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Laws and Regulations

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Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 1051-2005, 9 November 2005

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

Correction to the French version of the plan of the proposed Akumunan biodiversity reserve

WHEREAS the proposed Akumunan biodiversity reserve was constituted by the Minister of Sustainable Development, Environment and Parks, the plan of that protected area and its conservation plan having been approved by the Government on 23 June 2005 under Order in Council 636-2005;

WHEREAS the French version of the plan of the proposed Akumunan biodiversity reserve contains an error;

WHEREAS, to ensure that the French and English versions are consistent, it is expedient to correct the error;

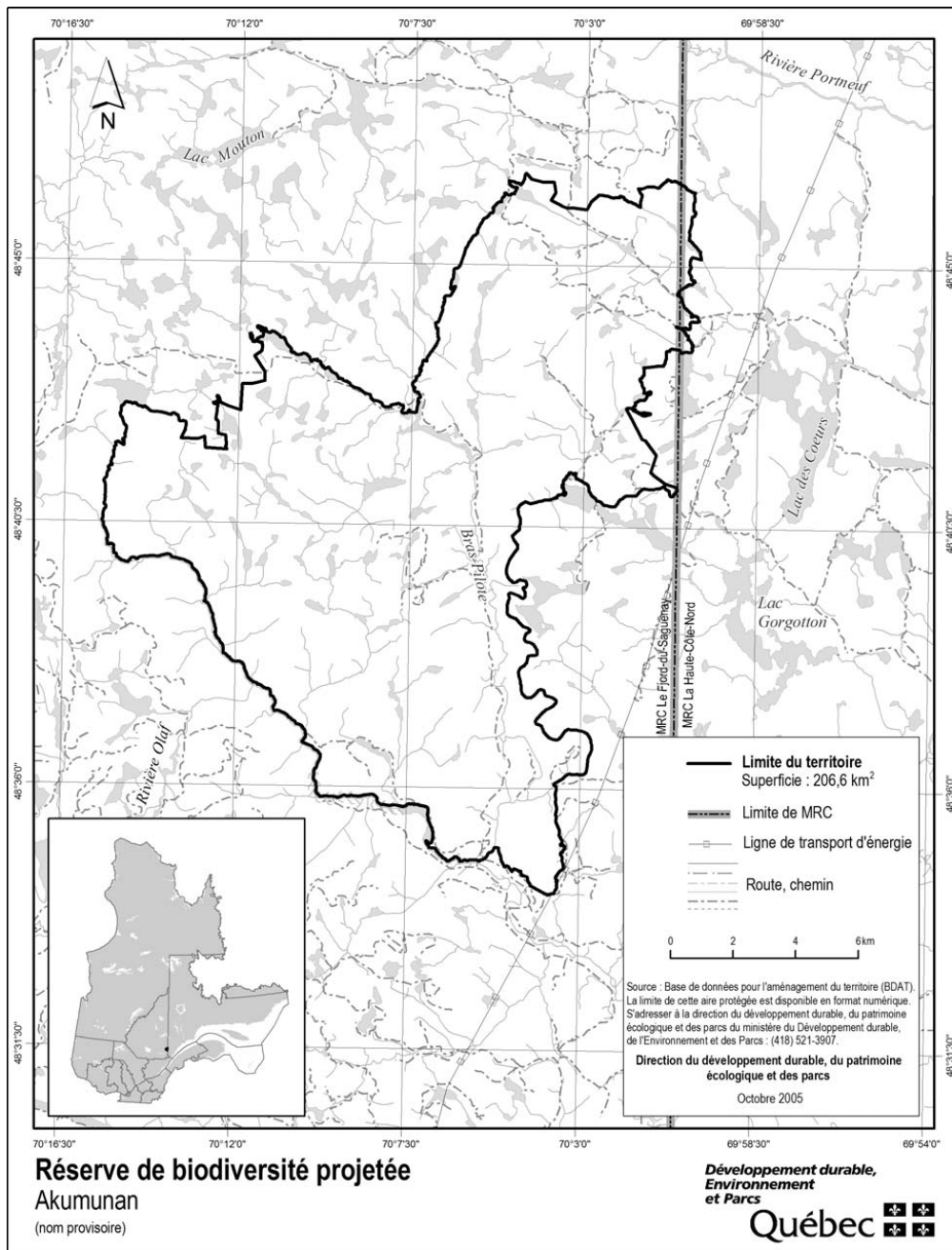
IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the French version of the plan of the proposed Akumunan biodiversity reserve, attached hereto, replace the French version of the plan of the reserve approved by Order in Council 636-2005 dated 23 June 2005.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

ANNEXE

Carte de la réserve de biodiversité projetée Akumunan (nom provisoire)



Gouvernement du Québec

O.C. 1081-2005, 9 November 2005

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20)

**Commission de la construction du Québec
— Levy**

Levy Regulation of the Commission de la construction du Québec

WHEREAS under subparagraph *c* of the 1st paragraph of section 82 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20), the Commission de la construction du Québec may, by way of a regulation approved by the Government and published in the *Gazette officielle du Québec*, levy upon the employer alone or upon both the employer and the employee or upon the employee alone or, as the case maybe, upon the independent contractor, the amounts required for its administration and fix a minimum amount which an employer is bound to pay per monthly period;

WHEREAS after consulting with the Joint Committee on Construction in accordance with section 123.3 of the Act, the Commission made the Levy Regulation for the year 2006;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Levy Regulation for the year 2006 was published in Part 2 of the *Gazette officielle du Québec* of August 31st, 2005 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS no comment was received following that publication and there is reason to approve the Regulation without amendment;

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

THAT the Levy Regulation of the Commission de la construction du Québec, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

**Levy Regulation of the Commission
de la construction du Québec**

Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 82, 1st par. subpar. *c*)

1. The levy imposed by the Commission de la construction du Québec for the year 2006 is:

(1) in the case of an employer, 0.75 of 1% of the total remuneration paid to his employees;

(2) in the case of an independent contractor, 0.75 of 1% of his remuneration as an independent contractor;

(3) in the case of an employee, 0.75 of 1% of his remuneration.

Notwithstanding the first paragraph, the minimum amount that an employer or an independent contractor is bound to pay the Commission per monthly period is \$10.

2. The employer shall collect, on behalf of the Commission, the amount levied upon his employees by means of a weekly deduction on their wages.

3. The independent contractor shall deduct weekly, out of the remuneration he received as an independent contractor, the amount levied upon him.

4. The employer and the independent contractor shall remit to the Commission the amount levied for a monthly period in pursuance of this Regulation, not later than the 15th of the following month.

5. This Regulation comes into force on 1 January 2006.

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Gouvernement du Québec

O.C. 1082-2005, 9 November 2005

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

CONCERNING corrections to the English text of the Decree concerning amendments to certain collective agreement decrees

WHEREAS, the Government, under Order in Council No. 736-2005 dated 9 August 2005, made amendments to certain collective agreement decrees;

WHEREAS errors occurred in the English text of sections 3 and 11 of the Decree to amend the Decree respecting building service employees in the Montréal region;

WHEREAS it is expedient to correct these errors in order to render the English text consistent with the French text of this Decree;

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

THAT the English text of the Decree to amend the Decree respecting building service employees in the Montréal region, made under Order in Council No. 736-2005 dated 9 August 2005, be amended by deleting paragraph 1 of section 3;

THAT the English text of the last paragraph of section 8.11 of the Decree respecting building service employees in the Montréal region added by section 11 of the Decree to amend the Decree respecting building service employees in the Montréal region, made under Order in Council No. 736-2005 dated 9 August 2005, be amended by replacing the words “annual leave” by the words “annual vacation”.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1111-2005, 16 November 2005

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2)

Selection of foreign nationals — Amendment

Regulation to amend the Regulation respecting the selection of foreign nationals

WHEREAS, under subparagraphs *b*, *b.1*, *f.2* and *g* of the first paragraph of section 3.3 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2), the Government may make regulations in relation to the matters set forth therein;

WHEREAS the Government made the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r.2), which among other things prescribes the order of priority for the processing of applications for certificates and the duties or fees to be paid;

WHEREAS it is expedient to temporarily give priority to the processing of applications filed by foreign nationals who are victims of the South Asia earthquake that occurred on 8 October 2005 and waive the processing duties or fees;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft 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 urgency of the situation requires it;

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

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the disaster caused by the earthquake that occurred in South Asia on 8 October 2005 requires that special temporary requirements be established as soon as possible to facilitate the immigration of foreign nationals from the countries affected by the catastrophe;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Immigration and Cultural Communities:

THAT the Regulation to amend the Regulation respecting the selection of foreign nationals, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the selection of foreign nationals*

An Act respecting immigration to Québec (R.S.Q., c. I-0.2, s. 3.3, 1st par., subpars. *b*, *b.1*, *f.2* and *g*)

1. The Regulation respecting the selection of foreign nationals is amended by adding the following after section 63 :

“DIVISION VIII VICTIMS OF THE OCTOBER 2005 EARTHQUAKE

64. This Division sets out special conditions that apply to the victims of the South Asia earthquake that occurred on 8 October 2005.

65. This Division applies to an application filed with the Minister between 9 October 2005 and 9 October 2006 in relation to :

(1) an undertaking on behalf of a foreign national who is a victim of the earthquake ;

(2) a selection certificate as a worker filed by a foreign national who is a victim of the earthquake when the Minister responsible for the administration of the Immigration and Refugee Protection Act initiates the procedure to allow for the evaluation of the case in Canada ; and

(3) a new certificate of acceptance to work or study filed by a foreign national already in Québec who is a victim of the earthquake.

66. A victim of the earthquake includes a foreign national seriously and personally affected by the earthquake that occurred on 8 October 2005 in the regions of Pakistan, India and Afghanistan.

67. Despite section 22, priority is given to the processing of an application for a selection certificate filed by a foreign national who is a victim of the earthquake referred to in this Division.

* The Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r.2) was last amended by the regulation made by Order in Council 318-2005 dated 6 April 2005 (2005, G.O. 2, 795). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

68. The duties prescribed in sections 55 to 57 do not apply to an application filed by a foreign national who is a victim of the earthquake referred to in this Division.”.

2. This Regulation comes into force on 23 November 2005 and ceases to apply on 1 April 2007.

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Gouvernement du Québec

Agreement

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

AGREEMENT CONCERNING THE TESTING OF NEW VOTING PROCEDURES

BETWEEN

MR. JEAN CHAREST, LEADER OF THE QUÉBEC
LIBERAL PARTY, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MRS. LOUISE HAREL, LEADER OF THE PARTI
QUÉBÉCOIS, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. MARIO DUMONT, LEADER OF THE ACTION
DÉMOCRATIQUE DU QUÉBEC / TEAM MARIO
DUMONT, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. MARCEL BLANCHET, IN HIS CAPACITY AS
CHIEF ELECTORAL OFFICER OF QUÉBEC

WHEREAS on May 25, 2005, the seat of Member of the National Assembly of the electoral division of Outremont became vacant following the resignation of Mr. Yves Séguin ;

WHEREAS on June 6, 2005, the seat of Member of the National Assembly of the electoral division of Verchères became vacant following the resignation of Mr. Bernard Landry ;

WHEREAS under section 130 of the Election Act (R.S.Q., c. E-3.3), a by-election to fill the vacancy has to be called latest six months after the seat becomes vacant ;

WHEREAS under the provisions of section 489 of the Election Act, the Chief Electoral Officer may test new voting procedures during a by-election;

WHEREAS on April 22, 2004, the Chief Electoral Officer tabled the report “Améliorer l'accès au vote et favoriser son exercice – Une proposition du Directeur général des élections” that proposes a set of measures aimed at improving the exercise of voting rights;

WHEREAS the Minister for the Reform of Democratic Institutions tabled a draft bill replacing the Election Act on December 15, 2004;

WHEREAS many of the measures proposed in the report of the Chief Electoral Officer are included in the draft election bill;

WHEREAS during the by-elections that will take place in the electoral divisions of Outremont and Verchères, the Chief Electoral Officer would like to test some of the measures proposed in the report tabled in April 2004 and in the draft election bill concerning mobile advance polling stations, mobile polling stations and mobile boards of revisors;

WHEREAS an agreement between the Chief Electoral Officer of Québec and the leaders of the authorized parties represented in the National Assembly is required to implement these new voting procedures;

WHEREAS this agreement has to describe the new voting procedures, mention the provisions of the Election Act that it replaces and be signed by each of these persons;

WHEREAS the present agreement has force of law.

CONSEQUENTLY, THE PARTIES AGREE AS FOLLOWS :

1. PREAMBLE

The preamble to this agreement forms an integral part of this agreement.

2. PURPOSE OF THE AGREEMENT

This agreement is intended to test mobile advance polling stations and mobile polling stations in private and public retirement homes, hospitals offering long-term care and in residential and long-term care centres, as well as to test mobile boards of revisors during the by-elections that will be held in the electoral divisions of Outremont and Verchères.

3. MODIFICATIONS TO THE ELECTION ACT

3.1 Access

Section 135.1 of the said Act is replaced by the following section :

“**135.1.** The owner, administrator, superintendent or caretaker of a residential building or a residence for the elderly listed in the register established under the Act respecting health services and social services has to allow and facilitate access to the building by persons entrusted with distributing any notice or document from the chief electoral officer or returning officer.

The same rule applies to the executive director of an institution referred to in section 3 with regard to any facility maintained by the institution.”.

3.2 Setting up of the Mobile Board of Revisors

This Act is amended by inserting the following after section 179:

“**179.1.** The returning officer shall set up one or more mobile boards of revisors based on the needs of the electoral division.

He shall assign designated polling subdivisions to each board.

A mobile board of revisors shall be set up with the consent of the owner or the administrator, in all institutions referred to in section 3 and in all residence for the elderly listed in the register established under the Act respecting health services and social services that houses 50 people or more. These facilities shall meet the criteria established by the chief electoral officer.

A mobile board of revisors may also visit electors unable to move about who are domiciled or living in any institution referred to in section 3 or in a residence for the elderly listed in the register established under the Act respecting health services and social services.”.

3.3 Notice to Electors Regarding Mobile Revision

Section 182.1 of this Act is modified by inserting the following after the first paragraph :

“However, information on the days and times of mobile revisions are provided by the returning officer to the electors concerned.”.

3.4 Duration of the Sessions of the Mobile Board of Revisors

Section 195 of this Act is modified by inserting the following after the second paragraph:

“The mobile board of revisors seats on the days and during the hours determined by the returning officer for the period referred to in the first paragraph.”.

3.5 Written Request to a Board of Revisors

Section 206 of the said Act is replaced by the following:

“**206.** An elector domiciled or living in a residence for the elderly listed in the register established under the Act respecting health services and social services or in a facility referred to in section 3 and who would like to avail himself of the provisions of this section may apply in writing to the returning officer to have his name entered on or struck off the list of electors or for a correction thereto.

The returning officer shall transmit the applications received to the competent board of revisors.”.

3.6 Application to a Mobile Board of Revisors by an Elector with Limited Mobility

The said Act is amended by inserting the following after section 206:

“**206.1.** The mobile board of revisors may go to the room or apartment of an elector unable to move about domiciled or living in a facility referred to in section 3 or in a residence for the elderly listed in the register established under the Act respecting health services and social services and who applies to the returning officer not later than the thirteenth day before polling day.

206.2. Section 206.1 notwithstanding, the mobile board of revisors may, during its visit of a facility referred to in this section, visit the room or apartment of an elector unable to move about and who so requests.”.

3.7 Provisions Applicable to Advance Polling

Section 263 of this Act is amended by replacing the second paragraph with the following:

“However, there shall be no officers assigned to the list of electors during this vote. In addition, the deputy returning officer and the secretary of the polling station may act as members of the identity verification panel in polling stations for inmates, mobile advance polling stations and mobile polling stations.”.

3.8 Mobile Advance Polling Stations and Mobile Polling Stations

This Act is modified by replacing sub-section 3, division II, chapter V, title IV by the following:

“§3. *Special provisions governing mobile advance polling stations*

287. The returning officer may set up as many mobile advance polling stations as needed in an electoral division.

These stations are established with the consent of the owner or administrator, in any facility covered by section 3 and in a residence for the elderly listed in the register established under the Act respecting health services and social services that houses 50 people or more.

The institutions referred to in the second paragraph must meet the criteria determined by the chief electoral officer.

288. The mobile advance polling is held on the eighth and seventh days before polling day during the hours determined by the returning officer for each institution.

Information on the days and times of the mobile advance polling stations shall be provided to the electors concerned by the returning officer.

289. An elector domiciled in an institution referred to in section 287 who wishes to vote in an advance poll must vote in the advance polling station set up in that institution.

290. An elector referred to in section 289 who is unable to move about may vote in his or her apartment or room provided a request to that effect is addressed to the returning officer not later than the thirteenth day before polling day and provided the elector is registered on the list of electors for the polling subdivision in which the institution is situated.

291. The returning officer draws up a list of the electors who have filed a request under section 290, and send a copy to the candidates.

292. Mobile advance polling stations are operated by a deputy returning officer and a poll clerk appointed by the returning officer.

292.1. During mobile advance polling, the deputy returning officer must stop receiving votes at that station at the time set by the returning officer and move all the

necessary material to the room or apartment of an elector on the list referred to in section 291 who is unable to move about.

The deputy returning officer must give the elector all the assistance necessary to vote and ensure that the voting is secret.

The representatives of the candidates are not admitted into the elector's room or apartment.

292.2. Despite section 290, an elector who has become unable to move about after the thirteenth day before polling day and whose disability will persist beyond polling day may vote in his or her room or apartment. In such a case, the fact is recorded on the list referred to in section 291.

292.3. The director general, owner or person in charge of an institution referred to in section 287 must facilitate access to the mobile advance polling station in the institution and cooperate with the deputy returning officer and the poll clerk.

§3.1. Special provisions governing mobile polling stations

292.4. The returning officer shall determine which advance polling stations will serve as mobile polling stations.

These stations shall be set up in the institutions referred to in section 287 in which an advance polling station has not been established or when less than 50 people are living in such an institution.

When serving as a mobile polling station, the advance polling station shall consist of the deputy returning officer and the poll clerk of the polling station.

292.5. A mobile polling station may receive the vote of electors on the ninth and sixth days before polling day at times determined by the returning officer for each institution.

292.6. Electors living in an institution referred to in section 292.4 who wishes to vote at a mobile polling station have to

- (1) apply to the returning officer, not later than the thirteenth day before polling day;
- (2) be registered on the list of electors of the subdivision where the institution is situated;
- (3) be unable to move about.

292.7. The returning officer draws up a list of the electors who have filed a request under section 292.6, and send a copy to the candidates.

292.8. The deputy returning officer must give the elector all the assistance necessary to vote and ensure that the voting is secret.

The representatives of the candidates are not admitted into the elector's room or apartment.

292.9. Sections 292.2 and 292.3 apply to mobile polling stations, with the necessary modifications.”.

3.9 Polling Stations and Subdivisions

Section 302 of this Act is modified by inserting the following after the third paragraph:

“The returning officer may regroup a polling subdivision, created in order to create a mobile advance polling station, with the nearest subdivision.”.

3.10 Polling Station in an Institution Referred to in Section 3

Section 304 of this Act is modified by inserting the following after the first paragraph:

“However, the first paragraph shall not apply to an institution in which a mobile advance polling station has been established.”.

3.11 Officer In Charge of Information and Order at a Mobile Advance Polling Station

Section 309 of this Act is modified by inserting the following after the second paragraph:

“However, in a mobile advance polling station, the returning officer may assign the function of officer in charge of information and order to another polling officer.”.

3.12 Discretion of the Chief Electoral Officer Upon Observing an Error, Emergency or Exceptional Circumstance

Section 490 of the said Act is replaced by the following:

“**490.** If, during the election period, it comes to the attention of the chief electoral officer that, subsequent to an error, emergency or exceptional circumstance, a provision of this Act or the present agreement does not meet the demands of the resultant situation, he may adapt such provision in order to achieve its object.

However, the chief electoral officer shall first inform the authorized parties represented in the National Assembly of the decision he intends to make and shall use all necessary means to inform the other authorized parties, the candidates and the electors concerned of his decision.

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 he has made pursuant to this section. The President shall table the report in the National Assembly within 30 days of having received it or, if the National Assembly is not sitting, within 30 days of resumption.”.

3.13 Penal Provision

Paragraph 1 of section 551 of this Act is replaced by the following:

“(1) the owner, administrator, superintendent or caretaker of a residential building or a residence for the elderly listed in the register established under the Act respecting health services and social services or the executive director of an institution referred to in section 3 regarding all facilities maintained by this institution who limits, restricts or fails to facilitate access to the building by an enumerator or a person entrusted with distributing a notice or document from the chief electoral officer or the returning officer. ”.

4. APPLICATION OF THE AGREEMENT

The Chief Electoral Officer and the returning officers of the electoral divisions of Outremont and Verchères are responsible for applying the present agreement and, consequently, for the good conduct of the testing of new voting procedures.

5. ASSESSMENT REPORT

Within 60 days following the date of the by-elections, the Chief Electoral Officer shall transmit to the leaders of political parties represented in the National Assembly a report covering the following points:

— election preparations related to the present agreement;

— the setting up of mobile advance polling stations, mobile polling stations and mobile boards of revisors;

— the conduct of the mobile advance polling and the mobile revision;

— the advantages and disadvantages of using the new voting procedures.

6. APPLICATION OF THE ELECTION ACT

The Election Act (c. E-3.3) applies to the divisions of Outremont and Verchères for the by-elections covered by this agreement, subject to the provisions of this act that are modified or replaced by this agreement.

7. EFFECT OF THE AGREEMENT

This agreement takes effect on the date of the order directing the Chief Electoral Officer to hold a by-election in the electoral divisions of Outremont and Verchères.

IN WITNESS WHEREOF, THE PARTIES HAVE SIGNED, IN FOUR COPIES

In Montréal, on 24 August 2005

JEAN CHAREST,
leader of the Québec Liberal Party

In Montréal, on 20 August 2005

LOUISE HAREL,
leader of the Parti québécois

In Rivière-du-Loup, on 29 August 2005

MARIO DUMONT,
leader of the Action démocratique du Québec / team Mario Dumont

In Québec, on 30 August 2005

MARCEL BLANCHET,
Chief Electoral Officer of Québec

7228

Draft Regulations

Draft Regulation

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2; 2004, c. 18)

Selection of foreign nationals — 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 Regulation to amend the Regulation respecting the selection of foreign nationals, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to adopt a new selection grid for immigrants in the economic class, particularly for workers and entrepreneurs. Other amendments to the Regulation include the place of filing of an application for a selection certificate or certificate of acceptance, cases where a certificate lapses, conditions of issue of a certificate of acceptance and exemption, in certain cases, of the payment of duties payable for the issue of those certificates.

The draft Regulation also amends the duration of an undertaking on behalf of a child in the family class, extends the sponsorship on behalf of persons in distressful situations and sets out the conditions of issue of a selection certificate for those persons.

Lastly, the draft Regulation contains other provisions that are intended to harmonize the Regulation with the Immigration and Refugee Protection Regulations.

Further information may be obtained by contacting Suzanne Éthier, Assistant Deputy Minister, Immigration et francisation, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9; telephone: 514 873-0706; fax: 514 873-0453.

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 the Minister of Immigration and Cultural Communities, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9.

LISE THÉRIAULT,
*Minister of Immigration and
Cultural Communities*

Regulation to amend the Regulation respecting the selection of foreign nationals*

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2, s. 3.3, 1st par., subpars. *B* to *b.4*, *c*, *c.1*,
c.2, *c.3*, *d*, *e*, *f* to *f.1.0.2*, *f.2* and *g*; 2004, c. 18, s. 10,
pars. 2 and 4 to 6)

1. The Regulation respecting the selection of foreign nationals is amended in section 1

(1) by replacing paragraph *a* of subsection 1 by the following:

“(a) “National Occupational Classification”: the document by that name published by the Government of Canada, as it reads at the time it applies;”;

(2) by replacing paragraph *d.1* of subsection 1 by the following:

“(d.1) “dependent child”: a child who

i. is less than 22 years of age and is not a spouse, including a de facto spouse;

ii. has depended substantially on the financial support of either parent since before the age of 22 or since becoming a spouse, including a de facto spouse, and has been a student continuously enrolled in and attending a post-secondary educational institution accredited by the relevant government authority, and actively pursuing a course of academic, professional or vocational training on a full-time basis; or

iii. is 22 years of age or older and has depended substantially on the financial support of either parent since before the age of 22 and is unable to be financially self-supporting due to a physical or mental condition;”;

* The Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r.2) was last amended by the regulation made by Order in Council 318-2005 dated 6 April 2005 (2005, G.O. 2, 795). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

(3) by adding “, in a profitable and legal agricultural, commercial or industrial enterprise of which the investor controls at least 25% of the equity” at the end of paragraph *e.1* of subsection 1;

(4) by deleting paragraphs *g.1* to *g.4* of subsection 1.

2. Section 2 is amended

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

“Despite the foregoing, the application for a selection certificate filed in Québec in a class referred to in sections 110 to 115 of the Immigration and Refugee Protection Regulations or in section 25 of the Immigration and Refugee Protection Act cannot be filed in respect of the foreign national’s family members who are not in Canada, except if they are already covered by an undertaking given under this Regulation.”;

(2) by replacing “class of independent immigrants” in the third paragraph by “economic class”.

3. Section 5 is replaced by the following:

“**5.** A foreign national in the economic class must file an application for a selection certificate at a Québec immigration office serving

(a) the foreign national’s country of nationality;

(b) the country where the foreign national is residing, if on the date of filing the application the foreign national has been lawfully admitted to that country for a period of at least one year for a temporary stay to study or work, has been studying or working as a main activity and is legally residing in that country; or

(c) if the foreign national is stateless, the country of habitual residence, if the foreign national has been lawfully admitted to that country.

5.01. A foreign national staying temporarily in Québec may file an application for a selection certificate in Québec if

(a) in the case where the main purpose of the stay is to study, the foreign national

i. holds a certificate of acceptance, a study permit or a temporary resident permit, except if the foreign national is exempt therefrom under this Regulation or the Immigration and Refugee Protection Regulations;

ii. complies with the conditions of the certificate or permit;

iii. pursues a program of studies of a duration of not less than 12 months in an educational institution in Québec; and

iv. has completed at least half of the program if the program of studies is of a duration of less than 18 months, or not more than 12 months are left to complete the program if the program is of a duration of 18 months or more;

(b) in the case where the main purpose of the stay is to work, the foreign national

i. holds a certificate of acceptance, a work permit or a temporary resident permit, except if the foreign national is exempt therefrom under this Regulation or the Immigration and Refugee Protection Regulations;

ii. complies with the conditions of the certificate or permit; and

iii. has been lawfully admitted in the territory for a period of at least one year;

(c) the foreign national is an entrepreneur, a self-employed person or an investor and is in Québec for business prospecting purposes; or

(d) the foreign national is a temporary resident and has lost Canadian citizenship.

5.02. A foreign national must file an application for a selection certificate in Québec and the application is examined in Québec if

(a) the Minister responsible for the administration of the Immigration and Refugee Protection Act has agreed to process the application for permanent residence in Canada;

(b) protection under paragraph 95(1)*b* or *c* of the Immigration and Refugee Protection Act has been conferred on the foreign national; or

(c) the application is for a selection certificate in the family class.

5.03. An application for a selection certificate is examined by an immigration officer.”.

4. Sections 5.1 and 5.2 are replaced by the following:

“5.1. An application for a certificate of acceptance is filed in Québec or at a Québec immigration office responsible for processing such an application. The application is examined by an immigration officer.

5.2. An application for an undertaking is filed in Québec. It is examined by an immigration officer.”.

5. Section 6 is amended by inserting “and subclass” after “class”.**6.** Section 7 is amended

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

“7. An application for a selection certificate filed by a foreign national in the economic class as a skilled worker, self-employed person or entrepreneur is subject to preliminary processing in accordance with the factors in the Selection Grid for the Economic Class in Schedule A applicable to the person’s subclass, except the “Adaptability” factor and, for the entrepreneur, the “Business Project” factor.”;

(2) by replacing “rejected” in the second paragraph by “refused”.

7. Section 8 is amended

(1) by replacing “investors class” in the first paragraph by “investor subclass”;

(2) by inserting “or *a.1*” after “paragraph *a*” in the first paragraph;

(3) by replacing the second paragraph by the following:

“Foreign nationals in the skilled worker subclass shall be called for a selection interview if they satisfy the requirements of the preliminary processing but fail to achieve the selection passing scores.

Foreign nationals in the entrepreneur or self-employed persons subclass shall be called for a selection interview if they achieve the passing scores in the preliminary processing but fail to achieve the selection cutoff or passing scores.

Foreign nationals having filed an application in which the accuracy of the declarations has not been substantiated shall also be called for a selection interview.”.

8. Section 15 is amended by deleting the third, fourth, fifth and sixth paragraphs.**9.** The following is inserted after section 15:

“15.1. A selection certificate lapses if

(*a*) the foreign national does not file the application for a permanent resident visa in accordance with the Immigration and Refugee Protection Regulations within 12 months after the date of issue of the certificate;

(*b*) the certificate has been issued following an undertaking and the undertaking lapses or is cancelled; or

(*c*) the foreign national is inadmissible and is not authorized to enter and remain in Canada or is the subject of a removal order.

15.2. A foreign national’s certificate of acceptance is valid for the time specified in this Regulation.

A certificate of acceptance lapses if the foreign national is inadmissible and is not authorized to enter and remain in Canada or is the subject of a removal order.”.

10. Section 17 is amended by replacing paragraph *c* by the following:

“(c) economic class.”.

11. Section 18 is amended

(1) by inserting the following after paragraph *a*:

“(a.1) is a person in need of protection on whom refugee protection has been conferred under paragraphs 95(1)*b* and *c* of the Immigration and Refugee Protection Act;”;

(2) by replacing “and makes” in subparagraph *ii* of paragraph *c* by “and has no significant ties with his country of origin or makes”;

(3) by adding the following after subparagraph *iii* of paragraph *c*:

“iv. his permanent resident application is processed in Canada pursuant to section 25 of the Immigration and Refugee Protection Act, his physical, mental or moral well-being would be seriously affected if he could not remain in Québec and his removal to his country of origin would cause him serious harm.”.

12. Section 21 is amended

(1) by replacing the part preceding paragraph *a* and paragraphs *a* and *b* by the following:

“**21.** The economic class includes a foreign national at least 18 years of age in one of the following subclasses:

(*a*) “skilled worker”: a foreign national who settles in Québec to hold employment the foreign national is likely able to hold;

(*b*) “entrepreneur”: a foreign national who has at least two years of management experience in the five years preceding the date of filing of the application and comes to Québec

i. to create or acquire to manage himself or herself, or to participate as an associate in the management and daily operations, and control at least 25% of the equity of

— an agricultural enterprise established in Québec; or

— an industrial or commercial enterprise established in Québec that will employ on a permanent full-time basis at least one Québec resident other than the foreign national and the foreign national’s accompanying family members; or

ii. after acquiring at least 25% of the equity of an enterprise described in subparagraph *i* the acquisition of which enhances the economy of the region concerned, to manage the enterprise himself or to participate as an associate in the management and daily operations of the enterprise;”;

(2) by replacing “is designated as a “self-employed person” if” in paragraph *c* by ““self-employed person”.”;

(3) by replacing “is designated as an “investor” if” in paragraph *d* by ““investor”.”;

(4) by adding the following at the end:

“Subparagraphs *i* and *ii* of subparagraph *b* of the first paragraph are conditions within the meaning of subsection 98(2) of the Immigration and Refugee Protection Regulations.”.

13. Section 22 is amended by replacing paragraph *c* by the following:

“(c) the application of a foreign national who is a skilled worker and who submits a validated employment offer, then the application of a foreign national of that subclass who does not submit such an offer;”.

14. Section 23 is amended

(1) by replacing subparagraph *ii* of subparagraph *a* of the first paragraph by the following:

“ii. for 10 years or, where applicable, until of full age, whichever is the longer period, in the case of a person described in subparagraph *b*, *d* or *f* of the first paragraph of section 19 or a family member accompanying a person referred to in the first paragraph of section 19, if the person or family member is under 16 years of age on the date on which the sponsor’s obligations take effect;

iii. for 3 years or until the foreign national is 25 years of age, whichever is the longer period, in the case of a person described in subparagraph *b*, *d* or *f* of the first paragraph of section 19 or a family member accompanying a person referred to in section 19, if the person or family member is 16 years of age or over on the date on which the sponsor’s obligations take effect; or

iv. for 10 years, in the case of a person described in subparagraph *c* or *g* of the first paragraph of section 19;”;

(2) by replacing subparagraph *b.6* of the first paragraph by the following:

“(b.6) the resident has not been convicted in Canada under the Criminal Code (R.S.C. 1985, c. C-46) of a sexual offence or an attempt or threat to commit such an offence against any person, or of an offence resulting in bodily harm or an attempt or threat to commit such an offence against a family member or relative, spouse, including de facto spouse, or conjugal partner or his or her family members or relatives; such a condition is removed if the resident has been acquitted in the last instance or pardoned under the Criminal Records Act (R.S.C. 1985, c. C-47) or served the sentence at least 5 years before the date of filing of the application for an undertaking;”;

(3) by striking out “, unless the resident is exempted from this condition under section 25 of the Immigration and Refugee Protection Act” in subparagraph *b.8* of the first paragraph;

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

“A resident is exempt from a condition set out in subparagraph *b.3* or *b.4* or subparagraphs *b.6* to *b.8* of the first paragraph to the extent that the resident has the same exemption under section 25 of the Immigration and Refugee Protection Act.”.

15. Section 24.1 is amended by inserting “on behalf of a child referred to in subparagraph *b* of the first paragraph of section 19 for whom a decision granting adoption recognized by the sole operation of law under the Act to implement the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (2004, c. 3) is made and the sponsor is residing in Québec, or” after “gives an undertaking” in the first paragraph.

16. Section 27 is replaced by the following:

“**27.** (1) Where a foreign national domiciled in Québec in the class of foreign nationals in a particularly distressful situation referred to in paragraph *a* or *a.1* of section 18 files an application with the Minister for a selection certificate, the Minister may issue the selection certificate.

(2) Where a foreign national belonging to the class of foreign nationals in a particularly distressful situation referred to in paragraphs *b* and *c* of section 18 files an application with the Minister for a selection certificate, the Minister may issue the selection certificate if in the Minister’s opinion the foreign national has settled or is able to settle successfully in Québec society.

The Minister shall take into account the level of distress as a result of the foreign national’s physical integrity being threatened. The Minister shall also take into account the personal qualities and language proficiency of the foreign national and accompanying family members, the presence of accompanying dependent children, a relationship with a Québec resident who is the spouse, including *de facto* spouse, or a relative in the first or second degree, any work experience, remunerated or not, of the foreign national or an accompanying family member, the steps taken by a sponsor in accordance with this Regulation and, in the case of a foreign national referred to in paragraph *b* of section 18, any financial or other assistance offered to the foreign national in Québec.

(3) If the foreign national is covered by subparagraph *i* of paragraph *c* of section 18, the Minister shall also take into account,

(*a*) if the foreign national is a family member of a person referred to in section 25 of the Immigration and Refugee Protection Act or sections 110 to 115 of the Immigration and Refugee Protection Regulations, the steps taken by a sponsor pursuant to paragraph 1 of section 40.1;

(*b*) if the foreign national is of full age, the steps taken by a sponsor pursuant to subparagraph *a* of paragraph 2 of section 40.1; and

(*c*) in the case of a foreign national whose application for permanent residence is processed in Canada and who is a family member of a Québec resident, the fact that the foreign national is the subject of an undertaking given by the resident on the form prescribed by the Minister that satisfies the conditions set out in subparagraphs *b*, *b.1* and *b.3* to *b.7* of the first paragraph of section 23 and the conditions in sections 42 and 46.1 to 46.3 and whose duration is that required by subparagraph *i*, *ii* or *iii* of subparagraph *a* of the first paragraph of section 23.

(4) If the foreign national is covered by subparagraph *iv* of paragraph *c* of section 18, the Minister shall also take into account the steps taken by a sponsor pursuant to paragraph 2 of section 40.1.

(5) A selection certificate may be issued to the family member who will follow a foreign national referred to in paragraph *a*, *a.1* or *b* of section 18 if

(*a*) the family member has been included in the foreign national’s application or was added to the application before the foreign national’s departure for Québec;

(*b*) the family member files the application abroad within one year after the date on which the foreign national settles in Québec and the foreign national is still residing in Québec; or

(*c*) the sponsor referred to in section 30 has given an undertaking on the foreign national’s behalf.”.

17. Section 28 is amended

(1) by replacing the part preceding paragraph *a* by the following:

“**28.** A legal person may file an application for an undertaking on the form prescribed by the Minister to sponsor a foreign national referred to in paragraph *b* of section 18, a foreign national referred to in subparagraph *iii* of paragraph *c* of section 18 if the foreign national is

abroad, a foreign national referred to in subparagraph *iv* of paragraph *c* of section 18 or a foreign national referred to in subparagraph *b* of paragraph 2 of section 40.1, if that legal person”;

(2) by adding the following after paragraph *d*:

“(d.1) has complied with the requirements of the undertaking given to the government or the Minister responsible for the Immigration and Refugee Protection Act or, failing that, has reimbursed the amounts owing as repayment of special benefits or last resort assistance benefits in accordance with the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001) or as repayment of similar benefits referred to in section 145 of the Immigration and Refugee Protection Act.”.

18. The following is inserted after section 28:

“**28.1.** A Québec resident and a legal person referred to in section 28 may co-sponsor a foreign national referred to in paragraph *b* of section 18 or a foreign national referred to in subparagraph *iii* of paragraph *c* of section 18 if the foreign national is abroad, if they file a joint application for an undertaking on the form prescribed by the Minister and if the resident

(*a*) is at least 18 years of age and is domiciled in the region or locality where the foreign national is to settle;

(*b*) has complied with the requirements of the undertaking given to the government or the Minister responsible for the Immigration and Refugee Protection Act or, failing that, has reimbursed the amounts owing as repayment of special benefits or last resort assistance benefits in accordance with the Act respecting income support, employment assistance and social solidarity or as repayment of similar benefits referred to in section 145 of the Immigration and Refugee Protection Act;

(*c*) is not the subject of a removal order made under the Immigration and Refugee Protection Act;

(*d*) is not detained in a penitentiary or prison;

(*e*) has not been convicted in Canada of murder or any of the offences listed in Schedule I or II of the Corrections and Conditional Release Act (S.C. 1992, c. 20) punishable by summary conviction or by way of indictment; that condition is removed if the resident has been acquitted in the last instance or pardoned under the Criminal Records Act or served the sentence imposed under the Criminal Code at least 5 years before the date of filing of the application for an undertaking;

(*f*) has not been convicted outside Canada of an offence that, if committed in Canada, would constitute an offence referred to in paragraph *e*, unless a five-year period following the expiry of the sentence imposed under the foreign law has elapsed before the date of filing of the application for an undertaking;

(*g*) has not, in the 5 years preceding the date of filing of the application for an undertaking, been the subject in respect of the resident’s spouse or child of compulsory execution of a court judgment ordering support payment, or of a remedy, proceeding or measure for compulsory execution referred to in section 47 of the Act to facilitate the payment of support (R.S.Q., c. P-2.2) or a recovery measure under sections 48 to 50 or section 53 of that Act or, if the resident has been the subject of such proceedings, the resident has paid all arrears owed;

(*h*) is not the subject of a cancellation procedure under the Citizenship Act (R.S.C. 1985, c. C-29);

(*i*) is not a recipient of last resort financial assistance.”.

19. Sections 29 and 30 are replaced by the following:

“**29.** Two to five persons forming a group may be sponsors of a foreign national referred to in paragraph *b* of section 18 or a foreign national referred to in subparagraph *iii* of paragraph *c* of section 18 if the foreign national is abroad, if the persons file a joint application for an undertaking on the form prescribed by the Minister and if each person meets the conditions set out in section 28.1.

30. The steps taken by a sponsor referred to in section 28, 28.1 or 29 are considered if the sponsor gives an undertaking in accordance with Division III on the form prescribed by the Minister, for a period of one year in the case of a foreign national referred to in paragraph *b* of section 18 or a foreign national referred to in subparagraph *iii* of paragraph *c* of section 18 if the foreign national is abroad, except if the Minister is of the opinion that the foreign national will not be able to integrate the labour market and the foreign national’s physical integrity is not threatened where the foreign national is located, in which case the duration of the undertaking is 3 years.

In the case of a sponsor referred to in section 28, the duration of the undertaking is 5 years in the case of a foreign national referred to in subparagraph *iv* of paragraph *c* of section 18 or a foreign national referred to in subparagraph *b* of paragraph 2 of section 40.1.”.

20. The heading of subdivision 3 of Division II is replaced by “Economic class”.

21. Section 31 is amended by replacing the first paragraph by the following:

“**31.** Upon receipt of an application for a selection certificate made by a foreign national in the economic class, the Minister shall assess the foreign national’s application or the application of the foreign national’s spouse, including de facto spouse, whichever application is the most advantageous as regards the awarding of the points prescribed in the Regulation respecting weighting.”.

22. Section 32 is amended by replacing “Independent Immigrants” by “the Economic Class”.

23. Section 38 is replaced by the following:

“**38.** The Minister shall issue a selection certificate to a foreign national in the economic class who

(a) obtains, in the awarding of the points prescribed by the Regulation respecting weighting in respect of the factors and criteria listed in the Selection Grid for the Economic Class in Schedule A applicable to the foreign national’s subclass, the number of points required as the cutoff score and, where applicable, as the passing score; and

(b) in the case of an entrepreneur selected according to factor 12.2 of the grid, also files with the Minister a document certifying the acquisition of an enterprise related to that factor; or

(c) in the case of an investor, also files with the Minister a document certifying that the amount indicated in the investment agreement has been invested with Investissement Québec or one of its subsidiaries.”.

24. Section 40 is replaced by the following:

“**40.** The Minister may issue a selection certificate to a foreign national in the economic class if the Minister is of the opinion that the result obtained in the application assessment in accordance with the Selection Grid for the Economic Class in Schedule A and the Regulation respecting weighting does not reflect the foreign national’s potential to settle successfully in Québec.”.

25. Section 40.1 is amended

(1) by replacing “class of independent immigrants” in the part preceding paragraph 1 by “economic class”;

(2) by replacing “sections 25 and 97” in paragraph 1 by “section 25”;

(3) by replacing subparagraph *b* of paragraph 1 by the following:

“(b) for the period provided for in subparagraphs *i* to *iii* of subparagraph *a* of the first paragraph of section 23;”;

(4) by replacing paragraph 2 by the following:

“(2) because the foreign national is covered by an undertaking given on the form prescribed by the Minister

(a) by a Québec resident who satisfies the conditions in subparagraphs *b* to *b.5* of the first paragraph and the second paragraph of section 23, paragraphs *e* and *f* of section 28.1, if applicable, the second paragraph of section 23 and sections 42 and 44 to 46.3; or

(b) by a legal person who satisfies the conditions in sections 28, 42 and 44 to 46.3.”.

26. Section 43 is amended

(1) by replacing the part preceding paragraph *a* by the following:

“**43.** Each member of a group referred to in section 29 or a Québec resident referred to in section 28.1 and a legal person referred to in sections 28 and 28.1 must also undertake to ensure the reception and to provide assistance for the settlement of the foreign national and accompanying family members, including”;

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

“A legal person who gives an undertaking on behalf of a foreign national referred to in subparagraph *iv* of paragraph *c* of section 18 or a foreign national referred to in subparagraph *b* of paragraph 2 of section 40.1 is exempt from the requirements in the first paragraph.”.

27. Section 45 is amended by replacing “A resident of Québec is presumed” in the first paragraph by “A Québec resident, other than a Québec resident referred to in section 28.1, is presumed to be”.

28. Section 46 is replaced by the following:

“**46.** A legal person referred to in section 28 or a legal person and a Québec resident referred to in section 28.1 are presumed to be able to fulfill their undertaking if they satisfy the Minister that they have and should have,

throughout the duration of the undertaking, an annual amount at least equal to the amount required for basic needs established in Schedule C.

The monetary requirements from a previous undertaking must be taken into account in the calculation of the financial capacity of those persons.”

29. Section 47 is amended

(1) by replacing subparagraph *iii* of paragraph *a* of subsection 1 by the following:

“iii. documents showing that the foreign national and each accompanying family member have health and hospital insurance for the first year of the foreign national’s stay to study in Québec, or the financial resources required to purchase, on the foreign national’s arrival, such insurance or that they are covered by a social security agreement on health;”;

(2) by adding the following after subparagraph *ii* of paragraph *b* of subsection 1:

“iii. to maintain, throughout the stay, health and hospital insurance for the foreign national and each accompanying family member, except if the foreign national is covered by a social security agreement on health for the duration of the stay;”;

(3) by replacing “36” in the second sentence of subsection 5 by “37”;

(4) by inserting the following after subsection 5:

“(5.1) In the case of a minor child, the duration of the certificate is the same as the duration of the certificate of acceptance or the work permit of the holder of parental authority who accompanies the child or, failing that, 14 months.

(5.2) In the case of a program given by an educational institution that does not hold a permit issued by the Minister of Education, Recreation and Sports, the certificate of acceptance is issued for a duration of not more than 13 months.”;

(5) by adding the following at the end of subsection 9:

“, or who is a minor child who may be exempt from payment of the financial contribution established pursuant to section 473 of the Education Act (R.S.Q., c. I-13.3)”.

30. Section 49 is amended by replacing “subparagraphs *a* or *b* of the third paragraph of section 5” in paragraph *i* by “paragraphs *a* and *b* of section 5.02”.

31. Section 50 is amended

(1) by striking out “economic” in paragraph *b* of subsection 1;

(2) by striking out “economic” in the part preceding paragraph *a* of subsection 3;

(3) by deleting the third sentence of subsection 4.

32. Section 56 is amended

(1) by replacing “class of independent immigrants” in the first paragraph by “economic class”;

(2) by inserting “skilled” before “worker” in subparagraph *c* of the first paragraph.

33. Section 57 is amended

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

“A foreign national who has filed an application to obtain the protection conferred by paragraph 95(1)*b* or *c* of the Immigration and Refugee Protection Act is exempt from payment of the duties payable for a certificate of acceptance.”;

(2) by replacing “as provided in the first two paragraphs, for such an application” in the fifth paragraph by “for a certificate of acceptance”;

(3) by adding the following paragraphs at the end:

“A foreign national who is a minor child who may be exempt from payment of the financial contribution established pursuant to section 473 of the Education Act is exempt from payment of the duties payable for the issue of a certificate of acceptance.

A foreign national holding a certificate of acceptance to study who files a new certificate application before the date of expiry of the certificate of acceptance in order to study in a program or a level of study the duration of which is less than the duration of the program or level of study for which the foreign national was issued a certificate of acceptance, is exempt from payment of the duties payable for the issue of the new certificate.”.

34. Section 60 is amended by inserting “skilled” before “worker”.

35. Schedule A is replaced by the following:

“SCHEDULE A
(ss. 7, 32, 38 and 40)

SELECTION GRID FOR THE ECONOMIC CLASS

Factors	Criteria	Factors	Criteria
1. Training	<p>1.1 Level of education</p> <p>(a) secondary school general diploma</p> <p>(b) secondary school vocational diploma</p> <p>(c) postsecondary school general diploma attesting to two years of full-time studies</p> <p>(d) postsecondary school technical diploma attesting to one year of full-time studies</p> <p>(e) postsecondary school technical diploma attesting to two years of full-time studies</p> <p>(f) postsecondary school technical diploma attesting to three years of full-time studies</p> <p>(g) undergraduate diploma attesting to three years or more of full-time studies</p> <p>(h) master's degree</p> <p>(i) doctorate</p> <p>1.2 Québec diploma</p> <p>Diploma issued by a Québec educational institution, in Québec or abroad, diploma or training determined by a government regulation as giving access to the authorization to practise a profession or trade regulated in Québec as well as diploma or training recognized as equivalent by the regulatory body concerned.</p> <p>1.3 Areas of training</p> <p>Diploma listed in the Liste des domaines de formation published by the Ministère de l'Immigration et des Communautés culturelles, as it reads at the time it applies.</p> <p>(a) section A of areas</p> <p>(b) section B of areas</p> <p>(c) section C of areas</p> <p>(d) section D of areas</p> <p>(e) section E of areas</p> <p>The diploma must have been obtained in the five years preceding the date of filing of the application for a selection certificate or, failing that, the foreign national must have practised full-time a profession related to the diploma for at least one year in the five years preceding the application.</p>	2. Experience	<p>If there is more than one diploma, the most advantageous diploma for the foreign national is retained.</p> <p>1.4 Second specialty</p> <p>Diploma in a second specialty obtained in the ten years preceding the date of filing of the application for a selection certificate.</p> <p>2.1 Professional experience of a skilled worker</p> <p>2.1.1 Experience</p> <p>(a) less than 6 months</p> <p>(b) 6 to 11 months</p> <p>(c) 12 to 23 months</p> <p>(d) 24 to 35 months</p> <p>(e) 36 months or more</p> <p>2.1.2 Related experience</p> <p>Experience of at least 6 months in a profession related to the diploma obtained.</p> <p>The experience must have been acquired in the five years preceding the date of filing of the application for a selection certificate and it is based on the period of employment in a profession in a skill level higher than D within the meaning of the National Occupational Classification, including training periods, remunerated or not, during an apprenticeship, training or specialization process attested to by a diploma.</p> <p>2.2 Professional experience of a self-employed person</p> <p>Experience</p> <p>(a) 6 months</p> <p>(b) 1 year</p> <p>(c) 1 and a half years</p> <p>(d) 2 years</p> <p>(e) 2 and a half years</p> <p>(f) 3 years</p> <p>(g) 3 and a half years</p> <p>(h) 4 years</p> <p>(i) 4 and a half years</p> <p>(j) 5 years or more</p>

Factors	Criteria	Factors	Criteria
	The experience of a self-employed person is based on the period of practice for the person of the profession the person intends to practise in Québec.		28 years of age 29 years of age 30 years of age 31 years of age 32 years of age 33 years of age 34 years of age 35 years of age 36 years of age 37 years of age 38 years of age 39 years of age 40 years of age 41 years of age 42 years of age 43 years of age 44 years of age 45 years of age 46 years of age 47 years of age 48 years of age 49 years of age 50 years of age
	2.3 Management experience of the entrepreneur		
	Experience (a) 6 months (b) 1 year (c) 1 and a half years (d) 2 years (e) 2 and a half years (f) 3 years (g) 3 and a half years (h) 4 years (i) 4 and a half years (j) 5 years (k) 5 and a half years (l) 6 years (m) 6 and a half years (n) 7 years (o) 7 and a half years or more		
	2.4 Management experience of the investor	4. Language proficiency	4.1 French (a) oral interaction (b) written comprehension 4.2 English (a) oral interaction (b) written comprehension
	Experience (a) 6 months (b) 1 year (c) 1 and a half years (d) 2 years (e) 2 and a half years (f) 3 years (g) 3 and a half years (h) 4 years (i) 4 and a half years (j) 5 years (k) 5 and a half years (l) 6 years (m) 6 and a half years (n) 7 years (o) 7 and a half years or more	5. Stay and family in Québec	5.1 Stay (a) to study for one regular full-time semester if study is the main activity (b) to study for two regular full-time semesters if study is the main activity (c) to work for at least 3 months if work is the main activity (d) to work for at least 6 months if work is the main activity (e) for business for at least one week (f) other stay for not less than 2 weeks and not more than 3 months (g) other stay exceeding 3 months
3. Age	18 years of age 19 years of age 20 years of age 21 years of age 22 years of age 23 years of age 24 years of age 25 years of age 26 years of age 27 years of age		The stay, other than the stay referred to in paragraph <i>e</i> , must have been completed by the foreign national or the foreign national's spouse, including de facto spouse, in the ten years preceding the date of filing of the application for a selection certificate.

Factors	Criteria	Factors	Criteria
	The stay referred to in paragraph <i>e</i> must have been completed by the foreign national in the two years preceding the date of filing of the application for a selection certificate.		The diploma must have been obtained in the five years preceding the date of filing of the application for a selection certificate or, failing that, the foreign national must have practised full-time a profession related to the diploma for at least one year in the five years preceding the application.
	5.2 Family		If there is more than one diploma, the most advantageous diploma for the foreign national is retained.
	Relationship with a Québec resident who is, in relation to the foreign national or the foreign national's spouse, including de facto spouse, (a) the spouse, including de facto spouse (b) son or daughter, father or mother, brother or sister (c) grandfather or grandmother, uncle or aunt	6.4 Second specialty	Diploma in a second specialty obtained in the ten years preceding the date of the application for a selection certificate.
6. Characteristics of the accompanying spouse, including de facto spouse	6.1 Education level (a) secondary school general diploma (b) secondary school vocational diploma (c) postsecondary school general diploma attesting to two years of full-time studies (d) postsecondary technical diploma (e) university degree	6.5 Professional experience (a) 6 to 11 months (b) 12 months or more	The professional experience must have been acquired in the five years preceding the date of filing of the application for a selection certificate and is based on the period of employment in a profession in a skill level higher than D, within the meaning of the National Occupational Classification, including training periods, remunerated or not, during an apprenticeship, training or specialization process attested to by a diploma.
	6.2 Québec diploma Diploma issued by a Québec educational institution, in Québec or abroad, diploma or training determined by a government regulation as giving access to the authorization to practise a profession or trade regulated in Québec as well as diploma or training recognized as equivalent by the regulatory body concerned.	6.6 Age 18 years of age 19 years of age 20 years of age 21 years of age 22 years of age 23 years of age 24 years of age 25 years of age 26 years of age 27 years of age 28 years of age 29 years of age 30 years of age 31 years of age 32 years of age	
	6.3 Areas of training Diploma listed in the Liste des domaines de formation published by the Ministère de l'Immigration et des Communautés culturelles, as it reads at the time it applies. (a) section A of the areas (b) section B of the areas (c) section C of the areas (d) section D of the areas (e) section E of the areas		

Factors	Criteria	Factors	Criteria
	33 years of age 34 years of age 35 years of age 36 years of age 37 years of age 38 years of age 39 years of age 40 years of age 41 years of age 42 years of age 43 years of age 44 years of age 45 years of age 46 years of age 47 years of age 48 years of age 49 years of age 50 years of age		(c) the hiring of the foreign national in Québec does not and is not likely to adversely affect the settlement of any labour dispute at the workplace where the foreign national would carry on the employment, or the employment of any person involved in the dispute, or to contravene the application of the Labour Code (R.S.Q., c. C-27); (d) an employer in good faith who has been doing business in Québec for more than 12 months undertakes in writing to reserve the employment for the foreign national.
	6.7 Language proficiency (a) oral interaction in French (b) written comprehension in French		The metropolitan area of Montréal means the territories represented by the regional conferences of elected officers for Montréal, Laval and Longueuil, as defined in section 97 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (R.S.Q., c. M-30.01).
7. Validated employment offer	7.1 Validated employment offer in the metropolitan area of Montréal 7.2 Validated employment offer outside the metropolitan area of Montréal A validated employment offer is an offer made by an employer in Québec to a foreign national or the foreign national's spouse, including de facto spouse, for permanent full-time employment that satisfies the following conditions: (a) the employment is in a skill level higher than D within the meaning of the National Occupational Classification and the worker meets the conditions of access to the profession within the meaning of the classification; (b) the hiring in Québec will likely result in a positive or neutral effect on the labour market in Québec by basing the assessment on direct employment creation or employment retention, the creation or transfer of skills or knowledge, or the filling of a labour shortage in the profession or trade concerned;	8. Children	8.1 2 years of age or younger 8.2 from 13 to 21 years of age A child means a dependent child of the foreign national, the accompanying spouse, including de facto spouse, and an accompanying dependent child who is a Canadian citizen.
		9. Financial self-sufficiency	Making of a contract by a skilled worker, a self-employed person or an entrepreneur, on the form prescribed by the Minister, in which he or she undertakes to meet his or her basic needs, those of accompanying family members and a dependent child who is a Canadian citizen for a period of three months. The foreign national must also declare in the contract that the foreign national will have, for that period, financial resources at least equal to those in the scales in Schedule C to meet their basic needs; in the case of a foreign national whose application for permanent residence is processed in Canada, the foreign national must prove that his or her gross income will allow the foreign national to meet their basic needs.

Factors	Criteria	Factors	Criteria
	That requirement begins on the date of the foreign national's arrival in Canada or, in the case of a foreign national whose application for permanent residence is processed in Canada, on the date of issue of the selection certificate.	12. Business project	12.1 Ability to carry out a business project in Québec Assessment of the business project taking into account (a) market exploration, in particular regarding the knowledge acquired on the laws and regulations in Québec, the steps taken to understand the sector of activities and the actions taken to create ties with the business community in Québec; (b) feasibility of the project, in particular regarding the relevant sector of activity, the scope of the project, the implementation and operations strategy and the choice of the region for carrying out the project and supporting reasons; (c) relevant financial resources to carry out the business project; (d) economic benefits arising out of the project.
10. Adaptability	Overall assessment of the foreign national based on — knowledge of Québec, in particular the labour market, the economic sector in which the foreign national intends to work and living conditions; — steps taken to facilitate the foreign national's socioeconomic integration, in particular to improve language proficiency in French or English or obtain a permit to practise a regulated profession or trade and any other steps to facilitate integration; — personal qualities regarding professional activities, in particular the foreign national's ability to capitalize on acquired knowledge and achievements, the knowledge of the difficulties relating to the immigration project or any other consideration relating to the immigration project. The assessment includes an assessment of the spouse, including de facto spouse, in the case of a skilled worker or a self-employed person.		12.2 Acquisition of an enterprise in Québec Acquisition of an enterprise described in subparagraph <i>ii</i> of paragraph <i>b</i> of section 21.
11. Financial resources	Have, with the accompanying spouse, including de facto spouse, if applicable, net assets obtained legally of at least: (a) \$50,000 (b) \$75,000 (c) \$100,000 (d) \$125,000 (e) \$150,000 (f) \$175,000 (g) \$200,000 (h) \$250,000 (i) \$300,000 (j) \$350,000 (k) \$400,000 (l) \$450,000 (m) \$500,000 or more	13. Investment agreement	In compliance with the Regulation.” 36. This Regulation comes into force on the fifteenth day following the date of its publication in the <i>Gazette officielle du Québec</i> .
		7230	

Decisions

Decision

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

Chief electoral officer

— Holding of a by-election in the Patriotes School Board

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, concerning the holding of a by-election in the Patriotes School Board

WHEREAS a by-election is to be held on December 4, 2005, in electoral division number 8 of the Patriotes School Board in accordance with sections 191 and 200 of the Act respecting school elections (R.S.Q., c. E-2.3);

WHEREAS the second paragraph of section 200 of the Act respecting school elections provides that the provisions of Chapters IV to XII of the said Act shall apply to by-elections;

WHEREAS some of the said provisions have been adapted by means of special decisions of the chief electoral officer made on October 3, 2003, pursuant to section 30.8 of the Act respecting school elections, concerning the power of election officers to administer oaths, acceptance of nomination papers by an assistant of the returning officer, the ballot paper, the poll book and the statement of votes;

WHEREAS it is necessary for these special decisions to apply to the by-election in the Patriotes School Board;

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

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

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

— The following decisions made by the chief electoral officer during the election period ending on November 16, 2003, shall apply, adapted as required, to the by-election in the Patriotes School Board:

– Decision of October 3, 2003 concerning the power of election officers to administer oaths;

– Decision of October 3, 2003 concerning acceptance of nomination papers by an assistant of the returning officer;

– Decision of October 3, 2003 concerning the ballot paper, the poll book and the statement of votes.

This decision has been in force from the time the returning officers of the school boards contemplated in this decision first took action in respect of the by-election to which it applies.

Québec, 8 November 2005

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

7229

Municipal Affairs

Gouvernement du Québec

O.C. 1054-2005, 9 November 2005

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

Amendments to Order in Council 1212-2004 dated 21 December 2004 and to Order in Council 847-2005 dated 14 September 2005

WHEREAS, in accordance with section 50 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), the Government made Order in Council 1212-2004 dated 21 December 2004 and Order in Council 847-2005 dated 14 September 2005 respecting the establishment of certain rules for the purposes of the 2005 general election in certain municipalities;

WHEREAS Order in Council 1212-2004 dated 21 December 2004 establishes, among other things, rules respecting the eligibility of candidates for the office of mayor or the office of councillor;

WHEREAS Order in Council 847-2005 dated 14 September 2005 establishes, among other things, the tariff of remuneration or allowances payable to the election officers for the organization and holding of the advance general election in each of the reconstituted municipalities of Estérel, Ivry-sur-le-Lac, La Bostonnais, Lac-Édouard, Lac-Tremblant-Nord, La Macaza, Newport and Saint-Aimé-du-Lac-des-Îles;

WHEREAS it is expedient to add, in Order in Council 1212-2004 dated 21 December 2004, a rule respecting the amount of election expenses that an authorized party or independent candidate must not exceed for an election to the office of mayor of a borough of Ville de Montréal where the person is also a councillor of that city;

WHEREAS it is expedient to make certain amendments to the tariff established in Order in Council 847-2005 dated 14 September 2005 to ensure greater consistency of remuneration between the various returning officers;

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;

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

THAT Order in Council 1212-2004 dated 21 December 2004 be amended by inserting the following after paragraph 18 of the first paragraph of the operative part:

“(18.1) the amount of election expenses incurred by an authorized party or independent candidate must not exceed, for the election to the office of mayor of a borough of Ville de Montréal where the person is also a councillor of the city, the amount of \$5,400, increased by

(a) \$0.42 per person entered on the list of electors of all the electoral districts within the borough above 1,000 but not above 20,000 electors;

(b) \$0.72 per person entered on that list above 20,000 but not above 100,000 electors;

(c) \$0.54 per person entered on that list above 100,000 electors;”;

THAT Order in Council 847-2005 dated 14 September 2005 be amended

(1) by replacing subparagraph 1 of the third paragraph of the operative part by the following:

“(1) for an election officer who has no employment relationship with the city or the reconstituted municipality: the tariff in the Schedule;”;

(2) by inserting “or the reconstituted municipality” after “city” in subparagraph 2 of the third paragraph of the operative part;

(3) by replacing “345 hours” in paragraph 1 of section 1 of the Schedule by “250 hours for an election with polling and 175 hours for an election without polling”;

(4) by inserting the following after the first paragraph of section 1 of the Schedule :

“If the returning officer acts in respect of two reconstituted municipalities, the maximum number of hours is set at 300 hours for an election with polling in the two municipalities, 265 hours for an election with polling in one of the two municipalities, and 225 hours if there is no polling.”.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

7232

Gouvernement du Québec

O.C. 1055-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Urban agglomeration of La Tuque

WHEREAS Ville de La Tuque was constituted by Order in Council 371-2003 dated 12 March 2003 ;

WHEREAS the territory of the town comprises the territories of the former Ville de La Tuque, the former Village de Parent and the former municipalities of La Bostonnais, La Croche and Lac-Édouard ;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the town corresponding to the territory of the former municipalities on the possibility of reconstituting them as local municipalities ;

WHEREAS the answer given to the referendum question by the qualified voters in the sectors of the town corresponding to the territory of the former municipalities of La Bostonnais and Lac-Édouard was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government may, by order, reconstitute as local municipalities the inhabitants and rate-payers of those sectors ;

WHEREAS the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the urban agglomeration of La Tuque is made up of the territories of Ville de La Tuque, Municipalité de La Bostonnais and Municipalité de Lac-Édouard, and determines the municipi-

pal powers that, rather than being exercised separately for each local municipal territory included in the urban agglomeration, must be exercised globally for the urban agglomeration ;

WHEREAS Chapter IV of Title V of that Act provides that the Government may make an order designated as an “urban agglomeration order” for each urban agglomeration ;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Marie Auger to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipalities, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations ;

WHEREAS Marie Auger reported to the Minister of Municipal Affairs and Regions on 8 July 2005 ;

WHEREAS it is expedient to make an urban agglomeration order for the urban agglomeration of La Tuque ;

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

TITLE I **OBJECT AND DEFINITIONS**

1. The object of this Order is to supplement, for the urban agglomeration of La Tuque, the rules prescribed by the Act respecting the exercise of certain municipal powers in certain urban agglomerations for the exercise of urban agglomeration powers.

2. In this Order, Ville de La Tuque and the municipalities of La Bostonnais and Lac-Édouard, whose territories make up the urban agglomeration of La Tuque, hereinafter designated as the “urban agglomeration”, are referred to respectively as the “central municipality” and the “reconstituted municipalities”. They are related municipalities.

The term “town”, used alone, designates Ville de La Tuque as it existed before the coming into force of this Order ; “former municipalities” mean the municipalities of La Bostonnais and Lac-Édouard that ceased to exist upon the constitution of the town.

The urban agglomeration powers are those set out in Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; all other powers are referred to as local powers.

TITLE II URBAN AGGLOMERATION COUNCIL AND COMMISSIONS

CHAPTER I URBAN AGGLOMERATION COUNCIL

DIVISION I NATURE AND COMPOSITION

3. The council of the central municipality is the urban agglomeration council.

Its composition is, however, enlarged in the manner provided in section 4.

4. For the purpose of constituting the urban agglomeration council, the council of the central municipality is composed of the members elected to it and of the mayors of the reconstituted municipalities.

5. If the office of mayor of a reconstituted municipality is vacant or the holder of the office is unable to act, a councillor may replace the mayor as the representative of the municipality.

The municipality may designate, on an ad-hoc basis or in advance of the event, the councillor who is to replace the mayor.

A designation made in advance, unless revoked, is valid until the term of office of the designated person as councillor expires.

The person may not sit on the urban agglomeration council until an authenticated copy of the resolution designating the person has been received by the central municipality.

6. The enlargement of the composition of the council of the central municipality for the purpose of constituting the urban agglomeration council has no effect on the existence of special positions, such as the positions of chair and vice-chair, or on the identity of the holders of those positions. The functions of those positions are exercised by those holders on the urban agglomeration council.

DIVISION II ASSIGNMENT OF VOTES

7. Each member of the urban agglomeration council has the number of votes determined as provided in sections 8 to 10.

8. The representative of the related municipality with the smallest population has one vote.

The representation of every other related municipality has a number of votes equal to the quotient obtained by dividing the population of the related municipality by the population of the municipality referred to in the first paragraph.

For the purposes of the first two paragraphs, the population of each related municipality is the population that exists at the time of the vote for which the number of votes of each member of the urban agglomeration council is to be determined. If, at that time, the order of the Government determining in advance the population for the following calendar year has been published in the *Gazette officielle du Québec*, that population figure is to be used.

9. Each representative of the central municipality has a number of votes equal to the quotient obtained by dividing the number of votes assigned to the representation of the central municipality by the number of its representatives.

10. If the quotient calculated under the second paragraph of section 8 is a decimal number, the first two decimals are used and, if the third decimal would have been greater than 4, the second decimal is increased by 1.

In the case of the central municipality, the rounding up referred to in the first paragraph also applies to the quotient calculated under section 9.

DIVISION III OTHER RULES

11. All the rules that pertain to the council of the central municipality, except as regards the composition of the council and the assignment of votes to the members, continue to apply when the council acts as the urban agglomeration council.

CHAPTER II AGGLOMERATION COMMISSIONS

12. Where an Act or statutory instrument provides for the creation of a commission by a municipal council, only the urban agglomeration council may create the

commission if the functions to be assigned to the commission involve in whole or in part any matter relating to urban agglomeration powers.

The urban agglomeration council is to designate at least one member of the council of each reconstituted municipality to sit as a member of the commission.

For the purposes of the first two paragraphs, “commission” means any commission or committee that has study, advisory or recommendation functions intended to facilitate decision-making by a council or an executive committee.

TITLE III **CONDITIONS OF EMPLOYMENT OF ELECTED OFFICERS**

CHAPTER I **REMUNERATION**

DIVISION I **INTERPRETATION**

13. For the purposes of Divisions II and III,

(1) “Act” means, except in the title of an Act, the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001);

(2) “compensation” means the expense allowance under the Act.

DIVISION II **REMUNERATION AND COMPENSATION**

14. No remuneration or compensation is to be paid by a related municipality to its council members, despite section 17 of the Act, unless the remuneration is fixed in a by-law in force adopted by the related municipality under section 2 of the Act.

Each related municipality must at all times have such a by-law in force.

15. For the purpose of determining the remuneration and compensation that may be paid by the central municipality, the urban agglomeration council and the regular council have concurrently the powers set out in Division I of Chapter II of the Act.

The urban agglomeration council exercises any of those powers to fix in respect of its members any basic or additional remuneration attached to the functions incidental to the exercise of urban agglomeration powers.

Where an urban agglomeration commission pursuant to section 12 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of that person, the power provided for in the first paragraph of section 70.0.1 of the Cities and Towns Act (R.S.Q., c. C-19) or article 82.1 of the Municipal Code of Québec (R.S.Q., c. C-27.1).

The regular council of the central municipality exercises any power referred to in the first or third paragraph to fix any basic or additional remuneration attached to functions other than those incidental to the exercise of urban agglomeration powers. The same applies to the council of each reconstituted municipality

If the draft by-law referred to in section 8 of the Act is a by-law of the urban agglomeration council, the executive committee referred to in that section is the executive committee of the central municipality.

16. For the purpose of establishing the minimum remuneration

(1) for the mayor of the central municipality, section 12 of the Act is applied, with reference to the sum of the populations of the related municipalities, including a population figure increased pursuant to section 13 of the Act;

(2) for the councillors of the central municipality, section 15 of the Act is applied, with reference to one-third of the minimum remuneration of the mayor of the municipality, as established with the modification under subparagraph 1;

(3) for the mayor of a reconstituted municipality, the amount used is the greater of the amount established in the mayor’s respect under sections 12 to 14 of the Act and the amount established with the modification under subparagraph 2 for the councillors of the central municipality;

(4) for a councillor of a reconstituted municipality who is a member of the urban agglomeration council, section 15 of the Act applies, with reference to one-third of the minimum remuneration of the mayor, as established with the modification under subparagraph 3; and

(5) for a councillor of a reconstituted municipality who is not a member of the urban agglomeration council, section 15 of the Act is applied without modification as are the sections to which section 15 refers.

If the minimum established under the first paragraph in respect of a person is less than the minimum provided for in the person's respect in section 16 of the Act, the latter minimum applies.

17. Despite section 4 of the Act, in the case of a person entitled to basic remuneration as a member of the urban agglomeration council and as a member of the regular council of the central municipality or of the council of a reconstituted municipality, the minimum established in the person's respect is in reference to the aggregate remuneration rather than to each individual remuneration.

If that aggregate is less than the minimum, the regular council of the central municipality or the council of a reconstituted municipality, as the case may be, is to amend its by-law to make up the difference by increasing the mayor's or councillors' basic remuneration attached to the functions other than those incidental to the exercise of urban agglomeration powers.

18. If the concurrent exercise of powers by the urban agglomeration council and the regular council of the central municipality or the council of a reconstituted municipality is likely to entail in respect of a person an excess referred to in the second paragraph, the excess is deducted from the amount that the person would receive as remuneration or compensation attached to the functions incidental to the exercise of urban agglomeration powers.

The excess referred to arises when the aggregate remuneration or compensation that a person would otherwise be entitled to receive from the central municipality only, or from both the central municipality and the reconstituted municipality, exceeds the maximum under section 21 or 22, as the case may be, of the Act.

19. The urban agglomeration council has the powers set out in section 24 of the Act as regards the terms and conditions of payment of the remuneration it has fixed and of any additional compensation.

The executive committee to which the urban agglomeration council may make the delegation referred to in that section is, if applicable, the executive committee of the central municipality.

DIVISION III OTHER COMPONENTS OF REMUNERATION

20. If an act likely to entail reimbursable expenses under Chapter III of the Act is performed by a member of the urban agglomeration council in connection with functions incidental to the exercise of urban agglomera-

tion powers, the council and, if applicable, the executive committee of the central municipality have, in respect of that act and those expenses, the powers assigned by that Chapter respectively to the council and the executive committee of a local municipality.

Where an urban agglomeration commission pursuant to section 12 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of the act and expenses of that person, the power provided for in the second paragraph of section 70.0.1 of the Cities and Towns Act or article 82.1 of the Municipal Code of Québec.

21. The first paragraph of section 20 also applies if the act is performed by the mayor or a councillor of the central municipality in connection with functions incidental to the exercise of urban agglomeration powers and with other functions.

In such a case, the expenses reimbursed by the municipality are mixed expenses and are subject to the by-law of the urban agglomeration council that establishes any criterion to determine which part of a mixed expense constitutes an expense incurred in the exercise of an urban agglomeration power.

22. The urban agglomeration council does not have the power provided for in Chapter III.1 of the Act that relates to compensation for loss of income.

23. The urban agglomeration council is not a council to which Chapter IV of the Act applies as regards severance and transition allowances, and the urban agglomeration council has none of the powers provided for in that Chapter.

The remuneration received by a person under a by-law adopted by the urban agglomeration council is considered, for the purposes of the calculation of the amount of the allowance, to be remuneration paid by a supramunicipal body.

CHAPTER II PENSION PLAN

24. The urban agglomeration council is not a council to which the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) applies, subject to section 25, and has none of the powers provided for in that Act as regards membership in the plan.

25. For the purposes of the plan provided for in that Act, the remuneration that a person receives or received under a by-law adopted by the urban agglomeration

council is considered, for the purpose of establishing the person's pensionable salary, to be remuneration paid by a supramunicipal body. The urban agglomeration council is, for the purposes of section 17 of that Act, deemed to constitute the board of such a body.

The central municipality acts as such a body, regarding the contribution, in respect of the part of the person's pensionable salary that corresponds to the remuneration referred to in the first paragraph.

CHAPTER III AGGLOMERATION EXPENDITURES

26. Expenditures related to the remuneration fixed by the urban agglomeration council under Division II of Chapter I, including any additional compensation and contributions paid for pension plan purposes on the basis of the remuneration, are deemed to be incurred in the exercise of urban agglomeration powers.

Expenditures related to the reimbursements referred to in section 20 are also deemed to be incurred in the exercise of those powers.

27. Expenditures related to the conditions of employment, other than those covered by Chapters I and II, of the members of a deliberative body authorized to exercise urban agglomeration powers are deemed to be incurred in the exercise of urban agglomeration powers if the conditions are established by the urban agglomeration council.

The same applies to expenditures related to the conditions of employment of the mayor or a councillor of the central municipality, if the conditions are not covered by Chapters I and II or by the first paragraph, and the expenditures related to the conditions are created in connection with functions incidental to the exercise of urban agglomeration powers.

28. If the expenditures related to the conditions of employment referred to in the second paragraph of section 27 are created in connection with functions incidental to the exercise of urban agglomeration powers and with other functions, the expenditures are mixed and are subject to the by-law referred to in the second paragraph of section 21.

TITLE IV PROVISIONS RELATING TO CERTAIN POWERS

29. The thoroughfares identified in Schedule A form the arterial road system of the urban agglomeration.

30. The equipment, infrastructures and activities listed in Schedule B are of collective interest.

The municipality that owns immovable property of collective interest cannot transfer the property.

The management of the equipment, infrastructures and activities listed in that Schedule, the financing of the related expenditures and the use of the revenues generated are the same as if the property were subject to the exercise of urban agglomeration powers over a matter covered by Chapter II of Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

31. Despite the third paragraph of section 30, the expenditures respecting the municipal library and the revenues generated by that equipment, where applicable, may not be charged or credited to Municipalité de Lac-Édouard.

TITLE V SHARING OF ASSETS AND LIABILITIES

CHAPTER I ASSETS

32. The property listed in Schedule C becomes the property of Municipalité de Lac-Édouard and the property listed in Schedule D becomes the property of Municipalité de La Bostonnais.

33. All property of the town not referred to in section 32 remains the property of the central municipality.

If the central municipality alienates the property, the proceeds of the alienation, or the part, if any, of the proceeds that exceeds the amount of the debt against the property, is to be apportioned among the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.

34. Every document of the town that before its constitution was the property of a former municipality becomes the property of the reconstituted municipality whose territory corresponds to the territory of that municipality.

The central municipality has a right of access to all such documents as if they had been filed in the municipal archives and may obtain copies of them without charge. The same applies to the reconstituted municipalities in respect of documents held by the central municipality that were created between the time the town was constituted and the time this Order comes into force.

CHAPTER II LIABILITIES

DIVISION I DEBTS OF A RECONSTITUTED MUNICIPALITY

35. Among the debts that exist immediately before the reorganization of the town, those that were contracted by a former municipality and that were financed, immediately before the reorganization, by revenue derived exclusively from the territory of that municipality become debts of the reconstituted municipality whose territory corresponds to the territory of that municipality.

The same applies to debts contracted by the town that relate to property, services or activities that concern local powers, if

(1) the debt is entirely financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of a reconstituted municipality ; or

(2) the debt is partially financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of a reconstituted municipality, as regards the part of the debt corresponding to the share of the benefit derived by the reconstituted municipality from the property, services or activities.

36. Debt securities relating to a debt to which section 35 refers are, if in the name of a former municipality immediately before the reorganization, deemed to be in the name of the reconstituted municipality which becomes the debtor of the secured debt. The financing rules applicable immediately before the reorganization continue to apply.

37. Despite section 35, the central municipality remains the debtor of the debts referred to in that section that, immediately before the reorganization, are not secured by debt instruments or are secured by such instruments in the name of the central municipality until, if applicable, replacement debt instruments are issued in the name of the reconstituted municipality.

The financing rules provided for in the by-law pursuant to which the debt was contracted cease to apply ; the reconstituted municipality pays to the central municipality the amounts necessary for that purpose, on the terms and conditions the central municipality establishes, which the reconstituted municipality is to finance through revenue determined by a by-law approved by the Minister of Municipal Affairs and Regions. The reconstituted municipality may also, in a by-law not requiring approval by the Minister of Municipal Affairs and Regions, make

a borrowing as an advance payment to the central municipality of the sums necessary to repay the debts the central municipality is to temporarily assume under the first paragraph.

As soon as debt instruments are issued in the name of the reconstituted municipality, the financing method determined by the by-law referred to in the second paragraph applies to the repayment of the debt secured by those instruments.

38. The debt referred to in section 35 includes the debt arising out of the borrowing under by-law 85-96 of the former *Municipalité de Lac-Édouard* as amended by chapter 51 of the Statutes of 2004.

39. The debt referred to in section 35 includes the debt arising out of the borrowing under by-law 6-2002 of the former *Municipalité de La Bostonnais*.

DIVISION II DEBTS OF THE CENTRAL MUNICIPALITY

§1. *General*

40. A debt of the town that does not become a debt of a reconstituted municipality remains a debt of the central municipality.

Where expenditures relating to such a debt were financed, immediately before the reorganization, by a source of revenue specific to that purpose, that source continues to apply with the necessary modifications. The central municipality may, however, finance the expenditures, subject to subdivision 4 and the town's constituting act, by revenue not reserved for other purposes or by appropriating another source of revenue it determines. For that purpose, the urban agglomeration council and the regular council exercise respectively the powers provided for in subdivisions 2 and 3.

For the purposes of this Division, the central municipality is authorized, for the purpose of collecting revenues in the territory of a reconstituted municipality, to use any source of financing it is authorized to use in its own territory.

§2. *Debts incidental to urban agglomeration powers*

41. The financing of expenditure relating to the following debts is within urban agglomeration powers :

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived from a territory extending beyond the territory of the central municipality ;

(2) debts contracted by the town and related to property, services or activities within urban agglomeration powers;

(3) debts contracted by the town and related to property, services or activities within local powers, if

(a) they are financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of a reconstituted municipality; and

(b) it is impossible to apportion the benefit related to the property, services or activities concerned on the basis of the territory of the related municipalities;

(4) debts contracted by the town related to equipment, infrastructures and activities of collective interest and financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of a reconstituted municipality; and

(5) debts the town assumed at the time of its constitution following the dissolution of a supramunicipal body exercising powers in a territory corresponding to the urban agglomeration territory or to any part of that territory extending beyond the territory of the central municipality.

The revenues and expenditures relating to such a debt are urban agglomeration revenues and expenditures.

§3. Debts incidental to the powers of the regular council of the central municipality

42. The financing of expenditure relating to the following debts is within the powers of the regular council of the central municipality:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived exclusively from the territory of the central municipality; and

(2) debts contracted by the town and related to property, services or activities within local powers, as regards the part of the debts that corresponds to the share of the benefit derived by the central municipality from the property, services or activities.

§4. Specific debts

43. The debts referred to in section 41 include the debts arising out of borrowings under by-laws 963-94, 966-95, 347-2004 and 358-2005 of the former Ville de La Tuque.

44. The debts referred to in section 41 include the debts arising out of borrowings under by-laws 304-98, 305-98, 745, 864, 313-99, 317-99, 749, 866, 885, 900, 940-93, 950-94, 951-94, 978-95, 983-96 (983-1-96), 997-97 and 339-2002 of the former Ville de La Tuque.

Those by-laws are financed by revenue derived from the sector made up of the territory of the former municipalities of La Croche, La Bostonnais, Lac-Édouard and the former Ville de La Tuque.

45. Despite sections 40 to 42, Schedule E determines, in the proportions it establishes, the territorial source of the revenues that are to finance the expenditures relating to the debts contracted under the by-laws mentioned therein and the competent council in their respect.

CHAPTER III **PROVISIONS OF A FINANCIAL NATURE**

46. The unpaid balance, as it exists immediately before the coming into force of this Order, of a deficit whose related expenditures must be financed by revenue derived exclusively from a territory that is to become the territory of a reconstituted municipality becomes a deficit of the reconstituted municipality.

The unspent balance, as it exists immediately before the coming into force of this Order, of a surplus that is for the exclusive benefit of the inhabitants and ratepayers of a territory that is to become the territory of a reconstituted municipality becomes a surplus of the reconstituted municipality.

47. A deficit or surplus of the town that is not covered by section 46 and that exists immediately before the coming into force of this Order remains a deficit or surplus of the central municipality.

Subject to the constituting act of the town, the central municipality must cover the deficit or use the surplus in the exercise of urban agglomeration powers. In the case where the town has a surplus, the central municipalities must, before using it in the exercise of urban agglomeration powers, use the surplus to pay a sum of money to the reconstituted municipalities, up to the amount available, that corresponds to the revenue derived from the territory of the reconstituted municipalities that was collected by the town to finance the expenditures related to the holding of the 2005 general election. Should the amount available not be sufficient to pay the sum in full to each of the reconstituted municipalities, it is to be apportioned between them in proportion to the revenue collected.

48. Section 47 applies, with the necessary modifications, in respect of any of the town's funds that exist immediately before the reorganization.

Despite the foregoing, a fund created specifically for the exercise of a power other than an urban agglomeration power preserves its original purpose.

In the case of such a fund created using revenue derived exclusively from a territory that is to become the territory of a reconstituted municipality, the monies that are in the fund immediately before the reorganization and have not already been appropriated become that municipality's monies.

If the revenues used to create such a fund are derived exclusively from the territory of local municipalities that ceased to exist on the constitution of the town, at least one of which is to become the territory of a reconstituted municipality, that reconstituted municipality is entitled to part of the monies referred to in the first paragraph. That part is equal to the fraction of the total standardized property value of the territories concerned that is attributable to that municipality's territory.

49. The town's working fund, as it exists immediately before the reorganization, remains that of the central municipality. Reimbursement of the part of the fund already appropriated at the time of the reorganization remains chargeable to all the ratepayers of the related municipalities and the sums recovered accordingly, as is the case for the unappropriated balance of the fund, may be reallocated only to urban agglomeration powers, subject to a sharing agreement between the related municipalities.

Where applicable, the central municipality must keep separate accounts to identify any part of the fund reserved exclusively for its own territory.

50. The related municipalities share the revenues and costs relating to any legal contestation or a dispute to which one of them is a party in respect of an event posterior to the constitution of the town and preceding the coming into force of this Order. The sharing is to be made in proportion to the standardized property value of each related municipality as it exists at the time of the coming into force of this Order.

The first paragraph applies to a pending case between the Attorney General of Québec and the Atikamekw Band (Superior Court, court file 425-17-000032-030), in which Ville de La Tuque is an impleaded party.

TITLE VI TRANSITIONAL AND FINAL

51. The payment of severance and transition allowances provided for in sections 30.1 and 31 of the Act respecting the remuneration of elected municipal officers to any member of the town council is, if applicable, deferred in accordance with sections 31.2, 31.4 and 31.5 of that Act which apply with the necessary modifications. Despite that section 31.2, "former municipality" means the town and "new municipality" means the reconstituted municipality.

52. Every agreement or contract to which the town is a party that continues to have effect after 31 December 2005 in the territory of a reconstituted municipality is deemed to concern urban agglomeration matters until the date on which it expires or the date of the day preceding the date of its renewal. The revenues and expenditures relating to the agreement or contract are urban agglomeration revenues and expenditures.

For the purpose of financing the expenditures referred to in the first paragraph, the urban agglomeration council may

(1) use any method provided for in section 85 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; or

(2) fix by by-law the share of the expenditures relating to a contract or an agreement to be payable by each municipality concerned.

The first two paragraphs do not apply to a contract or an agreement that applies exclusively in the territory of one reconstituted municipality only and that concerns only local matters. The reconstituted municipality succeeds to the rights and obligations of the town in respect of such a contract or agreement.

53. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE A

ARTERIAL ROAD SYSTEM

1. 4.27 km chemin des Pionniers (presence of the landfill site)
2. 1.23 km rue Saint-Joseph, rue Bostonnais to Smurfit Stone

3. 0.36 km rue Commerciale, between rue Saint-François and rue Saint-Joseph
4. 1.45 km rue Saint-Antoine, rue Saint-Joseph to rue Lamarche (second lane for hospital)
5. 0.36 km rue Saint-Louis, rue Saint-Joseph to rue Saint-François (station)

SCHEDULE B

INFRASTRUCTURES AND EQUIPMENT OF COLLECTIVE INTEREST

- Complexe culturel Félix-Leclerc;
- Municipal social centre;
- Parc des Chutes de la petite rivière La Bostonnais;
- Parc Saint-Eugène;
- Stade de baseball Sévère-Scarpino;
- Municipal ski centre;
- Colisée municipal;
- Municipal airport;
- Municipal library;
- Bicycle trail.

SCHEDULE C

PROPERTY THAT BECOMES THE PROPERTY OF MUNICIPALITÉ DE LAC-ÉDOUARD

Immovable property

1. Sewer system (built in 1998): lot P-31-2 of the cadastre of the township of Laure, filtration system situated on lot P-31-2 rue Damasse and the underground system situated beneath Damasse, Principale, Saint-Pierre, Saint-Henri and Edgar streets;
2. Public lighting system (acquired in 1995);
3. Community centre with land (acquired in 1983), lot 25-18 of the cadastre of the township of Laure, rue Principale;
4. Skating rink (on the community centre grounds), lot 25-17 of the cadastre of the township of Laure;

5. Amusement park (on the community centre grounds), lot 25-17 of the cadastre of the township of Laure;

6. Municipal garage (on the community centre grounds), lot 25-17 of the cadastre of the township of Laure;

7. Municipal park, lot 26-3 of the cadastre of the township of Laure, situated on rue Principale;

8. Municipal wharf and marina parking, lot 27-3 of the cadastre of the township of Laure, situated on rue Principale;

9. Lands acquired from CN giving access to a boat-house, lot P-31 of the cadastre of the township of Laure (March 2000);

10. The public thoroughfares in the territory of the municipality except those identified in Schedule A forming the arterial road system.

Other property

Office equipment and other property described in section 2.7 in the report by Marie Auger dated 8 July 2005.

Toshiba 1350 photocopier (1997), 14-inch screen Mita Pentium 75 Magnavox computer (1997), Brother HL-641 printer, Gateway Pentium 3 computer (2001), Hewlett Packard Laser Jet 2100 printer (2001), Globalstar satellite phone (2003), Brother Intellifax 600 fax machine (1994)

SCHEDULE D

PROPERTY THAT BECOMES THE PROPERTY OF MUNICIPALITÉ DE LA BOSTONNAIS

Immovable and movable property

1. Recreational grounds, including skating rink and trailer (acquired and equipped in 1992-1995, lot 20-6 of the cadastre of the township of Bourgeoys);

2. The public thoroughfares in the territory of the municipality except those identified in Schedule A forming the arterial road system.

Other property

Office equipment and other property described in section 1.7 in the report by Marie Auger dated 8 July 2005.

SCHEDULE E
(s. 45)

SOURCE OF REVENUE FOR THE FINANCING OF CERTAIN DEBTS

	POWERS OF THE URBAN AGGLOMERATION COUNCIL			POWERS OF THE REGULAR COUNCIL OF THE CENTRAL MUNICIPALITY		
	Urban agglomeration revenues	Urban agglomeration revenues except for the sectors made up of the territory - of the former TNO and - of the former Village de Parent	Urban agglomeration revenues except for the sectors made up of the territory - of the former TNO - of the former Village de Parent and - of the former Municipalité de Lac-Édouard	Revenue from the territory of the central municipality	Revenue from the sector made up of the territory of the former Ville de La Tuque	Revenue from the sector made up of the territory - of the former Ville de La Tuque and - of the former Municipalité de La Croche
	%	%	%	%	%	
775		97.7%	2.3%			
328-2001		92%	8%			
335-2002		66.9%	33.1%			
340-2003				100%		
341-2003		7.3%		92.7%		
342-2003		69.4%	21%			
343-2003				100%		
344-2003 (344-1-2005)					100%	
345-2004				100%		
346-2004	1.4%			98.6%		
348-2004	37.5%		3.3%	59.2%		
349-2004	48.8%			51.2%		
350-2004				100%		
351-2005				100%		
352-2005						100%

POWERS OF THE URBAN AGGLOMERATION COUNCIL		POWERS OF THE REGULAR COUNCIL OF THE CENTRAL MUNICIPALITY			
Urban agglomeration revenues	Urban agglomeration revenues except for the sectors made up of the territory - of the former TNO and - of the former Village de Parent	Urban agglomeration revenues except for the sectors made up of the territory - of the former TNO - of the former Village de Parent and - of the former Municipalité de Lac-Edouard	Revenue from the territory of the central municipality	Revenue from the sector made up of the territory of the former Ville de La Tuque	Revenue from the sector made up of the territory - of the former Ville de La Tuque and - of the former Municipalité de La Croche
%	%	%	%	%	%
353-2005			100%		
354-2005				100%	
355-2005			100%		
356-2005			100%		
357-2005				100%	
359-2005			100%		
360-2005			100%		

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Gouvernement du Québec

O.C. 1056-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Ville de La Tuque

WHEREAS Ville de La Tuque was constituted by Order in Council 371-2003 dated 12 March 2003;

WHEREAS the territory of the town comprises the territories of the former Ville de La Tuque, the former Village de Parent and the former municipalities of La Bostonnais, La Croche and Lac-Édouard;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the town corresponding to the territory of the former municipalities on the possibility of reconstituting them as local municipalities;

WHEREAS the answer given to the referendum question by the qualified voters was, in the sectors of the town corresponding to the territory of the former municipalities of La Bostonnais and Lac-Édouard, deemed to be affirmative within the meaning of section 43 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and, consequently, the Government may, by order, reconstitute as local municipalities the inhabitants and ratepayers of those sectors;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Marie Auger to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipalities, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Marie Auger reported to the Minister of Municipal Affairs and Regions on 8 July 2005;

WHEREAS, under section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), the Government may, by order, amend the charter of the central municipality;

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

1. The territory of Ville de La Tuque is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 4 April 2005.

2. Section 2 of Order in Council 371-2003 dated 12 March 2003 respecting the amalgamation of Ville de La Tuque, Village de Parent and the municipalities of La Bostonnais, La Croche and Lac-Édouard, is revoked.

3. The first paragraph of section 49 of the Order is amended by replacing “within four years of the coming into force of the Order in Council” by “before 26 March 2009”.

4. Sections 64 and 68 of the Order are revoked.

5. Schedule A to the Order is revoked.

6. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,

Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE NEW TERRITORIAL BOUNDARIES OF VILLE DE LA TUQUE

The new territory of Ville de La Tuque, following the de-amalgamation of the municipalities of La Bostonnais and Lac-Édouard, comprises all the lots and blocks of the original survey or of the cadastres of the townships of Lacroix, Buteux, Marceau, Balète, Pfister, Ventadour, Coursol, Lagacé, Perrier, Mathieu, Verreau, Dubois, Huard, Juneau, Lacasse, Toussaint, McSweeney, Magnan, Lindsay, Berlinguet, Baillargé, Hanotaux, Crémazie, Le May, Marmette, Brochu, Déziel, Faguy, Lafitau, La Bruère, Poisson, Évanturel, Myrand, Chapman, Nevers, Aubin, Levasseur, Routhier, Laflamme, Provancher, Achintre, Sulte, Huguenin, Delage, Leblanc, Bureau, Bourassa, Bonin, Buies, Faucher, Montpetit, Tassé, Fréchette, Dcelles, Dansereau, Tarte, Lareau, Douville, Fortier, Leau, Bazin, Lamy, Suzor, Huot, Hamel, Weymontachingue, Albani, Gosselin, Choquette, David, Landry, Dandurand, Letondal, Lavigne, Dessane, Lavallée, Drouin, Lortie, Amyot, Châteauvert, Laliberté, Sincennes, Frémont, Chouinard, Rhéaume, Ingall, Laporte, Bardy, Cloutier, Cadieux, Bisailon, Olscamp, Payment, Adams, Tourouvre, Geoffrion, Harper, Dumoulin, Langelier, Baril, Turcotte, Vallières, Polette,

Carignan, Malhiot, Pothier, Charest, Laurier, Papin, Chaumonot, Michaux, Biard, Rhodes, Lavoie, Chasseur, Borgia, Lescarbot, the undivided lands, thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the intersection of the east line of the township of Balète with parallel 49°00' north latitude and that runs along the following lines and demarcations: westerly, that parallel of latitude to the west line of the township of Lacroix; southerly, part of the west line of the township of Lacroix and the west line of the townships of Coursol, Juneau, Hanotaux, Poisson, Provancher, Buies, Douville and Gosselin; the south line of the townships of Gosselin, Choquette, David and Landry; part of the south line of the township of Dandurand and the southwest line of the townships of Drouin, Lortie and Laliberté; part of the southwest line of the township of Sincennes to the southeast shore of lac Mondonac; the southeast shore of the said lake, northeasterly, then the southeast bank of rivière Mondonac to the Mondonac dam; northeasterly, a straight line to the apex of the east angle of the township of Sincennes, that line skirting the south shore of all the lakes that it meets; the northeast line of the townships of Dupuis, Picard and Livernois; following the limits of the Saint-Maurice wildlife reserve, generally southeasterly, northerly and northeasterly, the southwest shore of lac du Fou and the left bank of the tributary of lac du Fou to a point whose coordinates are: 5 225 850 m N and 633 700 m E; northeasterly and easterly, a broken line whose coordinates of the apexes are: 5 225 950 m N and 634 000 m E, 5 225 500 m N and 635 300 m E, 5 225 000 m N and 635 525 m E, 5 225 700 m N and 637 450 m E, 5 225 500 m N and 638 300 m E, 5 224 475 m N and 638 325 m E, 5 224 300 m N and 638 875 m E, 5 224 850 m N and 639 500 m E, 5 224 300 m N and 640 550 m E, 5 225 200 m N and 643 550 m E and 5 224 200 m N and 644 500 m E, to the right bank of rivière Wessonneau Sud; southerly, the right bank of the said river to a westerly line whose point of origin coordinates are: 5 222 100 m N and 650 250 m E, the point of origin is situated on the right bank of rivière Wessonneau; the right bank of the said river northeasterly and easterly to the dividing line between the townships of Polette and Turcotte then, leaving the limits of the Saint-Maurice wildlife reserve, the right bank of rivière Wessonneau generally easterly and its extension to the centre line of rivière Saint-Maurice; the centre line of the said river downstream to the extension of the southwest line of the township of Carignan; the said extension and the southwest and southeast lines of the said township, that latter line crossing lac Mékinac that it meets; part of the southeast line of the township of Pothier to the west limit of the Portneuf wildlife reserve; following the limits of the said reserve, a straight line following a bearing of 339°15' to a point situated 5.551 kilometres from the dividing line between the

townships of Hackett and Lapeyrière, distance measured following the said straight line; thence, bearing 3°10', 3.138 kilometres; thence, bearing 21°25', 5.873 kilometres; thence, bearing 6°15', 4.907 kilometres; thence, bearing 48°35', 3.298 kilometres; thence, bearing 34°435', 4.184 kilometres; thence, bearing 45°00', 2.816 kilometres; thence, bearing 180°40', 1.770 kilometres; thence, bearing 127°15', 4.507 kilometres; thence, bearing 179°00', 6.035 kilometres; thence, bearing 92°00', 4.184 kilometres; thence, bearing 139°50', 1.690 kilometres; thence, bearing 34°15', 3.138 kilometres; thence, bearing 116°20', 2.816 kilometres; thence, bearing 91°20' to the centre line of rivière Batiscan; leaving the limits of the Portneuf wildlife reserve, the centre line of the said river upstream to the extension of the southwest line of the township of Trudel; northwesterly, the said extension, then the dividing line between the township of Trudel and the townships of Laurier and Charest then the extension of that latter line to the centre line of rivière Jeannotte; generally southerly, the centre line of the said river skirting to the left the islands nearest the right bank and to the right the islands nearest the left bank to the extension of the southwest line of the township of Bickerdike; northwesterly, the said extension then the dividing line between the township of Bickerdike and the township of Charest to the southeast line of the township of Bourgeois; southwesterly, the dividing line between the townships of Bourgeois and Charest; northwesterly, the dividing line between the townships of Bourgeois and Mailhot, that line crossing route 155 and rivière Bostonnais that it meets; northeasterly, the dividing line between the townships of Bourgeois and Langelier; southeasterly, the dividing line between the township of Bourgeois and the township of Chasseur to the centre line of rivière Bostonnais; generally northeasterly, the centre line of the said river along the channel northwest of Île Bostonnais and skirting to the left the islands nearest the right bank and to the right the islands nearest the left bank to the extension of the northeast line of the township of Gendron; southeasterly, the said extension, the northeast line of the township of Gendron, a straight line in rivière Batiscan joining the apex of the north angle of the township of Laure then the northeast line of the said township; northeasterly, the extension of the southeast line of the township of Laure across undivided lands to its intersection with the survey line established on the land in 1928 by Louis Giroux, land surveyor, and shown on the plan filed in the records of the surveyor general and referred to as "Exploration 98-A"; that survey line northwesterly to the north line of the township of Rhodes; westerly, part of the north line of the township of Rhodes then the north line of the townships of Biard, Michaux, Chaumonot and part of the north line of the township of Papin to a line parallel to the northeast line of the township of Ingall and situated 6.5 kilometres northeast of

that parallel line; that parallel line, northwesterly and crossing undivided lands and the townships of Laflamme, La Bruère, Lafitau, Baillargé, Berlinguet, Huard, Dubois and Ventadour, to the watershed dividing the basin of the St. Lawrence River from that of Hudson Bay; the said watershed generally westerly to the extension of the northeast line of the township of Ingall; the said extension northwesterly to the east line of the township of Balète; lastly, part of the east line of the said township northerly to the point of commencement.

The above-mentioned coordinates are given in metres and were graphically traced from the UTM squaring NAD 27, used on the maps to the scale of 1:50 000 published by Natural Resources Canada.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 4 April 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

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Gouvernement du Québec

O.C. 1057-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Reconstitution of Municipalité de La Bostonnais

WHEREAS Ville de La Tuque was constituted by Order in Council 371-2003 dated 12 March 2003;

WHEREAS the territory of the town comprises the territories of the former Ville de La Tuque, the former Village de Parent, the former Municipalité de La Bostonnais, the former Municipalité de La Croche and the former Municipalité de Lac-Édouard;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Municipalité de La Bostonnais on the possibility of reconstituting that former municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act;

WHEREAS, on 21 December 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Marie Auger to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Marie Auger reported to the Minister of Municipal Affairs and Regions on 8 July 2005;

WHEREAS it is expedient, pursuant to section 123 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), to order the reconstitution of Municipalité de La Bostonnais;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, that Municipalité de La Bostonnais be reconstituted as of 1 January 2006, on the following conditions:

1. The municipality is a local municipality governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).
2. The territory of the municipality is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 15 March 2005.
3. The first meeting of the council of the municipality will take place at Saint-Jean-Bosco school, 15, rue de l'Église in La Bostonnais.
4. On being constituted, the municipality succeeds, in respect of its territory, to the rights and obligations of Ville de La Tuque relating to a municipal power other than an urban agglomeration power. All the acts performed by the town in their respect are deemed to be acts of the municipality. The municipality becomes, without continuance of suit, a party to any proceedings to which the former Municipalité de La Bostonnais was a party before the constitution of the town.

The by-laws, resolutions or other instruments of the town, insofar as they are, immediately before the reconstitution of the municipality, applicable in all or part of

the territory described in the Schedule and relate to a power referred to in the first paragraph, are deemed to be by-laws, resolutions and instruments of the municipality.

The first two paragraphs apply subject to any provision of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or of the urban agglomeration order for La Tuque made under section 135 of that Act.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY DETACHED FROM THE TERRITORY OF VILLE DE LA TUQUE AND ERECTED AS A LOCAL MUNICIPALITY UNDER THE NAME MUNICIPALITÉ DE LA BOSTONNAIS

A territory that is currently part of Ville de La Tuque and erected as a local municipality under the name Municipalité de La Bostonnais and that comprises all the lots of the cadastre of the township of Bourgeois and their present and future subdivisions, the part without a cadastral survey of the said township, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the apex of the north angle of the said township and that runs along the following lines and demarcations: south-easterly, the dividing line between the township of Bourgeois and the townships of Chasseur and Bickerdike, that line across route 155 and rivière Bostonnais that it meets; southwesterly, the dividing line between the townships of Bourgeois and Charest; northwesterly, the dividing line between the townships of Bourgeois and Malhiot, that line across route 155 and rivière Bostonnais that it meets; lastly, northeasterly, the dividing line between the townships of Bourgeois and Langelier to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 15 March 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

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Gouvernement du Québec

O.C. 1058-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations
(R.S.Q., c. E-20.001)

Reconstitution of Municipalité de Lac-Édouard

WHEREAS Ville de La Tuque was constituted by Order in Council 371-2003 dated 12 March 2003;

WHEREAS the territory of the town comprises the territories of the former Ville de La Tuque, the former Village de Parent, the former Municipalité de La Bostonnais, the former Municipalité de La Croche and the former Municipalité de Lac-Édouard;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Municipalité de Lac-Édouard on the possibility of reconstituting that former municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act;

WHEREAS, on 21 December 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Marie Auger to participate, together with the administrators and employees of the town and with the persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Marie Auger reported to the Minister of Municipal Affairs and Regions on 8 July 2005;

WHEREAS it is expedient, pursuant to section 123 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), to order the reconstitution of Municipalité de Lac-Édouard;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, that Municipalité de Lac-Édouard be reconstituted as of 1 January 2006, on the following conditions:

1. The municipality is a local municipality governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

2. The territory of the municipality is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 15 March 2005.

3. The first meeting of the council of the municipality will take place at the community centre at 195, rue Principale in Lac-Édouard.

4. On being constituted, the municipality succeeds, in respect of its territory, to the rights and obligations of Ville de La Tuque relating to a municipal power other than an urban agglomeration power. All the acts performed by the town in their respect are deemed to be acts of the municipality. The municipality becomes, without continuance of suit, a party to any proceedings to which the former Municipalité de Lac-Édouard was a party before the constitution of the town.

The by-laws, resolutions or other instruments of the town, insofar as they are, immediately before the reconstitution of the municipality, applicable in all or part of the territory described in the Schedule and relate to a power referred to in the first paragraph, are deemed to be by-laws, resolutions and instruments of the municipality.

The first two paragraphs apply subject to any provision of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or of the urban agglomeration order for La Tuque made under section 135 of that Act.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY DETACHED FROM THE TERRITORY OF VILLE DE LA TUQUE AND ERECTED AS A LOCAL MUNICIPALITY UNDER THE NAME MUNICIPALITÉ DE LAC-ÉDOUARD

A territory that is currently part of Ville de La Tuque and erected as a local municipality under the name Municipalité de Lac-Édouard and that comprises all the lots of the cadastres of the townships of Bickerdike, Laure, Gendron and Trudel and their present and future subdivisions, the part without a cadastral survey of the said townships, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the intersection of the

centre line of rivière Bostonnais with the extension of the northeast line of the township of Gendron and that runs along the following lines and demarcations: southeasterly, the said extension, the northeast line of the township of Gendron, a straight line in rivière Batiscan joining the apex of the north angle of the township of Laure then the northeast line of the said township; southwesterly, the southeast line of the said township and its extension to the centre line of rivière Batiscan; generally southerly, the centre line of the said river downstream and skirting to the left the islands nearest the right shore and to the right the islands nearest the left shore to the extension of the southwest line of the township of Trudel; northwesterly, the said extension then the dividing line between the township of Trudel and the townships of Laurier and Charest then the extension of that line to the centre line of rivière Jeannotte; generally southerly, the centre line of the said river skirting to the left the islands nearest the right shore and to the right the islands nearest the left shore to the extension of the southwest line of the township of Bickerdike; northwesterly, the said extension then the dividing line between the township of Bickerdike and the townships of Charest and Bourgeois then the extension of that latter line to the centre line of rivière Bostonnais; lastly, northeasterly, the centre line of the said river along the channel northwest of Île Bostonnais and skirting to the left the islands nearest the right shore and to the right the islands nearest the left shore to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 15 March 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

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Gouvernement du Québec

O.C. 1059-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Urban agglomeration of Sainte-Agathe-des-Monts

WHEREAS Ville de Sainte-Agathe-des-Monts was constituted by Order in Council 110-2002 dated 13 February 2002;

WHEREAS the territory of the town comprises the territories of the former Ville de Sainte-Agathe-des-Monts, the former Municipalité de Sainte-Agathe-Nord and the former Municipalité d'Ivry-sur-le-Lac ;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the town corresponding to the territory of the former municipalities on the possibility of reconstituting them as local municipalities ;

WHEREAS the answer given to the referendum question by the qualified voters, in the sector of the town corresponding to the former Municipalité d'Ivry-sur-le-Lac, was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government may, by order, reconstitute as a local municipality the inhabitants and ratepayers of that sector ;

WHEREAS the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the urban agglomeration of Sainte-Agathe-des-Monts is made up of the territories of Ville de Sainte-Agathe-des-Monts and Municipalité d'Ivry-sur-le-Lac and determines the municipal powers that, rather than being exercised separately for each local municipal territory included in the urban agglomeration, must be exercised globally for the urban agglomeration ;

WHEREAS Chapter IV of Title V of that Act provides that the Government may make an order designated as an "urban agglomeration order" for each urban agglomeration ;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Henri-Paul Jobin to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations ;

WHEREAS Henri-Paul Jobin reported to the Minister of Municipal Affairs and Regions on 14 September 2005 ;

WHEREAS it is expedient to make an urban agglomeration order for the urban agglomeration of Sainte-Agathe-des-Monts ;

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

TITLE I

OBJECT AND DEFINITIONS

1. The object of this Order is to supplement, for the urban agglomeration of Sainte-Agathe-des-Monts, the rules prescribed by the Act respecting the exercise of certain municipal powers in certain urban agglomerations for the exercise of urban agglomeration powers.

2. In this Order, Ville de Sainte-Agathe-des-Monts and Municipalité d'Ivry-sur-le-Lac, whose territories make up the urban agglomeration of Sainte-Agathe-des-Monts, hereinafter designated as the "urban agglomeration", are referred to respectively as the "central municipality" and the "reconstituted municipality". They are related municipalities.

The term "town", used alone, designates Ville de Sainte-Agathe-des-Monts as it existed before the coming into force of this Order ; "former municipality" means Municipalité d'Ivry-sur-le-Lac that ceased to exist upon the constitution of the town.

The urban agglomeration powers are those set out in Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations ; all other powers are referred to as local powers.

TITLE II

URBAN AGGLOMERATION COUNCIL AND COMMISSIONS

CHAPTER I

URBAN AGGLOMERATION COUNCIL

DIVISION I

NATURE AND COMPOSITION

3. The council of the central municipality is the urban agglomeration council.

Its composition is, however, enlarged in the manner provided in section 4.

4. For the purpose of constituting the urban agglomeration council, the council of the central municipality is composed of the members elected to it and of the mayor of the reconstituted municipality.

5. If the office of mayor of the reconstituted municipality is vacant or the holder of the office is unable to act, a councillor may replace the mayor as the representative of the municipality.

The municipality may designate, on an ad-hoc basis or in advance of the event, the councillor who is to replace the mayor.

A designation made in advance, unless revoked, is valid until the term of office of the designated person as councillor expires.

The person may not sit on the urban agglomeration council until an authenticated copy of the resolution designating the person has been received by the central municipality.

6. The enlargement of the composition of the council of the central municipality for the purpose of constituting the urban agglomeration council has no effect on the existence of special positions, such as the positions of chair and vice-chair, or on the identity of the holders of those positions. The functions of those positions are exercised by those holders on the urban agglomeration council.

DIVISION II

ASSIGNMENT OF VOTES

7. The representative of the reconstituted municipality has one vote.

The body of representatives of the central municipality has a number of votes equal to the quotient obtained by dividing the population of the central municipality by the population of the reconstituted municipality.

Each representative of the central municipality has a number of votes equal to the quotient obtained by dividing the number of votes assigned to the representation of the central municipality by the number of its representatives.

For the purposes of the second paragraph, the population of the municipalities is the population that exists at the time of the vote for which the number of votes of each member of the urban agglomeration council is to be determined. If, at that time, the order of the Government determining in advance the population for the following calendar year has been published in the *Gazette officielle du Québec*, that population figure is to be used.

8. If the quotient calculated under the second or third paragraph of section 7 is a decimal number, the first two decimals are used and, if the third decimal would have been greater than 4, the second decimal is increased by 1.

DIVISION III

OTHER RULES

9. All the rules that pertain to the council of the central municipality, except as regards the composition of the council and the assignment of votes to the members, continue to apply when the council acts as the urban agglomeration council.

CHAPTER II

AGGLOMERATION COMMISSIONS

10. Where an Act or statutory instrument provides for the creation of a commission by a municipal council, only the urban agglomeration council may create the commission if the functions to be assigned to the commission involve in whole or in part any matter relating to urban agglomeration powers.

The urban agglomeration council is to designate at least one member of the council of the reconstituted municipality to sit as a member of the commission.

For the purposes of the first two paragraphs, “commission” means any commission or committee that has study, advisory or recommendation functions intended to facilitate decision-making by the council.

TITLE III

CONDITIONS OF EMPLOYMENT OF ELECTED OFFICERS

CHAPTER I

REMUNERATION

DIVISION I

INTERPRETATION

11. For the purposes of Divisions II and III,

(1) “Act” means, except in the title of an Act, the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001);

(2) “compensation” means the expense allowance under the Act.

DIVISION II

REMUNERATION AND COMPENSATION

12. No remuneration or compensation is to be paid by a related municipality to its council members, despite section 17 of the Act, unless the remuneration is fixed in a by-law in force adopted by the related municipality under section 2 of the Act.

Each related municipality must at all times have such a by-law in force.

13. For the purpose of determining the remuneration and compensation that may be paid by the central municipality, the urban agglomeration council and the regular council have concurrently the powers set out in Division I of Chapter II of the Act.

The urban agglomeration council exercises any of those powers to fix in respect of its members any basic or additional remuneration attached to the functions incidental to the exercise of urban agglomeration powers.

Where an urban agglomeration commission pursuant to section 10 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of that person, the power provided for in the first paragraph of section 70.0.1 of the Cities and Towns Act (R.S.Q., c. C-19) or article 82.1 of the Municipal Code of Québec (R.S.Q., c. C-27.1).

The regular council of the central municipality exercises any power referred to in the first or third paragraph to fix any basic or additional remuneration attached to functions other than those incidental to the exercise of urban agglomeration powers. The same applies to the council of the reconstituted municipality.

If the draft by-law referred to in section 8 of the Act is a by-law of the urban agglomeration council, the executive committee referred to in that section is the executive committee of the central municipality.

14. For the purpose of establishing the minimum remuneration

(1) for the mayor of the central municipality, section 12 of the Act is applied, with reference to the sum of the populations of the related municipalities, including a population figure increased pursuant to section 13 of the Act;

(2) for the councillors of the central municipality, section 15 of the Act is applied, with reference to one-third of the minimum remuneration of the mayor of the municipality, as established with the modification under subparagraph 1;

(3) for the mayor of the reconstituted municipality, the amount used is the greater of the amount established in the mayor's respect under sections 12 to 14 of the Act and the amount established with the modification under subparagraph 2 for the councillors of the central municipality;

(4) for a councillor of the reconstituted municipality who is a member of the urban agglomeration council, section 15 of the Act applies, with reference to one-third of the minimum remuneration of the mayor, as established with the modification under subparagraph 3; and

(5) for a councillor of the reconstituted municipality who is not a member of the urban agglomeration council, section 15 of the Act is applied without modification as are the sections to which section 15 refers.

If the minimum established under the first paragraph in respect of a person is less than the minimum provided for in the person's respect in section 16 of the Act, the latter minimum applies.

15. Despite section 4 of the Act, in the case of a person entitled to basic remuneration as a member of the urban agglomeration council and as a member of the regular council of the central municipality or of the council of the reconstituted municipality, the minimum established in the person's respect is in reference to the aggregate remuneration rather than to each individual remuneration.

If that aggregate is less than the minimum, the regular council of the central municipality or the council of the reconstituted municipality, as the case may be, is to amend its by-law to make up the difference by increasing the mayor's or councillors' basic remuneration attached to the functions other than those incidental to the exercise of urban agglomeration powers.

16. If the concurrent exercise of powers by the urban agglomeration council and the regular council of the central municipality or the council of the reconstituted municipality is likely to entail in respect of a person an excess referred to in the second paragraph, the excess is deducted from the amount that the person would receive as remuneration or compensation attached to the functions incidental to the exercise of urban agglomeration powers.

The excess referred to arises when the aggregate remuneration or compensation that a person would otherwise be entitled to receive from the central municipality only, or from both the central municipality and the reconstituted municipality, exceeds the maximum under section 21 or 22, as the case may be, of the Act.

17. The urban agglomeration council has the powers set out in section 24 of the Act as regards the terms and conditions of payment of the remuneration it has fixed and of any additional compensation.

The executive committee to which the urban agglomeration council may make the delegation referred to in that section is, if applicable, the executive committee of the central municipality.

DIVISION III OTHER COMPONENTS OF REMUNERATION

18. If an act likely to entail reimbursable expenses under Chapter III of the Act is performed by a member of the urban agglomeration council in connection with functions incidental to the exercise of urban agglomeration powers, the council and, if applicable, the executive committee of the central municipality have, in respect of that act and those expenses, the powers assigned by that Chapter respectively to the council and the executive committee of a local municipality.

Where an urban agglomeration commission pursuant to section 10 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of the act and expenses of that person, the power provided for in the second paragraph of section 70.0.1 of the Cities and Towns Act or article 82.1 of the Municipal Code of Québec.

19. The first paragraph of section 18 also applies if the act is performed by the mayor or a councillor of the central municipality in connection with functions incidental to the exercise of urban agglomeration powers and with other functions.

In such a case, the expenses reimbursed by the municipality are mixed expenses and are subject to the by-law of the urban agglomeration council that establishes any criterion to determine which part of a mixed expense constitutes an expense incurred in the exercise of an urban agglomeration power.

20. The urban agglomeration council does not have the power provided for in Chapter III.1 of the Act that relates to compensation for loss of income.

21. The urban agglomeration council is not a council to which Chapter IV of the Act applies as regards severance and transition allowances, and the urban agglomeration council has none of the powers provided for in that Chapter.

The remuneration received by a person under a by-law adopted by the urban agglomeration council is considered, for the purposes of the calculation of the amount of the allowance, to be remuneration paid by a supramunicipal body.

CHAPTER II PENSION PLAN

22. The urban agglomeration council is not a council to which the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) applies, subject to section 23, and has none of the powers provided for in that Act as regards membership in the plan.

23. For the purposes of the plan provided for in that Act, the remuneration that a person receives or received under a by-law adopted by the urban agglomeration council is considered, for the purpose of establishing the person's pensionable salary, to be remuneration paid by a supramunicipal body. The urban agglomeration council is, for the purposes of section 17 of that Act, deemed to constitute the board of such a body.

The central municipality acts as such a body, regarding the contribution, in respect of the part of the person's pensionable salary that corresponds to the remuneration referred to in the first paragraph.

CHAPTER III AGGLOMERATION EXPENDITURES

24. Expenditures related to the remuneration fixed by the urban agglomeration council under Division II of Chapter I, including any additional compensation and contributions paid for pension plan purposes on the basis of the remuneration, are deemed to be incurred in the exercise of urban agglomeration powers.

Expenditures related to the reimbursements referred to in section 18 are also deemed to be incurred in the exercise of those powers.

25. Expenditures related to the conditions of employment, other than those covered by Chapters I and II, of the members of a deliberative body authorized to exercise urban agglomeration powers are deemed to be incurred in the exercise of urban agglomeration powers if the conditions are established by the urban agglomeration council.

The same applies to expenditures related to the conditions of employment of the mayor or a councillor of the central municipality, if the conditions are not covered by Chapters I and II or by the first paragraph, and the expenditures related to the conditions are created in connection with functions incidental to the exercise of urban agglomeration powers.

26. If the expenditures related to the conditions of employment referred to in the second paragraph of section 25 are created in connection with functions inci-

dental to the exercise of urban agglomeration powers and with other functions, the expenditures are mixed and are subject to the by-law referred to in the second paragraph of section 19.

TITLE IV PROVISIONS RELATING TO CERTAIN POWERS

27. The thoroughfares identified in Schedule A form the arterial road system of the urban agglomeration.

28. The equipment, infrastructures and activities listed in Schedule B are of collective interest.

The municipality that owns immovable property of collective interest cannot transfer the property.

The management of the equipment, infrastructures and activities listed in that Schedule, the financing of the related expenditures and the use of the revenues generated are the same as if the property were subject to the exercise of urban agglomeration powers over a matter covered by Chapter II of Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

TITLE V SHARING OF ASSETS AND LIABILITIES

CHAPTER I ASSETS

29. The property listed in Schedule C becomes the property of the reconstituted municipality.

30. All property of the town not referred to in section 29 remains the property of the central municipality.

If the central municipality alienates the property, the proceeds of the alienation, or the part, if any, of the proceeds that exceeds the amount of the debt against the property, is to be apportioned among the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.

31. Every document of the town that before its constitution was the property of *Municipalité d'Ivry-sur-le-Lac* becomes the property of the reconstituted municipality.

The central municipality has a right of access to all such documents as if they had been filed in the municipal archives and may obtain copies of them without charge. The same applies to the reconstituted municipality in

respect of documents held by the central municipality that were created between the time the town was constituted and the time this Order comes into force.

CHAPTER II LIABILITIES

DIVISION I DEBTS OF THE RECONSTITUED MUNICIPALITY

32. Among the debts that exist immediately before the reorganization of the town, those that were contracted by the former municipality and that were financed, immediately before the reorganization, by revenue derived exclusively from the territory of that municipality become debts of the reconstituted municipality.

The same applies to debts contracted by the town that relate to property, services or activities that concern local powers, if

(1) the debt is entirely financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of the reconstituted municipality; or

(2) the debt is partially financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of the reconstituted municipality, as regards the part of the debt corresponding to the share of the benefit derived by the reconstituted municipality from the property, services or activities.

33. Debt securities relating to a debt to which section 32 refers are, if in the name of the former municipality immediately before the reorganization, deemed to be in the name of the reconstituted municipality which becomes the debtor of the secured debt. The financing rules applicable immediately before the reorganization continue to apply.

34. Despite section 32, the central municipality remains the debtor of the debts referred to in that section that, immediately before the reorganization, are not secured by debt instruments or are secured by such instruments in the name of the central municipality until, if applicable, replacement debt instruments are issued in the name of the reconstituted municipality.

The financing rules provided for in the by-law pursuant to which the debt was contracted cease to apply; the reconstituted municipality pays to the central municipality the amounts necessary for that purpose, on the terms and conditions the central municipality establishes, which the reconstituted municipality is to finance through

revenue determined by a by-law approved by the Minister of Municipal Affairs and Regions. The reconstituted municipality may also, in a by-law not requiring approval by the Minister, make a borrowing as an advance payment to the central municipality of the sums necessary to repay the debts the central municipality is to temporarily assume under the first paragraph.

As soon as debt instruments are issued in the name of the reconstituted municipality, the financing method determined by the by-law referred to in the second paragraph applies to the repayment of the debt secured by those instruments.

DIVISION II

DEBTS OF THE CENTRAL MUNICIPALITY

§1. General

35. A debt of the town that does not become a debt of the reconstituted municipality remains a debt of the central municipality.

Where expenditures relating to such a debt were financed, immediately before the reorganization, by a source of revenue specific to that purpose, that source continues to apply with the necessary modifications. The central municipality may, however, finance the expenditures, subject to subdivision 4 and the town's constituting act, by revenue not reserved for other purposes or by appropriating another source of revenue it determines. For that purpose, the urban agglomeration council and the regular council exercise respectively the powers provided for in subdivisions 2 and 3.

For the purposes of this Division, the central municipality is authorized, for the purpose of collecting revenues in the territory of the reconstituted municipality, to use any source of financing it is authorized to use in its own territory.

§2. Debts incidental to urban agglomeration powers

36. The financing of expenditure relating to the following debts is within urban agglomeration powers:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived from a territory extending beyond the territory of the central municipality;

(2) debts contracted by the town and related to property, services or activities within urban agglomeration powers;

(3) debts contracted by the town and related to property, services or activities within local powers, if

(a) they are financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of the reconstituted municipality; and

(b) it is impossible to apportion the benefit related to the property, services or activities concerned on the basis of the territory of the related municipalities;

(4) debts contracted by the town related to equipment, infrastructures and activities of collective interest and financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of the reconstituted municipality; and

(5) debts the town assumed at the time of its constitution following the dissolution of a supramunicipal body exercising powers in a territory corresponding to the urban agglomeration territory or to any part of that territory extending beyond the territory of the central municipality.

The revenues and expenditures relating to such a debt are urban agglomeration revenues and expenditures.

§3. Debts incidental to the powers of the regular council of the central municipality

37. The financing of expenditure relating to the following debts is within the powers of the regular council of the central municipality:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived exclusively from the territory of the central municipality; and

(2) debts contracted by the town and related to property, services or activities within local powers, as regards the part of the debts that corresponds to the share of the benefit derived by the central municipality from the property, services or activities.

§4. Specific debts

38. The debts referred to in section 36 include the debts arising out of borrowings under by-laws 2002-10, 2002-16, 2004-EM-73, 2005-EM-101 and, in a proportion of 57.66%, the debt arising out of the borrowing under by-law 2003-EM-53, in a proportion of 10.08%, the debt arising out of by-law 2003-EM-53-1 and, in a proportion of 69.77%, the debt arising out of by-law 2004-EM-80.

39. The debts referred to in section 37 include the debts arising out of borrowings under by-laws 2002-07, 2002-30, 2003-EE-45, 2003-EA-51, 2003-EE-52, 2003-EM-55, 2003-EM-58, 2003-EM-60, 2004-EM-69, 2004-EA-72, 2004-EE-79, 2004-EA-81, 2004-EM-82, 2004-EA-83, 2004-EM-84, 2005-EM-93, 2005-EM-95, 2005-EM-100, 2005-EM-104 and, in a proportion of 42.34%, the debt arising out of by-law 2003-EM-53, in a proportion of 89.92%, the debt arising out of by-law 2003-EM-53-1 and, in a proportion of 30.23%, the debt arising out of by-law 2004-EM-80.

40. Despite sections 36 and 37, the debt arising out of the borrowings under the by-laws of the former Ville de Sainte-Agathe-des-Monts, the repayment of which was a burden on the taxable immovables of the town in the proportions set out in by-law 2002-28 adopted on 22 October 2002 by the town council, is financed,

(1) in the case of by-law 95-10 adopted on 2 May 1995, by revenue derived exclusively from the territory of the central municipality;

(2) in the case of by-law 96-18 adopted on 17 June 1996, by revenue derived from the urban agglomeration as a whole;

(3) in the case of by-law 97-07 adopted on 26 March 1997, by revenue derived, in a proportion of 94.5%, from the territory of the central municipality and, in a proportion of 5.5%, from the urban agglomeration as a whole; and

(4) in the case of by-law 98-18 adopted on 3 September 1998, by revenue derived, in a proportion of 95.36%, from the territory of the central municipality and, in a proportion of 4.64%, from the urban agglomeration as a whole.

41. Despite section 36, the debt resulting from the borrowing under by-law 2004-EM-76 adopted by the town council on 29 June 2004 is financed by revenue derived exclusively from the territory of the central municipality.

The debt may, however, also be financed by revenue derived from the urban agglomeration as a whole, in the same proportion as that which may be fixed in a by-law made pursuant to section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations in respect of the expenditures relating to the use of the immovable to which by-law 2004-EM-76 refers.

CHAPTER III PROVISIONS OF A FINANCIAL NATURE

42. The unpaid balance, as it exists immediately before the coming into force of this Order, of a deficit whose related expenditures must be financed by revenue derived exclusively from the territory of the former municipality or a part of that territory becomes a deficit of the reconstituted municipality.

The unspent balance, as it exists immediately before the coming into force of this Order, of a surplus that is for the exclusive benefit of the inhabitants and rate payers of the territory of the former municipality or a part of that territory becomes a surplus of the reconstituted municipality.

43. A deficit or surplus of the town that is not covered by section 42 and that exists immediately before the coming into force of this Order remains a deficit or surplus of the central municipality.

Subject to the constituting act of the town, the central municipality must cover the deficit or use the surplus in the exercise of urban agglomeration powers. In the case where the town has a surplus, the central municipality must, before using it in the exercise of urban agglomeration powers, use the surplus to pay a sum of money to the reconstituted municipality, up to the amount available, that corresponds to the revenue derived from the territory of the reconstituted municipality that was collected by the town to finance the expenditures related to the holding of the 2005 general election.

44. Section 43 applies, with the necessary modifications, in respect of any of the town's funds that exist immediately before the reorganization.

Despite the foregoing, a fund created specifically for the exercise of a power other than an urban agglomeration power preserves its original purpose.

In the case of such a fund created using revenue derived exclusively from a territory that is to become the territory of a reconstituted municipality, the monies that are in the fund immediately before the reorganization and have not already been appropriated become that municipality's monies.

If the revenues used to create such a fund are derived exclusively from the territory of local municipalities that ceased to exist on the constitution of the town, at least one of which is to become the territory of a reconstituted municipality, that reconstituted municipality is entitled to part of the monies referred to in the first

paragraph. That part is equal to the fraction of the total standardized property value of the territories concerned that is attributable to that municipality's territory.

45. The town's working fund, as it exists immediately before the reorganization, remains that of the central municipality. Reimbursement of the part of the fund already appropriated at the time of the reorganization remains chargeable to all the ratepayers of the related municipalities and the sums recovered accordingly, as is the case for the unappropriated balance of the fund, may be reallocated only to urban agglomeration powers, subject to a sharing agreement between the related municipalities.

Where applicable, the central municipality must keep separate accounts to identify any part of the fund reserved exclusively for its own territory.

46. The central municipality and the reconstituted municipality share the revenues and costs relating to any legal contestation or a dispute to which one of them is a party in respect of an event posterior to the constitution of the town and preceding the coming into force of this Order. The sharing is to be made in proportion to the standardized property value of each related municipality as it exists at the time of the coming into force of this Order.

TITLE VI **TRANSITIONAL AND FINAL**

47. The payment of severance and transition allowances provided for in sections 30.1 and 31 of the Act respecting the remuneration of elected municipal officers to any member of the town council is, if applicable, deferred in accordance with sections 31.2, 31.4 and 31.5 of that Act which apply with the necessary modifications. Despite that section 31.2, "former municipality" means the reconstituted municipality.

48. Every agreement or contract to which the town is a party that continues to have effect after 31 December 2005 in the territory of the reconstituted municipality is deemed to concern urban agglomeration matters until the date on which it expires or the date of the day preceding the date of its renewal. The revenues and expenditures relating to the agreement or contract are urban agglomeration revenues and expenditures.

For the purpose of financing the expenditures referred to in the first paragraph, the urban agglomeration council may

(1) use any method provided for in section 85 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations ; or

(2) fix by by-law the share of the expenditures relating to a contract or an agreement to be payable by each municipality concerned.

The first two paragraphs do not apply to a contract or an agreement that applies exclusively in the territory of one reconstituted municipality only and that concerns only local matters. The reconstituted municipality succeeds to the rights and obligations of the town in respect of such a contract or agreement.

49. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE A

THOROUGHFARES FORMING THE ARTERIAL ROAD SYSTEM OF THE URBAN AGGLOMERATION

— Rue Principale : from rue Saint-Louis to rue Saint-Venant.

— Rue Brissette : from boulevard Norbert-Morin (Route 117) to the access road to the sports centre.

— Rue Saint-Vincent : from boulevard Norbert-Morin (Route 117) to the access road to the Centre de santé et services sociaux des Sommets.

SCHEDULE B

EQUIPMENT, INFRASTRUCTURES AND ACTIVITIES OF COLLECTIVE INTEREST

Equipment and infrastructures :

- Rivière-du-Nord dam
- Centre sportif de Sainte-Agathe-des-Monts
- Place Lagny
- Bibliothèque Gaston-Miron
- Salle communautaire Le Bel Âge

Activities :

- Maison des jeunes
- Hiver en Nord

SCHEDULE C

PROPERTY THAT BECOMES PROPERTY OF THE RECONSTITUTED MUNICIPALITY

Property	Designation (registration division of Terrebonne)		Address
Town hall	File No.* : Cadastre:	4004-00-5595 Paroisse de Sainte-Agathe- des-Monts	601, chemin de la Gare
	Range : Lots :	5 of Canton Beresford 28A-725 29A-353	
Municipal garage	File No.* : Cadastre:	4004-23-1140 Paroisse de Sainte-Agathe- des-Monts	628, chemin de la Gare
	Range : Lots :	5 of Canton Beresford 28A-225 28A-232 28A-233 P-28A	
Vacant land	File No.* : Cadastre:	3700-59-3413 Paroisse de Sainte-Agathe- des-Monts	Chemin du Lac-Manitou Sud
	Range : Lot :	3 of Canton Beresford P-35A	
Vacant land	File No.* : Cadastre:	3804-90-4352 Paroisse de Sainte-Agathe- des-Monts	Chemin Fyon
	Range : Lot :	5 of Canton Beresford P-33	
Vacant land	File No.* : Cadastre:	4004-00-2630 Paroisse de Sainte-Agathe- des-Monts	Chemin du Lac-de-la-Grise
	Range : Lots :	5 of Canton Beresford 28A-724 29A-352 P28A P29A	
Vacant land	File No.* : Cadastre:	4004-23-1761 Paroisse de Sainte-Agathe- des-Monts	Chemin de la Gare
	Range : Lot :	5 of Canton Beresford 28A-234	
Public thoroughfares	All the public thoroughfares situated in the territory of the municipality, except those forming part of the arterial road system of the urban agglomeration.		
Infrastructures	All the equipment and infrastructures for water supply and water purification in the territory of the municipality.		

Property	Designation (registration division of Terrebonne)	Address
Pick-up truck	Ford F-150 Registration plate: FV54331-9 Serial No.: 2FTZX08W22CA37452	
Office and other equipment	The equipment described in Schedule 4 to the report by Henri-Paul Jobin dated 14 September 2005.	

* File number appearing on the property assessment roll.

7237

Gouvernement du Québec

O.C. 1060-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Ville de Sainte-Agathe-des-Monts

WHEREAS Ville de Sainte-Agathe-des-Monts was constituted by Order in Council 110-2002 dated 13 February 2002;

WHEREAS the territory of the town comprises the territories of the former Ville de Sainte-Agathe-des-Monts, the former Municipalité de Sainte-Agathe-Nord and the former Municipalité d'Ivry-sur-le-Lac;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the town corresponding to the territory of the former municipalities on the possibility of reconstituting them as local municipalities;

WHEREAS the answer given to the referendum question by the qualified voters was, in the sector of the town corresponding to the territory of the former Municipalité d'Ivry-sur-le-Lac, deemed to be affirmative within the meaning of section 43 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and, consequently, the Government may, by order, reconstitute as a local municipality the inhabitants and ratepayers of that sector;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Henri-Paul Jobin to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Henri-Paul Jobin reported to the Minister of Municipal Affairs and Regions on 14 September 2005;

WHEREAS, under section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), the Government may, by order, amend the charter of the central municipality;

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

1. The territory of Ville de Sainte-Agathe-des-Monts is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 4 April 2005.

2. Section 3 of Order in Council 110-2002 dated 13 February 2002 respecting the amalgamation of Ville de Sainte-Agathe-des-Monts, Municipalité de Sainte-Agathe-Nord and the former Municipalité d'Ivry-sur-le-Lac, is revoked.

3. Section 41 of the Order is amended

(a) by replacing “within four years of the coming into force of the Order in Council” in the first paragraph by “before 27 February 2009”;

(b) by striking out “former” in the fourth line of the third paragraph.

4. Schedule A to the Order is revoked.

5. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

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

The new territory of Ville de Sainte-Agathe-des-Monts, following the de-amalgamation of Municipalité d'Ivry-sur-le-Lac, in Municipalité régionale de comté des Laurentides, comprises all the lots of the cadastre of the parish of Sainte-Agathe-des-Monts, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the apex of the north angle of lot 8 of range 11 Canton Doncaster of the cadastre of the parish of Sainte-Agathe-des-Monts and that runs along the following lines and demarcations: southeasterly, part of the broken dividing line between the cadastres of the parish of Sainte-Agathe-des-Monts and of the township of Doncaster to the apex of the east angle of lot 8 of range 3 Canton Doncaster of the cadastre of the parish of Sainte-Agathe-des-Monts, that line crossing chemin du 10^e Rang, lac Arpin, route 329 and lac Ludger that it meets; in reference to the latter cadastre, southwesterly, part of the dividing line between ranges 3 Canton Doncaster and 2 Canton Doncaster to the dividing line between the townships of Doncaster and Morin; northwesterly, part of the dividing line between range 3 Canton Doncaster of range 11 Canton Morin to the southeast line of lot 42 of range 11 Canton Morin; southwesterly, the southeast line of the said lot and its extension to the centre line of rivière du Nord, that line extended across the railway right-of-way (lot 81) and a public road that it meets; northwesterly, the centre line of the said river upstream to its meeting with the dividing line between the townships of Beresford and Morin; southerly, part of the dividing line between the said townships to the northeast line of lot 7 of range 9 Canton Morin; southeasterly, successively, part of the northeast line of lot 7 of range 9 Canton Morin, part of the northeast line of lot 1 of range 9 Canton Morin, another part

of the northeast line of lot 7 of range 9 Canton Morin then again part of the northeast line of lot 1 of range 9 Canton Morin to the dividing line between ranges 9 Canton Morin and 8 Canton Morin; southwesterly, the dividing line between the said ranges crossing autoroute des Laurentides that it meets; southerly, part of the dividing line between the townships of Beresford and Morin to the south line of the cadastre of the parish of Sainte-Agathe-des-Monts, that line crossing lac du Gore that it meets; westerly, the south line of the said cadastre crossing route 329 and Borne and Travers lakes that it meets; northerly, part of the west line of the cadastre of the parish of Sainte-Agathe-des-Monts to the apex of the northwest angle of lot 44B of range 2 Canton Beresford; easterly, the north line of lots 44B, 43B, 42B, 41B, 40B, 39B, 38B and 37B of range 2 Canton Beresford, that line crossing chemin de la Montée-Boisclair that it meets; northerly, part of the west line of lot 36 of range 2 Canton Beresford to the dividing line between ranges 2 Canton Beresford and 3 Canton Beresford; easterly, part of the dividing line between the said ranges to the apex of the southeast angle of lot 28A of range 3 Canton Beresford; northerly, the west line of lots 27B and 27C of range 3 Canton Beresford, 27 of ranges 4 Canton Beresford, 5 Canton Beresford and 6 Canton Beresford, that line crossing the railway right-of-way, autoroute des Laurentides and lac Éphrem that it meets; westerly, part of the dividing line between ranges 6 Canton Beresford and 7 Canton Beresford to the dividing line between the cadastres of the parish of Sainte-Agathe-des-Monts and the township of Wolfe, that line crossing lac Drummond that it meets; northerly, part of the dividing line between the said cadastres to the dividing line between the townships of Beresford and Archambault, that line crossing Godon and Quenouille lakes that it meets; lastly, successively southeasterly and northeasterly, the broken dividing line between the township of Archambault and the townships of Beresford and Doncaster to the point of commencement, crossing Quenouille and Maxime lakes that it meets in its first section and chemin de Val-des-Lacs in its second section.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 4 April 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

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Gouvernement du Québec

O.C. 1061-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Reconstitution of Municipalité d'Ivry-sur-le-Lac

WHEREAS Ville de Sainte-Agathe-des-Monts was constituted by Order in Council 110-2002 dated 13 February 2002;

WHEREAS the territory of the town comprises the territories of the former Ville de Sainte-Agathe-des-Monts, the former Municipalité de Sainte-Agathe-Nord and the former Municipalité d'Ivry-sur-le-Lac;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Municipalité d'Ivry-sur-le-Lac on the possibility of reconstituting that former municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Henri-Paul Jobin to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Henri-Paul Jobin reported to the Minister of Municipal Affairs and Regions on 14 September 2005;

WHEREAS it is expedient, pursuant to section 123 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), to order the reconstitution of Municipalité d'Ivry-sur-le-Lac;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, that Municipalité d'Ivry-sur-le-Lac be reconstituted as of 1 January 2006, on the following conditions:

1. The municipality is a local municipality governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

2. The territory of the municipality is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 30 March 2005; the territory is within the territory of Municipalité régionale de comté des Laurentides.

3. The first meeting of the council of the municipality will take place at 601, chemin de la Gare.

4. On being constituted, the municipality succeeds, in respect of its territory, to the rights and obligations of Ville de Sainte-Agathe-des-Monts relating to a municipal power other than an urban agglomeration power. All the acts performed by the town in their respect are deemed to be acts of the municipality. The municipality becomes, without continuance of suit, a party to any proceedings to which Municipalité d'Ivry-sur-le-Lac was a party before the constitution of the town.

The by-laws, resolutions or other instruments of the town, insofar as they are, immediately before the reconstitution of the municipality, applicable in all or part of the territory described in the Schedule and relate to a power referred to in the first paragraph, are deemed to be by-laws, resolutions and instruments of the municipality.

The first two paragraphs apply subject to any provision of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or of the urban agglomeration order for Sainte-Agathe-des-Monts made under section 135 of that Act.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE
BOUNDARIES OF THE TERRITORY DETACHED
FROM THE TERRITORY OF VILLE DE
SAINTE-AGATHE-DES-MONTS AND ERECTED
AS A LOCAL MUNICIPALITY UNDER THE
NAME MUNICIPALITÉ D'IVRY-SUR-LE-LAC,
IN MUNICIPALITÉ RÉGIONALE DE COMTÉ
DES LAURENTIDES

A territory that is currently part of Ville de Sainte-Agathe-des-Monts and erected as a local municipality under the name Municipalité d'Ivry-sur-le-Lac, in Municipalité régionale de comté des Laurentides, and that comprises all the lots of the cadastres of the parish of Sainte-Agathe-des-Monts and of the township of Wolfe

and their present and future subdivisions, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the apex of the northeast angle of lot 28 of range 6 Canton Beresford of the cadastre of the parish of Sainte-Agathe-des-Monts and that runs along the following lines and demarcations : in reference to the latter cadastre, southerly, the east line of lots 28 of range 6 Canton Beresford, 28A and 28C of range 5 Canton Beresford, 28 of range 4 Canton Beresford, 28C and 28A of range 3 Canton Beresford, that line across lac Éphrem, autoroute des Laurentides and the railway right-of-way that it meets ; westerly, the south line of lots 28A, 28B, 29C, 29A, 30A, 30B, 31A, 32A, 33, 34, 35A, 36A and 36B of range 3 Canton Beresford ; southerly, the east line of lot 37A of range 2 Canton Beresford ; westerly, the south line of lots 37A, 38A, 39A, 40A, 41A, 42A, 43A and 44A of range 2 Canton Beresford, that line across chemin de la Montée-Boisclair that it meets ; northerly, part of the dividing line between the cadastres of the parish of Sainte-Agathe-des-Monts and the township of Wolfe to the dividing line between ranges 2 and 3 of the cadastre of the township of Wolfe ; in reference to that cadastre, westerly, part of the dividing line between the said ranges to the dividing line between lots 5 and 6 of range 3 ; northerly, the dividing line between the said lots ; easterly, part of the dividing line between ranges 3 and 4 to the dividing line between the cadastres of the parish of Sainte-Agathe-des-Monts and the township of Wolfe ; northerly, part of the dividing line between the said cadastres to the dividing line between ranges 6 Canton Beresford and 7 Canton Beresford of the cadastre of the parish of Sainte-Agathe-des-Monts, that line across route 117 and the railway right-of-way that it meets ; lastly, in reference to the latter cadastre, easterly, the dividing line between ranges 6 Canton Beresford and 7 Canton Beresford to the point of commencement, that line across lac Drummond that it meets.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 30 March 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

7239

Gouvernement du Québec

O.C. 1062-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations
(R.S.Q., c. E-20.001)

Urban agglomeration of Mont-Laurier

WHEREAS Ville de Mont-Laurier was constituted by Order in Council 1492-2002 dated 18 December 2002 ;

WHEREAS the territory of the town comprises the territories of the former Ville de Mont-Laurier, the former Municipalité de Des Ruisseaux and the former Municipalité de Saint-Aimé-du-Lac-des-Îles ;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Municipalité de Saint-Aimé-du-Lac-des-Îles on the possibility of reconstituting that municipality as a local municipality ;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government may, by order, reconstitute as a local municipality the inhabitants and ratepayers of that sector ;

WHEREAS the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the urban agglomeration of Mont-Laurier is made up of the territories of Ville de Mont-Laurier and Municipalité de Saint-Aimé-du-Lac-des-Îles and determines the municipal powers that, rather than being exercised separately for each local municipal territory included in the urban agglomeration, must be exercised globally for the urban agglomeration ;

WHEREAS Chapter IV of Title V of that Act provides that the Government may make an order designated as an “urban agglomeration order” for each urban agglomeration ;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Pierre Moreau to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Pierre Moreau reported to the Minister of Municipal Affairs and Regions on 29 July 2005;

WHEREAS it is expedient to make an urban agglomeration order for the urban agglomeration of Mont-Laurier;

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

TITLE I OBJECT AND DEFINITIONS

1. The object of this Order is to supplement, for the urban agglomeration of Mont-Laurier, the rules prescribed by the Act respecting the exercise of certain municipal powers in certain urban agglomerations for the exercise of urban agglomeration powers.

2. In this Order, Ville de Mont-Laurier and Municipalité de Saint-Aimé-du-Lac-des-Îles, whose territories make up the urban agglomeration of Mont-Laurier, hereinafter designated as the “urban agglomeration”, are referred to respectively as the “central municipality” and the “reconstituted municipality”. They are related municipalities.

The term “town”, used alone, designates Ville de Mont-Laurier as it existed before the coming into force of this Order; “former municipality” means Municipalité de Saint-Aimé-du-Lac-des-Îles that ceased to exist upon the constitution of the town.

The urban agglomeration powers are those set out in Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; all other powers are referred to as local powers.

TITLE II URBAN AGGLOMERATION COUNCIL AND COMMISSIONS

CHAPTER I URBAN AGGLOMERATION COUNCIL

DIVISION I NATURE AND COMPOSITION

3. The council of the central municipality is the urban agglomeration council.

Its composition is, however, enlarged in the manner provided in section 4.

4. For the purpose of constituting the urban agglomeration council, the council of the central municipality is composed of the members elected to it and of the mayor of the reconstituted municipality.

5. If the office of mayor of the reconstituted municipality is vacant or the holder of the office is unable to act, a councillor may replace the mayor as the representative of the municipality.

The municipality may designate, on an ad-hoc basis or in advance of the event, the councillor who is to replace the mayor.

A designation made in advance, unless revoked, is valid until the term of office of the designated person as councillor expires.

The person may not sit on the urban agglomeration council until an authenticated copy of the resolution designating the person has been received by the central municipality.

6. The enlargement of the composition of the council of the central municipality for the purpose of constituting the urban agglomeration council has no effect on the existence of special positions, such as the positions of chair and vice-chair, or on the identity of the holders of those positions. The functions of those positions are exercised by those holders on the urban agglomeration council.

DIVISION II ASSIGNMENT OF VOTES

7. The representative of the reconstituted municipality has one vote.

The body of representatives of the central municipality has a number of votes equal to the quotient obtained by dividing the population of the central municipality by the population of the reconstituted municipality.

Each representative of the central municipality has a number of votes equal to the quotient obtained by dividing the number of votes assigned to the representation of the central municipality by the number of its representatives.

For the purposes of the second paragraph, the population of the municipalities is the population that exists at the time of the vote for which the number of votes of each member of the urban agglomeration council is to be determined. If, at that time, the order of the Government determining in advance the population for the following calendar year has been published in the *Gazette officielle du Québec*, that population figure is to be used.

8. If the quotient calculated under the second or third paragraph of section 7 is a decimal number, the first two decimals are used and, if the third decimal would have been greater than 4, the second decimal is increased by 1.

DIVISION III OTHER RULES

9. All the rules that pertain to the council of the central municipality, except as regards the composition of the council and the assignment of votes to the members, continue to apply when the council acts as the urban agglomeration council.

CHAPTER II AGGLOMERATION COMMISSIONS

10. Where an Act or statutory instrument provides for the creation of a commission by a municipal council, only the urban agglomeration council may create the commission if the functions to be assigned to the commission involve in whole or in part any matter relating to urban agglomeration powers.

The urban agglomeration council is to designate at least one member of the council of the reconstituted municipality to sit as a member of the commission.

For the purposes of the first two paragraphs, “commission” means any commission or committee that has study, advisory or recommendation functions intended to facilitate decision-making by a council or an executive committee.

TITLE III CONDITIONS OF EMPLOYMENT OF ELECTED OFFICERS

CHAPTER I REMUNERATION

DIVISION I INTERPRETATION

11. For the purposes of Divisions II and III,

(1) “Act” means, except in the title of an Act, the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001);

(2) “compensation” means the expense allowance under the Act.

DIVISION II REMUNERATION AND COMPENSATION

12. No remuneration or compensation is to be paid by a related municipality to its council members, despite section 17 of the Act, unless the remuneration is fixed in a by-law in force adopted by the related municipality under section 2 of the Act.

Each related municipality must at all times have such a by-law in force.

13. For the purpose of determining the remuneration and compensation that may be paid by the central municipality, the urban agglomeration council and the regular council have concurrently the powers set out in Division I of Chapter II of the Act.

The urban agglomeration council exercises any of those powers to fix in respect of its members any basic or additional remuneration attached to the functions incidental to the exercise of urban agglomeration powers.

Where an urban agglomeration commission pursuant to section 10 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of that person, the power provided for in the first paragraph of section 70.0.1 of the Cities and Towns Act (R.S.Q., c. C-19) or article 82.1 of the Municipal Code of Québec (R.S.Q., c. C-27.1).

The regular council of the central municipality exercises any power referred to in the first or third paragraph to fix any basic or additional remuneration attached to functions other than those incidental to the exercise of urban agglomeration powers. The same applies to the council of the reconstituted municipality.

If the draft by-law referred to in section 8 of the Act is a by-law of the urban agglomeration council, the executive committee referred to in that section is the executive committee of the central municipality.

14. For the purpose of establishing the minimum remuneration

(1) for the mayor of the central municipality, section 12 of the Act is applied, with reference to the sum of the populations of the related municipalities, including a population figure increased pursuant to section 13 of the Act;

(2) for the councillors of the central municipality, section 15 of the Act is applied, with reference to one-third of the minimum remuneration of the mayor of the municipality, as established with the modification under subparagraph 1;

(3) for the mayor of the reconstituted municipality, the amount used is the greater of the amount established in the mayor's respect under sections 12 to 14 of the Act and the amount established with the modification under subparagraph 2 for the councillors of the central municipality;

(4) for a councillor of the reconstituted municipality who is a member of the urban agglomeration council, section 15 of the Act applies, with reference to one-third of the minimum remuneration of the mayor, as established with the modification under subparagraph 3; and

(5) for a councillor of the reconstituted municipality who is not a member of the urban agglomeration council, section 15 of the Act is applied without modification as are the sections to which section 15 refers.

If the minimum established under the first paragraph in respect of a person is less than the minimum provided for in the person's respect in section 16 of the Act, the latter minimum applies.

15. Despite section 4 of the Act, in the case of a person entitled to basic remuneration as a member of the urban agglomeration council and as a member of the regular council of the central municipality or of the council of the reconstituted municipality, the minimum established in the person's respect is in reference to the aggregate remuneration rather than to each individual remuneration.

If that aggregate is less than the minimum, the regular council of the central municipality or the council of the reconstituted municipality, as the case may be, is to

amend its by-law to make up the difference by increasing the mayor's or councillors' basic remuneration attached to the functions other than those incidental to the exercise of urban agglomeration powers.

16. If the concurrent exercise of powers by the urban agglomeration council and the regular council of the central municipality or the council of the reconstituted municipality is likely to entail in respect of a person an excess referred to in the second paragraph, the excess is deducted from the amount that the person would receive as remuneration or compensation attached to the functions incidental to the exercise of urban agglomeration powers.

The excess referred to arises when the aggregate remuneration or compensation that a person would otherwise be entitled to receive from the central municipality only, or from both the central municipality and the reconstituted municipality, exceeds the maximum under section 21 or 22, as the case may be, of the Act.

17. The urban agglomeration council has the powers set out in section 24 of the Act as regards the terms and conditions of payment of the remuneration it has fixed and of any additional compensation.

The executive committee to which the urban agglomeration council may make the delegation referred to in that section is, if applicable, the executive committee of the central municipality.

DIVISION III OTHER COMPONENTS OF REMUNERATION

18. If an act likely to entail reimbursable expenses under Chapter III of the Act is performed by a member of the urban agglomeration council in connection with functions incidental to the exercise of urban agglomeration powers, the council and, if applicable, the executive committee of the central municipality have, in respect of that act and those expenses, the powers assigned by that Chapter respectively to the council and the executive committee of a local municipality.

Where an urban agglomeration commission pursuant to section 10 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of the act and expenses of that person, the power provided for in the second paragraph of section 70.0.1 of the Cities and Towns Act or article 82.1 of the Municipal Code of Québec.

19. The first paragraph of section 18 also applies if the act is performed by the mayor or a councillor of the central municipality in connection with functions incidental to the exercise of urban agglomeration powers and with other functions.

In such a case, the expenses reimbursed by the municipality are mixed expenses and are subject to the by-law of the urban agglomeration council that establishes any criterion to determine which part of a mixed expense constitutes an expense incurred in the exercise of an urban agglomeration power.

20. The urban agglomeration council does not have the power provided for in Chapter III.1 of the Act that relates to compensation for loss of income.

21. The urban agglomeration council is not a council to which Chapter IV of the Act applies as regards severance and transition allowances, and the urban agglomeration council has none of the powers provided for in that Chapter.

The remuneration received by a person under a by-law adopted by the urban agglomeration council is considered, for the purposes of the calculation of the amount of the allowance, to be remuneration paid by a supramunicipal body.

CHAPTER II PENSION PLAN

22. The urban agglomeration council is not a council to which the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) applies, subject to section 23, and has none of the powers provided for in that Act as regards membership in the plan.

23. For the purposes of the plan provided for in that Act, the remuneration that a person receives or received under a by-law adopted by the urban agglomeration council is considered, for the purpose of establishing the person's pensionable salary, to be remuneration paid by a supramunicipal body. The urban agglomeration council is, for the purposes of section 17 of that Act, deemed to constitute the board of such a body.

The central municipality acts as such a body, regarding the contribution, in respect of the part of the person's pensionable salary that corresponds to the remuneration referred to in the first paragraph.

CHAPTER III AGGLOMERATION EXPENDITURES

24. Expenditures related to the remuneration fixed by the urban agglomeration council under Division II of Chapter I, including any additional compensation and contributions paid for pension plan purposes on the basis of the remuneration, are deemed to be incurred in the exercise of urban agglomeration powers.

Expenditures related to the reimbursements referred to in section 18 are also deemed to be incurred in the exercise of those powers.

25. Expenditures related to the conditions of employment, other than those covered by Chapters I and II, of the members of a deliberative body authorized to exercise urban agglomeration powers are deemed to be incurred in the exercise of urban agglomeration powers if the conditions are established by the urban agglomeration council.

The same applies to expenditures related to the conditions of employment of the mayor or a councillor of the central municipality, if the conditions are not covered by Chapters I and II or by the first paragraph, and the expenditures related to the conditions are created in connection with functions incidental to the exercise of urban agglomeration powers.

26. If the expenditures related to the conditions of employment referred to in the second paragraph of section 25 are created in connection with functions incidental to the exercise of urban agglomeration powers and with other functions, the expenditures are mixed and are subject to the by-law referred to in the second paragraph of section 19.

TITLE IV PROVISIONS RELATING TO CERTAIN POWERS

27. The equipment, infrastructures and activities mentioned in Schedule A are of collective interest.

The municipality that owns immovable property of collective interest cannot transfer the property.

The management of the equipment, infrastructures and activities listed in Schedule A, the financing of the related expenditures and the use of the revenues generated are the same as if the property were subject to the exercise of urban agglomeration powers over a matter covered by Chapter II of Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

TITLE V

SHARING OF ASSETS AND LIABILITIES

CHAPTER I

ASSETS

28. The property listed in Schedule B becomes the property of the reconstituted municipality.

29. All property of the town not referred to in section 28 remains the property of the central municipality.

If the central municipality alienates the property, the proceeds of the alienation, or the part, if any, of the proceeds that exceeds the amount of the debt against the property, is to be apportioned among the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.

30. Every document of the town that before its constitution was the property of the former Municipalité de Saint-Aimé-du-Lac-des-Îles becomes the property of the reconstituted municipality.

The central municipality has a right of access to all such documents as if they had been filed in the municipal archives and may obtain copies of them without charge. The same applies to the reconstituted municipality in respect of documents held by the central municipality that were created between the time the town was constituted and the time this Order comes into force.

CHAPTER II

LIABILITIES

DIVISION I

DEBTS OF THE RECONSTITUTED MUNICIPALITY

31. Among the debts that exist immediately before the reorganization of the town, those that were contracted by the former municipality and that were financed, immediately before the reorganization, by revenue derived exclusively from the territory of that municipality become debts of the reconstituted municipality.

The same applies to debts contracted by the town that relate to property, services or activities that concern local powers, if

(1) the debt is entirely financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of the reconstituted municipality; or

(2) the debt is partially financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of the reconstituted municipality, as regards the part of the debt corresponding to the share of the benefit derived by the reconstituted municipality from the property, services or activities.

32. Debt securities relating to a debt to which section 31 refers are, if in the name of the former municipality immediately before the reorganization, deemed to be in the name of the reconstituted municipality which becomes the debtor of the secured debt. The financing rules applicable immediately before the reorganization continue to apply.

33. Despite section 31, the central municipality remains the debtor of the debts referred to in that section that, immediately before the reorganization, are not secured by debt instruments or are secured by such instruments in the name of the central municipality until, if applicable, replacement debt instruments are issued in the name of the reconstituted municipality.

The financing rules provided for in the by-law pursuant to which the debt was contracted cease to apply; the reconstituted municipality pays to the central municipality the amounts necessary for that purpose, on the terms and conditions the central municipality establishes, which the reconstituted municipality is to finance through revenue determined by a by-law approved by the Minister of Municipal Affairs and Regions. The reconstituted municipality may also, in a by-law not requiring approval by the Minister, make a borrowing as an advance payment to the central municipality of the sums necessary to repay the debts the central municipality is to temporarily assume under the first paragraph.

As soon as debt instruments are issued in the name of the reconstituted municipality, the financing method determined by the by-law referred to in the second paragraph applies to the repayment of the debt secured by those instruments.

34. The debts referred to in section 31 include the debt arising out of borrowings under by-law 81 of the town.

DIVISION II

DEBTS OF THE CENTRAL MUNICIPALITY

§1. General

35. A debt of the town that does not become a debt of the reconstituted municipality remains a debt of the central municipality.

Where expenditures relating to such a debt were financed, immediately before the reorganization, by a source of revenue specific to that purpose, that source continues to apply with the necessary modifications. The central municipality may, however, finance the expenditures, subject to subdivision 4 and the town's constituting act, by revenue not reserved for other purposes or by appropriating another source of revenue it determines. For that purpose, the urban agglomeration council and the regular council exercise respectively the powers provided for in subdivisions 2 and 3.

For the purposes of this Division, the central municipality is authorized, for the purpose of collecting revenues in the territory of the reconstituted municipality, to use any source of financing it is authorized to use in its own territory.

§2. *Debts incidental to urban agglomeration powers*

36. The financing of expenditure relating to the following debts is within urban agglomeration powers:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived from a territory extending beyond the territory of the central municipality;

(2) debts contracted by the town and related to property, services or activities within urban agglomeration powers;

(3) debts contracted by the town and related to property, services or activities within local powers, if

(a) they are financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of the reconstituted municipality; and

(b) it is impossible to apportion the benefit related to the property, services or activities concerned on the basis of the territory of the related municipalities;

(4) debts contracted by the town related to equipment, infrastructures and activities of collective interest and financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of the reconstituted municipality; and

(5) debts the town assumed at the time of its constitution following the dissolution of a supramunicipal body exercising powers in a territory corresponding to the urban agglomeration territory or to any part of that territory extending beyond the territory of the central municipality.

The revenues and expenditures relating to such a debt are urban agglomeration revenues and expenditures.

§3. *Debts incidental to the powers of the regular council of the central municipality*

37. The financing of expenditure relating to the following debts is within the powers of the regular council of the central municipality:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived exclusively from the territory of the central municipality; and

(2) debts contracted by the town and related to property, services or activities within local powers, as regards the part of the debts that corresponds to the share of the benefit derived by the central municipality from the property, services or activities.

§4. *Specific debts*

38. The debts referred to in section 36 include the debts arising out of borrowings under by-laws R-803, R-1090 and R-1123 of the former Ville de Mont-Laurier and under by-laws 46 and 53 of the town.

39. The debts referred to in section 37 include the debts arising out of borrowings under by-laws R-1065, R-1113 and R-1122 of the former Ville de Mont-Laurier and under by-laws 18, 23, 25, 26, 27, 29, 40, 47, 48, 49, 50, 52, 56, 71, 73, 74, 75, 76, 78, 79, 80 and 83 of the town.

40. Despite sections 35 to 37, the financing of expenditures relating to debts that were contracted before the constitution of the town and that concern the purchase of equipment or the carrying out of works under local powers to be used to the benefit of the territory of the central municipality are under the jurisdiction of the regular council of the central municipality.

The debts to which the first paragraph refers include the debts arising out of borrowings contracted under by-laws R-830, R-831, R-1015, R-1016, R-1052, R-1078, R-1087 and R-1103 of the former Ville de Mont-Laurier.

41. Despite sections 35 to 37, the debts arising out of borrowings under by-law R-793 of the former Ville de Mont-Laurier are financed by revenue derived, in a proportion of 55%, from the territory of the former Ville de Mont-Laurier and, in a proportion of 45%, from the territory of the central municipality.

42. Despite sections 35 to 37, the debt arising out of borrowings under by-law 80 of the town is financed, as regards costs related to the airport fire station and radio beacon station, by revenue derived from the urban agglomeration, and as regards other costs, by revenue derived from the central municipality.

CHAPTER III PROVISIONS OF A FINANCIAL NATURE

43. The unpaid balance, as it exists immediately before the coming into force of this Order, of a deficit whose related expenditures must be financed by revenue derived exclusively from the territory of the former municipality or a part of that territory becomes a deficit of the reconstituted municipality.

The unspent balance, as it exists immediately before the coming into force of this Order, of a surplus that is for the exclusive benefit of the inhabitants and rate payers of the territory of the former municipality or a part of that territory becomes a surplus of the reconstituted municipality.

44. A deficit or surplus of the town that is not covered by section 43 and that exists immediately before the coming into force of this Order remains a deficit or surplus of the central municipality.

Subject to the constituting act of the town, the central municipality must cover the deficit or use the surplus in the exercise of urban agglomeration powers. In the case where the town has a surplus, the central municipality must, before using it in the exercise of urban agglomeration powers, use the surplus to pay a sum of money to the reconstituted municipality, up to the amount available, that corresponds to the revenue derived from the territory of the reconstituted municipality that was collected by the town to finance the expenditures related to the holding of the 2005 general election.

45. Section 44 applies, with the necessary modifications, in respect of any of the town's funds that exist immediately before the reorganization.

Despite the foregoing, a fund created specifically for the exercise of a power other than an urban agglomeration power preserves its original purpose.

In the case of such a fund created using revenue derived exclusively from a territory that is to become the territory of the reconstituted municipality, the monies that are in the fund immediately before the reorganization and have not already been appropriated become that municipality's monies.

If the revenues used to create such a fund are derived exclusively from the territory of local municipalities that ceased to exist on the constitution of the town, at least one of which is to become the territory of the reconstituted municipality, that reconstituted municipality is entitled to part of the monies referred to in the first paragraph. That part is equal to the fraction of the total standardized property value of the territories concerned that is attributable to that municipality's territory.

46. The town's working fund, as it exists immediately before the reorganization, remains that of the central municipality. Reimbursement of the part of the fund already appropriated at the time of the reorganization remains chargeable to all the ratepayers of the related municipalities and the sums recovered accordingly, as is the case for the unappropriated balance of the fund, may be reallocated only to urban agglomeration powers, subject to a sharing agreement between the related municipalities.

Where applicable, the central municipality must keep separate accounts to identify any part of the fund reserved exclusively for its own territory.

47. The related municipalities share the revenues and costs relating to any legal contestation or a dispute to which one of them is a party in respect of an event posterior to the constitution of the town and preceding the coming into force of this Order. The sharing is to be made in proportion to the standardized property value of each related municipality as it exists at the time of the coming into force of this Order.

TITLE VI TRANSITIONAL AND FINAL

48. The payment of severance and transition allowances provided for in sections 30.1 and 31 of the Act respecting the remuneration of elected municipal officers to any member of the town council is, if applicable, deferred in accordance with sections 31.2, 31.4 and 31.5 of that Act which apply with the necessary modifications. Despite that section 31.2, "former municipality" means the town and "new municipality" means the reconstituted municipality.

49. Every agreement or contract to which the town is a party that continues to have effect after 31 December 2005 in the territory of the reconstituted municipality is deemed to concern urban agglomeration matters until the date on which it expires or the date of the day preceding the date of its renewal. The revenues and expenditures relating to the agreement or contract are urban agglomeration revenues and expenditures.

For the purpose of financing the expenditures referred to in the first paragraph, the urban agglomeration council may

(1) use any method provided for in section 85 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; or

(2) fix by by-law the share of the expenditures relating to a contract or an agreement to be payable by each municipality concerned.

The first two paragraphs do not apply to a contract or an agreement that applies exclusively in the territory of one reconstituted municipality only and that concerns only local matters. The reconstituted municipality succeeds to the rights and obligations of the town in respect of such a contract or agreement.

50. Despite section 49, the reconstituted municipality succeeds to the rights and obligations of the city in the following intermunicipal agreements, to the extent provided:

(1) the agreement between the former Ville de Mont-Laurier and 21 other municipalities signed on 3 September 2002 pertaining to the financial participation in the management of equipment and services, insofar as the financial participation of the former Municipalité de Saint-Aimé-du-Lac-des-Îles is involved, with the necessary modifications, excluding the provisions relating to the operation of the Mont-Laurier airport and the tourist information booth;

(2) the agreement between Municipalité de Ferme-Neuve and 14 other municipalities signed on 3 September 2002 pertaining to the financial participation in the operation of the Ferme-Neuve cultural and recreational centre, insofar as the financial participation of the former Municipalité de Saint-Aimé-du-Lac-des-Îles is involved, with the necessary modifications;

(3) the agreement between the town and 12 other municipalities signed on 16 April 2004 pertaining to the management of statements of offence issued pursuant to municipal by-laws or under the Highway Safety Code (R.S.Q., c. C-24.2), for statements of offence for offences in the territory of the reconstituted municipality.

51. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE A

(s. 27)

EQUIPMENT, INFRASTRUCTURES AND ACTIVITIES OF COLLECTIVE INTEREST

The following equipment, infrastructures and activities are of collective interest:

(1) Parc des Draveurs;

(2) Alix street soccer field;

(3) Parc linéaire Le P'tit train du Nord;

(4) Concerts in the Parc des Draveurs;

(5) École d'art et des métiers d'art du Québec.

SCHEDULE B

(s. 28)

PROPERTY THAT BECOMES THE PROPERTY OF THE RECONSTITUTED MUNICIPALITY

Immovable and movable property

The following immovable property and any movable property situated in or on the immovable property and intended to ensure its usefulness becomes the property of the reconstituted municipality:

(1) an undeveloped parcel of land situated on chemin du Village: lot P15-A-8 R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7940-89-1291 on the town's property assessment roll;

(2) the burn area situated on chemin de Kiamika: lot P13 R03, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 8241-44-1060 on the town's property assessment roll;

(3) the municipal beach situated on chemin de la Presqu'île: lot P8 R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7942-75-7291 on the town's property assessment roll;

(4) a wooded parcel of land situated on chemin du Village: lot P14B-5 R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7940-08-5090 on the town's property assessment roll;

(5) an undeveloped parcel of land situated on chemin du Village: lot P16D R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7940-27-9920 on the town's property assessment roll;

(6) an undeveloped parcel of land situated on rue Dubé: lot P14B-12 R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7940-29-9386 on the town's property assessment roll;

(7) the village wharf (access to dam) situated on chemin du Village: lot P15E R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7940-38-7573 on the town's property assessment roll;

(8) an undeveloped parcel of land situated on rue Charrette: lot P15A R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7940-49-1816 on the town's property assessment roll;

(9) the chlorination station situated on chemin du Village: lot P15A R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7940-69-8330 on the town's property assessment roll;

(10) an undeveloped parcel of land situated on chemin du Village: lot P15A R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7940-89-9499 on the town's property assessment roll;

(11) an undeveloped parcel of land situated on rue Charrette: lot P15A R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7941-40-5111 on the town's property assessment roll;

(12) an undeveloped parcel of land situated on chemin du Village: lot P15A R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 8041-40-0722 on the town's property assessment roll;

(13) a wooded lot situated on chemin Diotte: lot P15A R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 8040-07-1050 on the town's property assessment roll;

(14) the Pilote monument situated on rue Dubé: lot P15K R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7940-38-2481 on the town's property assessment roll;

(15) the covered bridges situated on chemin de Kiamika: lot P3 ILE03, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 8743-12-3090 on the town's property assessment roll;

(16) the public wharf (boat launch) situated on chemin de la Presqu'île: lot P14A R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 8041-42-3123 on the town's property assessment roll;

(17) a baseball field situated on route 309: lot 16-1 R04, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 8040-95-9070 on the town's property assessment roll;

(18) the municipal office situated at 871, chemin Diotte: lot 16-E-1 R05, cadastre of the township of Bouthillier, registration division of Labelle, bearing file number 7940-56-2706 on the town's property assessment roll;

(19) the dam on the lac des Îles stream, bearing file number 7940-27-8376 on the town's property assessment roll;

(20) the public thoroughfares in the territory of the municipality;

(21) the equipment and infrastructures for water supply and water purification in the territory of the municipality.

Other movable property

A 2000 Ford F-150 truck, Serial No. 1FTPF18LXYKB25380, bearing registration plate FT86212, becomes the property of the reconstituted municipality.

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Gouvernement du Québec

O.C. 1063-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Ville de Mont-Laurier

WHEREAS Ville de Mont-Laurier was constituted by Order in Council 1492-2002 dated 18 December 2002;

WHEREAS the territory of the town comprises the territories of the former Ville de Mont-Laurier, the former Municipalité de Des Ruisseaux and the former Municipalité de Saint-Aimé-du-Lac-des-Îles;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Municipalité de Saint-Aimé-du-Lac-des-Îles on the possibility of reconstituting that municipality as a local municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government may, by order, reconstitute as a local municipality the inhabitants and ratepayers of that sector;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Pierre Moreau to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Pierre Moreau reported to the Minister of Municipal Affairs and Regions on 29 July 2005;

WHEREAS section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the Government may, by order, amend the charter of the central municipality;

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

1. The territory of the town is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 14 March 2005.

2. Section 2 of Order in Council 1492-2002 dated 18 December 2002 respecting the amalgamation of Ville de Mont-Laurier, Municipalité de Des Ruisseaux and Municipalité de Saint-Aimé-du-Lac-des-Îles, is revoked.

3. The first paragraph of section 44 of the Order is amended by replacing “within four years of the coming into force of this Order in Council” by “before 31 December 2008”.

4. Section 46 of the Order is revoked.

5. The Schedule to the Order is revoked.

6. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE NEW TERRITORIAL BOUNDARIES OF VILLE DE MONT-LAURIER, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ D'ANTOINE-LABELLE

The new territory of Ville de Mont-Laurier, in Municipalité régionale de comté d'Antoine-Labelle, following the de-amalgamation of Municipalité de Saint-Aimé-du-Lac-des-Îles, comprises all the lots of the original survey or of the cadastres of the townships of Campbell, Pope, Robertson and Würtele, the undivided lands of those townships, the lots of the cadastre of the village of Mont-Laurier, all the lots of the cadastre of Québec on the date of this description and their successor lots and the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the apex of the northeast angle of lot 4 of range 3 of the cadastre of the township of Würtele and that runs along the following lines and demarcations: in reference to that cadastre, southerly, part of the dividing line between ranges 3 and 4 to the dividing line between the cadastres of the townships of Würtele and Campbell; westerly, part of the dividing line between the said cadastres to the apex of the northeast angle of lot 49 of range 4 of the cadastre of the township of Campbell; in reference to that cadastre, southerly, part of the dividing line between range 4 and ranges 4 Nord-Ouest and 3 Nord-Ouest to the south line of lot 32 of range 4;

westerly, the south line of the said lot; southerly, part of the dividing line between ranges 3 and 4 to the north line of lot 25 of range 4; easterly, the north line of the said lot and its extension to the centre line of lac aux Barges, that line crossing route 117 that it meets; generally southerly, the centre line of lac aux Barges and lac des Écorces to its meeting with a straight line running in a N 30° 00' E direction whose point of origin is at the apex of the northeast angle of lot 2 941 874 of the cadastre of Québec; southerly, that straight line to its point of origin; in reference to the latter cadastre, southerly, the east line of lots 2 941 874, 2 678 138, 2 941 955, 2 941 553, 3 016 758, 3 016 757 and 2 941 547; westerly, the broken line bordering to the south lots 2 941 547, 2 941 550, 2 941 584, 2 941 864, 2 678 078, 2 678 090, 2 941 975, 2 941 668, 2 841 894 and the extension of the latter line to the centre line of rivière du Lièvre; generally south-easterly, the centre line of the said river downstream and skirting to the right the islands nearest the left bank and to the left the islands nearest the right bank to its meeting with the extension of the north line of the cadastre of the township of Bouthillier; westerly, the north line of the said cadastre to its west line, that line crossing Îles and Trudel lakes that it meets; northerly, the west line of the cadastre of the township of Robertson then the west line of the township of Pope crossing lac Quinn, baie au Sable of the Baskatong reservoir and routes 107 and 117 that it meets; easterly, part of the north line of the township of Pope to its meeting with the extension of the west line of range VII proposed in the original survey of the township of Pope; in reference to that township, southerly, the said extension to its meeting with the extension of the north line of lot 27 of range VI; easterly, successively, the latter extension, the line bordering to the north lot 27 of ranges VI, V, IV, III and II then its extension to the centre line of rivière du Lièvre; generally northeasterly, the centre line of the said river upstream to its meeting with the extension of the north line of lot 12 of range 1 of the cadastre of the township of Würtele; in reference to that cadastre, easterly, the said extension and the north line of the said lot; southerly, part of the dividing line between ranges 1 and 2 to the north line of lot 4 of range 2; lastly, easterly, the north line of lot 4 of ranges 2 and 3 to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 14 March 2005

Prepared by: _____

JEAN-PIERRE LACROIX,
Land surveyor

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Gouvernement du Québec

O.C. 1064-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations
(R.S.Q., c. E-20.001)

Reconstitution of Municipalité de Saint-Aimé-du-Lac-des-Îles

WHEREAS Ville de Mont-Laurier was constituted by Order in Council 1492-2002 dated 18 December 2002;

WHEREAS the territory of the town comprises the territories of the former Ville de Mont-Laurier, the former Municipalité de Des Ruisseaux and the former Municipalité de Saint-Aimé-du-Lac-des-Îles;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Municipalité de Saint-Aimé-du-Lac-des-Îles on the possibility of reconstituting that former municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Pierre Moreau to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Pierre Moreau reported to the Minister of Municipal Affairs and Regions on 29 July 2005;

WHEREAS it is expedient, pursuant to section 123 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), to order the reconstitution of Municipalité de Saint-Aimé-du-Lac-des-Îles;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, that Municipalité de Saint-Aimé-du-Lac-des-Îles be reconstituted as of 1 January 2006, on the following conditions:

1. The municipality is a local municipality governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

2. The territory of the municipality is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 14 March 2005; the territory is within the territory of Municipalité régionale de comté d'Antoine-Labelle.

3. The first meeting of the council of the municipality will take place at 871, chemin Diotte.

4. On being constituted, the municipality succeeds, in respect of its territory, to the rights and obligations of Ville de Mont-Laurier relating to a municipal power other than an urban agglomeration power. All the acts performed by the town in their respect are deemed to be acts of the municipality. The municipality becomes, without continuance of suit, a party to any proceedings to which the former Municipalité de Saint-Aimé-du-Lac-des-Îles was a party before the constitution of the town.

The by-laws, resolutions or other instruments of the town, insofar as they are, immediately before the reconstitution of the municipality, applicable in all or part of the territory described in the Schedule and relate to a power referred to in the first paragraph, are deemed to be by-laws, resolutions and instruments of the municipality.

The first two paragraphs apply subject to any provision of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or of the urban agglomeration order for Mont-Laurier made under section 135 of that Act.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY DETACHED FROM THE TERRITORY OF VILLE DE MONT-LAURIER AND ERECTED AS A LOCAL MUNICIPALITY UNDER THE NAME MUNICIPALITÉ DE SAINT-AIMÉ-DU-LAC-DES-ÎLES, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ D'ANTOINE-LABELLE

A territory that is currently part of Ville de Mont-Laurier and erected as a local municipality under the name Municipalité de Saint-Aimé-du-Lac-des-Îles, in Municipalité régionale de comté d'Antoine-Labelle and

that comprises all the lots of the cadastre of the township of Bouthillier and their present and future subdivisions, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the meeting point of the north line of the cadastre of the township of Bouthillier with the right bank of rivière du Lièvre and that runs along the following lines and demarcations: easterly, the extension of the north line of the said cadastre to the centre line of rivière du Lièvre; generally southwesterly, the centre line of the said river downstream and skirting to the right islands 3 027 522, 3 027 521, 2 676 641, 2 676 646 and 2 676 647 of the cadastre of Québec, all the islands not comprised within that cadastre on the date of this description and the islands nearest the left bank and all the lots that are part of the cadastre of the township of Dudley, skirting to the left all the islands not comprised within that cadastre and the islands nearest the right bank, the island bearing numbers 3 016 754 to 3 016 756 of the cadastre of Québec and all the islands that are part of the cadastre of the township of Bouthillier to the extension of the dividing line between lots 45 and 46 of range 6 of the cadastre of the township of Bouthillier; in reference to that cadastre, westerly, the said extension then the south line of lot 45 of ranges 6 and 7, 45a and 45b of range 8, that line across route 309 and lac des Tourtes that it meets; northerly, part of the dividing line between ranges 8 and 9 to the apex of the southeast angle of lot 29 of range 9; westerly, the south line of lot 29 of ranges 9 to 12; northerly, part of the dividing line between ranges 12 and 13 to the north line of the cadastre of the township of Bouthillier, that line across Green and Simpson lakes that it meets; lastly, easterly, across Trudel and Îles lakes and route 309 that it meets, the north line of the said cadastre to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 14 March 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

7242

Gouvernement du Québec

O.C. 1065-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Urban agglomeration of Sainte-Marguerite–Estérel

WHEREAS Ville de Sainte-Marguerite–Estérel was constituted by Order in Council 1200-2001 dated 10 October 2001;

WHEREAS the territory of the town comprises the territories of the former Paroisse de Sainte-Marguerite-du-Lac-Masson and the former Ville d’Estérel;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Ville d’Estérel on the possibility of reconstituting the town as a local municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government may, by order, reconstitute as a local municipality the inhabitants and ratepayers of that sector;

WHEREAS the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the urban agglomeration of Sainte-Marguerite–Estérel is made up of the territories of Ville de Sainte-Marguerite-du-Lac-Masson and Ville d’Estérel and determines the municipal powers that, rather than being exercised separately for each local municipal territory included in the urban agglomeration, must be exercised globally for the urban agglomeration;

WHEREAS Chapter IV of Title V of that Act provides that the Government may make an order designated as an “urban agglomeration order” for each urban agglomeration;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Pierre Delisle to participate, together with the administrators

and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Pierre Delisle reported to the Minister of Municipal Affairs and Regions on 15 September 2005;

WHEREAS it is expedient to make an urban agglomeration order for the urban agglomeration of Sainte-Marguerite–Estérel;

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

TITLE I OBJECT AND DEFINITIONS

1. The object of this Order is to supplement, for the urban agglomeration of Sainte-Marguerite–Estérel, the rules prescribed by the Act respecting the exercise of certain municipal powers in certain urban agglomerations for the exercise of urban agglomeration powers.

2. In this Order, Ville de Sainte-Marguerite-du-Lac-Masson and Ville d’Estérel, whose territories make up the urban agglomeration of Sainte-Marguerite–Estérel, hereinafter designated as the “urban agglomeration”, are referred to respectively as the “central municipality” and the “reconstituted municipality”. They are related municipalities.

The term “town”, used alone, designates Ville de Sainte-Marguerite–Estérel as it existed before the coming into force of this Order; “former municipality” means Ville d’Estérel that ceased to exist upon the constitution of the town.

The urban agglomeration powers are those set out in Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; all other powers are referred to as local powers.

TITLE II URBAN AGGLOMERATION COUNCIL AND COMMISSIONS

CHAPTER I URBAN AGGLOMERATION COUNCIL

DIVISION I NATURE AND COMPOSITION

3. The council of the central municipality is the urban agglomeration council.

Its composition is, however, enlarged in the manner provided in section 4.

4. For the purpose of constituting the urban agglomeration council, the council of the central municipality is composed of the members elected to it and of the mayor of the reconstituted municipality.

5. If the office of mayor of the reconstituted municipality is vacant or the holder of the office is unable to act, a councillor may replace the mayor as the representative of the municipality.

The municipality may designate, on an ad-hoc basis or in advance of the event, the councillor who is to replace the mayor.

A designation made in advance, unless revoked, is valid until the term of office of the designated person as councillor expires.

The person may not sit on the urban agglomeration council until an authenticated copy of the resolution designating the person has been received by the central municipality.

6. The enlargement of the composition of the council of the central municipality for the purpose of constituting the urban agglomeration council has no effect on the existence of special positions, such as the positions of chair and vice-chair, or on the identity of the holders of those positions. The functions of those positions are exercised by those holders on the urban agglomeration council.

DIVISION II ASSIGNMENT OF VOTES

7. The representative of the reconstituted municipality has one vote.

The body of representatives of the central municipality has a number of votes equal to the quotient obtained by dividing the population of the central municipality by the population of the reconstituted municipality.

Each representative of the central municipality has a number of votes equal to the quotient obtained by dividing the number of votes assigned to the representation of the central municipality by the number of its representatives.

For the purposes of the second paragraph, the population of the municipalities is the population that exists at the time of the vote for which the number of votes of

each member of the urban agglomeration council is to be determined. If, at that time, the order of the Government determining in advance the population for the following calendar year has been published in the *Gazette officielle du Québec*, that population figure is to be used.

8. If the quotient calculated under the second or third paragraph of section 7 is a decimal number, the first two decimals are used and, if the third decimal would have been greater than 4, the second decimal is increased by 1.

DIVISION III OTHER RULES

9. All the rules that pertain to the council of the central municipality, except as regards the composition of the council and the assignment of votes to the members, continue to apply when the council acts as the urban agglomeration council.

CHAPTER II AGGLOMERATION COMMISSIONS

10. Where an Act or statutory instrument provides for the creation of a commission by a municipal council, only the urban agglomeration council may create the commission if the functions to be assigned to the commission involve in whole or in part any matter relating to urban agglomeration powers.

The urban agglomeration council is to designate at least one member of the council of the reconstituted municipality to sit as a member of the commission.

For the purposes of the first two paragraphs, “commission” means any commission or committee that has study, advisory or recommendation functions intended to facilitate decision-making by a council or an executive committee.

TITLE III CONDITIONS OF EMPLOYMENT OF ELECTED OFFICERS

CHAPTER I REMUNERATION

DIVISION I INTERPRETATION

11. For the purposes of Divisions II and III,

(1) “Act” means, except in the title of an Act, the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001);

(2) “compensation” means the expense allowance under the Act.

DIVISION II REMUNERATION AND COMPENSATION

12. No remuneration or compensation is to be paid by a related municipality to its council members, despite section 17 of the Act, unless the remuneration is fixed in a by-law in force adopted by the related municipality under section 2 of the Act.

Each related municipality must at all times have such a by-law in force.

13. For the purpose of determining the remuneration and compensation that may be paid by the central municipality, the urban agglomeration council and the regular council have concurrently the powers set out in Division I of Chapter II of the Act.

The urban agglomeration council exercises any of those powers to fix in respect of its members any basic or additional remuneration attached to the functions incidental to the exercise of urban agglomeration powers.

Where an urban agglomeration commission pursuant to section 10 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of that person, the power provided for in the first paragraph of section 70.0.1 of the Cities and Towns Act (R.S.Q., c. C-19) or article 82.1 of the Municipal Code of Québec (R.S.Q., c. C-27.1).

The regular council of the central municipality exercises any power referred to in the first or third paragraph to fix any basic or additional remuneration attached to functions other than those incidental to the exercise of urban agglomeration powers. The same applies to the council of the reconstituted municipality.

If the draft by-law referred to in section 8 of the Act is a by-law of the urban agglomeration council, the executive committee referred to in that section is the executive committee of the central municipality.

14. For the purpose of establishing the minimum remuneration

(1) for the mayor of the central municipality, section 12 of the Act is applied, with reference to the sum of the populations of the related municipalities, including a population figure increased pursuant to section 13 of the Act;

(2) for the councillors of the central municipality, section 15 of the Act is applied, with reference to one-third of the minimum remuneration of the mayor of the municipality, as established with the modification under subparagraph 1;

(3) for the mayor of the reconstituted municipality, the amount used is the greater of the amount established in the mayor’s respect under sections 12 to 14 of the Act and the amount established with the modification under subparagraph 2 for the councillors of the central municipality;

(4) for a councillor of the reconstituted municipality who is a member of the urban agglomeration council, section 15 of the Act applies, with reference to one-third of the minimum remuneration of the mayor, as established with the modification under subparagraph 3; and

(5) for a councillor of the reconstituted municipality who is not a member of the urban agglomeration council, section 15 of the Act is applied without modification as are the sections to which section 15 refers.

If the minimum established under the first paragraph in respect of a person is less than the minimum provided for in the person’s respect in section 16 of the Act, the latter minimum applies.

15. Despite section 4 of the Act, in the case of a person entitled to basic remuneration as a member of the urban agglomeration council and as a member of the regular council of the central municipality or of the council of the reconstituted municipality, the minimum established in the person’s respect is in reference to the aggregate remuneration rather than to each individual remuneration.

If that aggregate is less than the minimum, the regular council of the central municipality or the council of the reconstituted municipality, as the case may be, is to amend its by-law to make up the difference by increasing the mayor’s or councillors’ basic remuneration attached to the functions other than those incidental to the exercise of urban agglomeration powers.

16. If the concurrent exercise of powers by the urban agglomeration council and the regular council of the central municipality or the council of the reconstituted municipality is likely to entail in respect of a person an excess referred to in the second paragraph, the excess is deducted from the amount that the person would receive as remuneration or compensation attached to the functions incidental to the exercise of urban agglomeration powers.

The excess referred to arises when the aggregate remuneration or compensation that a person would otherwise be entitled to receive from the central municipality only, or from both the central municipality and the reconstituted municipality, exceeds the maximum under section 21 or 22, as the case may be, of the Act.

17. The urban agglomeration council has the powers set out in section 24 of the Act as regards the terms and conditions of payment of the remuneration it has fixed and of any additional compensation.

The executive committee to which the urban agglomeration council may make the delegation referred to in that section is, if applicable, the executive committee of the central municipality.

DIVISION III OTHER COMPONENTS OF REMUNERATION

18. If an act likely to entail reimbursable expenses under Chapter III of the Act is performed by a member of the urban agglomeration council in connection with functions incidental to the exercise of urban agglomeration powers, the council and, if applicable, the executive committee of the central municipality have, in respect of that act and those expenses, the powers assigned by that Chapter respectively to the council and the executive committee of a local municipality.

Where an urban agglomeration commission pursuant to section 10 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of the act and expenses of that person, the power provided for in the second paragraph of section 70.0.1 of the Cities and Towns Act or article 82.1 of the Municipal Code of Québec.

19. The first paragraph of section 18 also applies if the act is performed by the mayor or a councillor of the central municipality in connection with functions incidental to the exercise of urban agglomeration powers and with other functions.

In such a case, the expenses reimbursed by the municipality are mixed expenses and are subject to the by-law of the urban agglomeration council that establishes any criterion to determine which part of a mixed expense constitutes an expense incurred in the exercise of an urban agglomeration power.

20. The urban agglomeration council does not have the power provided for in Chapter III.1 of the Act that relates to compensation for loss of income.

21. The urban agglomeration council is not a council to which Chapter IV of the Act applies as regards severance and transition allowances, and the urban agglomeration council has none of the powers provided for in that Chapter.

The remuneration received by a person under a by-law adopted by the urban agglomeration council is considered, for the purposes of the calculation of the amount of the allowance, to be remuneration paid by a supramunicipal body.

CHAPTER II PENSION PLAN

22. The urban agglomeration council is not a council to which the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) applies, subject to section 23, and has none of the powers provided for in that Act as regards membership in the plan.

23. For the purposes of the plan provided for in that Act, the remuneration that a person receives or received under a by-law adopted by the urban agglomeration council is considered, for the purpose of establishing the person's pensionable salary, to be remuneration paid by a supramunicipal body. The urban agglomeration council is, for the purposes of section 17 of that Act, deemed to constitute the board of such a body.

The central municipality acts as such a body, regarding the contribution, in respect of the part of the person's pensionable salary that corresponds to the remuneration referred to in the first paragraph.

CHAPTER III AGGLOMERATION EXPENDITURES

24. Expenditures related to the remuneration fixed by the urban agglomeration council under Division II of Chapter I, including any additional compensation and contributions paid for pension plan purposes on the basis of the remuneration, are deemed to be incurred in the exercise of urban agglomeration powers.

Expenditures related to the reimbursements referred to in section 18 are also deemed to be incurred in the exercise of those powers.

25. Expenditures related to the conditions of employment, other than those covered by Chapters I and II, of the members of a deliberative body authorized to exercise urban agglomeration powers are deemed to be incurred in the exercise of urban agglomeration powers if the conditions are established by the urban agglomeration council.

The same applies to expenditures related to the conditions of employment of the mayor or a councillor of the central municipality, if the conditions are not covered by Chapters I and II or by the first paragraph and the expenditures related to the conditions are created in connection with functions incidental to the exercise of urban agglomeration powers.

26. If the expenditures related to the conditions of employment referred to in the second paragraph of section 25 are created in connection with functions incidental to the exercise of urban agglomeration powers and with other functions, the expenditures are mixed and are subject to the by-law referred to in the second paragraph of section 19.

TITLE IV PROVISIONS RELATING TO CERTAIN POWERS

27. The equipment and infrastructures listed in Schedule A are of collective interest.

The municipality that owns immovable property of collective interest cannot transfer the property.

The management of the equipment and infrastructures listed in Schedule A, the financing of the related expenditures and the use of the revenues generated are the same as for property in respect of which urban agglomeration powers are exercised over a matter covered by Chapter II of Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

TITLE V SHARING OF ASSETS AND LIABILITIES

CHAPTER I ASSETS

28. The thoroughfares identified in Schedule B form the arterial road system of the urban agglomeration.

29. The property listed in Schedule C becomes the property of the reconstituted municipality.

30. All property of the town not referred to in section 29 remains the property of the central municipality.

If the central municipality alienates the property, the proceeds of the alienation, or the part, if any, of the proceeds that exceeds the amount of the debt against the property, is to be apportioned among the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.

31. Every document of the town that before its constitution was the property of the former Ville d'Estérel becomes the property of the reconstituted municipality.

The central municipality has a right of access to all such documents as if they had been filed in the municipal archives and may obtain copies of them without charge. The same applies to the reconstituted municipality in respect of documents held by the central municipality that were created between the time the town was constituted and the time this Order comes into force.

CHAPTER II LIABILITIES

DIVISION I DEBTS OF THE RECONSTITUTED MUNICIPALITY

32. Among the debts that exist immediately before the reorganization of the town, those that were contracted by the former municipality and that were financed, immediately before the reorganization, by revenue derived exclusively from the territory of that municipality become debts of the reconstituted municipality.

The same applies to debts contracted by the town that relate to property, services or activities that concern local powers, if

(1) the debt is entirely financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of the reconstituted municipality; or

(2) the debt is partially financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of the reconstituted municipality, as regards the part of the debt corresponding to the share of the benefit derived by the reconstituted municipality from the property, services or activities.

33. Debt securities relating to a debt to which section 32 refers are, if in the name of the former municipality immediately before the reorganization, deemed to be in the name of the reconstituted municipality which becomes the debtor of the secured debt. The financing rules applicable immediately before the reorganization continue to apply.

34. Despite section 32, the central municipality remains the debtor of the debts referred to in that section that, immediately before the reorganization, are not secured by debt instruments or are secured by such

instruments in the name of the central municipality until, if applicable, replacement debt instruments are issued in the name of the reconstituted municipality.

The financing rules provided for in the by-law pursuant to which the debt was contracted cease to apply; the reconstituted municipality is to pay to the central municipality the amounts necessary for that purpose, on the terms and conditions the central municipality establishes, which the reconstituted municipality is to finance through revenue determined by a by-law approved by the Minister of Municipal Affairs and Regions. The reconstituted municipality may also, in a by-law not requiring approval by the Minister, make a borrowing as an advance payment to the central municipality of the sums necessary to repay the debts the central municipality is to temporarily assume under the first paragraph.

As soon as debt instruments are issued in the name of the reconstituted municipality, the financing method determined by a by-law referred to in the second paragraph applies to the repayment of the debt secured by those instruments.

35. The debts referred to in section 32 include the debts arising out of borrowings under by-laws 90-310, 94-352, 96-375, 96-376, 96-377, 96-378, 96-379, 96-380, 96-381, 96-382, 96-383, 96-384, 96-390, 96-394, 97-399, 97-410, 97-411, 97-412, 98-435, 99-439, 01-466 and 01-471 of the former municipality, and the debt arising out of borrowings under by-law 50-2005 of the town and, in a proportion of 88%, the debt arising out of borrowings under by-law 48-2005 of the town.

DIVISION II

DEBTS OF THE CENTRAL MUNICIPALITY

§1. General

36. A debt of the town that does not become a debt of the reconstituted municipality remains a debt of the central municipality.

Where expenditures relating to such a debt were financed, immediately before the reorganization, by a source of revenue specific to that purpose, that source continues to apply with the necessary modifications. The central municipality may, however, finance the expenditures, subject to subdivision 4 and the town's constituting act, by revenue not reserved for other purposes or by appropriating another source of revenue it determines. For that purpose, the urban agglomeration council and the regular council exercise respectively the powers provided for in subdivisions 2 and 3.

For the purposes of this Division, the central municipality is authorized, for the purpose of collecting revenues in the territory of the reconstituted municipality, to use any source of financing it is authorized to use in its own territory.

§2. Debts incidental to urban agglomeration powers

37. The financing of expenditure relating to the following debts is within urban agglomeration powers:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived from a territory extending beyond the territory of the central municipality;

(2) debts contracted by the town and related to property, services or activities within urban agglomeration powers;

(3) debts contracted by the town and related to property, services or activities within local powers, if

(a) they are financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of the reconstituted municipality; and

(b) it is impossible to apportion the benefit related to the property, services or activities concerned on the basis of the territory of the related municipalities;

(4) debts contracted by the town related to equipment, infrastructures and activities of collective interest and financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of the reconstituted municipality; and

(5) debts the town assumed at the time of its constitution following the dissolution of a supramunicipal body exercising powers in a territory corresponding to the urban agglomeration territory or to any part of that territory extending beyond the territory of the central municipality.

The revenues and expenditures relating to such a debt are urban agglomeration revenues and expenditures.

§3. Debts incidental to the powers of the regular council of the central municipality

38. The financing of expenditure relating to the following debts is within the powers of the regular council of the central municipality:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived exclusively from the territory of the central municipality; and

(2) debts contracted by the town and related to property, services or activities within local powers, as regards the part of the debts that corresponds to the share of the benefit derived by the central municipality from the property, services or activities.

§4. Specific debts

39. The debts referred to in section 37 include the debts arising out of borrowings under by-laws 01-470 of the former Ville d'Estérel and 64-2001 of the former Paroisse de Sainte-Marguerite-du-Lac-Masson and by-laws 23-2003, 29-2003, 29A-2004, 30-2003, 30A-2004, 49-2005 and 57-2005 of the town.

40. The debts referred to in section 38 include the debts arising out of borrowings under by-laws 3-1988, 4-1988, 11-1988, 4-1990, 5-1990, 14-1990, 3-1991, 4-1991, 2-1992, 3-1992, 4-1992, 9-1992, 15-1992, 5-1996, 6-1996, 6A-1996, 23-1997, 63-2001 and 65-2001 of the former Paroisse de Sainte-Marguerite-du-Lac-Masson and by-laws 14-2002, 18-2002, 19-2002, 24-2003, 31-2003, 45-2004, 52-2005 and 53-2005 of the town and, in a proportion of 12%, the debt arising out of borrowings under by-law 48-2005 of the town.

CHAPTER III **PROVISIONS OF A FINANCIAL NATURE**

41. The unpaid balance, as it exists immediately before the coming into force of this Order, of a deficit whose related expenditures must be financed by revenue derived exclusively from the territory of the former municipality or a part of that territory becomes a deficit of the reconstituted municipality.

The unspent balance, as it exists immediately before the coming into force of this Order, of a surplus that is for the exclusive benefit of the inhabitants and rate payers of the territory of the former municipality or a part of that territory becomes a surplus of the reconstituted municipality.

42. A deficit or surplus of the town that is not covered by section 41 and that exists immediately before the coming into force of this Order remains a deficit or surplus of the central municipality.

Subject to the constituting act of the town, the central municipality must cover the deficit or use the surplus in the exercise of its urban agglomeration powers. In the case where the town has a surplus, the central municipality must, before using it in the exercise of its urban agglomeration powers, use the surplus to pay a sum of money to the reconstituted municipality, up to the amount available, that corresponds to the revenue derived from the territory of the reconstituted municipality that was collected by the town to finance the expenditures related to the holding of the 2005 general election.

43. Section 42 applies, with the necessary modifications, in respect of any of the town's funds that exist immediately before the reorganization.

Despite the foregoing, a fund created specifically for the exercise of a power other than an urban agglomeration power preserves its original purpose.

In the case of such a fund created using revenue derived exclusively from a territory that is to become the territory of the reconstituted municipality, the monies that are in the fund immediately before the reorganization and have not already been appropriated become that municipality's monies.

If the revenues used to create such a fund are derived exclusively from the territory of local municipalities that ceased to exist on the constitution of the town, at least one of which is to become the territory of the reconstituted municipality, that reconstituted municipality is entitled to part of the monies referred to in the first paragraph. That part is equal to the fraction of the total standardized property value of the territories concerned that is attributable to that municipality's territory.

44. The town's working fund, as it exists immediately before the reorganization, remains that of the central municipality. Reimbursement of the part of the fund already appropriated at the time of the reorganization remains chargeable to all the ratepayers of the related municipalities and the sums recovered accordingly, as is the case for the unappropriated balance of the fund, may be reallocated only to urban agglomeration powers, subject to a sharing agreement between the related municipalities.

Where applicable, the central municipality must keep separate accounts to identify any part of the fund reserved exclusively for its own territory.

45. The related municipalities share the revenues and costs relating to any legal contestation or a dispute to which one of them is a party in respect of an event posterior to the constitution of the town and preceding the coming into force of this Order. The sharing is to be made in proportion to the standardized property value of each related municipality as it exists at the time of the coming into force of this Order.

TITLE VI **TRANSITIONAL AND FINAL**

46. The payment of severance and transition allowances provided for in sections 30.1 and 31 of the Act respecting the remuneration of elected municipal officers to any member of the town council is, if applicable, deferred in accordance with sections 31.2, 31.4 and 31.5 of that Act which apply with the necessary modifications. Despite that section 31.2, “former municipality” means the town and “new municipality” means the reconstituted municipality.

47. Every agreement or contract to which the town is a party that continues to have effect after 31 December 2005 in the territory of the reconstituted municipality is deemed to concern urban agglomeration matters until the date on which it expires or the date of the day preceding the date of its renewal. The revenues and expenditures relating to the agreement or contract are urban agglomeration revenues and expenditures.

For the purpose of financing the expenditures referred to in the first paragraph, the urban agglomeration council may

(1) use any method provided for in section 85 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; or

(2) fix by by-law the share of the expenditures relating to a contract or an agreement payable by each municipality concerned.

The first two paragraphs do not apply to a contract or an agreement that applies exclusively in the territory of one reconstituted municipality only and that concerns only local matters. The reconstituted municipality succeeds to the rights and obligations of the town in respect of such a contract or agreement.

48. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE A

(s. 27)

EQUIPMENT, INFRASTRUCTURES AND ACTIVITIES OF COLLECTIVE INTEREST

The following equipment and infrastructures are of collective interest:

- (1) Polydor-Gauthier municipal wharf;
- (2) Skating oval (lac Masson and lac Dupuis);
- (3) Municipal library.

SCHEDULE B

(s. 28)

THOROUGHFARES FORMING THE ARTERIAL ROAD SYSTEM OF THE URBAN AGGLOMERATION

(1) The portion of chemin Estérel between the boundary of Ville d’Estérel and the intersection of chemin Masson;

(2) Rue des Lilas;

(3) The portion of rue de la Colline between the intersection of rue des Érables and the intersection of chemin Sainte-Marguerite;

(4) The portion of rue des Cèdres between the intersection of rue des Pins and the intersection of chemin Masson;

(5) The portion of chemin d’Entrelacs between the intersection of chemin Masson and the boundary of the town;

(6) The portion of chemin Masson between the intersection of chemin d’Entrelacs and the intersection of chemin de Chertsey;

(7) The portion of chemin de Chertsey between the intersection of chemin Masson and the boundary of the town, including the section approximately 3.1 kilometres in length situated in the territory of the reconstituted municipality (chemin Fridolin-Simard);

(8) The portion of rue du Baron-Louis-Empain between chemin de Chertsey and the municipal library.

SCHEDULE C

(s. 29)

**PROPERTY THAT BECOMES PROPERTY
OF THE RECONSTITUTED MUNICIPALITY**

(1) The former town hall of Ville d'Estérel at 115, chemin Dupuis : lot PC : 25, RG : BL, B 700, cadastre of the Parish of Sainte-Marguerite, registration division of Terrebonne, bearing file number F 6400 91 1446 00 0000 on the property assessment roll ;

(2) the public thoroughfares in the territory of the municipality, except those forming part of the arterial road system of the urban agglomeration ;

(3) the equipment and infrastructures for water supply and water purification in the territory of the municipality, except any works covered by the intermunicipal agreement entered into on 27 March 1992 between the former Paroisse de Sainte-Marguerite-du-Lac-Masson and the former Ville d'Estérel ;

(4) the office equipment and other movable property described in Schedule 2 to the report of Pierre Delisle dated 15 September 2005 ;

(5) the equipment and tools and mobile equipment described respectively in Schedules 3 and 4 of the aforementioned report of Pierre Delisle.

7243

Gouvernement du Québec

O.C. 1066-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Reconstitution of Ville d'Estérel

WHEREAS Ville de Sainte-Marguerite-Estérel was constituted by Order in Council 1200-2001 dated 10 October 2001 ;

WHEREAS the territory of the town comprises the territories of the former Paroisse de Sainte-Marguerite-du-Lac-Masson and the former Ville d'Estérel ;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Ville d'Estérel on the possibility of reconstituting that former municipality ;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act ;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Pierre Delisle to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations ;

WHEREAS Pierre Delisle reported to the Minister of Municipal Affairs and Regions on 15 September 2005 ;

WHEREAS it is expedient, pursuant to section 123 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), to order the reconstitution of Ville d'Estérel ;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, that Ville d'Estérel be reconstituted as of 1 January 2006, on the following conditions :

1. The town is a local municipality governed by the Cities and Towns Act (R.S.Q., c. C-19).

2. The territory of the municipality is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 16 March 2005 ; the territory is within the territory of Municipalité régionale de comté des Pays-d'en-Haut.

3. The first meeting of the council of the municipality will take place at 115, chemin Dupuis.

4. On being constituted, the municipality succeeds, in respect of its territory, to the rights and obligations of Ville de Sainte-Marguerite–Estérel relating to a municipal power other than an urban agglomeration power. All the acts performed by that town in their respect are deemed to be acts of the municipality. The municipality becomes, without continuance of suit, a party to any proceedings to which the former Ville d’Estérel was a party before the constitution of Ville de Sainte-Marguerite–Estérel.

The by-laws, resolutions or other instruments of the town, insofar as they are, immediately before the reconstitution of the municipality, applicable in all or part of the territory described in the Schedule and relate to a power referred to in the first paragraph, are deemed to be by-laws, resolutions and instruments of the municipality.

The first two paragraphs apply subject to any provision of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or of the urban agglomeration order for Sainte-Marguerite–Estérel made under section 135 of that Act.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY DETACHED FROM THE TERRITORY OF VILLE DE SAINTE- MARGUERITE–ESTÉREL AND ERECTED AS A LOCAL MUNICIPALITY UNDER THE NAME VILLE D’ESTÉREL, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DES PAYS-D’EN-HAUT

A territory that is currently part of Ville de Sainte-Marguerite–Estérel and erected as a local municipality under the name of Ville d’Estérel, in Municipalité régionale de comté des Pays-d’en-Haut, and that comprises all the lots of the cadastre of the parish of Sainte-Marguerite and their present and future subdivisions, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the apex of the north angle of lot 38 of range 8 Canton Wexford and that runs along the following lines and demarcations: southeasterly, the northeast line of the said lot; northeasterly part of the northwest line of block B to the apex of the north angle of the said block; successively southeasterly, northeasterly and again southeasterly, the northeast, northwest and again the northeast lines of block B to the northwest shore of lac Grenier; southwesterly, the northwest shore of the said lake to the northwesterly extension, in lac Grenier, of the northeast line of lot 40 of range 6 Canton Wexford; southeasterly,

the said extension then part of the line bordering the said lot to the northeast to the dividing line between ranges 6 Canton Wexford and 5 Canton Wexford; southwesterly, part of the dividing line between the said ranges to the northeast line of lot 40 of range 5 Canton Wexford; southeasterly, the northeast line of the said lot; southwesterly, part of the dividing line between the said cadastre and the cadastre of the township of Wexford to the southwest line of lot 40 of range 5 Canton Wexford of the cadastre of the parish of Sainte-Marguerite; in reference to that cadastre, northwesterly, the southwest line of the said lot; southwesterly part of the dividing line between ranges 5 Canton Wexford and 6 Canton Wexford to the apex of the south angle of lot 39 of range 6 Canton Wexford, that line crossing a bay of lac Grenier that it meets; northwesterly, part of the southwest line of the said lot and its extension in lac Grenier to the northwest shore of the said lake; successively northwesterly and southwesterly, the shore of the said lake to the northwesterly extension, across the said lake, of the northeast line of lot 37 of range 5 Canton Wexford; southeasterly, the said extension then part of the northeast line of the said lot to the northwest side of the right-of-way of chemin de Chertsey; southwesterly, the northwest side of the right-of-way of the said road to its meeting with the dividing line between block B of lot 36 and range 5 Canton Wexford; southeasterly, the dividing line between the said lots; southwesterly, the southeast line of block B; northwesterly, the dividing line between block B of lot 23 and range 5 Canton Wexford, that line crossing lac Castor twice; successively northeasterly and northwesterly, a northwest line then part of the southwest line of block B to the southeast side of the right-of-way of chemin Masson; northeasterly, the southeast side of the right-of-way of the said road to the south side of the right-of-way of the former chemin de Chertsey; generally easterly, the south side of the right-of-way of the former chemin de Chertsey bordering to the north block B to the north side of the right-of-way of the new chemin de Chertsey; westerly, the north side of the right-of-way of the said new road to the southeast shore of lac Masson; generally northeasterly, the shore of the said lake to its meeting with the northeasterly extension of the dividing line between ranges 5 Canton Wexford and 6 Canton Wexford; northeasterly, the said extension in lac Masson to its meeting with the southeasterly extension of the dividing line between block B of lot 30 and range 7 Canton Wexford; northwesterly, in lac Masson, the said extension to the northwest shore of the said lake; generally southwesterly, the northwest shore of the said lake to its meeting with the southwest line of block B; northwesterly, the southwest line of block B; northeasterly, the dividing line between block B of lots 27 to 30 and range 7 Canton Wexford; northwesterly, the dividing line between block B of lot 30 and ranges 7 Canton Wexford and 8 Canton Wexford; north-

easterly, the dividing line between block B of lots 31 to 36 and range 8 Canton Wexford; northwesterly, the southwest line of lot 37 of range 8 Canton Wexford; lastly, northeasterly, the northwest line of lots 37 and 38 of range 8 Canton Wexford to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 16 March 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

7244

Gouvernement du Québec

O.C. 1067-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Ville de Sainte-Marguerite-du-Lac-Masson

WHEREAS Ville de Sainte-Marguerite–Estérel was constituted by Order in Council 1200-2001 dated 10 October 2001;

WHEREAS the territory of the town comprises the territories of the former Paroisse de Sainte-Marguerite-du-Lac-Masson and the former Ville d'Estérel;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Ville d'Estérel on the possibility of reconstituting that town as a local municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by

section 148 of chapter 28 of the Statutes of 2005, designated Pierre Delisle to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Pierre Delisle reported to the Minister of Municipal Affairs and Regions on 15 September 2005;

WHEREAS, under section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), the Government may, by order, amend the charter of the central municipality;

WHEREAS, under section 131 of that Act, the amending order may, in the case of Ville de Sainte-Marguerite–Estérel, change the name of the town;

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

1. Section 1 of Order in Council 1200-2001 dated 10 October 2001, respecting the amalgamation of Paroisse de Sainte-Marguerite-du-Lac-Masson and Ville d'Estérel, is amended by replacing “Sainte-Marguerite–Estérel” by “Sainte-Marguerite-du-Lac-Masson”.

2. The territory of the town is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 22 March 2005.

3. Section 2 of the Order is revoked.

4. Section 20 of the Order is revoked.

5. The first and third paragraphs of section 21 of the Order in Council are amended by replacing “Sainte-Marguerite–Estérel” by “Sainte-Marguerite-du-Lac-Masson”.

6. The Schedule to the Order is revoked.

7. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE NEW TERRITORIAL BOUNDARIES OF VILLE DE SAINTE-MARGUERITE-DU-LAC-MASSON, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DES PAYS-D'EN-HAUT

The new territory of Ville de Sainte-Marguerite-du-Lac-Masson following the de-amalgamation of Ville d'Estérel, in Municipalité régionale de comté des Pays-d'en-Haut, and that comprises all the lots or parts of lots of the cadastre of the parish of Sainte-Marguerite, the blocks or parts of blocks and their present and future subdivisions and the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within two perimeters, each described more explicitly as follows:

First perimeter

Commencing at the apex of the north angle of lot 43 of range 11 Canton Wexford; thence, successively, the following lines and demarcations: southeasterly, northeasterly and again southeasterly, part of the broken dividing line between the cadastre of the parish of Sainte-Marguerite and the cadastre of the township of Wexford to the apex of the east angle of lot 51 of range 5 Canton Wexford of the cadastre of the parish of Sainte-Marguerite, that line across lac des Îles and lac Goulet that it meets; southwesterly, part of the dividing line between the said cadastres to the apex of the south angle of lot 41 of range 5 Canton Wexford of the cadastre of the parish of Sainte-Marguerite; in reference to the latter cadastre, northwesterly, the southwest line of the said lot; northeasterly, part of the dividing line between ranges 5 Canton Wexford and 6 Canton Wexford to the apex of the south angle of lot 41 of range 6 Canton Wexford; northwesterly, part of the southwest line of the said lot then its extension in lac Grenier to the northwest shore of the said lake; northeasterly, the northwest shore of the said lake to its meeting with the southwest line of lot 42 of range 6 Canton Wexford; northwesterly, part of the said lot line to the apex of the west angle of the said lot; southwesterly, part of the southeast line of range 7 Canton Wexford to the dividing line between block B and lot 39 of the said range; northwesterly, a northeast line of block B to the apex of the north angle of the said block; southwesterly, part of the southeast line of lot 39 of range 8 Canton Wexford to the apex of the south angle of the said lot; northwesterly, the southwest line of the said lot; southwesterly, part of the dividing line between ranges 9 Canton Wexford and 8 Canton Wexford to the apex of the north angle of lot 36 of range 8 Canton Wexford; southeasterly, the northeast line of the said lot; southwesterly, the dividing line between lots 36 to 31 of range 8 Canton Wexford and block B; south-

easterly, successively, part of the northeast line of lot 30 of range 8 Canton Wexford then the northeast line of lot 30 of range 7 Canton Wexford; southwesterly, the dividing line between lots 30 to 27 of range 7 Canton Wexford and block B; southeasterly, part of the northeast line of lot 26 of range 6 Canton Wexford to the northwest shore of lac Masson; northeasterly, the northwest shore of the said lake to its meeting with the southeasterly extension of the dividing line between lot 30 of range 7 Canton Wexford and block B; southeasterly, the said extension in lac Masson to its meeting with the northeasterly extension, in block B and lac Masson, the dividing line between ranges 5 Canton Wexford and 6 Canton Wexford; southwesterly, the said extension in lac Masson to the southeast shore of the said lake; generally southwesterly, the southeast shore of the said lake to the north side of the right-of-way of the new chemin de Chertsey; easterly, the north side of the right-of-way of the said road to its meeting with the extension of the south side of the right-of-way of the former chemin de Chertsey; generally westerly, the said extension then the south side of the right-of-way of the said road bordering block B to the north to the southeast side of the right-of-way of chemin Masson; successively southeasterly and southwesterly, the southwest and northwest lines of block B; southeasterly, the dividing line between lot 23 of range 5 Canton Wexford and block B, that line crossing lac Castor that it meets twice; southwesterly, part of the dividing line between ranges 5 Canton Wexford and 4 Canton Wexford to the apex of the south angle of lot 11 of range 5 Canton Wexford, the first segment of that line crossing lac Ashton that it meets and the last segment crossing chemin des Hauteurs and rivière Doncaster that it meets; northwesterly, the broken line bordering the cadastre of the parish of Sainte-Marguerite to the southwest to the apex of the west angle of lot 11 of range 11 Canton Wexford of the said cadastre, that line crossing Hauteurs and Pins routes, montée Gagnon and the watercourses that it meets; lastly, northeasterly, the dividing line between the cadastres of the parish of Sainte-Marguerite and of the township of Doncaster to the point of commencement, that line crossing lac Saint-Louis and route Masson that it meets.

Second perimeter

Commencing at the apex of the north angle of lot 39 of range 5 Canton Wexford of the cadastre of the parish of Sainte-Marguerite; thence, successively, the following lines and demarcations: in reference to that cadastre, southeasterly, the northeast line of the said lot; southwesterly, part of the dividing line between the said cadastre and the cadastre of the township of Wexford to the apex of the south angle of lot 36 of range 5 Canton Wexford; northwesterly, the southwest line of the said lot to the northwest side of the right-of-way of chemin

Chertsey; northeasterly, the northwest right-of-way of the said road to the southwest line of lot 38 of range 5 Canton Wexford; northwesterly, the southwest line of the said lot then its extension across lac Grenier to the northwest shore of the said lake; successively northeasterly and southeasterly, the shore of the said lake to the extension of the northeast line of lot 38 of range 6 Canton Wexford; southeasterly, the said extension then the said lot line; lastly, northeasterly, the dividing line between ranges 5 Canton Wexford and 6 Canton Wexford to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 22 March 2005

Prepared by: _____

JEAN-PIERRE LACROIX,
Land surveyor

7245

Gouvernement du Québec

O.C. 1068-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Urban agglomeration of Cookshire-Eaton

WHEREAS Ville de Cookshire-Eaton was constituted by Order in Council 858-2002 dated 10 July 2002;

WHEREAS the territory of the town comprises the territories of the former Ville de Cookshire, the former Municipalité d'Eaton and the former Canton de Newport;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Canton de Newport on the possibility of reconstituting the township as a local municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government may, by order, reconstitute as a local municipality the inhabitants and ratepayers of that sector;

WHEREAS the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the urban agglomeration of Cookshire-Eaton is made up of the territories of Ville de Cookshire-Eaton and Municipalité de Newport and determines the municipal powers that, rather than being exercised separately for each local municipal territory included in the urban agglomeration, must be exercised globally for the urban agglomeration;

WHEREAS Chapter IV of Title V of that Act provides that the Government may make an order designated as an "urban agglomeration order" for each urban agglomeration;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Roma Fluet to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Roma Fluet reported to the Minister of Municipal Affairs and Regions on 19 July 2005;

WHEREAS it is expedient to make an urban agglomeration order for the urban agglomeration of Cookshire-Eaton;

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

TITLE I OBJECT AND DEFINITIONS

1. The object of this Order is to supplement, for the urban agglomeration of Cookshire-Eaton, the rules prescribed by the Act respecting the exercise of certain municipal powers in certain urban agglomerations for the exercise of urban agglomeration powers.

2. In this Order, Ville de Cookshire-Eaton and Municipalité de Newport, whose territories make up the urban agglomeration of Cookshire-Eaton, hereinafter designated as the "urban agglomeration", are referred to respectively as the "central municipality" and the "reconstituted municipality". They are related municipalities.

The term “town”, used alone, designates Ville de Cookshire-Eaton as it existed before the coming into force of this Order; “former municipality” means Canton de Newport that ceased to exist upon the constitution of the town.

The urban agglomeration powers are those set out in Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; all other powers are referred to as local powers.

TITLE II

URBAN AGGLOMERATION COUNCIL AND COMMISSIONS

CHAPTER I

URBAN AGGLOMERATION COUNCIL

DIVISION I

NATURE AND COMPOSITION

3. The council of the central municipality is the urban agglomeration council.

Its composition is, however, enlarged in the manner provided in section 4.

4. For the purpose of constituting the urban agglomeration council, the council of the central municipality is composed of the members elected to it and of the mayor of the reconstituted municipality.

5. If the office of mayor of the reconstituted municipality is vacant or the holder of the office is unable to act, a councillor may replace the mayor as the representative of the municipality.

The municipality may designate, on an ad-hoc basis or in advance of the event, the councillor who is to replace the mayor.

A designation made in advance, unless revoked, is valid until the term of office of the designated person as councillor expires.

The person may not sit on the urban agglomeration council until an authenticated copy of the resolution designating the person has been received by the central municipality.

6. The enlargement of the composition of the council of the central municipality for the purpose of constituting the urban agglomeration council has no effect on the existence of special positions, such as the positions of

chair and vice-chair, or on the identity of the holders of those positions. The functions of those positions are exercised by those holders on the urban agglomeration council.

DIVISION II

ASSIGNMENT OF VOTES

7. The representative of the reconstituted municipality has one vote.

The body of representatives of the central municipality has a number of votes equal to the quotient obtained by dividing the population of the central municipality by the population of the reconstituted municipality.

Each representative of the central municipality has a number of votes equal to the quotient obtained by dividing the number of votes assigned to the representation of the central municipality by the number of its representatives.

For the purposes of the second paragraph, the population of the municipalities is the population that exists at the time of the vote for which the number of votes of each member of the urban agglomeration council is to be determined. If, at that time, the order of the Government determining in advance the population for the following calendar year has been published in the *Gazette officielle du Québec*, that population figure is to be used.

8. If the quotient calculated under the second or third paragraph of section 7 is a decimal number, the first two decimals are used and, if the third decimal would have been greater than 4, the second decimal is increased by 1.

DIVISION III

OTHER RULES

9. All the rules that pertain to the council of the central municipality, except as regards the composition of the council and the assignment of votes to the members, continue to apply when the council acts as the urban agglomeration council.

CHAPTER II

AGGLOMERATION COMMISSIONS

10. Where an Act or statutory instrument provides for the creation of a commission by a municipal council, only the urban agglomeration council may create the commission if the functions to be assigned to the commission involve in whole or in part any matter relating to urban agglomeration powers.

The urban agglomeration council is to designate at least one member of the council of the reconstituted municipality to sit as a member of the commission.

For the purposes of the first two paragraphs, “commission” means any commission or committee that has study, advisory or recommendation functions intended to facilitate decision-making by a council or an executive committee.

TITLE III

CONDITIONS OF EMPLOYMENT OF ELECTED OFFICERS

CHAPTER I

REMUNERATION

DIVISION I

INTERPRETATION

11. For the purposes of Divisions II and III,

(1) “Act” means, except in the title of an Act, the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001);

(2) “compensation” means the expense allowance under the Act.

DIVISION II

REMUNERATION AND COMPENSATION

12. No remuneration or compensation is to be paid by a related municipality to its council members, despite section 17 of the Act, unless the remuneration is fixed in a by-law in force adopted by the related municipality under section 2 of the Act.

Each related municipality must at all times have such a by-law in force.

13. For the purpose of determining the remuneration and compensation that may be paid by the central municipality, the urban agglomeration council and the regular council have concurrently the powers set out in Division I of Chapter II of the Act.

The urban agglomeration council exercises any of those powers to fix in respect of its members any basic or additional remuneration attached to the functions incidental to the exercise of urban agglomeration powers.

Where an urban agglomeration commission pursuant to section 10 has as a member a person who is not a member of the urban agglomeration council, the urban

agglomeration council also has, in respect of that person, the power provided for in the first paragraph of section 70.0.1 of the Cities and Towns Act (R.S.Q., c. C-19) or article 82.1 of the Municipal Code of Québec (R.S.Q., c. C-27.1).

The regular council of the central municipality exercises any power referred to in the first or third paragraph to fix any basic or additional remuneration attached to functions other than those incidental to the exercise of urban agglomeration powers. The same applies to the council of the reconstituted municipality.

If the draft by-law referred to in section 8 of the Act is a by-law of the urban agglomeration council, the executive committee referred to in that section is the executive committee of the central municipality.

14. For the purpose of establishing the minimum remuneration

(1) for the mayor of the central municipality, section 12 of the Act is applied, with reference to the sum of the populations of the related municipalities, including a population figure increased pursuant to section 13 of the Act;

(2) for the councillors of the central municipality, section 15 of the Act is applied, with reference to one-third of the minimum remuneration of the mayor of the municipality, as established with the modification under subparagraph 1;

(3) for the mayor of the reconstituted municipality, the amount used is the greater of the amount established in the mayor’s respect under sections 12 to 14 of the Act and the amount established with the modification under subparagraph 2 for the councillors of the central municipality;

(4) for a councillor of the reconstituted municipality who is a member of the urban agglomeration council, section 15 of the Act applies, with reference to one-third of the minimum remuneration of the mayor, as established with the modification under subparagraph 3; and

(5) for a councillor of the reconstituted municipality who is not a member of the urban agglomeration council, section 15 of the Act is applied without modification as are the sections to which section 15 refers.

If the minimum established under the first paragraph in respect of a person is less than the minimum provided for in the person’s respect in section 16 of the Act, the latter minimum applies.

15. Despite section 4 of the Act, in the case of a person entitled to basic remuneration as a member of the urban agglomeration council and as a member of the regular council of the central municipality or of the council of the reconstituted municipality, the minimum established in the person's respect is in reference to the aggregate remuneration rather than to each individual remuneration.

If that aggregate is less than the minimum, the regular council of the central municipality or the council of the reconstituted municipality, as the case may be, is to amend its by-law to make up the difference by increasing the mayor's or councillors' basic remuneration attached to the functions other than those incidental to the exercise of urban agglomeration powers.

16. If the concurrent exercise of powers by the urban agglomeration council and the regular council of the central municipality or the council of the reconstituted municipality is likely to entail in respect of a person an excess referred to in the second paragraph, the excess is deducted from the amount that the person would receive as remuneration or compensation attached to the functions incidental to the exercise of urban agglomeration powers.

The excess referred to arises when the aggregate remuneration or compensation that a person would otherwise be entitled to receive from the central municipality only, or from both the central municipality and the reconstituted municipality, exceeds the maximum under section 21 or 22, as the case may be, of the Act.

17. The urban agglomeration council has the powers set out in section 24 of the Act as regards the terms and conditions of payment of the remuneration it has fixed and of any additional compensation.

The executive committee to which the urban agglomeration council may make the delegation referred to in that section is, if applicable, the executive committee of the central municipality.

DIVISION III

OTHER COMPONENTS OF REMUNERATION

18. If an act likely to entail reimbursable expenses under Chapter III of the Act is performed by a member of the urban agglomeration council in connection with functions incidental to the exercise of urban agglomeration powers, the council and, if applicable, the executive committee of the central municipality have, in respect of that act and those expenses, the powers assigned by that Chapter respectively to the council and the executive committee of a local municipality.

Where an urban agglomeration commission pursuant to section 10 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of the act and expenses of that person, the power provided for in the second paragraph of section 70.0.1 of the Cities and Towns Act or article 82.1 of the Municipal Code of Québec.

19. The first paragraph of section 18 also applies if the act is performed by the mayor or a councillor of the central municipality in connection with functions incidental to the exercise of urban agglomeration powers and with other functions.

In such a case, the expenses reimbursed by the municipality are mixed expenses and are subject to the by-law of the urban agglomeration council that establishes any criterion to determine which part of a mixed expense constitutes an expense incurred in the exercise of an urban agglomeration power.

20. The urban agglomeration council does not have the power provided for in Chapter III.1 of the Act that relates to compensation for loss of income.

21. The urban agglomeration council is not a council to which Chapter IV of the Act applies as regards severance and transition allowances, and the urban agglomeration council has none of the powers provided for in that Chapter.

The remuneration received by a person under a by-law adopted by the urban agglomeration council is considered, for the purposes of the calculation of the amount of the allowance, to be remuneration paid by a supramunicipal body.

CHAPTER II

PENSION PLAN

22. The urban agglomeration council is not a council to which the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) applies, subject to section 23, and has none of the powers provided for in that Act as regards membership in the plan.

23. For the purposes of the plan provided for in that Act, the remuneration that a person receives or received under a by-law adopted by the urban agglomeration council is considered, for the purpose of establishing the person's pensionable salary, to be remuneration paid by a supramunicipal body. The urban agglomeration council is, for the purposes of section 17 of that Act, deemed to constitute the board of such a body.

The central municipality acts as such a body, regarding the contribution, in respect of the part of the person's pensionable salary that corresponds to the remuneration referred to in the first paragraph.

CHAPTER III **AGGLOMERATION EXPENDITURES**

24. Expenditures related to the remuneration fixed by the urban agglomeration council under Division II of Chapter I, including any additional compensation and contributions paid for pension plan purposes on the basis of the remuneration, are deemed to be incurred in the exercise of urban agglomeration powers.

Expenditures related to the reimbursements referred to in section 18 are also deemed to be incurred in the exercise of those powers.

25. Expenditures related to the conditions of employment, other than those covered by Chapters I and II, of the members of a deliberative body authorized to exercise urban agglomeration powers are deemed to be incurred in the exercise of urban agglomeration powers if the conditions are established by the urban agglomeration council.

The same applies to expenditures related to the conditions of employment of the mayor or a councillor of the central municipality, if the conditions are not covered by Chapters I and II or by the first paragraph, and the expenditures related to the conditions are created in connection with functions incidental to the exercise of urban agglomeration powers.

26. If the expenditures related to the conditions of employment referred to in the second paragraph of section 25 are created in connection with functions incidental to the exercise of urban agglomeration powers and with other functions, the expenditures are mixed and are subject to the by-law referred to in the second paragraph of section 19.

TITLE IV **SHARING OF ASSETS AND LIABILITIES**

CHAPTER I **ASSETS**

27. The property listed in the Schedule becomes the property of the reconstituted municipality.

28. All property not referred to in section 27 remains the property of the central municipality.

If the central municipality alienates the property, the proceeds of the alienation, or the part, if any, of the proceeds that exceeds the amount of the debt against the property, is to be apportioned among the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.

29. Every document of the town that before its constitution was the property of Canton de Newport becomes the property of the reconstituted municipality.

The central municipality has a right of access to all such documents as if they had been filed in the municipal archives and may obtain copies of them without charge. The same applies to the reconstituted municipality in respect of documents held by the central municipality that were created between the time the town was constituted and the time this Order comes into force.

CHAPTER II **LIABILITIES**

DIVISION I **DEBTS OF THE RECONSTITUTED** **MUNICIPALITY**

30. Among the debts that exist immediately before the reorganization of the town, those that were contracted by the former municipality and that were financed, immediately before the reorganization, by revenue derived exclusively from the territory of that municipality become debts of the reconstituted municipality.

The same applies to debts contracted by the town that relate to property, services or activities that concern local powers, if

(1) the debt is entirely financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of the reconstituted municipality; or

(2) the debt is partially financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of the reconstituted municipality, as regards the part of the debt corresponding to the share of the benefit derived by the reconstituted municipality from the property, services or activities.

31. Debt securities relating to a debt to which section 30 refers are, if in the name of the former municipality immediately before the reorganization, deemed to be in the name of the reconstituted municipality which becomes the debtor of the secured debt. The financing rules applicable immediately before the reorganization continue to apply.

32. Despite section 30, the central municipality remains the debtor of the debts referred to in that section that, immediately before the reorganization, are not secured by debt instruments or are secured by such instruments in the name of the central municipality until, if applicable, replacement debt instruments are issued in the name of the reconstituted municipality.

The financing rules provided for in the by-law pursuant to which the debt was contracted cease to apply; the reconstituted municipality pays to the central municipality the amounts necessary for that purpose, on the terms and conditions the central municipality establishes, which the reconstituted municipality is to finance through revenue determined by a by-law approved by the Minister of Municipal Affairs and Regions. The reconstituted municipality may also, in a by-law not requiring approval by the Minister, make a borrowing as an advance payment to the central municipality of the sums necessary to repay the debts the central municipality is to temporarily assume under the first paragraph.

As soon as debt instruments are issued in the name of the reconstituted municipality, the financing method determined by the by-law referred to in the second paragraph applies to the repayment of the debt secured by those instruments.

DIVISION II

DEBTS OF THE CENTRAL MUNICIPALITY

§1. General

33. A debt of the town that does not become a debt of the reconstituted municipality remains a debt of the central municipality.

Where expenditures relating to such a debt were financed, immediately before the reorganization, by a source of revenue specific to that purpose, that source continues to apply with the necessary modifications. The central municipality may, however, finance the expenditures, subject to subdivision 4 and the town's constituting act, by revenue not reserved for other purposes or by appropriating another source of revenue it determines. For that purpose, the urban agglomeration council and the regular council exercise respectively the powers provided for in subdivisions 2 and 3.

For the purposes of this Division, the central municipality is authorized, for the purpose of collecting revenues in the territory of the reconstituted municipality, to use any source of financing it is authorized to use in its own territory.

§2. Debts incidental to urban agglomeration powers

34. The financing of expenditure relating to the following debts is within urban agglomeration powers:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived from a territory extending beyond the territory of the central municipality;

(2) debts contracted by the town and related to property, services or activities within urban agglomeration powers;

(3) debts contracted by the town and related to property, services or activities within local powers, if

(a) they are financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of the reconstituted municipality; and

(b) it is impossible to apportion the benefit related to the property, services or activities concerned on the basis of the territory of the related municipalities;

(4) debts contracted by the town related to equipment, infrastructures and activities of collective interest and financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of the reconstituted municipality; and

(5) debts the town assumed at the time of its constitution following the dissolution of a supramunicipal body exercising powers in a territory corresponding to the urban agglomeration territory or to any part of that territory extending beyond the territory of the central municipality.

The revenues and expenditures relating to such a debt are urban agglomeration revenues and expenditures.

§3. Debts incidental to the powers of the regular council of the central municipality

35. The financing of expenditure relating to the following debts is within the powers of the regular council of the central municipality:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived exclusively from the territory of the central municipality; and

(2) debts contracted by the town and related to property, services or activities within local powers, as regards the part of the debts that corresponds to the share of the benefit derived by the central municipality from the property, services or activities.

§4. *Specific debts*

36. The debts referred to in section 34 include the debts arising out of borrowings under by-laws 353 and 414 of the former Ville de Cookshire and, in a proportion of 20%, the debt arising out of the borrowing under by-law 19-2003 of the town.

37. The debts referred to in section 35 include the debts arising out of borrowings under by-laws 06-2002 and 17-2003 and, in a proportion of 80%, under by-law 19-2003 of the town.

38. Despite section 34, the debt arising out of the borrowing under by-law 360 of the former Ville de Cookshire is to be financed by revenue derived exclusively from the territory of the central municipality.

CHAPTER III PROVISIONS OF A FINANCIAL NATURE

39. The unpaid balance, as it exists immediately before the coming into force of this Order, of a deficit whose related expenditures must be financed by revenue derived exclusively from the territory of the former municipality or a part of that territory becomes a deficit of the reconstituted municipality.

The unspent balance, as it exists immediately before the coming into force of this Order, of a surplus that is for the exclusive benefit of the inhabitants and rate payers of the territory of the former municipality or a part of that territory becomes a surplus of the reconstituted municipality.

40. A deficit or surplus of the town that is not covered by section 39 and that exists immediately before the coming into force of this Order remains a deficit or surplus of the central municipality.

Subject to the constituting act of the town, the central municipality must cover the deficit or use the surplus in the exercise of urban agglomeration powers. In the case where the town has a surplus, the central municipality must, before using it in the exercise of urban agglomeration powers, use the surplus to pay a sum of money to the reconstituted municipality, up to the amount avail-

able, that corresponds to the revenue derived from the territory of the reconstituted municipality that was collected by the town to finance the expenditures related to the holding of the 2005 general election.

41. Section 40 applies, with the necessary modifications, in respect of any of the town's funds that exist immediately before the reorganization.

Despite the foregoing, a fund created specifically for the exercise of a power other than an urban agglomeration power preserves its original purpose.

In the case of such a fund created using revenue derived exclusively from a territory that is to become the territory of the reconstituted municipality, the monies that are in the fund immediately before the reorganization and have not already been appropriated become that municipality's monies.

If the revenues used to create such a fund are derived exclusively from the territory of local municipalities that ceased to exist on the constitution of the town, at least one of which is to become the territory of the reconstituted municipality, that reconstituted municipality is entitled to part of the monies referred to in the first paragraph. That part is equal to the fraction of the total standardized property value of the territories concerned that is attributable to that municipality's territory.

42. The town's working fund, as it exists immediately before the reorganization, remains that of the central municipality. Reimbursement of the part of the fund already appropriated at the time of the reorganization remains chargeable to all the ratepayers of the related municipalities and the sums recovered accordingly, as is the case for the unappropriated balance of the fund, may be reallocated only to urban agglomeration powers, subject to a sharing agreement between the related municipalities.

Where applicable, the central municipality must keep separate accounts to identify any part of the fund reserved exclusively for its own territory.

43. The related municipalities share the revenues and costs relating to any legal contestation or a dispute to which one of them is a party in respect of an event posterior to the constitution of the town and preceding the coming into force of this Order. The sharing is to be made in proportion to the standardized property value of each related municipality as it exists at the time of the coming into force of this Order.

TITLE V TRANSITIONAL AND FINAL

44. The payment of severance and transition allowances provided for in sections 30.1 and 31 of the Act respecting the remuneration of elected municipal officers to any member of the town council is, if applicable, deferred in accordance with sections 31.2, 31.4 and 31.5 of that Act which apply with the necessary modifications. Despite that section 31.2, “former municipality” means the town and “new municipality” means the reconstituted municipality.

45. Every agreement or contract to which the town is a party that continues to have effect after 31 December 2005 in the territory of the reconstituted municipality is deemed to concern urban agglomeration matters until the date on which it expires or the date of the day preceding the date of its renewal. The revenues and expenditures relating to the agreement or contract are urban agglomeration revenues and expenditures.

For the purpose of financing the expenditures referred to in the first paragraph, the urban agglomeration council may

(1) use any method provided for in section 85 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; or

(2) fix by by-law the share of the expenditures relating to a contract or an agreement to be payable by each municipality concerned.

The first two paragraphs do not apply to a contract or an agreement that applies exclusively in the territory of one reconstituted municipality only and that concerns only local matters. The reconstituted municipality succeeds to the rights and obligations of the town in respect of such a contract or agreement.

46. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

(s. 27)

PROPERTY THAT BECOMES THE PROPERTY OF THE RECONSTITUTED MUNICIPALITY

Immovable and movable property

The following immovable property and any movable property situated in or on the immovable and intended to ensure its usefulness becomes the property of Municipalité de Newport:

(1) the immovable situated at 1452, route 212, situated on lots 10D and 10O-P of range 6, cadastre of Canton de Newport;

(2) the immovable known as the Island Brook playground, situated on route 212 on lot 29 of range 5, cadastre of Canton de Newport;

(3) the immovable known as being lot 17B-P in range 5, cadastre of Canton de Newport, situated on route 212, bearing file number 3128 91 6997 on the town's property assessment roll;

(4) the immovable known as being lot 19B-P in range 5, cadastre of Canton de Newport, situated on route 212 bearing file number 3328 33 6826 on the town's property assessment roll;

(5) the immovable known as being lot 21-P in range 11, cadastre of Canton de Newport, bearing civic address 2019, route 910, known as the Saint-Mathias playground;

(6) the immovable known as being lot 11F-P in range 6, cadastre of Canton de Newport, situated on chemin Alden, bearing file number 2827 43 3835 on the town's property assessment roll;

(7) the immovable known as being lot 13D-P in range 6, cadastre of Canton de Newport, situated on chemin New Mexico, bearing file number 3027 00 3739 on the town's property assessment roll;

(8) the public thoroughfares in the territory of the municipality;

(9) the equipment and infrastructures for water supply and water purification in the territory of the municipality.

Other movable property

(1) a 1975 John Deere 700 grader, bearing registration plate FW 95493-6;

(2) a 1998 Ford van, bearing registration plate FF38090-5.

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Gouvernement du Québec

O.C. 1069-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Ville de Cookshire-Eaton

WHEREAS Ville de Cookshire-Eaton was constituted by Order in Council 858-2002 dated 10 July 2002;

WHEREAS the territory of the town comprises the territories of the former Ville de Cookshire, the former Municipalité d'Eaton and the former Canton de Newport;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sectors of the town corresponding to the territory of the former municipalities on the possibility of reconstituting them as local municipalities;

WHEREAS the answer given to the referendum question by the qualified voters was, in the sector of the town corresponding to the territory of the former Canton de Newport, deemed to be affirmative within the meaning of section 43 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities and, consequently, the Government may, by order, reconstitute as a local municipality the inhabitants and ratepayers of that sector;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Roma Fluet to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Roma Fluet reported to the Minister of Municipal Affairs and Regions on 19 July 2005;

WHEREAS, under section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), the Government may, by order, amend the charter of the central municipality;

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

1. The territory of Ville de Cookshire-Eaton is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 1 March 2005.

2. Section 2 of Order in Council 858-2002 dated 10 July 2002 respecting the amalgamation of Ville de Cookshire, Municipalité d'Eaton and Canton de Newport, is revoked.

3. Chapter II of the Order is revoked.

4. Sections 20 and 36 of the Order are revoked.

5. The first paragraph of section 47 of the Order is amended by replacing "within four years of the coming into force of this Order in Council" by "before 24 July 2009".

6. Schedule A to the Order is revoked.

7. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE**OFFICIAL DESCRIPTION OF THE NEW TERRITORIAL BOUNDARIES OF VILLE DE COOKSHIRE-EATON, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DU HAUT-SAINT-FRANÇOIS**

The new territory of Ville de Cookshire-Eaton, in Municipalité régionale de comté du Haut-Saint-François, following the de-amalgamation of Municipalité de Newport, comprises all the lots of the cadastre of the township of Eaton and their present and future subdivisions and those of the cadastre of Québec on the date of this description and their successor lots, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing

at the apex of the northeast angle of the cadastre of the township of Eaton and that runs along the following lines and demarcations: southerly, the dividing line between the cadastres of the townships of Eaton and Newport crossing routes 108, 212 and 210 and rivière Eaton Nord that it meets; westerly, successively, the dividing line between the cadastres of the townships of Eaton and Clifton, in the cadastre of Québec, the north line of lots 1 804 472, 1 804 474, 1 804 146, 1 803 889, part of the north line of lot 1 803 150 to the apex of the southeast angle of lot 2 132 160 then the south line of lots 2 132 160, 2 129 338, 2 132 066, 2 129 336, 2 132 065, 2 129 334, 2 132 163, 2 132 188, 2 129 112, 2 132 074, 2 132 191 and 2 340 659 of the cadastre of Québec, that line crossing rivière aux Saumons and route 255 that it meets; in reference to the latter cadastre, northerly, the west line of lots 2 340 659, 2 132 193, 2 132 070, 2 340 657, 2 129 134, 2 340 908, 2 129 074, 2 340 830, 2 129 136, 2 132 249, 2 129 076, 2 129 078, 2 132 056, 2 132 108, 2 129 080, 2 132 216, 2 129 085, 2 132 108 and 2 129 142, that line crossing rivière aux Saumons that it meets; easterly, part of the north line of lot 2 129 142 to the apex of the southwest angle of lot 2 129 147; northerly, the line bordering to the west lots 2 129 147, 2 129 145, 2 129 146 and a west line of lot 2 132 109; northwesterly, a southwest line of lot 2 132 109 to the apex of the southwest angle of the said lot; northerly, a west line of lot 2 132 109 and the west line of lots 2 132 083, 2 132 218, 2 129 087 to 2 129 089, 2 129 176 and the extension of the latter line in rivière Saint-François, skirting to the east the islands met, to the centre line of that river; generally northeasterly, the centre line of rivière Saint-François upstream to its meeting with the extension of the north line of lot 2 132 143; easterly, the said extension, the north line of lot 2 132 143 and part of the north line of lot 2 132 139 to the apex of the southwest angle of lot 2 129 279; northerly, the west line of lots 2 129 279, 2 132 140, 2 129 287, 2 129 286 and 2 129 288 crossing rivière Saint-François that it meets; easterly, the north line of lots 2 129 288, 2 129 289, 2 132 116, 2 129 333, 2 132 141, 2 132 156 and 2 132 155 crossing rivière Saint-François that it meets; southerly, the east line of lots 2 132 155, 2 129 440, 2 132 115, 2 129 424, and part of the east line of lot 2 132 158 to the dividing line between ranges 7 and 8 of the cadastre of the township of Eaton, that line crossing chemin Gagnon that it meets; in reference to the latter cadastre, easterly, part of the dividing line between the said ranges, crossing chemin de Sand Hill that it meets, to the apex of the southwest angle of lot 23B of range 8; northerly, the west line of the said lot; easterly, part of the dividing line between ranges 8 and 9 to the apex of the southwest angle of lot 21C of range 9; northerly, the west line of lots 21C of range 9, 21B, 21D and 21F of range 10 and 22B of range 11 to the dividing line between the cadastres of the townships of Eaton and Westbury, that line crossing

chemin Westleyville that it meets; lastly, easterly, part of the dividing line between the said cadastres to the point of commencement, crossing route 253, rivière Eaton, the railway right-of-way (lot 29 of the cadastre of the township of Eaton) and other thoroughfares and watercourses that it meets.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 1 March 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

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Gouvernement du Québec

O.C. 1070-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations
(R.S.Q., c. E-20.001)

Reconstitution of Municipalité de Newport

WHEREAS Ville de Cookshire-Eaton was constituted by Order in Council 858-2002 dated 10 July 2002;

WHEREAS the territory of the town comprises the territories of the former Ville de Cookshire, the former Municipalité d'Eaton and the former Canton de Newport;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Canton de Newport on the possibility of reconstituting the township as a local municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government may, by order, reconstitute as a local municipality the inhabitants and ratepayers of that sector;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by

section 148 of chapter 28 of the Statutes of 2005, designated Roma Fluet to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Roma Fluet reported to the Minister of Municipal Affairs and Regions on 19 July 2005;

WHEREAS it is expedient, pursuant to section 123 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), to order the reconstitution of Municipalité de Newport;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, that Municipalité de Newport be reconstituted as of 1 January 2006, on the following conditions:

1. The municipality is a local municipality governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

2. The territory of the municipality is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 1 March 2005; the territory is within the territory of Municipalité régionale de comté du Haut-Saint-François.

3. The first meeting of the council of the municipality will take place at 1452, route 112.

4. The municipality is deemed to have obtained a recognition under the second paragraph of section 29.1 of the Charter of the French language (R.S.Q., c. C-11).

5. On being constituted, the municipality succeeds, in respect of its territory, to the rights and obligations of Ville de Cookshire-Eaton relating to a municipal power other than an urban agglomeration power. All the acts performed by the town in their respect are deemed to be acts of the municipality. The municipality becomes, without continuance of suit, a party to any proceedings to which Canton de Newport was a party before the constitution of the town.

The by-laws, resolutions or other instruments of the town, insofar as they are, immediately before the reconstitution of the municipality, applicable in all or part of the territory described in the Schedule and relate to a power referred to in the first paragraph, are deemed to be by-laws, resolutions and instruments of the municipality.

The first two paragraphs apply subject to any provision of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or of the urban agglomeration order for Cookshire-Eaton made under section 135 of that Act.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY DETACHED FROM THE TERRITORY OF VILLE DE COOKSHIRE-EATON AND ERECTED AS A LOCAL MUNICIPALITY UNDER THE NAME MUNICIPALITÉ DE NEWPORT, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DU HAUT-SAINT-FRANÇOIS

A territory that is currently part of Ville de Cookshire-Eaton and erected as a local municipality under the name Municipalité de Newport, in Municipalité régionale de comté du Haut-Saint-François, and that comprises all the lots of the cadastre of the township of Newport and their present and future subdivisions, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the apex of the northeast angle of lot 28 of range 1 of the said cadastre and that runs along the following lines and demarcations: southerly, the dividing line between the cadastres of the townships of Newport and Ditton across route 212 and rivière Eaton that it meets; westerly, the dividing line between the cadastre of the township of Newport and the cadastres of the townships of Auckland and Clifton across route du Dixième-Rang that it meets; northerly, the dividing line between the cadastres of the townships of Newport and Eaton across routes 210, 212 and 108 and rivière Eaton Nord that it meets; lastly, easterly, the dividing line between the cadastre of the township of Newport and the cadastres of the townships of Westbury, Bury and Hampden to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 1 March 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

Gouvernement du Québec

O.C. 1071-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Ville de Mont-Tremblant and Municipalité de Lac-Tremblant-Nord

WHEREAS Ville de Mont-Tremblant was constituted by Order in Council 1294-2000 dated 8 November 2000;

WHEREAS the territory of the town comprises the territories of the former municipalities of Mont-Tremblant and Lac-Tremblant-Nord, the former Ville de Saint-Jovite and the former Paroisse de Saint-Jovite;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Municipalité de Lac-Tremblant-Nord on the possibility of reconstituting that municipality as a local municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Michel Hamelin to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Michel Hamelin reported to the Minister of Municipal Affairs and Regions on 12 July 2005;

WHEREAS, under Order in Council 845-2005 dated 14 September 2005 respecting the reconstitution of Municipalité de Lac-Tremblant-Nord, Municipalité de Lac-Tremblant-Nord will be reconstituted as of 1 January 2006;

WHEREAS, under section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), the Government may, by order, amend the charter of the central municipality;

WHEREAS it is expedient to amend Order in Council 845-2005 dated 14 September 2005 respecting the reconstitution of Municipalité de Lac-Tremblant-Nord to mention that the municipality is deemed to have obtained a recognition under the second paragraph of section 29.1 of the Charter of the French language (R.S.Q., c. C-11);

WHEREAS it is also expedient to amend Order in Council 845-2005 dated 14 September 2005 respecting the urban agglomeration of Mont-Tremblant to clarify the sharing of the assets of Ville de Mont-Tremblant;

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

1. The territory of Ville de Mont-Tremblant is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 4 April 2005.

2. Section 2 of Order in Council 1294-2000 dated 8 November 2000 respecting the amalgamation of Municipalité de Mont-Tremblant, Ville de Saint-Jovite, Municipalité de Lac-Tremblant-Nord and Paroisse de Saint-Jovite, is revoked.

3. The first paragraph of section 27 of the Order in Council is amended by replacing “within four years of the coming into force of this Order in Council” by “before 22 November 2009”.

4. Schedule A to the Order is revoked.

5. Section 5 of the Act respecting the amalgamation of Municipalité de Mont-Tremblant, Ville de Saint-Jovite, Municipalité de Lac-Tremblant-Nord and Paroisse de Saint-Jovite (1999, c. 88) is repealed.

6. Order in Council 845-2005 dated 14 September 2005 respecting the reconstitution of Municipalité de Lac-Tremblant-Nord is amended by inserting the following after section 3:

“**3.1.** The municipality is deemed to have obtained a recognition under the second paragraph of section 29.1 of the Charter of the French language (R.S.Q., c. C-11).”.

7. Order in Council 846-2005 dated 14 September 2005 respecting the urban agglomeration of Mont-Tremblant is amended by inserting the following after section 29:

“**29.1.** Any property not referred to in section 29 remains the property of the central municipality.

If the central municipality alienates the property, the proceeds of the alienation, or the part, if any, of the proceeds that exceeds the amount of the debt against the property, is to be apportioned among the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.”

8. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE NEW TERRITORIAL BOUNDARIES OF VILLE DE MONT-TREMBLANT, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DES LAURENTIDES

The new territory of Ville de Mont-Tremblant following the de-amalgamation of Municipalité de Lac-Tremblant-Nord, in Municipalité régionale de comté des Laurentides, comprises in reference to the cadastres of the townships of Clyde, De Salaberry and Grandison, the lots or parts of lots and their present and future subdivisions, the blocks or parts of blocks and all the lots of the cadastre of Québec on the date of this description and their successor lots, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the apex of the northwest angle of the cadastre of the township of Grandison and that runs along the following lines and demarcations: southeasterly, the northeast line of the said cadastre, that line crossing rivière du Diable that it meets; southerly, the broken dividing line between the cadastres of the townships of Grandison and De Salaberry and the cadastre of the township of Wolfe, that line crossing chemin Duplessis, rivière du Diable several times, rivière Le Boulé, lac Gauthier, Lac-Gauthier and Septième-Rang roads, the right-of-way of a railway (lot 602 of the cadastre of the township of De Salaberry), route 117 and chemin du Lac-Sauvage that it meets; generally westerly, part of the broken dividing line between the cadastres of the townships of De Salaberry and Arundel to the dividing line between lots 45 and 46 of the cadastre of the township of De Salaberry, that line crossing route 327 and rivière Rouge that it meets twice; in reference to that cadastre, northerly, the dividing line between the said lots, that line extending across rivière du Diable that it meets twice; easterly, the north line of lots 45 and 44, crossing rivière du Diable that it meets, to the west line of lot 89; northerly, the west line of the said lot, crossing rivière du Diable that it meets four times; westerly, the south

line of lots 149 to 156, that line passing, as the case may be, by the south side of the right-of-way of a public road shown on the original (route 323) and crossing rivière du Diable that it meets; northerly, the west line of lot 156; westerly, the south line of lots 168 back to 163; northerly, part of the dividing line between the cadastre of the township of De Salaberry and the cadastres of the townships of Amherst and Clyde to the apex of the southeast angle of lot 1 of range B of the cadastre of the township of Clyde, that line crossing rivière Rouge that it meets twice, route 117 and chemin des Hirondelles that it meets; in reference to the latter cadastre, westerly, the south line of lots 1 to 8 of range B, that line extending across an unnamed lake that it meets; northerly, the west line of lot 8 of the said range; westerly, part of the dividing line between ranges C and B to the dividing line between lots 10 and 11 of range C; northerly, the dividing line between the said lots in ranges C, D and E, that line extending across chemin du Lac-Mercier and the right-of-way of a railway (lot 52) that it meets; easterly, part of the dividing line between the cadastres of the townships of Clyde and Joly to the west line of lot 2 803 090 of the cadastre of Québec; lastly, northerly, successively, the west line of lots 2 803 090, 2 802 933 to 2 802 943, 2 802 945, 2 803 498, 2 802 890, 3 353 556, 2 803 649 then part of the west line of the cadastre of the township of Grandison to the point of commencement, that line crossing lac Tremblant that it meets.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 4 April 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

7249

Gouvernement du Québec

O.C. 1072-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations
(R.S.Q., c. E-20.001)

Urban agglomeration of Rivière-Rouge

WHEREAS Ville de Rivière-Rouge was constituted by Order in Council 1439-2002 dated 11 December 2002;

WHEREAS the territory of the town comprises the territories of the former Village de L'Annonciation, the former Village de Sainte-Véronique, the former Municipalité de Marchand and the former Municipalité de La Macaza;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Municipalité de La Macaza on the possibility of reconstituting that municipality as a local municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and consequently, the Government may, by order, reconstitute as a local municipality the inhabitants and ratepayers of that sector;

WHEREAS the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001) provides that the urban agglomeration of Rivière-Rouge is made up of the territories of Ville de Rivière-Rouge and Municipalité de La Macaza and determines the municipal powers that, rather than being exercised separately for each local municipal territory included in the urban agglomeration, must be exercised globally for the urban agglomeration;

WHEREAS Chapter IV of Title V of that Act provides that the Government may make an order designated as an "urban agglomeration order" for each urban agglomeration;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Marcel Lachance to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Marcel Lachance reported to the Minister of Municipal Affairs and Regions on 4 August 2005;

WHEREAS it is expedient to make an urban agglomeration order for the urban agglomeration of Rivière-Rouge;

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

TITLE I

OBJECT AND DEFINITIONS

1. The object of this Order is to supplement, for the urban agglomeration of Rivière-Rouge, the rules prescribed by the Act respecting the exercise of certain municipal powers in certain urban agglomerations for the exercise of urban agglomeration powers.

2. In this Order, Ville de Rivière-Rouge and Municipalité de La Macaza, whose territories make up the urban agglomeration of Rivière-Rouge, hereinafter designated as the "urban agglomeration", are referred to respectively as the "central municipality" and the "reconstituted municipality". They are related municipalities.

The term "town", used alone, designates Ville de Rivière-Rouge as it existed before the coming into force of this Order; "former municipality" means Municipalité de La Macaza that ceased to exist upon the constitution of the town.

The urban agglomeration powers are those set out in Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; all other powers are referred to as local powers.

TITLE II

URBAN AGGLOMERATION COUNCIL AND COMMISSIONS

CHAPTER I

URBAN AGGLOMERATION COUNCIL

DIVISION I

NATURE AND COMPOSITION

3. The council of the central municipality is the urban agglomeration council.

Its composition is, however, enlarged in the manner provided in section 4.

4. For the purpose of constituting the urban agglomeration council, the council of the central municipality is composed of the members elected to it and of the mayor of the reconstituted municipality.

5. If the office of mayor of the reconstituted municipality is vacant or the holder of the office is unable to act, a councillor may replace the mayor as the representative of the municipality.

The municipality may designate, on an ad-hoc basis or in advance of the event, the councillor who is to replace the mayor.

A designation made in advance, unless revoked, is valid until the term of office of the designated person as councillor expires.

The person may not sit on the urban agglomeration council until an authenticated copy of the resolution designating the person has been received by the central municipality.

6. The enlargement of the composition of the council of the central municipality for the purpose of constituting the urban agglomeration council has no effect on the existence of special positions, such as the positions of chair and vice-chair, or on the identity of the holders of those positions. The functions of those positions are exercised by those holders on the urban agglomeration council.

DIVISION II

ASSIGNMENT OF VOTES

7. The representative of the reconstituted municipality has one vote.

The body of representatives of the central municipality has a number of votes equal to the quotient obtained by dividing the population of the central municipality by the population of the reconstituted municipality.

Each representative of the central municipality has a number of votes equal to the quotient obtained by dividing the number of votes assigned to the representation of the central municipality by the number of its representatives.

For the purposes of the second paragraph, the population of the municipalities is the population that exists at the time of the vote for which the number of votes of each member of the urban agglomeration council is to be determined. If, at that time, the order of the Government determining in advance the population for the following calendar year has been published in the *Gazette officielle du Québec*, that population figure is to be used.

8. If the quotient calculated under the second or third paragraph of section 7 is a decimal number, the first two decimals are used and, if the third decimal would have been greater than 4, the second decimal is increased by 1.

DIVISION III

OTHER RULES

9. All the rules that pertain to the council of the central municipality, except as regards the composition of the council and the assignment of votes to the members, continue to apply when the council acts as the urban agglomeration council.

CHAPTER II

AGGLOMERATION COMMISSIONS

10. Where an Act or statutory instrument provides for the creation of a commission by a municipal council, only the urban agglomeration council may create the commission if the functions to be assigned to the commission involve in whole or in part any matter relating to urban agglomeration powers.

The urban agglomeration council is to designate at least one member of the council of the reconstituted municipality to sit as a member of the commission.

For the purposes of the first two paragraphs, “commission” means any commission or committee that has study, advisory or recommendation functions intended to facilitate decision-making by a council or an executive committee.

TITLE III

CONDITIONS OF EMPLOYMENT OF ELECTED OFFICERS

CHAPTER I

REMUNERATION

DIVISION I

INTERPRETATION

11. For the purposes of Divisions II and III,

(1) “Act” means, except in the title of an Act, the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001);

(2) “compensation” means the expense allowance under the Act.

DIVISION II

REMUNERATION AND COMPENSATION

12. No remuneration or compensation is to be paid by a related municipality to its council members, despite section 17 of the Act, unless the remuneration is fixed in a by-law in force adopted by the related municipality under section 2 of the Act.

Each related municipality must at all times have such a by-law in force.

13. For the purpose of determining the remuneration and compensation that may be paid by the central municipality, the urban agglomeration council and the regular council have concurrently the powers set out in Division I of Chapter II of the Act.

The urban agglomeration council exercises any of those powers to fix in respect of its members any basic or additional remuneration attached to the functions incidental to the exercise of urban agglomeration powers.

Where an urban agglomeration commission pursuant to section 10 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of that person, the power provided for in the first paragraph of section 70.0.1 of the Cities and Towns Act (R.S.Q., c. C-19) or article 82.1 of the Municipal Code of Québec (R.S.Q., c. C-27.1).

The regular council of the central municipality exercises any power referred to in the first or third paragraph to fix any basic or additional remuneration attached to functions other than those incidental to the exercise of urban agglomeration powers. The same applies to the council of the reconstituted municipality.

If the draft by-law referred to in section 8 of the Act is a by-law of the urban agglomeration council, the executive committee referred to in that section is the executive committee of the central municipality.

14. For the purpose of establishing the minimum remuneration

(1) for the mayor of the central municipality, section 12 of the Act is applied, with reference to the sum of the populations of the related municipalities, including a population figure increased pursuant to section 13 of the Act;

(2) for the councillors of the central municipality, section 15 of the Act is applied, with reference to one-third of the minimum remuneration of the mayor of the municipality, as established with the modification under subparagraph 1;

(3) for the mayor of the reconstituted municipality, the amount used is the greater of the amount established in the mayor's respect under sections 12 to 14 of the Act and the amount established with the modification under subparagraph 2 for the councillors of the central municipality;

(4) for a councillor of the reconstituted municipality who is a member of the urban agglomeration council, section 15 of the Act applies, with reference to one-third of the minimum remuneration of the mayor, as established with the modification under subparagraph 3; and

(5) for a councillor of the reconstituted municipality who is not a member of the urban agglomeration council, section 15 of the Act is applied without modification as are the sections to which section 15 refers.

If the minimum established under the first paragraph in respect of a person is less than the minimum provided for in the person's respect in section 16 of the Act, the latter minimum applies.

15. Despite section 4 of the Act, in the case of a person entitled to basic remuneration as a member of the urban agglomeration council and as a member of the regular council of the central municipality or of the council of the reconstituted municipality, the minimum established in the person's respect is in reference to the aggregate remuneration rather than to each individual remuneration.

If that aggregate is less than the minimum, the regular council of the central municipality or the council of the reconstituted municipality, as the case may be, is to amend its by-law to make up the difference by increasing the mayor's or councillors' basic remuneration attached to the functions other than those incidental to the exercise of urban agglomeration powers.

16. If the concurrent exercise of powers by the urban agglomeration council and the regular council of the central municipality or the council of the reconstituted municipality is likely to entail in respect of a person an excess referred to in the second paragraph, the excess is deducted from the amount that the person would receive as remuneration or compensation attached to the functions incidental to the exercise of urban agglomeration powers.

The excess referred to arises when the aggregate remuneration or compensation that a person would otherwise be entitled to receive from the central municipality only, or from both the central municipality and the reconstituted municipality, exceeds the maximum under section 21 or 22, as the case may be, of the Act.

17. The urban agglomeration council has the powers set out in section 24 of the Act as regards the terms and conditions of payment of the remuneration it has fixed and of any additional compensation.

The executive committee to which the urban agglomeration council may make the delegation referred to in that section is, if applicable, the executive committee of the central municipality.

DIVISION III OTHER COMPONENTS OF REMUNERATION

18. If an act likely to entail reimbursable expenses under Chapter III of the Act is performed by a member of the urban agglomeration council in connection with functions incidental to the exercise of urban agglomeration powers, the council and, if applicable, the executive committee of the central municipality have, in respect of that act and those expenses, the powers assigned by that Chapter respectively to the council and the executive committee of a local municipality.

Where an urban agglomeration commission pursuant to section 10 has as a member a person who is not a member of the urban agglomeration council, the urban agglomeration council also has, in respect of the act and expenses of that person, the power provided for in the second paragraph of section 70.0.1 of the Cities and Towns Act or article 82.1 of the Municipal Code of Québec.

19. The first paragraph of section 18 also applies if the act is performed by the mayor or a councillor of the central municipality in connection with functions incidental to the exercise of urban agglomeration powers and with other functions.

In such a case, the expenses reimbursed by the municipality are mixed expenses and are subject to the by-law of the urban agglomeration council that establishes any criterion to determine which part of a mixed expense constitutes an expense incurred in the exercise of an urban agglomeration power.

20. The urban agglomeration council does not have the power provided for in Chapter III.1 of the Act that relates to compensation for loss of income.

21. The urban agglomeration council is not a council to which Chapter IV of the Act applies as regards severance and transition allowances, and the urban agglomeration council has none of the powers provided for in that Chapter.

The remuneration received by a person under a by-law adopted by the urban agglomeration council is considered, for the purposes of the calculation of the amount of the allowance, to be remuneration paid by a supramunicipal body.

CHAPTER II PENSION PLAN

22. The urban agglomeration council is not a council to which the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) applies, subject to section 23, and has none of the powers provided for in that Act as regards membership in the plan.

23. For the purposes of the plan provided for in that Act, the remuneration that a person receives or received under a by-law adopted by the urban agglomeration council is considered, for the purpose of establishing the person's pensionable salary, to be remuneration paid by a supramunicipal body. The urban agglomeration council is, for the purposes of section 17 of that Act, deemed to constitute the board of such a body.

The central municipality acts as such a body, regarding the contribution, in respect of the part of the person's pensionable salary that corresponds to the remuneration referred to in the first paragraph.

CHAPTER III AGGLOMERATION EXPENDITURES

24. Expenditures related to the remuneration fixed by the urban agglomeration council under Division II of Chapter I, including any additional compensation and contributions paid for pension plan purposes on the basis of the remuneration, are deemed to be incurred in the exercise of urban agglomeration powers.

Expenditures related to the reimbursements referred to in section 18 are also deemed to be incurred in the exercise of those powers.

25. Expenditures related to the conditions of employment, other than those covered by Chapters I and II, of the members of a deliberative body authorized to exercise urban agglomeration powers are deemed to be incurred in the exercise of urban agglomeration powers if the conditions are established by the urban agglomeration council.

The same applies to expenditures related to the conditions of employment of the mayor or a councillor of the central municipality, if the conditions are not covered by Chapters I and II or by the first paragraph and the expenditures related to the conditions are created in connection with functions incidental to the exercise of urban agglomeration powers.

26. If the expenditures related to the conditions of employment referred to in the second paragraph of section 25 are created in connection with functions inci-

dental to the exercise of urban agglomeration powers and with other functions, the expenditures are mixed and are subject to the by-law referred to in the second paragraph of section 19.

TITLE IV PROVISIONS RELATING TO CERTAIN POWERS

27. The equipment, infrastructures and activities listed in Schedule A are of collective interest.

The municipality that owns immovable property of collective interest cannot transfer the property.

The management of the equipment, infrastructures and activities listed in Schedule A, the financing of the related expenditures and the use of the revenues generated are the same as for property in respect of which urban agglomeration powers are exercised over a matter covered by Chapter II of Title III of the Act respecting the exercise of certain municipal powers in certain urban agglomerations.

TITLE V SHARING OF ASSETS AND LIABILITIES

CHAPTER I ASSETS

28. The property listed in Schedule B becomes the property of the reconstituted municipality.

29. All property of the town not referred to in section 28 remains the property of the central municipality.

If the central municipality alienates the property, the proceeds of the alienation, or the part, if any, of the proceeds that exceeds the amount of the debt against the property, is to be apportioned among the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.

30. Every document of the town that before its constitution was the property of the former Municipalité de La Macaza becomes the property of the reconstituted municipality.

The central municipality has a right of access to all such documents as if they had been filed in the municipal archives and may obtain copies of them without charge. The same applies to the reconstituted municipality in respect of documents held by the central municipality that were created between the time the town was constituted and the time this Order comes into force.

CHAPTER II LIABILITIES

DIVISION I DEBTS OF THE RECONSTITUTED MUNICIPALITY

31. Among the debts that exist immediately before the reorganization of the town, those that were contracted by the former municipality and that were financed, immediately before the reorganization, by revenue derived exclusively from the territory of that municipality become debts of the reconstituted municipality.

The same applies to debts contracted by the town that relate to property, services or activities that concern local powers, if

(1) the debt is entirely financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of the reconstituted municipality; or

(2) the debt is partially financed, immediately before the reorganization, by revenue derived from a territory that is to become part of the territory of the reconstituted municipality, as regards the part of the debt corresponding to the share of the benefit derived by the reconstituted municipality from the property, services or activities.

32. Debt securities relating to a debt to which section 31 refers are, if in the name of the former municipality immediately before the reorganization, deemed to be in the name of the reconstituted municipality which becomes the debtor of the secured debt. The financing rules applicable immediately before the reorganization continue to apply.

33. Despite section 31, the central municipality remains the debtor of the debts referred to in that section that, immediately before the reorganization, are not secured by debt instruments or are secured by such instruments in the name of the central municipality until, if applicable, replacement debt instruments are issued in the name of the reconstituted municipality.

The financing rules provided for in the by-law pursuant to which the debt was contracted cease to apply; the reconstituted municipality is to pay to the central municipality the amounts necessary for that purpose, on the terms and conditions the central municipality establishes, which the reconstituted municipality is to finance through revenue determined by a by-law approved by the Minister of Municipal Affairs and Regions. The reconstituted municipality may also, in a by-law not requiring approval

by the Minister, make a borrowing as an advance payment to the central municipality of the sums necessary to repay the debts the central municipality is to temporarily assume under the first paragraph.

As soon as debt instruments are issued in the name of the reconstituted municipality, the financing method determined by a by-law referred to in the second paragraph applies to the repayment of the debt secured by those instruments.

34. The debts referred to in section 31 include the debts arising out of borrowings under by-laws 9-97 and 225 of the former municipality and by-law 29 of the town.

DIVISION II

DEBTS OF THE CENTRAL MUNICIPALITY

§1. General

35. A debt of the town that does not become a debt of the reconstituted municipality remains a debt of the central municipality.

Where expenditures relating to such a debt were financed, immediately before the reorganization, by a source of revenue specific to that purpose, that source continues to apply with the necessary modifications. The central municipality may, however, finance the expenditures, subject to subdivision 4 and the town's constituting act, by revenue not reserved for other purposes or by appropriating another source of revenue it determines. For that purpose, the urban agglomeration council and the regular council exercise respectively the powers provided for in subdivisions 2 and 3.

For the purposes of this Division, the central municipality is authorized, for the purpose of collecting revenues in the territory of the reconstituted municipality, to use any source of financing it is authorized to use in its own territory.

§2. Debts incidental to urban agglomeration powers

36. The financing of expenditure relating to the following debts is within urban agglomeration powers:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived from a territory extending beyond the territory of the central municipality;

(2) debts contracted by the town and related to property, services or activities within urban agglomeration powers;

(3) debts contracted by the town and related to property, services or activities within local powers, if

(a) they are financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of the reconstituted municipality; and

(b) it is impossible to apportion the benefit related to the property, services or activities concerned on the basis of the territory of the related municipalities;

(4) debts contracted by the town related to equipment, infrastructures and activities of collective interest and financed, immediately before the reorganization of the town, by revenue derived in part from a territory that is to become part of the territory of the reconstituted municipality; and

(5) debts the town assumed at the time of its constitution following the dissolution of a supramunicipal body exercising powers in a territory corresponding to the urban agglomeration territory or to any part of that territory extending beyond the territory of the central municipality.

The revenues and expenditures relating to such a debt are urban agglomeration revenues and expenditures.

§3. Debts incidental to the powers of the regular council of the central municipality

37. The financing of expenditure relating to the following debts is within the powers of the regular council of the central municipality:

(1) debts contracted before the constitution of the town and financed, immediately before its reorganization, by revenue derived exclusively from the territory of the central municipality; and

(2) debts contracted by the town and related to property, services or activities within local powers, as regards the part of the debts that corresponds to the share of the benefit derived by the central municipality from the property, services or activities.

§4. Specific debts

38. The debts referred to in section 36 include the debts arising out of borrowings under by-law 673 of the former Village de L'Annonciation and by-law 32 of the town.

39. The debts referred to in section 37 include the debts arising out of borrowings under by-laws 435 and 661 of the former Village de L'Annonciation, by-law 98-416 of the former Village de Sainte-Véronique, by-laws 98-449 and 01-487 of the former Municipalité de Marchand and by-laws 31, 42, 68, 69 and 70 of the town.

CHAPTER III PROVISIONS OF A FINANCIAL NATURE

40. The unpaid balance, as it exists immediately before the coming into force of this Order, of a deficit whose related expenditures must be financed by revenue derived exclusively from the territory of the former municipality or a part of that territory becomes a deficit of the reconstituted municipality.

The unspent balance, as it exists immediately before the coming into force of this Order, of a surplus that is for the exclusive benefit of the inhabitants and rate payers of the territory of the former municipality or a part of that territory becomes a surplus of the reconstituted municipality.

41. A deficit or surplus of the town that is not covered by section 40 and that exists immediately before the coming into force of this Order remains a deficit or surplus of the central municipality.

Subject to the constituting act of the town, the central municipality must cover the deficit or use the surplus in the exercise of its urban agglomeration powers. In the case where the town has a surplus, the central municipality must, before using it in the exercise of its urban agglomeration powers, use the surplus to pay a sum of money to the reconstituted municipality, up to the amount available, that corresponds to the revenue derived from the territory of the reconstituted municipality that was collected by the town to finance the expenditures related to the holding of the 2005 general election.

42. Section 41 applies, with the necessary modifications, in respect of any of the town's funds that exist immediately before the reorganization.

Despite the foregoing, a fund created specifically for the exercise of a power other than an urban agglomeration power preserves its original purpose.

In the case of such a fund created using revenue derived exclusively from a territory that is to become the territory of the reconstituted municipality, the monies that are in the fund immediately before the reorganization and have not already been appropriated become that municipality's monies.

If the revenues used to create such a fund are derived exclusively from the territory of local municipalities that ceased to exist on the constitution of the town, at least one of which is to become the territory of the reconstituted municipality, that reconstituted municipality is entitled to part of the monies referred to in the first paragraph. That part is equal to the fraction of the total standardized property value of the territories concerned that is attributable to that municipality's territory.

43. The town's working fund, as it exists immediately before the reorganization, remains that of the central municipality. Reimbursement of the part of the fund already appropriated at the time of the reorganization remains chargeable to all the ratepayers of the related municipalities and the sums recovered accordingly, as is the case for the unappropriated balance of the fund, may be reallocated only to urban agglomeration powers, subject to a sharing agreement between the related municipalities.

Where applicable, the central municipality must keep separate accounts to identify any part of the fund reserved exclusively for its own territory.

44. The related municipalities share the revenues and costs relating to any legal contestation or a dispute to which one of them is a party in respect of an event posterior to the constitution of the town and preceding the coming into force of this Order. The sharing is to be made in proportion to the standardized property value of each related municipality as it exists at the time of the coming into force of this Order.

TITLE VI TRANSITIONAL AND FINAL

45. The payment of severance and transition allowances provided for in sections 30.1 and 31 of the Act respecting the remuneration of elected municipal officers to any member of the town council is, if applicable, deferred in accordance with sections 31.2, 31.4 and 31.5 of that Act which apply with the necessary modifications. Despite that section 31.2, "former municipality" means the town and "new municipality" means the reconstituted municipality.

46. Every agreement or contract to which the town is a party that continues to have effect after 31 December 2005 in the territory of the reconstituted municipality is deemed to concern urban agglomeration matters until the date on which it expires or the date of the day preceding the date of its renewal. The revenues and expenditures relating to the agreement or contract are urban agglomeration revenues and expenditures.

For the purpose of financing the expenditures referred to in the first paragraph, the urban agglomeration council may

(1) use any method provided for in section 85 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations; or

(2) fix by by-law the share of the expenditures relating to a contract or an agreement payable by each municipality concerned.

The first two paragraphs do not apply to a contract or an agreement that applies exclusively in the territory of one reconstituted municipality only and that concerns only local matters. The reconstituted municipality succeeds to the rights and obligations of the town in respect of such a contract or agreement.

47. Despite section 46, the reconstituted municipality succeeds to the rights and obligations of the town in the agreement between the former Village de L'Annonciation and six other municipalities, signed on 3 September 2002, pertaining to the financial participation in the operation of the Centre sportif et culturel de la Vallée de la Rouge, insofar as the financial participation of the former Municipalité de La Macaza is involved, with the necessary modifications.

48. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE A (s. 27)

EQUIPMENT, INFRASTRUCTURES AND ACTIVITIES OF COLLECTIVE INTEREST

The following equipment, infrastructures and activities are of collective interest:

- (1) Parc Liguori-Gervais;
- (2) Maison des jeunes Carrefour Jeunesse Desjardins;
- (3) Centre d'exposition de la Gare.

SCHEDULE B (s. 28)

PROPERTY THAT BECOMES PROPERTY OF THE RECONSTITUTED MUNICIPALITY

Immovable and movable property

The following immovable property, as described in Schedule C to the report of Marcel Lachance, becomes the property of the reconstituted municipality:

(1) Marinas situated on chemin du Lac-Chaud: lot 6B part and 7B part, range D, of the cadastre of the township of Marchand, registration division of Labelle;

(2) Undeveloped parcels of land and bodies of water situated on chemin des Cascades: lot 2 part, range ER, of the cadastre of the township of Marchand, registration division of Labelle;

(3) Undeveloped parcels of land and bodies of water situated on rue des Pionniers: lot 5-A-1, range SR, of the cadastre of the township of Marchand, registration division of Labelle;

(4) Undeveloped parcels of land and bodies of water situated on rue des Pionniers: lot 7 part, range SR, of the cadastre of the township of Marchand, registration division of Labelle;

(5) Residential immovables situated at 112, rue des Pionniers: lot 7 part, range SR, of the cadastre of the township of Marchand, registration division of Labelle;

(6) Undeveloped parcels of land and bodies of water situated on rue des Pionniers: lot 6-A part, range SR, of the cadastre of the township of Marchand, registration division of Labelle;

(7) Office buildings situated at 51 and 53, rue des Pionniers: parts of lots 5-C-1, 5-C-2 and 6-A-1, range SR, of the cadastre of the township of Marchand, registration division of Labelle;

(8) Disposal site situated on chemin de la Baie-Claire: lot 20 part and lot 21, range 07, of the cadastre of the township of Marchand, registration division of Labelle;

(9) Garage and maintenance equipment for trucking situated at 77, chemin de l'Aéroport: lots 29 part, 29-8, 30 part, 30-1 and 30-2 of the cadastre of the township of Marchand, registration division of Labelle;

(10) Residential immovables situated on chemin du Lac-Caché: lot 11 part, range 9, of the cadastre of the township of Marchand, registration division of Labelle;

(11) Marinas situated on chemin du Lac-Macaza: lot 12 part, range NR, of the cadastre of the township of Marchand, registration division of Labelle;

(12) Undeveloped forest: lots 5-A part, 5-C part, 5-D part, 6-A part, 6-4 and 6-B part, range SR, of the cadastre of the township of Marchand, registration division of Labelle;

(13) the public thoroughfares in the territory of the municipality;

(14) the equipment and infrastructures for water supply and water purification in the territory of the municipality.

Other movable property

(1) the trucks, vehicles, equipment and other movable property described in Schedule D to the report of Marcel Lachance;

(2) the other movable property described in Schedule E to that report.

7250

Gouvernement du Québec

O.C. 1073-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Ville de Rivière-Rouge

WHEREAS Ville de Rivière-Rouge was constituted by Order in Council 1439-2002 dated 11 December 2002;

WHEREAS the territory of the town comprises the territories of the former Village de L'Annonciation, the former Village de Sainte-Véronique, the former Municipalité de Marchand and the former Municipalité de La Macaza;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Municipalité de La Macaza on the possibility of reconstituting that municipality as a local municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act and, consequently, the Government may, by order, reconstitute as a local municipality the inhabitants and ratepayers of that sector;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Marcel Lachance to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Marcel Lachance reported to the Minister of Municipal Affairs and Regions on 4 August 2005;

WHEREAS, under section 129 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), the Government may, by order, amend the charter of the central municipality;

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

1. The territory of Ville de Rivière-Rouge is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 22 March 2005.

2. Section 2 of Order in Council 1439-2002 dated 11 December 2002 respecting the amalgamation of Village de L'Annonciation, Village de Sainte-Véronique, Municipalité de Marchand and Municipalité de La Macaza, is revoked.

3. The first paragraph of section 28 of the Order is amended by replacing "within four years of the coming into force of this Order in Council" by "before 31 December 2007".

4. The Schedule to the Order is revoked.

5. This Order in Council comes into force on 1 January 2006.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE NEW TERRITORIAL BOUNDARIES OF VILLE DE RIVIÈRE-ROUGE, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ D'ANTOINE-LABELLE

The new territory of Ville de Rivière-Rouge, following the de-amalgamation of Municipalité de La Macaza, in Municipalité régionale de comté d'Antoine-Labelle, comprises all the lots and blocks of the original survey or of the cadastres of the townships of Brunet, Marchand, Mousseau and Turgeon, the undivided lands of those townships, the lots of the cadastre of the village of L'Annonciation, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the meeting point of the centre line of the township of Brunet with the centre line of ruisseau Castelnau and that runs successively along the following lines and demarcations: southwesterly, part of the centre line of the said township to a point the coordinates of which are 5 173 100 m N and 500 900 m E; southerly, a straight line to a point the coordinates of which are 5 167 800 m N and 500 675 m E; easterly, a straight line to a point the coordinates of which are 5 168 725 m N and 503 475 m E; southerly, a straight line to the apex of the north angle of lot 20 of range IX (planned) of the original survey of the township of Mousseau; southwesterly, the northwest line of the said lot; southeasterly, the dividing line between lots 19 and 20 of range IX (planned) of the original survey of the township of Mousseau; southwesterly, part of the dividing line between ranges VIII and IX (planned) of the said township to the northeast line of the township of Turgeon; southeasterly, part of the northeast line of the townships of Turgeon and Marchand to the apex of the east angle of lot 45 of range C of the cadastre of the township of Marchand; in reference to that cadastre, southwesterly, the southeast line of the said lot; southeasterly, part of the dividing line between ranges B and C to the apex of the east angle of lot 35 of range B; southwesterly, the southeast line of lot 35 of ranges B and A; southeasterly, part of the dividing line between range A of range Nord-Est Rivière Rouge to the apex of the east angle of lot 29 of range Nord-Est Rivière Rouge; southwesterly, the southeast line of the said lot; generally southeasterly, the shore of rivière Rouge to its meeting with the dividing line between the townships of Marchand and Joly; westerly, part of the dividing line between the township of Marchand and the townships of Joly and La Minerve to the west line of the township of Marchand, that line across route 117 that it meets; northerly, successively, the west line of the said township and the east side of the right-of-way of a public road (shown on the original) situated between the townships of Marchand and Turgeon on one side and the township of Loranger

on the other side to its meeting with the extension of the south line of the township of Turgeon, that line across routes 321 and 117 that it meets; westerly, the said extension then part of the south line of the said township to the dividing line between ranges 6 and 7 of the cadastre of the said township; in reference to that cadastre, northerly, part of the dividing line between the said ranges to the south line of lot 6 of range 7; westerly, the said lot line; successively northerly and northeasterly, the west and northwest lines of the township of Turgeon; south-easterly, part of the northeast line of the township of Turgeon to its meeting with an irregular line, in lac Kiamika, running midway between Petite île de la Perdrix and île Blanche; generally northerly, that irregular line running midway between Petite île de la Perdrix, île de la Perdrix Blanche and the west shore of the said lake on one side and Blanche, Thérèse and Noire islands, the east shore of the said lake and the islands having the geographical coordinates 46° 38' 47" north latitude, 75° 03' 43" west longitude and 46° 44' 06" north latitude, 75° 02' 54" west longitude on the other side, to the centre line of rivière Kiamika; lastly, generally south-easterly, the centre line of the said river and the centre line of ruisseau Castelnau to the point of commencement.

The above-mentioned coordinates are given in metres and were graphically traced from the UTM squaring NAD 27, used on the maps to the scale of 1:50 000 published by Natural Resources Canada.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 22 March 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

7251

Gouvernement du Québec

O.C. 1074-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations
(R.S.Q., c. E-20.001)

Reconstitution of Municipalité de La Macaza

WHEREAS Ville de Rivière Rouge was constituted by Order in Council 1439-2002 dated 11 December 2002;

WHEREAS the territory of the town comprises the territories of the former Village de L'Annonciation, Village de Sainte-Véronique, the former Municipalité de Marchand and the former Municipalité de La Macaza;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the town corresponding to the territory of the former Municipalité de La Macaza on the possibility of reconstituting that former municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act;

WHEREAS, on 21 June 2004, the Minister of Municipal Affairs, Sports and Recreation, in accordance with section 78.1 of that Act, enacted by section 156 of chapter 29 of the Statutes of 2004 and amended by section 148 of chapter 28 of the Statutes of 2005, designated Marcel Lachance to participate, together with the administrators and employees of the town and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS Marcel Lachance reported to the Minister of Municipal Affairs and Regions on 4 August 2005;

WHEREAS it is expedient, pursuant to section 123 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), to order the reconstitution of Municipalité de La Macaza;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, that Municipalité de La Macaza be reconstituted as of 1 January 2006, on the following conditions:

1. The municipality is a local municipality governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

2. The territory of the municipality is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 22 March 2005; the territory is within the territory of Municipalité régionale de comté d'Antoine-Labelle.

3. The first meeting of the council of the municipality will take place at 53, rue des Pionniers.

4. On being constituted, the municipality succeeds, in respect of its territory, to the rights and obligations of Ville de Rivière-Rouge relating to a municipal power other than an urban agglomeration power. All the acts performed by the town in their respect are deemed to be acts of the municipality. The municipality becomes, without continuance of suit, a party to any proceedings to which the former Municipalité de La Macaza was a party before the constitution of the town.

The by-laws, resolutions or other instruments of the town, insofar as they are, immediately before the reconstitution of the municipality, applicable in all or part of the territory described in the Schedule and relate to a power referred to in the first paragraph, are deemed to be by-laws, resolutions and instruments of the municipality.

The first two paragraphs apply subject to any provision of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or of the urban agglomeration order for Rivière-Rouge made under section 135 of that Act.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY DETACHED FROM THE TERRITORY OF VILLE DE RIVIÈRE-ROUGE AND ERECTED AS A LOCAL MUNICIPALITY UNDER THE NAME OF MUNICIPALITÉ DE LA MACAZA, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ D'ANTOINE-LABELLE

A territory that is currently part of Ville de Rivière-Rouge and erected as a local municipality under the name of Municipalité de La Macaza, in Municipalité régionale de comté d'Antoine-Labelle and that comprises all the lots of the cadastres of the townships of Lynch, Nantel and Marchand and their present and future subdivisions, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the apex of the north angle of lot 22 of range 7 of the cadastre of the township of Lynch and that runs along the following lines and demarcations: in reference to that cadastre, southeasterly, the northeast line of the said lot; northeasterly, part of the dividing line between ranges 8 and 7 to the apex of the north angle of lot 23 of range 8; southeasterly, the northeast line of lot 23 of ranges 8 and 9 of the said cadastre and of lot 23 of ranges 1 to 4 of the cadastre of the township of Nantel; southwesterly, part of the southeast line of range 4

of that cadastre to the northeast line of the cadastre of the township of Marchand; in reference to that cadastre, southeasterly, part of the northeast line to the east line of range 13, that line across lac Caché that it meets; southerly, the said range line; westerly, the dividing line between the townships of Marchand and Joly to the east bank of rivière Rouge, that line across rivière Cachée, Étoile and Mitchell lakes and chemin des Cascades that it meets; generally northwesterly, the bank of the said river to the northwest line of lot 28 of range Nord-Est Rivière Rouge of the cadastre of the township of Marchand; in reference to that cadastre, northeasterly, the northwest line of the said lot; northwesterly, part of the southwest line of range A to the northwest line of lot 34 of the said range; northeasterly, the northwest line of lot 34 of ranges A and B; northwesterly, part of the dividing line between ranges C and B to the northwest line of lot 1B of range C; northeasterly, the northwest line of lots 1B, 2B and 3 to 8 of range C; northwesterly, part of the dividing line between the cadastres of the townships of Marchand and Lynch to the dividing line between ranges 8 and 7 of the cadastre of the township of Lynch; in reference to that cadastre, northeasterly, the dividing line between the said ranges to the southwest line of lot 18 of range 7; northwesterly, the said lot line; lastly, northeasterly, part of the dividing line between ranges 7 and 6 to the point of commencement.

Ministère des Ressources naturelles et de la Faune
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 22 March 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

7252

Gouvernement du Québec

O.C. 1075-2005, 9 November 2005

An Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001)

Reconstitution of Ville de Mont-Royal

WHEREAS Ville de Montréal was constituted on 1 January 2002 by the coming into force of section 1 and Schedule I to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS the territory of that city comprises the territory of the former town known as Ville de Mont-Royal;

WHEREAS, in accordance with the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), a referendum poll was held on 20 June 2004 in the sector of the city corresponding to the territory of the former Ville de Mont-Royal on the possibility of reconstituting that former municipality;

WHEREAS the answer given to the referendum question by the qualified voters was deemed to be affirmative within the meaning of section 43 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities;

WHEREAS, by Order in Council 596-2004 dated 21 June 2004, the Government, in accordance with section 51 of that Act, established a transition committee to participate, together with the administrators and employees of the city and with any persons elected in advance in the reconstituted municipality, in the establishment of the conditions most conducive to facilitating the transition between the successive municipal administrations;

WHEREAS it is expedient, pursuant to section 123 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., c. E-20.001), to order the reconstitution of Ville de Mont-Royal;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, that Ville de Mont-Royal be reconstituted as of 1 January 2006, on the following conditions:

1. The town is a local municipality governed by the Cities and Towns Act (R.S.Q., c. C-19).
2. The territory of the municipality is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources, Wildlife and Parks on 18 January 2005.
3. The first meeting of the council of the municipality will take place in the building that will become the town hall at 90, avenue Roosevelt.
4. The municipality is deemed to have obtained a recognition under the second paragraph of section 29.1 of the Charter of the French language (R.S.Q., c. C-11).
5. On being constituted, the municipality succeeds, in respect of its territory, to the rights and obligations of Ville de Montréal relating to a municipal power other than an urban agglomeration power. All the acts performed

by the city in their respect are deemed to be acts of the municipality. The municipality becomes, without continuance of suit, a party to any proceedings to which the former Ville de Mont-Royal was a party before the constitution of the city.

The by-laws, resolutions or other instruments of the city, insofar as they are, immediately before the reconstitution of the municipality, applicable in all or part of the territory described in the Schedule and relate to a power referred to in the first paragraph, are deemed to be by-laws, resolutions and instruments of the municipality.

The first two paragraphs apply subject to any provision of the Act respecting the exercise of certain municipal powers in certain urban agglomerations or of the urban agglomeration order for Montréal made under section 135 of that Act.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE TERRITORY DETACHED FROM THE TERRITORY OF VILLE DE MONTRÉAL AND ERECTED AS A LOCAL MUNICIPALITY UNDER THE NAME VILLE DE MONT-ROYAL, IN THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

A territory that is currently part of Ville de Montréal and erected as a local municipality under the name Ville de Mont-Royal, in the Communauté métropolitaine de Montréal, and that comprises all the lots of the cadastre of Québec on the date of this description and their successor lots, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the perimeter commencing at the apex of the east angle of lot 1 683 854 and that runs along the following lines and demarcations: southwesterly, the southeast line of lots 1 683 854, 1 683 913, 2 705 178, 1 683 763, 1 683 720 (chemin Rockland) and 1 678 824 (railway), 1 682 277, 1 682 295 to 1 682 297, 1 682 313, 1 682 312, 1 682 311, 1 682 324, 1 682 308, 1 682 322, 1 682 321, 1 682 326, 1 682 345 back to 1 682 340 and 1 682 337 back to 1 682 327; northwesterly, the southwest line of lots 1 682 327, 1 682 326, 1 682 314, 1 682 325, 1 682 298, 1 682 297, 2 209 638 and 1 682 278; westerly, the south line of lot 1 678 824 (railway), northwesterly, the southwest line of lot 1 682 243, a straight line in lots 2 482 295, 2 176 851, 2 177 170 to 2 177 176 and again 2 482 295 to the apex of the south angle of lot 1 682 671; northwesterly, the southwest line of the said lot, the dividing line between lots 1 678 955 and 2 174 320, the southwest

line of lots 2 142 881, 1 682 046, 1 682 106, 1 682 105, 1 682 096, 1 682 045 and part of the southwest line of lot 1 682 051 to the apex of the east angle of lot 1 682 050; southwesterly, the southeast line of lots 1 682 050 back to 1 682 047, 1 682 033, 1 682 739, 1 682 032, 1 682 031, 1 682 270 (chemin Canora), 1 682 358, 1 682 359 and 1 681 579 (railway); northwesterly, part of the southwest line of lot 1 681 579 to the apex of the east angle of lot 1 681 578; southwesterly, the southeast line of lots 1 681 578, 2 142 899, 1 681 365, 2 142 897, again 1 681 365, 1 681 274, 1 681 291, 1 681 194 and a straight line in lot 3 350 559 (along the southeast line of the former lot 1 681 190) then a straight line in lot 3 139 537 to the apex of the east angle of lot 1 681 048, the southeast line of the said lot and of lots 1 681 010 back to 1 681 007, 1 681 004, 1 681 003, 1 680 735, 1 680 736, 1 680 823, 1 680 480 back to 1 680 476; successively southwesterly, southerly, southeasterly, again southwesterly and westerly, the southeast, east, northeast, southeast and south lines of lot 2 174 864, to the apex of the northwest angle of lot 2 482 408; southerly, part of the east line of lot 2 482 407 then the east line of lot 1 680 441; southwesterly, the southeast line of lots 1 680 441, 1 680 407 then the northwest side of the right-of-way of rue Jean-Talon bordering to the southeast lots 1 680 405, 1 680 406, 1 680 404, 1 680 468, 1 680 469, 1 680 500, 1 680 467, 1 680 487, 1 680 486, 1 680 403, 1 679 458, 1 679 457 and 1 679 456, the broken line bordering lot 1 679 438 to the southeast then the southeast line of lots 1 679 451, 1 679 454, 1 679 455, 1 679 445, 1 679 449, 1 679 439 and 1 679 444; northwesterly, the southwest line of lots 1 679 444, 1 679 440 to 1 679 443, 1 679 354 back to 1 679 348, 1 679 346 back to 1 679 344, 1 679 307, 1 679 375 back to 1 679 362; westerly, the south line of lots 1 679 362, 1 679 361, 1 679 360, 1 679 269, 1 679 310 to 1 679 319, 1 679 321 to 1 679 330; northwesterly, the southwest line of lots 1 679 274 to 1 679 287, 1 679 290 to 1 679 298 and part of the southwest line of lot 1 679 299 to the apex of the northeast angle of lot 1 679 212; southerly, the east line of lots 1 679 212, 1 679 187 to 1 679 193 and 1 679 144; southwesterly, the southeast line of lots 1 679 144, 1 679 143 and 1 679 142; westerly, the south line of lots 1 679 142, 1 679 141, 1 679 140, 1 679 127 and 1 679 169; southerly, part of the east line of lot 1 679 168 then the east line of lots 1 679 129, 1 679 130, 1 679 131, 1 679 167, 2 142 915, 1 679 163 (boulevard Décarie), 2 142 916 and 1 679 155; westerly, the south line of lots 1 679 155, 1 679 158 and 1 679 159; southeasterly, part of the northeast line of lot 1 679 103 then the northeast line of lots 1 679 118, 2 142 919, 2 209 633, 2 209 634, 2 209 635, 1 679 077, 1 679 101, 1 679 107, 1 679 081, 1 679 100 and 1 679 110; southwesterly, the southeast line of lots 1 679 110, 1 679 104, 2 142 896, 2 142 895, 1 679 035 and part of the southeast line of lot 1 678 982 to the easterly extension of the south line of lot 1 678 966;

westerly, the said extension across lot 1 678 982, the south line of lot 1 678 966 and its extension across lots 1 678 987 and 1 678 999 to the southwest line of the latter lot; northwesterly, part of the southwest line of lot 1 678 999 then the southwest line of lots 1 678 986, 1 678 996, 1 678 984, 1 678 981, 1 678 970, 1 678 990, 1 678 958 and 1 678 991; southerly, the east line of lots 2 384 955 and 2 384 954; northwesterly, the southwest line of lots 2 384 954, 2 090 321, 2 090 312, a southwest line of lot 2 347 813 that crosses boulevard Cavendish then the southwest line of lot 2 090 329; generally northeasterly, part of the southeast line of lot 2 347 815 for a distance of 19.98 metres, in the said lot, successively, a straight line then a curved line to the apex of the northwest angle of lot 2 090 355, the northwest line of lots 2 090 355, 2 347 675 and 2 090 354, a straight line in lot 2 347 819 to the apex of the north angle of lot 2 090 364; northwesterly, the southwest line of lot 1 678 965 for a distance of 5.61 metres; generally northeasterly, successively, a straight line in lot 1 678 965 to the apex of the south angle of lot 1 679 019, part of the southeast line of the said lot for a distance of 94.94 metres, a straight line in the said lot to the apex of the west angle of lot 1 678 823, the northwest line of the said lot then a straight line in lots 1 679 019 and 1 679 080 to a point situated on the extension of the northeast line of lot 1 679 120 for a distance of 25.60 metres northwest of the apex of the north angle of the said lot; continuing northeasterly, a straight line in lot 1 679 163 to the apex of the south angle of lot 1 679 133, part of the southeast line of the said lot for a distance of 42.17 metres then a straight line in the said lot to the apex of the west angle of lot 2 142 848, the broken northwest line of the said lot, a straight line in lot 2 142 851 to the apex of the north angle of lot 1 680 104, the northwest line of lots 1 679 795, 1 680 073, 1 680 072, 2 142 912, again 1 680 073, 1 680 067, 1 680 068, again 1 680 067, 1 680 096, 1 678 930, 1 678 938, 1 678 939, 1 678 940, 1 678 931, again 1 678 930, 1 678 932, again 1 678 930, 1 680 107, 1 679 857, 1 679 858, 1 679 876, 1 680 054, 1 680 282, 1 680 291 to 1 680 296, 1 680 320, 1 680 108, 1 680 109, 1 680 552, 1 680 553, 1 680 589, 1 680 590, 1 680 663, 1 680 713, 1 680 753, 1 680 812, 1 680 813, 2 142 901, 1 680 832, 1 680 579, 1 680 585, 1 678 825, 1 678 682 and part of the northwest line of lot 1 681 098 for a distance of 3.48 metres, a straight line in lot 1 681 337 to a point situated 10.4 metres northeast of the apex of the west angle of lot 1 681 687, on the northwest line of the said lot, the northwest line of lots 1 681 687, 1 681 498, 2 209 647, 1 681 577, 2 142 847 and 1 681 914; northwesterly, a straight line perpendicular to the northwest line of lot 1 681 914 for a distance of 1.5 metres; generally, northeasterly, a straight line in lot 1 681 908 to a point situated 6.1 metres northeast of the apex of the north angle of lot 1 682 665 on the northwest line of lot 1 682 664, the northwest line of lots 1 682 664,

1 678 712, 1 682 666, 1 681 911 and part of the northwest line of lot 1 683 497 to a point situated 46.79 metres southwest of the apex of the north angle of lot 1 683 497; thence, a straight line in lot 2 142 849 to the apex of the west angle of lot 1 683 511, the northwest line of the latter lot and its extension in lot 1 683 655 to the northwest line of lot 1 684 068 then the northwest line of the latter lot and of lot 2 142 846; southeasterly, the northeast line of lots 2 142 846, 1 684 230, 1 684 283, 1 684 142, 1 684 147 and 1 683 904; northeasterly, the northwest line of lots 1 683 904, 1 683 913 and 1 683 848; lastly, southeasterly, the northeast line of lots 1 683 848 and 1 683 854 to the point of commencement.

Ministère des Ressources naturelles,
de la Faune et des Parcs
Office of the Surveyor-General of Québec
Service des levés officiels et des limites administratives

Québec, 18 January 2005

Prepared by: _____
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Land surveyor

7253

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

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