considered, for the district created under the first paragraph, to be numbered offices of a ward.

12. In every borough with a council composed of borough councillors, the electoral districts in the borough are used for the purpose of the election of the councillors, in accordance with the Act respecting elections and referendums in municipalities that applies as though the councillors were city councillors.

13. For the purposes of the second paragraph of section 146 of the Act respecting elections and referendums in municipalities and any related provision,

“office of councillor in an electoral district” also refers to the office of city councillor for all the borough referred to in paragraph 2 of section 6 as if the borough were an electoral district.

THAT these rules disregard any inconsistent provision of the Charter of Ville de Montréal including, but not limited to, sections 10 and 11, 14 to 16, the first three paragraphs of section 18, sections 19, 38 and 39, 40, 41 and 42 and Part II of Schedule B;

THAT any reference, in this Order in Council, to the territory of a former municipality correspond to the territory of that former municipality as it existed on 31 December 2001.

SCHEDULE

DESCRIPTION OF ELECTORAL DISTRICTS

Unless otherwise indicated, the centre of the thoroughfares and demarcations indicated constitutes the effective boundary.

AHUNTSIC-CARTIERVILLE BOROUGH

Sault-au-Récollet electoral district

Commencing at a point situated at the intersection of Boulevard Henri-Bourassa Est and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast and southeast boundary of the borough, the railway line along Rue de Louvain Est, the southeasterly extension of Avenue Péloquin, the latter avenue, Rue de Port-Royal Est, Avenue Saint-Charles and its northwesterly extension, the northwest and northeast boundaries of the borough, to the point of commencement.

The electoral district has 21,071 electors, a variation from the mean of -3.23%, and has an area of 9.07 km².

Saint-Sulpice electoral district

Commencing at a point situated at the intersection of Rue de Louvain Est and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast, southeast and southwest boundaries of the borough, Boulevard Henri-Bourassa Ouest, Avenue du Bois-de-Boulogne, Rue Arthur-Lismer and its northeasterly extension, the railway line along Rue René-Bauset, Rue Sauvé Ouest, Rue Clark and its southeasterly extension, the railway line along Rue de Port-Royal Est, the northeast boundary of the borough, to the point of commencement.

The electoral district has 21,841 electors, a variation from the mean of +0.31%, and has an area of 6.79 km².

Ahuntsic electoral district

Commencing at a point situated at the intersection of Rue Saint-Charles and Rue de Port-Royal Est; thence, successively, the following lines and demarcations: southwesterly, Rue de Port-Royal Est, Avenue Péloquin and its southeasterly extension, the railway line along Rue de Port-Royal Est, the southeasterly extension of Rue Clark, the latter street, Rue Sauvé Ouest, the railway line along Rue René-Bauset, the northeasterly extension of Rue Arthur-Lismer, the latter street, Avenue du Bois-de-Boulogne, Boulevard Henri-Bourassa Ouest, Boulevard de l'Acadie and its northwesterly extension, the northwest boundary of the borough, the northwesterly extension of Avenue Saint-Charles, the latter avenue, to the point of commencement.

The electoral district has 21,613 electors, a variation from the mean of -0.74%, and has an area of 5.57 km².

Bordeaux-Cartierville electoral district

Commencing at a point situated at the intersection of Rue Pasteur and Boulevard de l'Acadie; thence, successively, the following lines and demarcations: southeasterly, Boulevard de l'Acadie, Boulevard Henri-Bourassa Ouest, the southeast, southwest and northwest boundaries of the borough, the northwesterly extension of Boulevard de l'Acadie, the latter boulevard, to the point of commencement.

The electoral district has 22,572 electors, a variation from the mean of +3.66%, and has an area of 8.75 km².

ANJOU BOROUGH

West electoral district

Commencing at a point situated at the intersection of Boulevard Henri-Bourassa and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast boundary of the borough, Autoroute Métropolitaine (40), Autoroute 25, Rue Beaubien, the southwest, northwest and northeast boundaries of the borough, to the point of commencement.

The electoral district has 10,834 electors, a variation from the mean of +9.37%, and has an area of 9.34 km².

East electoral district

Commencing at a point situated at the intersection of Autoroute Métropolitaine (40) and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast and southeast boundaries of the borough, Boulevard Louis-H.-LaFontaine, Boulevard Yves-Prévost, Boulevard Joseph-Renaud, Boulevard Wilfrid-Pelletier, Boulevard Roi-René, Autoroute Métropolitaine (40), to the point of commencement.

The electoral district has 9,413 electors, a variation from the mean of -4.98%, and has an area of 2.56 km².

Centre electoral district

Commencing at a point situated at the intersection of Autoroute Métropolitaine (40) and Boulevard Roi-René; thence, successively, the following lines and demarcations: southeasterly, Boulevard Roi-René, Boulevard Wilfrid-Pelletier, Boulevard Joseph-Renaud, Boulevard Yves-Prévost, Boulevard Louis-H.-LaFontaine, the southeast and southwest boundaries of the borough, Rue Beaubien, Autoroute 25, Autoroute Métropolitaine (40), to the point of commencement.

The electoral district has 9,471 electors, a variation from the mean of -4.39%, and has an area of 1.93 km².

CÔTE-DES-NEIGES–NOTRE-DAME-DE-GRÂCE BOROUGH

Darlington electoral district

Commencing at a point situated at the intersection of Avenue de Vimy and the northeast boundary of the borough; thence, successively, the following lines and demarcations: northeasterly, the northwest and northeast boundaries of the borough, Avenue Van Horne, Avenue Decelles, Chemin de la Côte-Sainte-Catherine, Avenue Victoria, Rue Jean-Talon Ouest, the northwest boundary of the borough, to the point of commencement.

The electoral district has 18,783 electors, a variation from the mean of -6.36%, and has an area of 2.85 km².

Côte-des-Neiges electoral district

Commencing at a point situated at the intersection of Avenue Lajoie and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast and east boundaries

of the borough, Avenue Victoria, Chemin de la Côte-Sainte-Catherine, Avenue Decelles, Avenue Van Horne, the northeast boundary of the borough, to the point of commencement.

The electoral district has 18,167 electors, a variation from the mean of -9.43%, and has an area of 4.48 km².

Snowdon electoral district

Commencing at a point situated at the intersection of Rue Jean-Talon Ouest and Rue Victoria; thence, successively, the following lines and demarcations: southeasterly, Avenue Victoria, the east boundary of the borough, the rear line of the properties fronting on the southeast side of Chemin de la Côte-Saint-Luc, Autoroute Décarie (15), Chemin de la Côte-Saint-Luc, the west boundary of the borough, Rue Jean-Talon Ouest, to the point of commencement.

The electoral district has 19,624 electors, a variation from the mean of -2.16%, and has an area of 5.53 km².

Notre-Dame-de-Grâce electoral district

Commencing at a point situated at the intersection of Avenue Notre-Dame-de-Grâce and the east boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the east and southeast boundaries of the borough, the southeasterly extension of Grand Boulevard, the latter boulevard, the west boundary of the borough, Chemin de la Côte-Saint-Luc, Autoroute Décarie (15), the rear line of the properties fronting on the southeast side of Chemin de la Côte-Saint-Luc, the east boundary of the borough, to the point of commencement.

The electoral district has 21,092 electors, a variation from the mean of +5.16%, and has an area of 3.88 km².

Loyola electoral district

Commencing at a point situated at the intersection of Avenue Fielding and Grand Boulevard; thence, successively, the following lines and demarcations: southeasterly, Grand Boulevard and its southeasterly extension, the southeast, south and west boundaries of the borough, Grand Boulevard, to the point of commencement.

The electoral district has 22,624 electors, a variation from the mean of +12.79%, and has an area of 4.71 km².

LACHINE BOROUGH

Canal electoral district

Commencing at a point situated at the intersection of Chemin de la Côte-Saint-Luc and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast and south boundaries of the borough, the southerly extension of 32^e Avenue, the latter avenue, Rue Notre-Dame, 32^e Avenue, Rue Victoria, 32^e Avenue, Rue Saint-Antoine and its easterly extension, the rear line of the properties fronting on the east side of Avenue George-V and its northerly extension, Autoroute 20, Autoroute Chomedey (13), the northeast boundary of the borough, to the point of commencement.

The electoral district has 9,320 electors, a variation from the mean of -6.65%, and has an area of 8.32 km².

J.-Émery-Provost electoral district

Commencing at a point situated at the intersection of 1^{re} Avenue and Autoroute 20; thence, successively, the following lines and demarcations: southeasterly, Autoroute 20, the northerly extension of the rear line of the properties fronting on the east side of Avenue George-V, the latter boundary, the easterly extension of Rue Saint-Antoine, the latter street, 32^e Avenue, Autoroute 20, to the point of commencement.

The electoral district has 10,246 electors, a variation from the mean of +2.62%, and has an area of 1.82 km².

Fort-Rolland electoral district

Commencing at a point situated at the intersection of Chemin de la Côte-de-Liesse and the north boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the north boundary of the borough, Autoroute Chomedey (13), Autoroute 20, 32^e Avenue, Rue Victoria, 32^e Avenue, Rue Notre-Dame, 32^e Avenue and its southerly extension, the south, west and north boundaries of the borough, to the point of commencement.

The electoral district has 10,385 electors, a variation from the mean of +4.02%, and has an area of 7.70 km².

LASALLE BOROUGH

Sault-Saint-Louis electoral district

Commencing at a point situated at the intersection of Rue Saint-Patrick and the north boundary of the borough; thence, successively, the following lines and demarca-

tions : southeasterly, the northeast, east and south boundaries of the borough, the southwesterly extension of 80° Avenue, the latter avenue, Rue Airlie, Boulevard De La Vérendrye, Avenue Dollard, Rue Jean-Brillon, the rear line of the properties fronting on the southwest side of Rue Lapierre, Rue Saint-Patrick, the southwesterly extension of Rue Lapierre, the northwest and northeast boundary of the borough, to the point of commencement.

The electoral district has 25,892 electors, a variation from the mean of -3.54%, and has an area of 9.40 km².

Cecil-P.-Newman electoral district

Commencing at a point situated at the intersection of Avenue Dollard and the northwest boundary of the borough; thence, successively, the following lines and demarcations : northeasterly, the northwest boundary of the borough, the northwesterly extension of Rue Lapierre, Rue Saint-Patrick, the rear line of the properties fronting on the southwest side of Rue Lapierre, Rue Jean-Brillon, Avenue Dollard, Boulevard De La Vérendrye, Rue Airlie, 80° Avenue and its southwesterly extension, the south and northwest boundaries of the borough, to the point of commencement.

The electoral district has 27,792 electors, a variation from the mean of +3.54%, and has an area of 7.35 km².

L'ÎLE-BIZARD-SAINTE-GENEVIÈVE BOROUGH

Pierre-Foretier electoral district

Commencing at a point situated at the intersection of the northwest boundary of Parc du Bois-de-l'Île-Bizard and the northwest boundary of the borough; thence, successively, the following lines and demarcations : northeasterly, the northwest and southeast boundaries of the borough on the shoreline of Île Bizard, Boulevard Jacques-Bizard, Rue Cherrier, Rue Pierre-Boileau, Rue Jules-Janvril, Boulevard Chèvremont, the southeasterly extension of the rear line of the properties fronting on the southwest side of Rue Saint-Malo Ouest, the latter boundary, the rear line of the properties fronting on the southwest side of Rue Saulnier, the south boundary of Parc du Bois-de-l'Île-Bizard, the rear line of the properties fronting on the northwest side of Rue Lavigne, the rear line of the properties fronting on the northwest side of Rue Bastien, the rear line of the properties fronting on the north side of Croissant Thibaudeau, the west boundary of Parc du Bois-de-l'Île-Bizard, Chemin Bord-du-Lac, Rue Roussin, the northwest boundary of Parc du Bois-de-l'Île-Bizard, to the point of commencement.

The electoral district has 3,480 electors, a variation from the mean of +12.73%, and has an area of 5.55 km².

Denis-Benjamin-Viger electoral district

Commencing at a point situated at the intersection of Rue Roussin and Chemin Bord-du-Lac; thence, successively, the following lines and demarcations : northeasterly, Chemin Bord-du-Lac, the west boundary of Parc du Bois-de-l'Île-Bizard, the rear line of the properties fronting on the north side of Croissant Thibaudeau, the rear line of the properties fronting on the northwest side of Rue Bastien, the rear line of the properties fronting on the northwest side of Rue Lavigne, the south boundary of Parc du Bois-de-l'Île-Bizard, the rear line of the properties fronting on the southwest side of Rue Saulnier, the rear line of the properties fronting on the southwest side of Rue Saint-Malo Ouest and its southeasterly extension, Boulevard Chèvremont, Rue Jules-Janvril, Rue Pierre-Boileau, Rue Cherrier, Boulevard Jacques-Bizard, Boulevard Chèvremont, Montée de l'Église, Chemin Northridge, the southeasterly extension of the rear line of the properties fronting on the northeast side of Rue Fournier Ouest, Chemin Bord-du-Lac, the rear line of the properties fronting on the northeast side of Avenue Théoret and the northwesterly extension of the latter boundary, the northwest boundary of the borough, the northwest boundary of Parc du Bois-de-l'Île-Bizard, Rue Roussin, to the point of commencement.

The electoral district has 3,538 electors, a variation from the mean of +14.61%, and has an area of 4.12 km².

Jacques-Bizard electoral district

Commencing at a point situated at the intersection of Chemin Northridge and Montée de l'Église; thence, successively, the following lines and demarcations : southeasterly, Montée de l'Église, Boulevard Chèvremont, Boulevard Jacques-Bizard, the southeast and northwest boundaries of the borough on the shoreline of Île Bizard including Île Mercier, the northwesterly extension of the rear line of the properties fronting on the northeast side of Avenue Théoret, the latter boundary, Chemin Bord-du-Lac, the southeasterly extension of the rear line of the properties fronting on the northeast of Rue Fournier Ouest, Chemin Northridge, to the point of commencement.

The electoral district has 3,089 electors, a variation from the mean of +0.06%, and has an area of 12.96 km².

Sainte-Geneviève electoral district

The district is made up of the territory of the former Ville de Sainte-Geneviève.

The electoral district has 2,241 electors, a variation from the mean of -27.41%, and has an area of 0.86 km².

MERCIER-HOCHELAGA-MAISONNEUVE BOROUGH**Tétreaultville electoral district**

Commencing at a point situated at the intersection of Rue Bellerive and the east boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast and southeast boundaries of the borough, the southeasterly extension of Rue Liébert, the latter street and its northwesterly extension, Avenue Souigny, Rue Saint-Émile, Rue Hochelaga, Rue Liébert, Rue Sherbrooke Est, Autoroute 25, the northwest and northeast boundaries of the borough, to the point of commencement.

The electoral district has 24,951 electors, a variation from the mean of +5.08%, and has an area of 5.49 km².

Maisonneuve-Longue-Pointe electoral district

Commencing at a point situated at the intersection of Rue Sherbrooke Est and Rue Liébert; thence, successively, the following lines and demarcations: southeasterly, Rue Liébert, Rue Hochelaga, Rue Saint-Émile, Avenue Souigny, the northwesterly extension of Rue Liébert, the latter street and its southeasterly extension, the southeast boundary of the borough, the southeasterly extension of Avenue Morgan, the latter avenue, Rue Ontario Est, Avenue Bennett, Avenue Pierre-De Coubertin, Rue Beauclerk, Rue Sherbrooke Est, to the point of commencement.

The electoral district has 23,406 electors, a variation from the mean of -1.42%, and has an area of 10.13 km².

Hochelaga electoral district

Commencing at a point situated at the intersection of Rue Adam and Avenue Morgan; thence, successively, the following lines and demarcations: southeasterly, Avenue Morgan and its southeasterly extension, the southeast, southwest and northwest boundaries of the borough, Rue Viau, Avenue Pierre-De Coubertin, Avenue Bennett, Rue Ontario Est, Avenue Morgan, to the point of commencement.

The electoral district has 23,255 electors, a variation from the mean of -2.06%, and has an area of 4.30 km².

Louis-Riel electoral district

Commencing at a point situated at the intersection of Autoroute 25 and Rue Sherbrooke Est; thence, successively, the following lines and demarcations: southwesterly, Rue Sherbrooke Est, Rue Beauclerk, Avenue Pierre-De Coubertin, Rue Viau, the northwest boundary of the borough, Autoroute 25, to the point of commencement.

The electoral district has 23,365 electors, a variation from the mean of -1.60%, and has an area of 5.50 km².

MONTRÉAL-NORD BOROUGH**Marie-Clara electoral district**

Commencing at a point situated at the intersection of Boulevard Gouin Est and Avenue Alfred; thence, successively, the following lines and demarcations: southeasterly, Avenue Alfred, Rue d'Amiens, Avenue Brunet and its southeasterly extension, the southeast, southwest and northwest boundaries of the borough, the northwesterly extension of Avenue Alfred, to the point of commencement.

The electoral district has 29,082 electors, a variation from the mean of +2.32%, and has an area of 5.65 km².

Ovide-Clermont electoral district

Commencing at a point situated at the intersection of Boulevard Gouin Est and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast and southeast boundary of the borough, the southeasterly extension of Avenue Brunet, the latter avenue, Rue d'Amiens, Avenue Alfred and its northwesterly extension, the northwest and northeast boundary of the borough, to the point of commencement.

The electoral district has 27,763 electors, a variation from the mean of -2.32%, and has an area of 5.26 km².

OUTREMONT BOROUGH**Claude-Ryan electoral district**

Commencing at a point situated at the intersection of Avenue Van Horne and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast boundary of the borough, Boulevard Saint-Joseph, Chemin de la Côte-Sainte-Catherine, Avenue Laurier, Avenue Bloomfield, Avenue Van Horne, to the point of commencement.

The electoral district has 4,523 electors, a variation from the mean of +14.04%, and has an area of 0.44 km².

Joseph-Beaubien electoral district

Commencing at a point situated at the intersection of Avenue Atlantic and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast boundary of the borough, Avenue Van Horne, Avenue Bloomfield, Avenue Laurier, Chemin de la Côte-Sainte-Catherine, Avenue McEachran, Avenue Ducharme, the northwesterly extension of Avenue Bloomfield, the railway line along Avenue Ducharme, the northwest and northeast boundaries of the borough, to the point of commencement.

The electoral district has 4,400 electors, a variation from the mean of +10.94%, and has an area of 1.02 km².

Robert-Bourassa electoral district

Commencing at a point situated at the intersection of Boulevard Saint-Joseph and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast, southeast and southwest boundaries of the borough, Avenue de Vimy, Avenue Kelvin, Avenue Saint-Germain, Chemin de la Côte-Sainte-Catherine, Boulevard Saint-Joseph, to the point of commencement.

The electoral district has 3,400 electors, a variation from the mean of -14.27%, and has an area of 1.61 km².

Jeanne-Sauvé electoral district

Commencing at a point situated at the intersection of Avenue Champagnieur and Avenue Ducharme; thence, successively, the following lines and demarcations: southwesterly, Avenue Ducharme, Avenue McEachran, Chemin de la Côte-Sainte-Catherine, Avenue Saint-Germain, Avenue Kelvin, Avenue de Vimy, the southwest and northwest boundaries of the borough, the railway line along Chemin Bates, the northwesterly extension of Avenue Bloomfield, Avenue Ducharme, to the point of commencement.

The electoral district has 3,541 electors, a variation from the mean of -10.72%, and has an area of 0.74 km².

PIERREFONDS-ROXBORO BOROUGH

East electoral district

Commencing at a point situated at the intersection of Autoroute Chomedey (13) and the northwest boundary of the borough; thence, successively, the following lines

and demarcations: northeasterly, the northwest, north-east and southeast boundaries of the borough, Rue René-Émard, Chemin de la Rive-Boisée, Rue Marceau, the northwest boundary of the borough, to the point of commencement.

The electoral district has 24,289 electors, a variation from the mean of +8.52%, and has an area of 10.93 km².

West electoral district

Commencing at a point situated at the intersection of the northwest boundary of the borough and Rue Marceau; thence, successively, the following lines and demarcations: southeasterly, Rue Marceau, Chemin de la Rive-Boisée, Rue René-Émard, the southeast, southwest and northwest boundaries of the borough, to the point of commencement.

The electoral district has 20,477 electors, a variation from the mean of -8.52%, and has an area of 16.14 km².

PLATEAU-MONT-ROYAL BOROUGH

Mile-End electoral district

Commencing at a point situated at the intersection of Avenue Laurier Est and Avenue Christophe-Colomb; thence, successively, the following lines and demarcations: southeasterly, Avenue Christophe-Colomb, Avenue Mont-Royal Est, Avenue Mont-Royal Ouest, the southwest and northwest boundaries of the borough, the railway line along Rue Saint-Grégoire, the northeasterly extension of Rue Pauline-Julien, the latter street, Rue De Brébeuf, Avenue Laurier Est, to the point of commencement.

The electoral district has 22,417 electors, a variation from the mean of -4.04%, and has an area of 2.58 km².

DeLorimier electoral district

Commencing at a point situated at the intersection of Boulevard Saint-Joseph Est and the northeast boundary of the borough; thence, successively, the following lines and demarcations: easterly, the northeast and southeast boundaries of the borough, Avenue du Parc-La Fontaine, Avenue Christophe-Colomb, Avenue Laurier Est, Rue De Brébeuf, Rue Pauline-Julien and its northeasterly extension, the railway line along Rue Saint-Grégoire, the northwest and northeast boundaries of the borough, to the point of commencement.

The electoral district has 24,510 electors, a variation from the mean of +4.92%, and has an area of 3.11 km².

Jeanne-Mance electoral district

Commencing at a point situated at the intersection of Avenue Mont-Royal Est and Avenue Christophe-Colomb; thence, successively, the following lines and demarcations: southeasterly, Avenue Christophe-Colomb, Avenue du Parc-La Fontaine, the southeast and southwest boundaries of the borough, Avenue Mont-Royal Ouest, Avenue Mont-Royal Est, to the point of commencement.

The electoral district has 23,154 electors, a variation from the mean of -0.88%, and has an area of 2.44 km².

**RIVIÈRE-DES-PRAIRIES-
POINTE-AUX-TREMBLES BOROUGH****La Pointe-aux-Prairies electoral district**

Commencing at a point situated at the intersection of Autoroute Félix-Leclerc (40) and the north boundary of the borough; thence, successively, the following lines and demarcations: northeasterly, the north and east boundaries of the borough, the southeasterly extension of Boulevard De La Rousselière, the latter boulevard, Rue Sherbrooke Est, Boulevard Henri-Bourassa Est, Boulevard Rodolphe-Forget, Boulevard Maurice-Duplessis, Avenue Pierre-Baillargeon and its northwesterly extension, the northwest and north boundaries of the borough, to the point of commencement.

The electoral district has 25,820 electors, a variation from the mean of +2.49%, and has an area of 26.81 km².

Pointe-aux-Trembles electoral district

Commencing at a point situated at the intersection of Rue Forsyth and Boulevard De La Rousselière; thence, successively, the following lines and demarcations: southeasterly, Boulevard De La Rousselière and its southeasterly extension, the east and southeast boundaries of the borough, Boulevard Henri-Bourassa Est, Rue Sherbrooke Est, Boulevard De La Rousselière, to the point of commencement.

The electoral district has 24,731 electors, a variation from the mean of -1.83%, and has an area of 11.95 km².

Rivière-des-Prairies electoral district

Commencing at a point situated at the intersection of Boulevard Gouin Est and Avenue Pierre-Baillargeon; thence, successively, the following lines and demarcations: southeasterly, Avenue Pierre-Baillargeon, Boulevard Maurice-Duplessis, Boulevard Rodolphe-Forget, the southeast, southwest and northwest boundaries of the borough, the northwesterly extension of Avenue Pierre-Baillargeon, to the point of commencement.

The electoral district has 25,024 electors, a variation from the mean of -0.67%, and has an area of 10.41 km².

ROSEMONT-LA PETITE-PATRIE BOROUGH**Saint-Édouard electoral district**

Commencing at a point situated at the intersection of Rue Bélanger and Avenue Papineau; thence, successively, the following lines and demarcations: southeasterly, Avenue Papineau, the southeast, southwest and northwest boundaries of the borough, Avenue Papineau, to the point of commencement.

The electoral district has 24,504 electors, a variation from the mean of +0.67%, and has an area of 3.54 km².

Étienne-Desmarceaux electoral district

Commencing at a point situated at the intersection of the northwest boundary of the borough and 16^e Avenue; thence, successively, the following lines and demarcations: southeasterly, 16^e Avenue, Boulevard Rosemont, 13^e Avenue, Rue Dandurand, Avenue Papineau, the northwest boundary of the borough, to the point of commencement.

The electoral district has 24,335 electors, a variation from the mean of -0.02%, and has an area of 3.03 km².

Vieux-Rosemont Electoral district

Commencing at a point situated at the intersection of Boulevard Saint-Joseph Est and Boulevard Pie-IX; thence, successively, the following lines and demarcations: southeasterly, Boulevard Pie-IX, the southeast boundary of the borough, Avenue Papineau, Rue Dandurand, 13^e Avenue, Boulevard Rosemont, Boulevard Pie-IX, to the point of commencement.

The electoral district has 24,810 electors, a variation from the mean of +1.93%, and has an area of 3.45 km².

Marie-Victorin electoral district

Commencing at a point situated at the intersection of Boulevard Rosemont and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast and southeast boundaries of the borough, Boulevard Pie-IX, Boulevard Rosemont, 16^e Avenue, the northwest and northeast boundaries of the borough, to the point of commencement.

The electoral district has 23,710 electors, a variation from the mean of -2.59%, and has an area of 5.83 km².

SAINT-LAURENT BOROUGH

Côte-de-Liesse electoral district

Commencing at a point situated at the intersection of Boulevard Henri-Bourassa and Boulevard Marcel-Laurin; thence, successively, the following lines and demarcations: southeasterly, Boulevard Marcel-Laurin, Boulevard de la Côte-Vertu, Boulevard Décarie, Chemin de la Côte-de-Liesse, the southeast, southwest and northwest boundaries of the borough, Boulevard Marcel-Laurin, to the point of commencement.

The electoral district has 27,163 electors, a variation from the mean of -2.62%, and has an area of 35.10 km².

Norman-McLaren electoral district

Commencing at a point situated at the intersection of Boulevard de la Côte-Vertu and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast and southeast boundary of the borough, Chemin de la Côte-de-Liesse, Boulevard Décarie, Boulevard de la Côte-Vertu, Boulevard Marcel-Laurin, the northwest and northeast boundaries of the borough, to the point of commencement.

The electoral district has 28,623 electors, a variation from the mean of +2.62%, and has an area of 7.74 km².

SAINT-LÉONARD BOROUGH

Saint-Léonard-Est electoral district

Commencing at a point situated at the intersection of Rue Pascal-Gagnon and the northwest boundary of the borough; thence, successively, the following lines and demarcations: northeasterly, the northwest, northeast and southeast boundaries of the borough, Boulevard Lacordaire, the northwest boundary of the borough, to the point of commencement.

The electoral district has 21,635 electors, a variation from the mean of -12.70%, and has an area of 6.99 km².

Saint-Léonard-Ouest electoral district

Commencing at a point situated at the intersection of the northwest boundary of the borough and Boulevard Lacordaire; thence, successively, the following lines and demarcations: southeasterly, Boulevard Lacordaire, the southeast, southwest and northwest boundaries of the borough, to the point of commencement.

The electoral district has 27,930 electors, a variation from the mean of +12.70%, and has an area of 6.53 km².

SUD-OUEST BOROUGH

**Saint-Henri-Petite-Bourgogne
-Pointe-Saint-Charles electoral district**

Commencing at a point situated at the intersection of Rue Ottawa and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast and southeast boundaries of the borough, Avenue Atwater, the railway line towards the Lachine Canal, the canal, Autoroute 15, the northwest and northeast boundaries of the borough, to the point of commencement.

The electoral district has 26,022 electors, a variation from the mean of +7.89%, and has an area of 8.49 km².

Saint-Paul-Émard electoral district

Commencing at a point situated at the intersection of Rue Saint-Patrick and the railway line across the Lachine Canal; thence, successively, the following lines and demarcations: southeasterly, the railway line towards Avenue Atwater, the latter avenue, the southeast, southwest and northwest boundaries of the borough, Autoroute 15, the Lachine Canal, the railway line towards Avenue Atwater, to the point of commencement.

The electoral district has 22,215 electors, a variation from the mean of -7.89%, and has an area of 7.84 km².

VERDUN BOROUGH

Champlain-L'Île-des-Soeurs electoral district

Commencing at a point situated at the intersection of Rue Wellington and the north boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the north and east boundaries of the borough, the easterly extension of 3^e Avenue, Boulevard LaSalle, Rue Rielle and its westerly extension, the west and north boundaries of the borough, to the point of commencement.

The district also comprises Île des Soeurs.

The electoral district has 23,119 electors, a variation from the mean of +0.23%, and has an area of 5.95 km².

Desmarchais-Crawford electoral district

Commencing at a point situated at the intersection of Rue Rielle and Boulevard LaSalle; thence, successively, the following lines and demarcations: southerly, Boulevard LaSalle, the easterly extension of 3^e Avenue,

the east, south and west boundaries of the borough, the westerly extension of Rue Rielle, the latter street, to the point of commencement.

The electoral district has 23,010 electors, a variation from the mean of -0.24%, and has an area of 4.09 km².

VILLE-MARIE BOROUGH

Peter-McGill electoral district

Commencing at a point situated at the intersection of Boulevard René-Lévesque Est and Rue Saint-Denis; thence, successively, the following lines and demarcations: southeasterly, Rue Saint-Denis, Rue de Bonsecours and its southeasterly extension, the southeast, south and northeast boundaries of the borough, Rue Saint-Denis, to the point of commencement.

The electoral district has 27,073 electors, a variation from the mean of -0.52%, and has an area of 9.27 km².

Sainte-Marie–Saint-Jacques electoral district

Commencing at a point situated at the intersection of Rue Ontario Est and the north boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the north and east boundaries of the borough, the southeasterly extension of Rue de Bonsecours, the latter street, Rue Saint-Denis, the northwest and north boundaries of the borough, to the point of commencement.

The district also comprises the islands of Sainte-Hélène and Notre-Dame.

The electoral district has 27,354 electors, a variation from the mean of +0.51%, and has an area of 7.26 km².

VILLERAY–SAINT-MICHEL–PARC-EXTENSION BOROUGH

Saint-Michel electoral district

Commencing at a point situated at the intersection of the northeast boundary of the borough and Autoroute Métropolitaine (40); thence, successively, the following lines and demarcations: southwesterly, Autoroute Métropolitaine (40), 1^{re} Avenue, Rue Tillemont, Avenue De Lorimier, Rue Tillemont, Avenue Papineau, the northwest and northeast boundaries of the borough, to the point of commencement.

The electoral district has 22,909 electors, a variation from the mean of +1.51%, and has an area of 7.29 km².

François-Perrault electoral district

Commencing at a point situated at the intersection of Autoroute Métropolitaine (40) and the northeast boundary of the borough; thence, successively, the following lines and demarcations: southeasterly, the northeast and southeast boundaries of the borough, Rue Garnier, Rue Jarry Est, Rue Fabre, the northwest boundary of the borough, Avenue Papineau, Rue Tillemont, Avenue De Lorimier, Rue Tillemont, 1^{re} Avenue, Autoroute Métropolitaine (40), to the point of commencement.

The electoral district has 23,197 electors, a variation from the mean of +2.78%, and has an area of 3.26 km².

Villeray electoral district

Commencing at a point situated at the intersection of Rue Fabre and Rue Jarry Est; thence, successively, the following lines and demarcations: southwesterly, Rue Jarry Est, Rue Garnier, the southeast boundary of the borough, Avenue Casgrain, the northwest boundary of the borough, Rue Fabre, to the point of commencement.

The electoral district has 24,103 electors, a variation from the mean of +6.80%, and has an area of 2.68 km².

Parc-Extension electoral district

Commencing at a point situated at the intersection of the northwest boundary of the borough and Avenue Casgrain; thence, successively, the following lines and demarcations: southeasterly, Avenue Casgrain, the southeast, southwest and northwest boundaries of the borough, to the point of commencement.

The electoral district has 20,067 electors, a variation from the mean of -11.09%, and has an area of 3.20 km².

6950

Gouvernement du Québec

O.C. 654-2005, 23 June 2005

Tobacco Tax Act
(R.S.Q., c. I-2)

Regulation — Amendments

Regulation to amend the Regulation respecting the application of the Tobacco Tax Act

WHEREAS, under the first paragraph of section 7.9 of the Tobacco Tax Act (R.S.Q., c. I-2), amended by section 13 of chapter 1 of the Statutes of 2005, every person who, in Québec, transports raw tobacco or packages of tobacco intended for sale shall, in respect of each load, draw up or cause to be drawn up a manifest or waybill in accordance with the requirements prescribed by regulation, for the raw tobacco or the packages of tobacco transported;

WHEREAS, under the first paragraph of section 7.10 of the Act, replaced by section 14 of chapter 1 of the Statutes of 2005, the storer or carrier must keep a register, in the manner prescribed by regulation, setting out the handling of the stored raw tobacco or packages of tobacco and the deliveries made of raw tobacco or packages of tobacco, as the case may be;

WHEREAS under section 13.1 of the Act, every package of tobacco prescribed by regulation that is intended for retail sale in Québec and that is in Québec must be identified by the persons, in the manner and on the conditions prescribed by regulation;

WHEREAS the Regulation respecting the application of the Tobacco Tax Act made by Order in Council 1929-86 dated 16 December 1986 does not provide for the identification of certain tobacco products because of their low prevalence in the marketplace;

WHEREAS the Framework Convention on Tobacco Control was adopted unanimously on 21 May 2003 by the World Health Organization and approved by the National Assembly on 15 December 2004;

WHEREAS, in order to comply with the Framework Convention on Tobacco Control, Québec must establish identification standards for all tobacco products intended for retail sale in Québec;

WHEREAS, under subsection 1 of section 19 of the Tobacco Tax Act, the Government may, for the purpose of carrying into effect the provisions of the Act according to their true intent, make such regulations, not inconsistent with the Act, as are considered necessary;

WHEREAS it is expedient to amend the Regulation respecting the application of the Tobacco Tax Act to prescribe the measures required for the carrying out of the Tobacco Tax Act introduced by chapter 1 of the Statutes of 2005;

WHEREAS it is expedient to amend the Regulation respecting the application of the Tobacco Tax Act to ensure its compliance with the requirements of the Framework Convention on Tobacco Control;

WHEREAS it is expedient, in order to ensure better application of the Tobacco Tax Act, to amend the Regulation respecting the application of the Tobacco Tax Act to make consequential amendments;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants 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 fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established, amended or repealed by the Regulation warrants the absence of prior publication and such coming into force;

WHEREAS, under section 27 of that Act, that Act does not prevent a regulation from taking effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made expressly provides therefor;

WHEREAS, under section 20 of the Tobacco Tax Act, every regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein; such a regulation may also, once published and where it so provides, take effect on a date prior to its publication but not prior to the date on which the legislative provision under which it is made takes effect;

IT IS ORDERED, therefore, on the recommendation of the Minister of Revenue:

THAT the Regulation to amend the Regulation respecting the application of the Tobacco Tax Act, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Tobacco Tax Act*

Tobacco Tax Act
(R.S.Q., c. I-2, ss. 7.9, 1st par., 7.10, 1st par., 13.1, 19 and 20; 2005, c. 1, ss. 13 and 14)

1. (1) Section 1.4 of the Regulation respecting the application of the Tobacco Tax Act is amended

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

“(g) the number of bales of raw tobacco and their total weight in kilograms or the number of packages of tobacco transported by type of product;”;

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

“(h) every address and date of unloading as well as the number of bales of raw tobacco and their total weight in kilograms or the number of packages of tobacco by type of product unloaded at each place.”.

(2) Subsection 1 has effect from 17 March 2005.

2. (1) Section 1.5 of the Regulation is replaced by the following:

“**1.5.** For the purposes of section 7.10 of the Act:

(a) the register that must be kept by the storer shall indicate

i. the dates on which bales of raw tobacco or packages of tobacco are received and shipped,

ii. the number of bales of raw tobacco and their total weight in kilograms or the number of packages of tobacco by type of product received and shipped,

iii. the number of the receiving and shipping documents,

iv. the name of the shipper and receiver,

v. in the case of raw tobacco

(1) if it does not belong to the storer, the name and address of the owner and the number of bales stored and their total weight in kilograms,

(2) if the storer is a manufacturer, the number of bales used each day to manufacture tobacco and their total weight in kilograms, or

(3) if the storer produces raw tobacco, the date of baling and the number of bales prepared and their total weight in kilograms, and

vi. in the case of packages of tobacco, the jurisdiction under which an identification mark is affixed; and

(b) the register that must be kept by the carrier must indicate for each load transported

i. the dates on which the bales of raw tobacco or packages of tobacco were taken charge of and delivered,

ii. the name and address of the shipper and of the receiver,

iii. the number of bales of raw tobacco and their total weight in kilograms or the number of packages of tobacco transported by type of product, and

iv. the number of the delivery document.”.

(2) Subsection 1 has effect from 17 March 2005.

3. (1) Section 2 of the Regulation is amended by replacing “the Excise Act (Revised Statutes of Canada, 1985, chapter E-14)” in subparagraph *a* of the first paragraph by “the Stamping and Marking of Tobacco Products Regulations (SOR/2003-288, 2003, 137 Can. Gaz. Part II, 2254)”.

(2) Subsection 1 has effect from 1 July 2003.

4. (1) Section 2.1 of the Regulation is amended by replacing “the Excise Act (Revised Statutes of Canada, 1985, chapter E-14)” in subparagraph *i* of subparagraph *a*

* The Regulation respecting the application of the Tobacco Tax Act, made by Order in Council 1929-86 dated 16 December 1986 (1986, *G.O.* 2, 2423), was last amended by the regulation made by Order in Council 1155-2004 dated 8 December 2004 (2004, *G.O.* 2, 3593). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

of the first paragraph by “the Stamping and Marking of Tobacco Products Regulations (SOR/2003-288, 2003, 137 Can. Gaz. Part II, 2254)”.

(2) Subsection 1 has effect from 1 July 2003.

5. The Regulation is amended by inserting the following after section 2.1.1 :

“**2.1.2.** For the purposes of section 13.1 of the Act, any manufacturer of tobacco intended for retail sale in Québec and any person who brings tobacco into Québec or causes tobacco to be brought into Québec for the purpose of sale is deemed to have identified the package of tobacco if the manufacturer has affixed to it the stamp required under the Stamping and Marking of Tobacco Products Regulations (SOR/2003-288, 2003, 137 Can. Gaz. Part II, 2254).

The first paragraph does not apply in respect of a package of tobacco referred to in subparagraph *a* of the first paragraph of section 2 or in subparagraph *a* of the first paragraph of section 2.1.”.

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

6952

Gouvernement du Québec

O.C. 658-2005, 23 June 2005

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

Comité paritaire de l'industrie des services automobiles de la région Saguenay–Lac Saint-Jean — Attendance allowance of the members

Regulation respecting the attendance allowance of the members of the Comité paritaire de l'industrie des services automobiles de la région Saguenay–Lac Saint-Jean

WHEREAS the Comité paritaire de l'industrie des services automobiles de la région Saguenay–Lac Saint-Jean adopted the “Regulation respecting the attendance allowance of the members of the Comité paritaire de l'industrie des services automobiles de la région Saguenay–Lac Saint-Jean,” to replace its existing regulation, at its meeting held on 30 November 2004 ;

WHEREAS, under paragraph *l* of section 22 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Regulation must be approved, with or without amendment, by the Government ;

WHEREAS it is expedient to approve the Regulation with amendment ;

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

THAT the Regulation respecting the attendance allowance of the members of the Comité paritaire de l'industrie des services automobiles de la région Saguenay–Lac Saint-Jean, attached hereto, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the attendance allowance of the members of the Comité paritaire de l'industrie des services automobiles de la région Saguenay–Lac Saint-Jean

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 22, par. *l*)

1. The Comité paritaire de l'industrie des services automobiles de la région Saguenay–Lac Saint-Jean shall pay an attendance allowance to its members of \$130 per day to attend meetings of the Committee or of one of its subcommittees.

2. This Regulation replaces the Regulation respecting attendance fees of the Comité paritaire de l'industrie de l'automobile de la région Saguenay–Lac Saint-Jean, approved by Order in Council 1746-84 dated 1 August 1984.

3. This Regulation comes into force on the date of its approval by the Government.

6953

Gouvernement du Québec

Agreement

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

AGREEMENT ENTERED INTO

BETWEEN

The MUNICIPALITY OF LA PRAIRIE, a legal person established in the public interest, having its head office at 170, boulevard Taschereau, bureau 400, La Prairie, Province de Québec, J5R 5H6 represented by the mayor, Mr Guy Dupré, and the clerk Mtre Bernard Blain, under resolution number 2005-05-238, hereinafter called

THE MUNICIPALITY

AND

Mr. 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 de Québec, G1X 3Y5 hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Ms. Nathalie Normandeau, in her capacity as MINISTER OF MUNICIPAL AFFAIRS AND REGIONS, having her main office at 10, rue Pierre-Olivier-Chauveau, Québec, Province de Québec, G1R 4J3 hereinafter called

THE MINISTER

WHEREAS the council of the MUNICIPALITY, by its resolution No. 2004-12-637, passed at its meeting of December 14th, 2004 and modified by resolution No. 2005-03-157, passed at its meeting of March 31st, 2005, expressed the desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities and to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of electronic ballot boxes for the general election of November 6th, 2005 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, Sports and Recreation 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, Sports and Recreation and the Chief Electoral Officer.”;

WHEREAS the MUNICIPALITY expressed the desire to avail itself of those provisions to hold a general election on November 6th, 2005 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 general 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 May 10th, 2005, resolution No. 2005-05-238 approving the text of the agreement and authorizing the mayor and the clerk 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 general election of November 6th, 2005 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 Technologies Nexxlink inc., or by the returning officer under the supervision of the firm Technologies Nexxlink 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, deputy returning officer and poll clerk

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 votes 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 votes;

(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) make sure of electors’ identity;

(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 the Act respecting elections and referendums in municipalities 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 Regions 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 Technologies Nexxlink 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 pre-determined number of ballot paper cards, previously marked and tallied manually. The ballot paper cards shall include

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

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

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

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

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

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

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

(6) where an error is detected, the returning officer shall determine with certitude the cause of the error, make the necessary corrections and proceed with a further test, and shall repeat the operation until the optical scanner of the vote tabulator 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 Technologies Nexxlink 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 deputy 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. he 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 by the deputy returning officer. They shall also be placed in a sealed transfer box.

The deputy returning officer, the poll clerk and the representatives who wish to do so shall affix their initials to the seal.

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 paper cards and, where applicable, of transfer boxes 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 207 of the Act:

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

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

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

207.1. In the hour preceding the opening of the polling stations, the deputy returning officer and poll clerk shall 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 Act:

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

6.21 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 com-

piled 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 rejected 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 votes 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 votes 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 votes, the senior deputy returning officer shall complete an overall statement of votes 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 votes, overall statement of votes and copy given 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 votes, 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 votes, one of which must be given to the senior deputy returning officer.

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

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

Section 240 of the Act is 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 votes. Each deputy returning officer shall seal the envelopes and 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 votes stating the results of the election and the partial statements of votes. 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 statement of votes drawn up by each senior deputy returning officer.”.

6.36 Adjournment of the addition of votes

The following is substituted for section 248 of the Act:

“**248.** The returning officer shall, if unable to obtain an overall statement of votes that should have been provided, adjourn the addition of votes until the statement has been obtained.

Where it is not possible to obtain an overall statement of votes, 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 votes, the report on the results compiled by the electronic ballot box and the ballot paper cards” for the words “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 December 31st, 2009.

9. AMENDMENT

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

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

10. ASSESSMENT REPORT

Within 120 days following the general election held on November 6th, 2005, the returning officer of the municipality shall forward, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), an assessment report to the Chief Electoral Officer and the Minister setting out relevant ways to improve the trial and addressing, in particular, the following points:

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

— the conduct of the advance poll and the poll;

— the cost of using the electronic voting system:

– the cost of adapting election procedures;

– non-recurrent costs likely to be amortized;

– a comparison between the actual polling costs and the estimated polling costs using the new methods of voting and the projected cost of holding the general election on November 6th, 2005 using traditional methods;

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

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

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

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

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

The Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) shall apply to the general election held on November 6th, 2005 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 La Prairie, on this 11th day of the month of May of the year 2005

THE MUNICIPALITY OF LA PRAIRIE

By: _____
GUY DUPRÉ, *Mayor*

BERNARD BLAIN, *Clerk*

In Québec, on this 20th day of the month of May of the year 2005

THE CHIEF ELECTORAL OFFICER

MARCEL BLANCHET

In Québec, on this 3rd day of the month of June of the year 2005

THE MINISTER OF MUNICIPAL AFFAIRS
AND REGIONS

By: _____
DENYS JEAN, *Deputy Minister*

SCHEDULE

MODEL BALLOT PAPER HOLDER

MUNICIPALITY OF MATTEAU

Municipal Election - November 3, 2002

“SPÉCIMEN”

Mayor Office

Marie BONENFANT ●

Jean-Charles BUREAU ●
Appartenance politique

Pierre-A. LARRIVÉE ●

**City Councillor
District 1**

Luc GAUTHIER ●

Carl LUSSIER ●

Hélène ROCHETTE ●
Appartenance politique

Sylvain SAINT-PIERRE ●

[Empty rectangular box for initials]

**Initials of the deputy
returning officer**

[Empty rectangular box for polling subdivision]

Polling subdivision

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

Draft Regulations

Draft Regulation

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Activities in the conservation plans for the proposed biodiversity and aquatic reserves — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Amendments to the conservation plans for the proposed biodiversity and aquatic reserves, the text of which appears below, may be made by the Minister of Sustainable Development, Environment and Parks, with the approval of the Government, on the expiry of 45 days following this publication.

The amendments concern the conservation plans for the various protected areas that have been assigned status as a biodiversity reserve under section 90 of the Natural Heritage Conservation Act as well as the biodiversity and aquatic reserves that have been created since the coming into force of that Act. All future proposed biodiversity and aquatic reserves will similarly be established with reference to this new framework.

Sections 34 and 36 of the Act provide the framework for the activities that may or may not be allowed in protected areas and in particular prohibit various activities having a greater likelihood of disturbing the natural environment. Those sections allow for the conservation plans for the proposed biodiversity and aquatic reserves to add other prohibited activities to that list, and provide that the plans may also create a special framework or determine conditions under which certain activities or interventions may take place, such as the requirement to obtain prior authorization from the Minister.

The proposed amendments to the conservation plans clarify the extent of the permitted or prohibited activities within the proposed reserves and remedy certain problems that have arisen since the creation of the reserves. The two-year period that has elapsed since the enactment of the Natural Heritage Conservation Act and the assigning of the first proposed biodiversity reserve protection status has enabled a more comprehensive perspective to emerge not only in terms of the concerns and needs of the persons who may occupy or use the areas (vacation resort users, holders of permits for the harvest

of firewood for domestic purposes, public service or utilities providers, environmental and recreation and tourist associations), but also as regards the measures necessary to better protect the biodiversity and ecosystems within the reserves.

The new measures proposed are grouped into four divisions.

The first division dealing with “Protection of resources and the natural environment” contains a set of rules intended to prevent disturbances to the natural environment. Among other things, the rules prohibit introducing new non-native species of flora or fauna, restrict intervention in the aquatic environment and govern the disposal of waste, snow and other types of residual materials.

The second division on “Rules of conduct for users” provides for various measures to ensure that users while staying and moving about the reserves behave in a manner that is safe for and respectful of the surrounding nature and the other users.

Two other divisions, one on “Activities requiring an authorization” and the other on “Authorization exemptions”, complete the preceding measures by determining the other activities which require an authorization before they may be carried on in the proposed reserves, such as the right to stay in a reserve for more than three months, carrying on forest management activities to meet domestic needs or maintain biodiversity, carrying on development work (including creating trails), building new structures or works, using pesticides and engaging in various activities likely to degrade the soil or seriously damage or disturb the natural environment when, for example, conducting research work. The proposed measures also allow certain practices or rights to be continued by exempting persons already occupying the territory or holding vacation resort leases from the requirement to obtain an authorization.

A certain number of provisions specify the conditions on which Hydro-Québec is exempted from the authorization requirements to avoid unnecessary duplication when authorizations have already been issued by the Government and the Minister of Sustainable Development, Environment and Parks under the Environment Quality Act or are to be issued under that Act, in particular after completion of the impact assessment and examination procedures required by the Act.

The amendments are proposed to address the specific situations of persons already permitted to use the land within the reserves and it is not anticipated they will have an unfavourable economic impact on enterprises. In particular, the proposed amendments will not affect the possibility of carrying on various mining exploration activities within the Upper Harricana aquatic reserve because the amendments specifically extend the relevant provisions already contained in the existing conservation plan. Lastly, the authorizations and other measures provided for in the Environment Quality Act (R.S.Q., c. Q-2) governing the operations of Hydro-Québec have been taken into account in the proposed amendments to prevent overlapping requirements.

For information concerning the text of the Amendments to the conservation plans for the biodiversity and aquatic reserves, contact Léopold Gaudreau, Director, Direction du développement durable, du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, 675, boulevard René-Lévesque Est, 4^e étage, boîte 21, Québec (Québec) G1R 5V7; telephone (418) 521-3907, extension 4783; fax (418) 646-6169; or e-mail at leopold.gaudreau@mddep.gouv.qc.ca

THOMAS J. MULCAIR,
*Minister of Sustainable Development,
Environment and Parks*

Amendments to the conservation plans for the proposed biodiversity and aquatic reserves

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01, ss. 31, 33, 34 and 36)

1. Section 3 of the conservation plans for the proposed biodiversity and aquatic reserves listed in the Schedule¹ is replaced by the following:

“3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

¹ The conservation plans for the proposed biodiversity reserves listed in paragraphs 1 to 10 of the Schedule, approved by Order in Council 1269-2003 dated 3 December 2003, were published with the Order in Council on 17 December 2003 (2003, *G.O.* 2, 3495) and have not been amended since.

— The conservation plans for the proposed biodiversity and aquatic reserves listed in paragraphs 11 to 20 of the Schedule, approved by Orders in Council 109-2003 and 110-2003 dated 6 February 2003 (2003, *G.O.* 2, 951 and 1049), were published on 7 May 2003 with the notice of the establishment of the reserves (2003, *G.O.* 2, 1553) and they have not been amended since, except the plans in paragraphs 14, 17 and 18, the text of which was revised to reflect modifications to the boundaries of the proposed reserves (2005, *G.O.* 2, XXXX).

— The conservation plans for the proposed biodiversity and aquatic reserves listed in paragraphs 21 to 28 of the Schedule, approved by Order in Council 484-2004 dated 19 May 2004 (2004, *G.O.* 2, 1745), were published on 4 August 2004 with the notice of the establishment of the reserves (erratum) (2004, *G.O.* 2, 2417) and they have not been amended since, except the plans in paragraphs 24 and 25, the text of which was revised to reflect modifications to the boundaries of the proposed reserves (2004, *G.O.* 2, 3257 and 2005, *G.O.* 2, XXXX respectively).

— mining, and gas or petroleum development;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

— the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State

(R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2)."

2. The conservation plan for the proposed Upper Harricana aquatic reserve, amended pursuant to section 1, is also amended by inserting the following after section 3.12:

"3.12.1. Mining exploration, including prospecting, digging and boring, if those activities necessitate stripping, the digging of trenches, excavation or deforestation, is permitted within the proposed reserve on land reserved to the State under section 304 of the Mining Act (R.S.Q., c. M-13.1), provided that all the following conditions are met:

(1) the activities are not carried on in the Harricana river, on the islands in the river, or on a 50-metre wide strip on either bank of the river. The width of the strip of land is calculated horizontally from the shoreline appearing on the maps in Québec's Topographic Database (BDTQ, scale 1:20,000);

(2) the activities are carried on in the zone between 50 and 200 metres from either bank of the Harricana river; the activities are also permitted in the bedrock provided the overlying layer of rock is at least 50 metres thick;

(3) the activities are carried on by or on behalf of a person who is authorized to carry on mining exploration, prospecting, digging or boring within the proposed reserve in accordance with the measures set out in the Mining Act;

(4) the activities, when they necessitate deforestation, are carried on by or on behalf of a person who is authorized to carry on such activities as provided in sections 20 and 21 of the Forest Act;

(5) the activities are carried on in conformity with the applicable legislative and regulatory standards and in compliance with the following requirements:

(a) the person authorized to carry on the exploration work must

i. recover all drilling muds,

ii. ensure that no petroleum products are spilled into the environment,

iii. install a lining to protect against the spill of toxic materials into the environment,

iv. ensure that residual materials other than sediments, sludge and cuttings from the work are stored, processed or disposed of outside the proposed reserve;

(b) the person authorized to carry on the activities may draw water from the Harricana river to meet pumping requirements if the distance between the drilling site and the water intake is greater than 200 metres, on the following conditions:

i. the person must have written authorization from the Minister of Sustainable Development, Environment and Parks,

ii. the person must install a protective lining under the pump to protect against spills of petroleum products into the environment, and

(c) the person must comply with any conditions of authorization determined by the Minister of Sustainable Development, Environment and Parks with a view to minimizing impacts on the environment.”.

3. These amendments come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE

(s. 1)

LIST OF PROPOSED BIODIVERSITY AND AQUATIC RESERVES

(1) Proposed René-Levasseur island biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(2) Proposed Monts Groulx biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(3) Proposed Gensart lake biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(4) Proposed Bright Sand lake biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(5) Proposed Belmont and Magpie lakes massif biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(6) Proposed Lac aux Sauterelles knolls biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(7) Proposed Natashquan river valley biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(8) Proposed Harrington Harbour shore biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(9) Proposed Guernesé lake foothills biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(10) Proposed Brador hills biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(11) Proposed Ashuapmushuan river aquatic reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(12) Proposed Moisie river aquatic reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(13) Proposed North Harricana river aquatic reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(14) Proposed Pasteur lake biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(15) Proposed Boatswain bay biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(16) Proposed Ministikawatin peninsula biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(17) Proposed Missisicabi plain biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(18) Proposed Muskuuchii hills biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(19) Proposed Vaudray and Joannès lakes biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(20) Proposed Sabourin lake biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(21) Proposed Upper Harricana aquatic reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(22) Proposed Taibi lake biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(23) Proposed Decelles reservoir biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(24) Proposed Parent lake marshlands biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(25) Proposed Waskaganish biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(26) Proposed Piché-Lemoine forest biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(27) Proposed Opasatica lake biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(28) Proposed Des Quinze lake biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301).

6945

Draft Regulation

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

Safety Code for the construction industry Occupational health and safety — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), that the draft Regulation to amend the Safety Code for the construction industry and the Regulation respecting occupational health and safety, appearing below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to ensure the health and safety of construction workers by amending the Safety Code for the construction industry to introduce new standards on scaffoldings.

It also amends the Regulation respecting occupational health and safety to protect construction workers exposed to carcinogenic and isocyanate substances and ionizing radiations.

To date, study of the matter shows few impacts on enterprises, in particular on small and medium-sized businesses.

Further information may be obtained by contacting Pierre Bouchard, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2; telephone: (418) 266-4699; fax: (418) 266-4698.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Alain Albert, Vice-chair, Relations avec les partenaires et expertise-conseil, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 14^e étage, Montréal (Québec) H3B 3J1.

GÉRARD BIBEAU,
*Chair of the Board and
Chief Executive Officer
Commission de la santé et de la
sécurité du travail*

Regulation to amend the Safety Code for the construction industry* and the Regulation respecting occupational health and safety

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 233, 1st par., subpars. 1, 7, 14, 19, 42, 2nd and 3rd pars.)

1. The Safety Code for the construction industry is amended in section 1.1,

(1) by inserting the following after paragraph 14:

“(14.1) “pump jack scaffold”: a mast-climbing work platform that moves between two masts with the help of jacks;

(14.2) “mast-climbing work platform”: scaffolding constituted of a work platform that moves up and down between two or several masts with the help of a hoisting system and equipped with an anchoring system;

(14.3) “winch scaffolding”: a mast-climbing work platform whose masts are linked by braces or counter braces supporting a work platform that moves with the help of a hoisting device constituted of winches, pulleys and cables;”;

(2) by inserting the following after paragraph 15:

“(15.01) “motorized scaffolding”: a mast-climbing work platform constituted of a hoisting system made up of an electric, pneumatic or hydraulic motor or a natural gas or gasoline engine.”.

* The Safety Code for the construction industry (R.R.Q., 1981, c. S-2.1, r.6) was last amended by the regulation approved by Order in Council 873-2003 dated 20 August 2003 (2003, *G.O.* 2, 2729). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

2. Section 2.4.1 is amended,

(1) by replacing “in subsection 1” in subsection 2 by “hereunder”;

(2) by adding the following after subparagraph *l*:

“(m) any mast-climbing work platform that must be anchored, except in the case of a pump jack scaffold;”

3. The Code is amended,

(1) by replacing the title of subdivision 2.2 by the following:

“*Responsibility and powers of inspectors*”;

(2) by adding the following after section 2.2.5:

“**2.2.6.** To ascertain the soundness of a construction or installation, the inspector may require an attestation to that effect signed and sealed by an engineer or an architect.”.

4. Section 3.3.5 is revoked.**5.** Section 3.9.5 is amended,

(1) by replacing “Uprights” by “Scaffolding uprights” in paragraph 1;

(2) by inserting the following after paragraph 1:

“(1.1) When scaffolding uprights rest on uneven ground, a safe and efficient means, such as screw jacks, must be used to ensure the plumbness of the scaffolding.

It is prohibited to use construction waste material to fill the unevenness in the ground.”.

6. Section 3.9.8 is amended by adding the following after paragraph 5:

“(6) have a slope of less than 1:5 (11 degrees from the horizontal plane); and

(7) be located less than 350 millimetres from a wall or another floor when there is no guardrail.”.

7. The Code is amended by adding the following after section 3.9.21:

“**3.9.22.** Mast-climbing work platform: Every mast-climbing work platform shall:

(1) be designed in accordance with the plans of an engineer and a copy of the plans must be available on the work premises;

(2) be equipped with a plate on each hoisting system stating clearly the maximum load allowed on the platform;

(3) be equipped with bearers resting on base plates or mudsills;

(4) have a distance between masts in accordance with the plans of the engineer;

(5) have the sections of each mast linked together according to the means prescribed in the plans of the engineer;

(6) have masts whose plumbness complies with the lesser of the following measures: the gap between a plumb line and any point lower than

(a) the plans of the engineer; or

(b) 12 millimetres for three metres in height, 19 millimetres for six metres in height or 38 millimetres for the total height of the scaffolding;

(7) be loaded in accordance with the plans of the engineer which must identify the loading zones;

(8) have masts anchored at the height and with an anchoring system in accordance with the plans of the engineer;

(9) be equipped with an additional anchoring system in accordance with the plans of the engineer when the safety tarpaulins are installed; and

(10) be used by workers trained to

(a) identify and avert the hazards of the erection, dismantling and use of the scaffolding; and

(b) work on it safely.

3.9.23. Pump jack scaffold: In addition to the standards prescribed in section 3.9.22, every pump jack scaffold shall:

(1) be designed to support, in addition to the dead weight, three times the maximum load allowed without damage to any of its components;

(2) be used at most by two workers at the same time between two masts;

(3) have masts less than 9 metres high;

(4) when wood masts composed of two uprights of 50 millimetres by 100 millimetres are used:

(a) have uprights nailed together with not less than 76-millimetre nails spaced 300 millimetres apart at most; and

(b) have the narrowest side of the uprights facing the wall on which the masts are anchored;

(5) be equipped with jacks designed to prevent any accidental slippage of the platform alongside the masts; and

(6) when the work platform passes in front of an intermediate anchoring point, be equipped with a new anchor installed one and a half metres under the platform, before removing the intermediate anchoring.

3.9.24. Winch scaffolding: In addition to the standards prescribed in section 3.9.22, every winch scaffolding shall:

(1) be designed and manufactured in accordance with the ANSI/SIA A 92.9-1993 Mast-Climbing Work Platforms Standard;

(2) when climbing, have bracing affixed under the work platform before the above bracing is removed;

(3) be equipped with an arresting device to stop and support the platform in case of overspeed; the device must be designed to stop the work platform with twice the maximum load allowed by limiting the height of the fall to 300 millimetres and without any break in the components under stress;

(4) in addition to the instructions of the manufacturer, be inspected in compliance with the following minimum conditions:

(a) before each use in accordance with section 7.4.3. of the ANSI/SIA A 92.9-1993 Mast-Climbing Work Platforms Standard by a qualified person; and

(b) quarterly by a qualified mechanic;

(5) undergo every year a visual examination of its welds by a welding inspector holding a certificate issued by the Canadian Welding Bureau; and

(6) undergo every three years a non-destructive examination of the bearing parts by an organization certified by the Canadian Welding Bureau in compliance with the requirements of CSA Standard W178.1 Certification of Welding Inspection Organizations.

3.9.25. Motorized scaffolding: In addition to the standards prescribed in section 3.9.22, every motorized scaffolding manufactured after (*insert the date of coming into force of this Regulation*) must:

(1) be designed and manufactured in compliance with ISO 16369 – Mast-Climbing Work Platforms Standard, applicable at the time of the manufacture;

(2) have the sides of the work platform next to a mast, protected over a height of at least two metres to prevent access to the mast when the speed of the work platform exceeds 2.5 metres per minute;

(3) be equipped with a device preventing the fall of the work platform in case of malfunction of the hoisting system;

(4) have at least one plate on which the following particulars appear in French:

(a) the name of the manufacturer;

(b) the date of manufacture;

(c) the climbing speed;

(d) the self-bearing height;

(e) the electric power supply; and

(f) the load table;

(5) in addition to the manufacturer's instructions, be inspected in compliance with the following minimum conditions:

(a) before each use, in compliance with section 7.1.2.9 of ISO 16369 – Mast-Climbing Work Platforms Standard, applicable at the time of the manufacture, by a qualified person; and

(b) quarterly by a qualified mechanic ;

(6) undergo every year a visual examination of its welds by a welding inspector holding a certificate issued by the Canadian Welding Bureau ;

and

(7) undergo every three years a non-destructive examination of the bearing parts by an organization certified by the Canadian Welding Bureau in compliance with the requirements of CSA Standard W178.1 Certification of Welding Inspection Organizations.

In addition, a complete instruction manual for every motorized scaffolding, written in French, must be at the disposal of users to allow for safe use of the scaffolding.”.

8. The Regulation respecting occupational health and safety** is amended in the second paragraph of section 2,

(1) by inserting “42,” after “40,”;

(2) by striking out “61,”;

(3) by replacing “121 to 124” by “121 to 124 and 144”.

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

6924

Draft Regulation

Stenographers’ Act
(R.S.Q., c. S-33)

Courts of Justice Act
(R.S.Q., c. T-16)

Legal Aid Act
(R.S.Q., c. A-14)

Code of Penal Procedure
(R.S.Q., c. C-25.1 ; 2003, c. 5)

Tariff of fees for the recording and transcription of depositions of witnesses

Tariff of court costs in penal matters — Amendment

Certain court costs in penal matters applicable to persons under 18 years of age — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Tariff of fees for the recording and transcription of depositions of witnesses, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The Regulation respecting the Tariff of fees for the recording and transcription of depositions of witnesses has not been amended since it came into force on 16 November 1983. Since it no longer reflects the value of the services delivered, the current Tariff is a source of unfairness for the party against whom costs have been awarded because that party cannot recover the stenography costs provided for in the Tariff and included in the bill of costs allowed by the taxing officer.

Accordingly, the draft Tariff proposes an increase in the fees payable to stenographers. It modifies the method for calculating the fees of stenographers for the recording of depositions to introduce an hourly rate which will replace the rate by page. The change will make for simpler and fairer application considering the availability required of stenographers. It also modifies the cost for transcription copies which will be \$0.30 per page for the person who paid for the transcription. All other persons will pay \$15.00 for a copy of a transcription plus \$0.60 per page from the twenty-sixth page on. The increase in the Tariff will enable the lawyer of the party awarded costs to recover the totality of stenography costs and afford the client a reduction in court costs.

** The Regulation respecting occupational health and safety approved by Order in Council 885-2001 dated 4 July 2001(2001, G.O. 2, 3888) has not been amended since its approval.

Lastly, consequential amendments are made to section 12 of the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age, made by Order in Council 40-94, and to section 15 of the Tariff of court costs in penal matters made by Order in Council 1412-93.

Further information may be obtained by contacting Anne Richard, Direction générale des services de justice, 1200, route de l'Église, 7^e étage, Sainte-Foy (Québec) G1V 4M1; telephone: (418) 644-7700, extension 20191; fax: (418) 644-9968.

Any interested person having comments to make on the matter is asked to send them in writing to the Minister of Justice, 1200, route de l'Église, 9^e étage, Sainte-Foy (Québec) G1V 4M1.

YVON MARCOUX,
Minister of Justice

Tariff of fees for the recording and transcription of depositions of witnesses

Stenographers' Act
(R.S.Q., c. S-33, s. 4)

Courts of Justice Act
(R.S.Q., c. T-16, s. 224)

Legal Aid Act
(R.S.Q., c. A-14, s. 81)

1. This Tariff applies to the recording of depositions by a stenographer in stenotypy, stenography or by means of a device known by the name "stenomask". It also applies to the recording of depositions by means of sound only or sound and picture recording apparatus where the recording is done by a stenographer.

The Tariff also applies to the transcription of depositions recorded as described in the first paragraph and to depositions recorded by means of sound only or sound and picture recording apparatus supplied by the Ministère de la Justice.

2. A stenographer is entitled to fees of \$70.00 per hour for the recording of depositions. The fees are calculated taking into account any period of time during which the stenographer remains available to record depositions. Any fractions of an hour are calculated in proportion to a full hour. In all cases, a stenographer is entitled to the minimum fees equal to the fees payable for one hour.

3. Depositions must be transcribed as provided in Schedule I.

4. Subject to sections 5 and 6, a stenographer is entitled to fees of \$2.90 per page for the transcription of depositions in the case of an ordinary witness and \$3.50 per page in the case of an expert witness. In all cases, a stenographer is entitled to minimum fees of \$17.00.

The fees for the transcription of depositions of expert witnesses apply to the transcription of pleadings and judgments.

5. Subject to section 6, a stenographer is entitled to fees of \$3.70 per page for the transcription of depositions when the recording is done by means of sound only or sound and picture recording apparatus supplied by the Ministère de la Justice and the stenographer did not record the depositions.

6. When a transcription is required within five working days, a stenographer is entitled to one and one-half times the amount of fees provided for in section 4 or 5, as the case may be.

When a transcription is required within 24 hours of the recording of depositions, a stenographer is entitled to twice the amount of fees provided for in section 4 or 5, as the case may be.

7. A stenographer is entitled to fees of \$2.00 for the preparation of each of the following when they are required:

- (1) a title page;
- (2) a table of contents;
- (3) a list of exhibits;
- (4) a list of witnesses;
- (5) a list of objections; and
- (6) a list of commitments.

8. A person who pays transcription fees may obtain a copy of the transcription, in addition to the original, at a cost of \$0.30 per page. On payment of that cost, the person may also obtain a copy of the transcription in an information technology-based medium at a cost of \$6.00 per unit.

Any other person may obtain a copy of a transcription at a cost of \$15.00 plus \$0.60 per page beginning with the twenty-sixth page of the copy. On payment of the cost, the person may also obtain a copy of the transcription in an information technology-based medium at a cost of \$11.00 per unit.

9. Nothing in this Tariff prevents an agreement between a stenographer and the party retaining the services of the stenographer that relates to travel expenses, the retaining of services or any services not referred to in this Tariff. The amounts paid to stenographers pursuant to such an agreement cannot, however, be taxed against the opposing party.

10. When depositions are recorded by means of sound only or sound and picture recording apparatus supplied by the Ministère de la Justice, the court office fees payable for a recording extract, including the technical recording medium, are \$8.00 and \$0.30 per minute beginning with the twenty-sixth minute of recording. The duration is calculated on the basis of the minutes of the hearing.

11. The fees and costs relating to the transcription of the depositions provided for in sections 4 to 8 apply to transcriptions required as of (*insert the date of coming into force of the Tariff*).

12. This Tariff replaces the Regulation respecting the tariff of fees for the taking down and transcription of depositions of witnesses made by Order in Council 2253-83 dated 1 November 1983.

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

SCHEDULE I

(s. 3)

DESCRIPTION OF A STANDARD PAGE OF TRANSCRIPTION

(1) The transcription of depositions must be on Bond quality paper measuring 21.5 centimetres x 28 centimetres and weighing 60 or 75 grams per square metre.

(2) Only one side of the sheet is to be used.

(3) A standard page of transcription must have one margin on the left-hand side measuring approximately 44 millimetres and one margin on the right-hand side measuring approximately 16 millimetres denoted by a vertical line and 25 double-spaced lines numbered consecutively in the left-hand or right-hand margin.

(4) The transcription of depositions must start at the right of the left-hand side vertical line and extend for 14 centimetres except for the last line of the deposition or where the meaning calls for a new line.

(5) A line of text is made up of words in 12-point type corresponding to “Courier” or “Courier New” type or the equivalent.

(6) The record number and the date of the examination are to be written in the space between the upper left corner of the page and the first line.

The name of the person examined is to be written in the space between the upper right corner of the page and the first line. Under the name of the person examined, the stenographer must specify whether it is an examination, a re-examination or a cross-examination and write the name of the examining party.

The pages are to be numbered consecutively. The page number must appear in the space before the first line or after the last line of the transcription.

(7) Questions are to be preceded by the letter Q and answers by the letter A.

Regulation to amend the Tariff of court costs in penal matters*

Code of Penal Procedure

(R.S.Q., c. C-25.1, arts. 261 and 367, pars. 2 to 13; 2003, c. 5, s. 25)

1. The Tariff of court costs in penal matters is amended in section 15 by replacing “Regulation respecting the tariff of fees for the taking down and transcription of depositions of witnesses, made by Order in Council 2253-83 dated 1 November 1983” by “Tariff of fees for the recording and transcription of depositions of witnesses, made by Order in Council (*insert the number and date of the Order in Council*)”.

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

* The Tariff of court costs in penal matters, made by Order in Council 1412-93 dated 6 October 1993 (1993, *G.O.* 2, 5554), was last amended by the regulation made by Order in Council 811-2002 dated 26 June 2002 (2002, *G.O.* 2, 3801). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age**

Code of Penal Procedure

(R.S.Q., c. C-25.1, arts. 261 and 367, pars. 2 to 4, 8 to 11, 13 and 14; 2003, c. 5, s. 25)

1. The Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age is amended in section 12 by replacing “Regulation respecting the tariff of fees for the taking down and transcription of depositions of witnesses, made by Order in Council 2253-83 dated 1 November 1983” by “Tariff of fees for the recording and transcription of depositions of witnesses, made by Order in Council (insert the number and date of the Order in Council)”.

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

6944

* The Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age, made by Order in Council 40-94 dated 10 January 1994 (1994, *G.O.* 2, 657), has been amended once, by the regulation made by Order in Council 1283-96 dated 9 October 1996 (1996, *G.O.* 2, 4307).

Parliamentary Committees

Committee on Culture

General consultation

Bill 86, An Act to amend the Act respecting access to documents held by public bodies and the protection of personal information and other legislative provisions

The Committee on Culture has been instructed to hold public hearings beginning on 13 September 2005 in pursuance of a general consultation on Bill 86, An Act to amend the Act respecting access to documents held by public bodies and the protection of personal information and other legislative provisions.

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 19 August 2005. 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. Furthermore, individuals and organizations are invited to submit an electronic version of their brief in addition to the required paper copies.

Briefs, correspondence, and requests for information should be addressed to: Mrs. Sonia Grenon, Clerk of the Committee on Culture, 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: cc@assnat.qc.ca

Index

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

| | Page | Comments |
|--|-------------|----------------------------|
| Activities engaged in and described in sections 39.7 and 39.8 (Professional Code, R.S.Q., c. C-26) | 2300 | M |
| Agreement concerning new methods of voting for an election using “Accu-Vote ES 2000” ballot boxes — Municipality of La Prairie (An Act respecting elections and referendums in municipalities, R.S.Q., c. E-2.2) | 2317 | N |
| Building Act and other legislative provisions, An Act to amend the... (2005, Bill 98) | 2279 | |
| Building Act, amended (2005, Bill 98) | 2279 | |
| Centre de services partagés du Québec, An Act respecting the... — Coming into force of certain provisions (2005, c. 7) | 2297 | |
| Code of Civil Procedure and other legislative provisions, An Act to amend the... (2005, Bill 104) | 2293 | |
| Code of Civil Procedure, amended (2005, Bill 104) | 2293 | |
| Code of Penal Procedure — Tariff of fees for the recording and transcription of depositions of witnesses (R.S.Q., c. C-25.1; 2003, c. 5) | 2341 | Draft |
| Code of Penal Procedure, amended (2005, Bill 104) | 2293 | |
| Collective agreement decrees, An Act respecting... — Comité paritaire de l’industrie des services automobiles de la région Saguenay–Lac-Saint-Jean — Attendance allowance of the members (R.S.Q., c. D-2) | 2316 | N |
| Comité paritaire de l’industrie des services automobiles de la région Saguenay–Lac-Saint-Jean — Attendance allowance of the members (An Act respecting collective agreement decrees, R.S.Q., c. D-2) | 2316 | N |
| Committee on Culture — General consultation — Bill 86, An Act to amend the Act respecting access to documents held by public bodies and the protection of personal information and other legislative provisions | 2345 | Parliamentary Committee |
| Conservation plans for the proposed biodiversity and aquatic reserves — Amendments (Natural Heritage Conservation Act, R.S.Q., c. C-61.01) | 2331 | Draft |
| Consultation of citizens with respect to the territorial reorganization of certain municipalities, An Act respecting the... — Division of the territory of Ville de Montréal into boroughs and electoral districts and composition of the borough councils (2003, c. 14) | 2303 | N |

| | | |
|--|------|-------|
| Courts of Justice Act — Tariff of fees for the recording and transcription of depositions of witnesses (R.S.Q., c. T-16) | 2341 | Draft |
| Division of the territory of Ville de Montréal into boroughs and electoral districts and composition of the borough councils (An Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, 2003, c. 14) | 2303 | N |
| Elections and referendums in municipalities, An Act respecting... — Agreement concerning new methods of voting for an election using “Accu-Vote ES 2000” ballot boxes — Municipality of La Prairie (R.S.Q., c. E-2.2) | 2317 | N |
| Financial Administration Act, amended (2005, Bill 98) | 2279 | |
| Financial assistance for education expenses (An Act respecting financial assistance for education expenses, R.S.Q., c. A-13.3; 2003, c. 17; 2004, c. 28) | 2299 | M |
| Financial assistance for education expenses, An Act respecting... — Financial assistance for education expenses (R.S.Q., c. A-13.3; 2003, c. 17; 2004, c. 28) | 2299 | M |
| Labour relations, vocational training and manpower management in the construction industry, An Act respecting..., amended (2005, Bill 98) | 2279 | |
| Legal Aid Act — Tariff of fees for the recording and transcription of depositions of witnesses (R.S.Q., c. A-14) | 2341 | Draft |
| List of Bills sanctioned (17 June 2005) | 2271 | |
| Master Electricians Act, amended (2005, Bill 98) | 2279 | |
| Master Pipe-Mechanics Act, amended (2005, Bill 98) | 2279 | |
| Municipal courts, An Act respecting..., amended (2005, Bill 104) | 2293 | |
| Natural Heritage Conservation Act — Conservation plans for the proposed biodiversity and aquatic reserves — Amendments (R.S.Q., c. C-61.01) | 2331 | Draft |
| Occupational health and safety, An Act respecting... — Safety Code for the construction industry — Occupational health and safety (R.S.Q., c. S-2.1) | 2338 | Draft |
| Professional Code — Activities engaged in and described in sections 39.7 and 39.8 (R.S.Q., c. C-26) | 2300 | M |
| Régie des installations olympiques, An Act to amend the Act respecting the... . . . (2005, Bill 97) | 2275 | |
| Road vehicles used for the transportation of school children (Transport Act, R.S.Q., c. T-12) | 2301 | M |

| | | |
|--|------|-------|
| Safety Code for the construction industry — Occupational health and safety ... (An Act respecting occupational health and safety, R.S.Q., c. S-2.1) | 2338 | Draft |
| Stenographers' Act — Tariff of fees for the recording and transcription of depositions of witnesses | 2341 | Draft |
| (R.S.Q., c. S-33) | | |
| Tariff of fees for the recording and transcription of depositions of witnesses ... (Code of Penal Procedure, R.S.Q., c. C-25.1; 2003, c. 5) | 2341 | Draft |
| Tariff of fees for the recording and transcription of depositions of witnesses ... (Courts of Justice Act, R.S.Q., c. T-16) | 2341 | Draft |
| Tariff of fees for the recording and transcription of depositions of witnesses ... (Legal Aid Act, R.S.Q., c. A-14) | 2341 | Draft |
| Tariff of fees for the recording and transcription of depositions of witnesses ... (Stenographers' Act, R.S.Q., c. S-33) | 2341 | Draft |
| Tobacco Tax Act — Regulation | 2314 | M |
| (R.S.Q., c. I-2) | | |
| Transport Act — Road vehicles used for the transportation of school children ... (R.S.Q., c. T-12) | 2301 | M |

