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O.C. 1143-2005, 24 November 2005

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

Income support
— Amendments

Regulation to amend the Regulation respecting income support

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

WHEREAS it is expedient to amend the Regulation;

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 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 13 of that Act, the reason justifying the absence of prior publication 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:

— the amendments in the Regulation attached to this Order in Council are being made to increase, as of 1 January 2006, the benefits granted under the Employment-Assistance Program, in keeping with the Plan d'action gouvernemental en matière de lutte contre la pauvreté et l'exclusion sociale, made by Décret 416-2004 dated 28 April 2004, according to the rate applicable to the personal income tax system which was made public only on 18 November 2005;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting income support, attached hereto, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting income support *

An Act respecting income support, employment assistance and social solidarity
(R.S.Q., c. S-32.001, s. 156, pars. 5, 8, 11, 12, 15, 19, 22, 29, and s. 160)

1. The Regulation respecting income support is amended in section 9

(1) by replacing "$816.00", "$1166.00", "$1382.00", "$1212.00", "$1445.00" and "$1661.00" in the first paragraph by "$836.00", "$1195.00", "1416.00", "$1241.00", "$1480.00" and "$1701.00" respectively;

(2) by replacing "$216.00" in the second paragraph by "$221.00";

(3) by replacing "$816.00", "$233.00" and "$216.00" in the third paragraph by "$836.00", "$239.00" and "$221.00" respectively;

(4) by replacing "$121.00" in the fourth paragraph by "$162.00";

(5) by replacing "$816.00" in the fifth paragraph by "$836.00".

2. Section 10 is amended

(1) by replacing "$5350.00", "$5566.00", "$5233.00" and "$5449.00" in the first paragraph by "$5359.00", "$5580.00", "$5239.00" and "$5460.00" respectively;

* The Regulation respecting income support, made by Order in Council 1011-99 dated 1 September 1999 (1999, *G.O.* 2, 2881), was last amended by the regulation made by Order in Council 820-2005 dated 31 August 2005 (2005, *G.O.* 2, 3925). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

(2) by replacing "$216.00" in the second paragraph by "$221.00";

(3) by replacing "$233.00" and "$216.00" in the third paragraph by "$239.00" and "$221.00" respectively;

(4) by replacing "$121.00" in the fourth paragraph by "$162.00".

3. Section 23 is amended

(1) by replacing "$537.00" and "$831.00" in the first paragraph by "$543.00" and "$841.00" respectively;

(2) by replacing "$437.00" and "$731.00" in the second paragraph by "$443.00" and "$741.00" respectively.

4. Section 24 is amended

(1) by replacing "$13.75" in subparagraph 1 of the first paragraph by "$14.08";

(2) by replacing "$27.50" in subparagraph 2 of the first paragraph by "$28.17";

(3) by replacing "$9.33" in the second paragraph by "$9.59".

5. Section 25 is amended by replacing "$147.00", "$97.00", "$13.75", "$114.00" and "$254.00" by "$149.00", "$99.00", "$14.08", "$115.00" and "$262.00" respectively.

6. Sections 26, 27 and 28 are amended by replacing "$169.00" by "$173.00".

7. Section 32 is amended in the table by replacing "$256.00" by "$269.00", "$196.00" by "$198.00", "$114.00" wherever that amount occurs by "$115.00" and "$353.00" wherever that amount occurs by "$372.00".

8. Section 33 is amended by replacing "$114.00" by "$115.00".

9. Section 39 is amended by replacing "$121.00" in the second paragraph by "$161.50".

10. Section 79 is amended

(1) by replacing "$350.00", "$566.00", "$233.00" and "$449.00" in the first paragraph by "$359.00", "$580.00", "$239.00" and "$460.00" respectively;

(2) by replacing "$216.00" in the second paragraph by "$221.00";

(3) by replacing "$233.00" and "$216.00" in the third paragraph by "$239.00" and "$221.00" respectively;

(4) by replacing "$121.00" in the fourth paragraph by "$162.00".

11. Section 90 is amended

(1) by replacing "$816.00", "$1166.00", "$1382.00", "$1212.00", "$1445.00" and "$1661.00" in the first paragraph by "$836.00", "$1195.00", "$1416.00", "$1241.00", "$1480.00" and "$1701.00" respectively;

(2) by replacing "$216.00" in the second paragraph by "$221.00";

(3) by replacing "$816.00", "$233.00" and "$216.00" in the third paragraph by "$836.00", "$239.00" and "$221.00" respectively;

(4) by replacing "$121.00" in the fourth paragraph by "$162.00";

(5) by replacing "$816.00" in the fifth paragraph by "$836.00".

12. Section 104 is amended

(1) by replacing "$350.00", "$566.00", "$233.00" and "$449.00" in the first paragraph by "$359.00", "$580.00", "$239.00" and "$460.00" respectively;

(2) by replacing "$216.00" in the second paragraph by "$221.00";

(3) by replacing "$233.00" and "$216.00" in the third paragraph by "$239.00" and "$221.00" respectively;

(4) by replacing "$121.00" in the fourth paragraph by "$162.00".

13. Section 150 is amended

(1) by replacing "$816.00", "$1166.00", "$1382.00", "$1212.00", "$1445.00" and "$1661.00" in subparagraph 1 of the first paragraph by "$836.00", "$1195.00", "$1416.00", "$1241.00", "$1480.00" and "$1701.00" respectively;

(2) by replacing "$350.00", "$566.00", "$233.00" and "$449.00" in subparagraph *c* of subparagraph 2 of the first paragraph by "$359.00", "$580.00", "$239.00" and "$460.00" respectively;

(3) by replacing "$216.00" and "$121.00" in the second paragraph by "$221.00" and "$162.00" respectively.

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

7294

Gouvernement du Québec

O.C. 1172-2005, 30 November 2005

Building Act
(R.S.Q., c. B-1.1)

Construction Code
— Amendments

Regulation to amend the Construction Code

WHEREAS, under section 173 of the Building Act (R.S.Q., c. B-1.1), the Régie du bâtiment du Québec shall by regulation adopt a Construction Code containing, among other things, building standards concerning buildings, facilities intended for use by the public and installations independent of a building or their vicinity;

WHEREAS, under section 178 of the Act, the Construction Code may require observance of a technical standard drawn up by another government or by an agency empowered to draw up such standards and provide that any reference they make to other standards include subsequent amendments;

WHEREAS, under section 192 of the Act, the contents of the Construction Code may vary according to the classes of persons, contractors, owner-builders, manufacturers of pressure installations, owners of buildings, facilities intended for use by the public or installations independent of a building, of gas undertaking owners or operators and classes of buildings, pressure installations, facilities or installations to which the Code applies;

WHEREAS the Board adopted the Regulation to amend the Construction Code;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Construction Code was published in Part 2 of the *Gazette officielle du Québec* of 8 June 2005 with a notice that it could be approved by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS no comments were received;

WHEREAS, under section 189 of the Building Act, every regulation of the Board is subject to approval by the Government which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Construction Code, attached hereto, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Construction Code *

Building Act
(R.S.Q., c. B-1.1, ss. 173, 178 and 192)

1. The Construction Code is amended by replacing "CSA Z662-99" wherever it appears in section 2.01 by "CSA Z662-03".

2. Section 2.11 is amended by replacing "Clause 7.2" in paragraph 8 by "Clauses 7.6, 7.7 and 7.11" and "CSA Z662-99" by "CSA Z662-03".

3. Section 2.14 is amended

(1) by replacing "CSA Z662-99" in the part preceding paragraph 1 by "CSA Z662-03";

(2) by replacing "in Clause 2.1" in the part preceding subparagraph *a* of paragraph 3 by "in Clause 2";

(3) by replacing "B51-97" in subparagraph *b* of paragraph 3 by "B51-03";

(4) by deleting subparagraphs *c, d* and *e* of paragraph 3;

* The Construction Code, approved by Order in Council 953-2000 dated 26 July 2000 (2000, *G.O.* 2, 4203), was last amended by the regulations approved by Orders in Council 895-2004 dated 22 September 2004 (2004, *G.O.* 2, 2833), 872-2005 and 873-2005 dated 21 September 2005 (2005, *G.O.* 2, 4342 and 4347). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

(5) by replacing "in Clause 3.1" in the part preceding subparagraph *a* of paragraph 4 by "in Clause 3".

4. This Regulation comes into force on 22 December 2005.

7297

Draft Regulations

Draft Decree

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

**Building service employees – Montréal
— Amendments**

Notice is hereby given, under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received a petition from the contracting parties to amend the Decree respecting building service employees in the Montréal region (R.R.Q., 1981, c. D-2, r.39) and that, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Decree to amend the respecting building service employees in the Montréal region, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The Draft Decree aims to amend the Decree respecting building service employees in the Montréal region to increase the wages of employees and of crew leaders, to establish a group registered retirement savings plan and to update or clarify certain provisions as well as the term of the Decree.

To do so, Draft Decree proposes to increase wages for the three classes of employees on 1 June 2006, 2007, 2008, 2009 and 2010, to increase the crew leader's premium to at least two percent of his hourly rate. It also proposes, as of 1 June 2009, the establishment of a group registered retirement savings plan in which the employer's contribution will be $0.05 and an additional $0.05 as at 1 June 2010, and requiring that the employer enter that contribution on the pay slip. It also provides that an employee will be entitled to a rest period with pay as soon as he has worked three hours. In addition, the Draft Regulation stipulates that the washing or cleaning of carpets constitutes Class "A" work and that an employee is considered to be at work during the preparation of material required for the work. It stipulates that an employee may be absent for an examination related to her pregnancy carried out by a midwife. Finally, the Draft Decree proposes to extend the Decree respecting building service employees in the Montréal region to 1 June 2010 and to update its automatic renewal clause.

During the consultation period, the impact of the amendments sought will be clarified. According to the 2004 annual report of The Parity Committee for the Building Services, Montréal Region, the Decree governs 891 employers, and 10,342 employees.

Further information may be obtained by contacting Ms. Julie Massé, Direction des politiques, de la construction et des décrets, ministère du Travail, 200, chemin Sainte-Foy, 7e étage, Québec (Québec) G1R 5S1; telephone: 418 643-1432; fax: 418 643-3514; e-mail: julie.masse@travail.gouv.qc.ca

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

JEAN-PAUL BEAULIEU,
Deputy Minister of Labour

Decree to amend the Decree respecting building service employees in the Montréal region *

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

1. The Decree respecting building service employees in the Montréal region is amended in section 1.01 by inserting "washing or cleaning carpets," after "treating floors," in paragraph *d*.

2. Section 3.06 is amended by adding the following paragraph at the end:

"An employee is considered to be at work during the preparation of material required for the work.".

3. Section 4.03 is amended by substituting the words "three hours or more" for the words "more than three hours" in the first paragraph.

* The Decree respecting building service employees in the Montréal region (R.R.Q., 1981, c. D-2, r.39) was last amended by the Regulation made by Order in Council No. 736-2005 dated 9 August 2005 (2005, *G.O.* 2, 3444). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2005, updated to 1 September 2005.

4. The following is substituted for section 6.01:

"**6.01.** The employee receives at least the following hourly wage:

(1) *(a)* Class A: $13.55;

(b) Class B: $13.15;

(c) Class C: $14.05;

(2) as of 1 June 2006:

(a) Class A: $13.95;

(b) Class B: $13.55;

(c) Class C: $14.45;

(3) as of 1 June 2007:

(a) Class A: $14.30;

(b) Class B: $13.90;

(c) Class C: $14.80;

(4) as of 1 June 2008:

(a) Class A: $14.65;

(b) Class B: $14.25;

(c) Class C: $15.15;

(5) as of 1 June 2009:

(a) Class A: $15.00;

(b) Class B: $14.60;

(c) Class C: $15.50;

(6) as of 1 June 2010:

(a) Class A: $15.35;

(b) Class B: $14.95;

(c) Class C: $15.85.".

5. Section 6.02 is amended by substituting "a minimum premium of 2% of the hourly wage" for "0,25 $ per hour".

6. The Decree is amended by inserting the following division after section 6.04:

"**DIVISION 6.100**
GROUP REGISTERED RETIREMENT SAVINGS PLAN

6.101. Effective 1 June 2009, a group registered retirement savings plan is established and administered by the Parity Committee.

6.102. The employer's contribution to the plan is $0.05 per hour paid to the employee as of 1 June 2009 and $0.10 per hour paid as of 1 June 2010.

6.103. The employer must send to the Parity Committee, no later than the 15th day of each month, his contribution to the plan for the preceding month.".

7. Section 9.07 is amended by striking out "in accordance with the Act related to the practice of midwifery within the framework of pilot projects (R.S.Q., c. P-16.1).".

8. Section 10.02 is amended by adding the following after paragraph 15:

"(16) as of 1 June 2009, the employer's contribution to the group registered retirement savings plan during the period and the total contribution during the calendar year.".

9. Section 14.01 is amended:

(1) by substituting "1 June 2010" for "31 May 2005";

(2) by substituting the number "2009" for the number "2004".

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

7295

Draft Regulation

Forest Act
(R.S.Q., c. F-4.1)

Forest royalties
— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting forest royalties, 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 extend the rate of 90% used to determine the value of silvicultural treatments and other activities admissible as payment of dues from 1 April 2006 to 31 March 2007. Since the rule of calculation currently used is being extended, the draft Regulation will have no financial impact on enterprises in the forest sector.

Further information on the draft Regulation may be obtained by contacting Jean-Pierre Adam, responsable de la tarification et des évaluations forestières, Direction des programmes forestiers, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, bureau 6.00, Québec (Québec) G1S 4X4; tel.: 418 627-8650, extension 4375; fax: 418 646-9245; e-mail: Jean-Pierre.Adam@mrnf.gouv.qc.ca.

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to Marc Ledoux, Associate Deputy Minister for Forests, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10e étage, Québec (Québec) G1S 4X4.

PIERRE CORBEIL,
Minister of Natural Resources and Wildlife

Regulation to amend the Regulation respecting forest royalties*

Forest Act
(R.S.Q., c. F-4.1, s. 172, 1st par., subpar. 3)

1. The Regulation respecting forest royalties is amended in section 11 by replacing "1 April 2005" by "1 April 2006" and "31 March 2006" by "31 March 2007" in the part preceding subparagraph 1 of the first paragraph.

2. This Regulation comes into force on 1 April 2006.

7287

* The Regulation respecting forest royalties, made by Order in Council 372-87 dated 18 March 1987 (1987, *G.O.* 2, 1099), was last amended by the regulation made by Order in Council 92-2005 dated 9 February 2005 (2005, *G.O.* 2, 562). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

Municipal Affairs

Gouvernement du Québec

O.C. 1130-2005, 23 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 Îles-de-la-Madeleine

WHEREAS Municipalité des Îles-de-la-Madeleine was constituted by Order in Council 1043-2001 dated 12 September 2001, amended by Order in Council 593-2002 dated 22 May 2002;

WHEREAS the territory of the municipality comprises the territories of the former municipalities of L'Île-du-Havre-Aubert, L'Étang-du-Nord, Grande-Entrée, Havre-aux-Maisons, Fatima and Grosse-Île and the territory of the former Village de Cap-aux-Meules;

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 municipality corresponding to the territory of the former Municipalité de Grosse-Île 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 Îles-de-la-Madeleine is made up of the territories of Municipalité des Îles-de-la-Madeleine and Municipalité de Grosse-Île 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 a transition committee was established by Order in Council 596-2004 dated 21 June 2004 to participate, together with the administrators and employees of the municipality 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 the transition committee reported to the Minister of Municipal Affairs and Regions on 28 September 2005;

WHEREAS it is expedient to make an urban agglomeration order for the urban agglomeration of Îles-de-la-Madeleine;

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 Îles-de-la-Madeleine, 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, Municipalité des Îles-de-la-Madeleine and Municipalité de Grosse-Île, whose territories make up the urban agglomeration of Îles-de-la-Madeleine, hereinafter designated as the "urban agglomeration", are referred to respectively as the "central municipality" and the "reconstituted municipality". They are related municipalities.

The term "municipality", used alone, designates Municipalité des Îles-de-la-Madeleine as it existed before the coming into force of this Order; "former municipality" means Municipalité de Grosse-Île that ceased to exist upon the constitution of the municipality.

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 is applied, 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 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 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

29. The immovable situated at 246 route 199 and the property listed in the transition committee's report of 28 September 2005 become the property of the reconstituted municipality.

30. All property of the municipality 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 between the related municipalities in proportion to their share in the financing of the expenditures that relate to the debt.

31. Every document of the municipality that before its constitution was the property of Municipalité de Grosse-Île 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 municipality 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 municipality, 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 municipality 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 municipality 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 municipality'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 municipality 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 municipality and related to property, services or activities within urban agglomeration powers;

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

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

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

(2) debts contracted by the municipality 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 2002-16, 2002-23, 2002-28, 2002-44, 2003-08, 2004-10, 2004-11, 2004-12, 2005-14 and, in a proportion of 8%, the debt arising out of the borrowing under by-law 2003-27.

39. The debts referred to in section 37 include the debts arising out of borrowings under by-laws 2002-10, 2002-20, 2002-27, 2002-46, 2004-14, 2005-02, 2005-07, 2005-10, 2005-11, 2005-12, 2005-15, 2005-17 and, in a proportion of 92%, the debt arising out of the borrowing under by-law 2003-27.

40. Despite sections 34 to 36, the debt arising out of the borrowings under the by-laws listed below is to be financed by revenues derived exclusively from the territory of the central municipality:

(1) by-law 001-97 of the former Municipalité de Grande-Entrée;

(2) by-laws 7, 155, 220, 238, 239, 240, 242, 281 and 325 of the former Municipalité de Havre-aux-Maisons;

(3) by-laws 227, 230, 247, 262, 267, 275 and 292 of the former Municipalité de Fatima; and

(4) by-laws 234, 245, 285, 303 and 308 of the former Municipalité de L'Étang-du-Nord.

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 municipality 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 municipality, the central municipality must cover the deficit or use the surplus in the exercise of urban agglomeration powers. In the case where the municipality 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 municipality 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 municipality'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 municipality, 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 municipality'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 municipality 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 municipal 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 municipality and "new municipality" means the reconstituted municipality.

47. Every agreement or contract to which the municipality 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 municipality 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 A

THOROUGHFARES FORMING THE ARTERIAL SYSTEM OF THE URBAN AGGLOMERATOIN

Havre-aux-Maisons sector: chemin de la Pointe-Basse, chemin des Échoueries, chemin des Montants and part of chemin de la Dune-du-Sud.

Havre-Aubert sector: chemin de la Montagne, chemin de l'Étang-des-Caps, chemin d'en Haut and chemin du Sable.

Île Centrale sector: chemin des Caps, chemin Noël, chemin Poirier, chemin du Gros-Cap, chemin de la Belle-Anse, chemin du Phare and the portion of chemin de l'Étang-du-Nord leading to the Complexe de la Côte.

Those thoroughfares are illustrated on the plan appended to the transition committee's report of 28 September 2005.

SCHEDULE B

EQUIPMENT, INFRASTRUCTURES AND ACTIVITIES OF COLLECTIVE INTEREST

Equipment and infrastructures

Regional swimming pool

Activities

Corporation culturelle Arrimage
Programme Villes et villages d'art et de patrimoine

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Gouvernement du Québec

O.C. 1131-2005, 23 November 2005

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

Municipalité des Îles-de-la-Madeleine

WHEREAS Municipalité des Îles-de-la-Madeleine was constituted by Order in Council 1043-2001 dated 12 September 2001, amended by Order in Council 593-2002 dated 22 May 2002;

WHEREAS the territory of the municipality comprises the territories of the former municipalities of L'Île-du-Havre-Aubert, L'Étang-du-Nord, Grande-Entrée, Havre-aux-Maisons, Fatima and Grosse-Île and the territory of the former Village de Cap-aux-Meules;

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 municipality 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 de Grosse-Île, 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 a transition committee was established by Order in Council 596-2004 dated 21 June 2004 to participate, together with the administrators and employees of the municipality 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 the transition committee reported to the Minister of Municipal Affairs and Regions on 28 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 Municipalité des Îles-de-la-Madeleine is the territory described in the Schedule, the description being prepared by the Minister of Natural Resources and Wildlife on 6 September 2005.

2. Section 2 of Order in Council 1043-2001 dated 12 September 2001 respecting the amalgamation of the municipalities of L'Île-du-Havre-Aubert, L'Étang-du-Nord, Grande-Entrée, Havre-aux-Maisons, Fatima and Grosse-Île and Village de Cap-aux-Meules, amended by Order in Council 593-2002 dated 22 May 2002, is revoked.

3. Division I of Chapter II of the Order is revoked.

4. The title of Division II of Chapter II of the Order is amended by striking out "and borough council".

5. Subdivisions 1 and 3 of Division II of Chapter II of the Order are revoked.

6. Section 14 of the Order is amended by striking out "or borough".

7. Section 15 of the Order is amended by striking out the second paragraph.

8. Section 16 of the Order is revoked.

9. Divisions V and VI of Chapter II of the Order are revoked.

10. Section 21 of the Order is amended by striking out the third and fourth paragraphs.

11. Section 23 of the Order is revoked.

12. Section 25 of the Order is amended by striking out "and may establish rules relating to the financial support the borough council may grant to a body carrying on its activities in the borough and whose mission is local economic, community, social and cultural development" in the second paragraph.

13. Section 28 of the Order is revoked.

14. Division III of Chapter III of the Order is revoked.

15. Chapter IV of the Order is revoked.

16. Section 97 of the Order is amended by replacing "within four years of the constitution of the municipality" in the first paragraph by "before 1 January 2010".

17. Schedule A to the Order is revoked.

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

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

OFFICIAL DESCRIPTION OF THE BOUNDARIES OF THE NEW TERRITORY OF MUNICIPALITÉ DES ÎLES-DE-LA-MADELEINE

The new territory of Municipalité des Îles-de-la-Madeleine, following the de-amalgamation of Municipalité de Grosse-Île comprises, in reference to the cadastres of Île-au-Loup, Île-Coffin, Île-d'Entrée, Île-du-Cap-aux-Meules, Île-du-Corps-Mort, Île-du-Havre-Aubert and Île-du-Havre-aux-Maisons, the lots or parts of lots, the blocks or parts of blocks and their present and future subdivisions and the roads, routes, watercourses and part of the Gulf of St. Lawrence, the whole within the limits described hereinafter, to wit: commencing at the meeting point of meridian 63° 00' west longitude and of parallel 48° 40' north latitude; thence, successively, the following lines and demarcations: easterly, the said parallel of latitude to the limits of the province of Québec into the Gulf of St. Lawrence; in general southerly, southwesterly and westerly directions, the limits of the province to meridian 63° 00' west longitude; lastly, northerly, the said meridian of longitude to the point of commencement.

The territory of Municipalité de Grosse-Île is to be withdrawn from the territory.

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

Québec, 6 September 2005

Prepared by: _____
JEAN-PIERRE LACROIX,
Land surveyor

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Gouvernement du Québec

O.C. 1132-2005, 23 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 Grosse-Île

WHEREAS Municipalité des Îles-de-la-Madeleine was constituted by Order in Council 1043-2001 dated 12 September 2001, amended by Order in Council 593-2002 dated 22 May 2002;

WHEREAS the territory of the municipality comprises the territories of the former municipalities of L'Île-du-Havre-Aubert, L'Étang-du-Nord, Grande-Entrée, Havre-aux-Maisons, Fatima and Grosse-Île and the territory of the former Village de Cap-aux-Meules;

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 municipality corresponding to the territory of the former Municipalité de Grosse-Île 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 a transition committee was established by Order in Council 596-2004 dated 21 June 2004 to participate, together with the administrators and employees of the municipality 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 the transition committee reported to the Minister of Municipal Affairs and Regions on 28 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 de Grosse-Île;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions, that Municipalité de Grosse-Île 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 6 September 2005.

3. The first meeting of the council of the municipality will take place at 214, route 199.

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 Municipalité des Îles-de-la-Madeleine relating to a municipal power other than an urban agglomeration power. All the acts performed by that municipality in their respect are deemed to be acts of Municipalité de Grosse-Île which becomes, without continuance of suit, a party to any proceedings to which the former Municipalité de Grosse-Île was a party before the constitution of Municipalité des Îles-de-la-Madeleine.

The by-laws, resolutions or other instruments of Municipalité des Îles-de-la-Madeleine, insofar as they are, immediately before the reconstitution of Municipalité de Grosse-Île, 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 Municipalité de Grosse-Île.

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 Îles-de-la-Madeleine 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 MUNICIPALITÉ DES ÎLES-DE-LA-MADELEINE AND ERECTED AS A LOCAL MUNICIPALITY UNDER THE NAME MUNICIPALITÉ DE GROSSE-ÎLE

A territory that is currently part of Municipalité des Îles-de-la-Madeleine and erected as a local municipality under the name Municipalité de Grosse-Île, and that comprises all the lots of the cadastres of Grosse-Île, Île-Coffin, Île-Brion and Rocher-aux-Oiseaux, their present and future subdivisions, the thoroughfares, hydrographic and topographic entities, built-up sites or parts thereof within the three perimeters hereinafter described as follows:

First perimeter

The first perimeter commences at the intersection of the high-water mark of the Gulf of St. Lawrence with the dividing line between lots 43 and 44 of the cadastre of Île-Coffin; thence, successively, the following lines and demarcations: northwesterly, the dividing line between the said lots and, in Havre de la Grande Entrée, a straight line along a bearing of 326° 03' over a distance of 2,578.7 metres; southwesterly, a straight line along a bearing of 246° 06' over a distance of 7,595.6 metres; northwesterly, a straight line along a bearing of 319° 05' over a distance of 2,344.4 metres, that line across île Seleine that it meets; in the Gulf of St. Lawrence, northeasterly, a straight line along a bearing of 47° 37' over a distance of 6,620.0 metres and a second straight line along a bearing of 62° 57', over a distance of 3,520.0 metres; easterly, a straight line along a bearing of 95° 45' over a distance of 3,470.0 metres and a second straight line along a bearing of 75° 52' over a distance of 4,460.0 metres; southeasterly, a straight line along a bearing of 115° 35' over a distance of 3,020.0 metres; southerly, a straight line along a bearing of 175° 44' over a distance of 2,570.0 metres; westerly, a straight line along a bearing of 257° 21' over a distance of 2,990.0 metres; southwesterly, a straight line along a bearing of 237° 07' over a distance of 3,110.0 metres; southerly, a straight line along a bearing of 176° 17' over a distance of 2,475.0 metres; westerly, a straight line along a bearing of 251° 17' over a distance of 2,345.0 metres; lastly northwesterly, a straight line along a bearing of 326° 03' over a distance of 803.8 metres to the point of commencement.

Second perimeter

The second perimeter comprises the whole territory within île Brion bounded by the high-water mark of the Gulf of St. Lawrence.

Third perimeter

The third perimeter comprises the whole territory within Rocher aux Oiseaux bounded by the high-water mark of the Gulf of St. Lawrence.

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

Québec, 6 September 2005

Prepared by : _____
JEAN-PIERRE LACROIX,
Land surveyor

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified