

**Gazette**  
officielle  
**DU Québec**

Part

**2**

No. 7

14 February 2007

**Laws and Regulations**

Volume 139

**Summary**

Table of Contents  
Acts 2006  
Regulations and other acts  
Draft Regulations  
Transport  
Index

Legal deposit – 1st Quarter 1968  
Bibliothèque nationale du Québec  
© Éditeur officiel du Québec, 2007

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



## Table of Contents

Page

### Acts 2006

40	An Act to amend the Act respecting industrial accidents and occupational diseases and the Workers' Compensation Act .....	783
43	An Act to amend the Education Act and the Act respecting municipal taxation .....	797
44	An Act to amend various legislative provisions concerning retirement .....	803
48	An Act to amend the Consumer Protection Act and the Act respecting the collection of certain debts .....	819
50	An Act respecting the Centre de la francophonie des Amériques .....	829
53	An Act respecting the governance of state-owned enterprises and amending various legislative provisions .....	839
55	An Act to again amend various legislative provisions respecting municipal affairs .....	881
200	An Act respecting Ville de Québec .....	933
207	An Act respecting Le Parc Co-ownership .....	937
209	An Act respecting the Agence de développement de Saint-Donat .....	943
212	An Act to again amend the charter of La Communauté des Sœurs de Charité de la Providence .....	949
214	An Act to amend the charter of the City of Laval .....	957

### Regulations and other acts

56-2007	Professional Code — Psychologues — Diploma and training equivalence standards for the issue of a permit by the Ordre .....	961
57-2007	Professional Code — Comptables agréés — Trust accounting by chartered accountants and indemnity fund of the Ordre .....	964
58-2007	Professional Code — Orthophonistes et audiologistes — Categories of permits issued by the Ordre .....	970
59-2007	Professional Code — Advocates — Code of ethics (Amend.) .....	972
74-2007	Process of negotiation of the collective agreements in the public and parapublic sectors, An Act respecting the... — Exemption of a local legal aid centre from the application of the Act .....	973
77-2007	Signing of certain documents of the Société immobilière du Québec .....	973

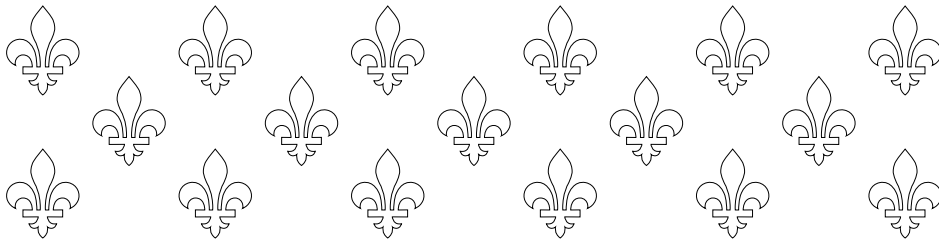
### Draft Regulations

Mini Loto, Inter Loto, instant lotteries and “pool” type lotteries .....	977
Professional Code — Annual reports of professional orders .....	977
Professional Code — Nurses — Certain professional activities which may be engaged in by nursing assistants .....	983
Professional Code — Nursing assistants — Standards of equivalence for diplomas and training for the issue of a permit by the Ordre .....	985
Professional Code — Pharmacists — Standards for equivalence of diplomas or training for the issue of a pharmacist's permit .....	987
Professional Code — Pharmacy Act — Pharmacists — Terms and conditions for the issue of permits by the Ordre .....	989
Pharmacy Act — Terms and conditions for the sale of medications .....	991
Titles similar to the title of financial planner .....	992
Unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants .....	993
Value of silvicultural treatments .....	1006

**Transport**

---

66-2007	Roads under the management of the Minister of Transport .....	1013
---------	---	------



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 40  
(2006, chapter 53)

**An Act to amend the Act respecting  
industrial accidents and occupational  
diseases and the Workers' Compensation  
Act**

---

---

**Introduced 14 November 2006  
Passage in principle 29 November 2006  
Passage 13 December 2006  
Assented to 14 December 2006**

---

**Québec Official Publisher  
2006**

## **EXPLANATORY NOTES**

*This bill amends the Act respecting industrial accidents and occupational diseases mainly with respect to financial matters.*

*The bill thus clarifies the provisions concerning the insurance coverage applicable to the members of the board of directors of a legal person.*

*The bill also changes the way the employers' assessment is collected, providing for it to be paid in periodic payments calculated on the basis of the salaries or wages paid to workers over a period. It also introduces certain provisions to ensure employers' compliance with the legal requirements with respect to financing.*

*Lastly, the bill amends certain provisions concerning employers personally liable for the payment of benefits, in particular in order to clarify the rules governing the guarantees they must provide to ensure the payment of benefits to their workers.*

## **LEGISLATION AMENDED BY THIS BILL:**

- Workers' Compensation Act (R.S.Q., chapter A-3);
- Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001).

## Bill 40

### AN ACT TO AMEND THE ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES AND THE WORKERS' COMPENSATION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

**1.** Section 2 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001) is amended

(1) by inserting the following definition after the definition of “establishment”:

““executive officer” means a member of the board of directors of a legal person who also exercises the functions of president, vice-president, secretary or treasurer of the legal person;”;

(2) by adding the following paragraph after paragraph 3 in the definition of “worker”:

“(4) an executive officer of a legal person regardless of the work the executive officer does for the legal person.”

**2.** Section 5 of the Act is amended by adding the following paragraph at the end:

“A person who, for the purposes of his establishment, uses a worker whose services are lent or hired out is deemed to be an employer for the purposes of section 316, even if the person has no workers in his employ.”

**3.** The Act is amended by inserting the following section after section 6:

**6.1.** The second paragraph of section 33 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (chapter P-45) does not apply for the purpose of determining whether a person is an executive officer on a given date.”

**4.** The Act is amended by inserting the following after section 10:

“PAPER CARRIER

“**10.1.** A paper carrier is considered a worker in the employ of the person who hires him.”

**5.** Section 18 of the Act is amended

(1) by replacing “and directors” in the first line by “, executive officers and members of the boards of directors”;

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

“However, a worker who sits on the board of directors of the legal person that employs him need not register with the Commission to have protection under this Act when the worker exercises his functions as a member of that board of directors.”

**6.** Section 34 of the Act is amended by inserting the following paragraph after the first paragraph:

“For the purposes of the first paragraph, the assessment due by the former employer on the date of the alienation or transfer includes the assessment that can be computed on the basis of wages paid by the former employer until that date and the rate applicable on that date under section 305 even if a notice of assessment has not been issued.”

**7.** Sections 290 and 291 of the Act are replaced by the following sections:

“**290.** An employer who begins operating must notify the Commission of that fact in the manner, subject to the conditions and within the time prescribed by regulation.

“**291.** For the purposes of this chapter, the employer shall declare to the Commission the gross wages of the employer’s workers and the other information prescribed by regulation, in the manner, subject to the conditions and within the time also prescribed by regulation.

The employer or a representative of the employer who has personal knowledge of the information given shall attest to its accuracy if so required by regulation.”

**8.** Sections 292 to 294.1 of the Act are repealed.

**9.** Section 295 of the Act is amended by replacing “to 294” in the second line by “and 291”.



**10.** Section 296 of the Act is replaced by the following section:

**“296.** For the purposes of this chapter, the Commission may make a regulation requiring an employer to keep registers or records or retain supporting documents concerning the information contained in the registers or other records, according to the standards prescribed by regulation.

A person who keeps such registers or records or retains such supporting documents shall, if so required by the Commission, make them available to the Commission or send a copy, or the registers, records or supporting documents themselves, to the Commission.”

**11.** Sections 306 and 307 of the Act are replaced by the following sections:

**“306.** The Commission shall compute an assessment on the basis of the wages declared by the employer in accordance with section 291, taking into account any periodic payments made by the employer.

**“307.** If an employer fails to send a notice or the information required under section 290 or 291 within the prescribed time or if the information provided is inaccurate on its face, the Commission may fix the employer’s assessment in the manner it considers appropriate.”

**12.** Section 315 of the Act is replaced by the following sections:

**“315.** An employer must pay the Commission the amount of the assessment in the manner, subject to the conditions and within the time prescribed by regulation.

**“315.1.** An employer belonging to a category determined by regulation must, on the dates, for the periods and subject to the conditions prescribed by regulation, make periodic payments in the amount determined according to the method prescribed by regulation.

The employer must also notify the Commission, on the dates and subject to the conditions prescribed by regulation, if the amount of a payment is equal to zero.

**“315.2.** For the purpose of computing the amount of a payment under section 315.1, the Commission may impose the use of a provisional rate fixed according to the method it considers appropriate.”

**13.** Section 316 of the Act is amended by inserting the following paragraph after the third paragraph:

“If an employer proves that he is retaining the services of a contractor, the Commission may inform the employer whether an assessment is due by that contractor.”

**14.** Section 319 of the Act is replaced by the following section:

**“319.** An employer who fails to send a notice or information required under section 290 or 291 within the time prescribed incurs a penalty of \$25 per day for each day of default up to an amount of \$2,500.”

**15.** Section 321 of the Act is amended by replacing “to 10% of” in the fourth line of the first paragraph by “to”.

**16.** The Act is amended by inserting the following sections after section 321:

**“321.1.** If an employer fails to make a periodic payment within the prescribed time or makes a payment that is insufficient on its face, the Commission may, in the way it considers appropriate, determine the amount that should have been paid and demand the payment from the employer by means of a notice of assessment.

If the defaulting employer then makes the periodic payment, the employer is still liable for the penalty and any interest accrued due to the delay.

**“321.2.** An employer who fails to make a periodic payment or notify the Commission if the amount of a payment is equal to zero within the prescribed time incurs a penalty of

(1) 7% of the amount of the payment, if the delay does not exceed 7 days;

(2) 11% of the amount of the payment, if the delay does not exceed 14 days; and

(3) 15% of the amount of the payment in other cases.

The employer also incurs a penalty of \$25 per day for each day of default up to an amount of \$2,500.

**“321.3.** An employer who makes a periodic payment that is lower than the payment that should have been made must make up the difference and pay a penalty of

(1) 7% of the difference, if the difference is made up within 7 days after the date on which the payment is payable;

(2) 11% of the difference, if the difference is made up within 14 days after the date on which the payment is payable; and

(3) 15% of the difference in other cases.”

**17.** Section 323.1 of the Act is replaced by the following sections:

**“323.1.** The Commission may waive all or part of the interest, penalty or charge payable by an employer.

The Commission may also cancel all or part of the interest, penalty or fees payable by an employer.

The chair of the board of directors and chief executive officer of the Commission shall present a statistical summary of such waivers and cancellations to the board of directors within four months after the end of the fiscal year in which the waivers and cancellations are made.

**“323.2.** If an employer that is a legal person fails to pay an assessment, the employer’s directors in office on the date of the default become solidarily liable with the employer for that assessment as well as any interest accrued and penalties incurred in relation to the assessment

(1) if a writ of execution in respect of the employer is returned unfulfilled in whole or in part after a certificate of default is filed under section 322;

(2) if a winding-up order is made against the employer or the employer becomes bankrupt within the meaning of the Bankruptcy and Insolvency Act (Revised Statutes of Canada, 1985, chapter B-3) and a claim is filed; or

(3) if the employer has instituted proceedings for its winding-up or dissolution, or if it has been dissolved.

**“323.3.** Section 323.2 does not apply to a director who, in the circumstances, exercised a reasonable degree of care, diligence and skill or could not have been aware of the default described in that section.

**“323.4.** The Commission shall assess a director described in section 323.2 as if the director were an employer, and this division applies to such an assessment, with the necessary modifications.

**“323.5.** The Commission may not assess a director for an amount referred to in section 323.2 if the employer is required to pay that amount under section 316.

Furthermore, the Commission may not assess a director for an amount referred to in section 323.2 after the expiry of two years after the date on which the director last ceases to be a director of the employer.”

**18.** Section 332 of the Act is amended by striking out the second paragraph.

**19.** Section 334 of the Act is amended by inserting “and the assessment referred to in section 343” after “beneficiaries” in the fourth line of the first paragraph.

**20.** The Act is amended by inserting the following section after section 334:

**“334.1.** An employer who is personally liable for the payment of benefits may file with the Commission an irrevocable letter of credit issued by a legal person in favour of the Commission instead of making a contract described in section 334. In the event of default by the employer, the letter of credit must cover the payment of benefits to beneficiaries and of the assessment referred to in section 343 not otherwise covered by a contract made in accordance with section 334. It must also be cashable by the Commission if the employer becomes subject to Chapter IX under section 336 and must be in compliance with the other conditions fixed by the Commission.

Not later than 75 days before the expiry date of the previous letter of credit, an employer who avails himself of the first paragraph must file with the Commission a new letter of credit meeting the requirements of the first paragraph, unless the employer has filed proof of making a contract described in section 334 that is applicable from the expiry date of the first letter of credit and under which a person undertakes to assume the obligations of the employer that are not otherwise covered by another contract made in accordance with that section.

If the legal person issuing the letter of credit is not governed by any of the Acts listed in the second paragraph of section 334, the Commission may require proof that the solvency of that person is in accordance with generally applicable principles in that regard.”

**21.** Section 336 of the Act is replaced by the following section:

**“336.** An employer who fails to comply with the obligation prescribed by section 333 is considered never to have been governed by this chapter and is subject to Chapter IX.

The employer may nevertheless become subject to this chapter if the employer files a written application to that effect with the Commission within six months after the date on which the employer’s default under section 333 began. However, the employer remains subject to Chapter IX for any period before the date on which the application is received by the Commission.

An employer who fails to comply with the obligations prescribed by sections 334 and 334.1 ceases to be governed by this chapter and becomes subject to Chapter IX if the employer does not remedy the default within 15 days after the date on which a default notice is served on the employer by the Commission.”

**22.** Section 342 of the Act is replaced by the following section:

**“342.** If the Commission believes it necessary to ensure prompt payment of benefits, it may pay a beneficiary the benefits due by an employer who is personally liable for their payment.

The Commission shall claim the amount of benefits paid from the employer by means of a written notice.

For the purposes of payment, the computation of interest, the due date and any contestation, the notice constitutes a notice of assessment.”

**23.** Section 343 of the Act is amended by replacing the last two paragraphs by the following paragraphs:

“The assessment corresponds to a percentage of the cost of the benefits due by each of the employers. The percentage is determined by the Commission by regulation and may vary according to situations also determined by regulation.

The regulations may prescribe a minimum assessment.”

**24.** Section 345 of the Act is amended by replacing “and sections 319 and 321” at the end by “, sections 319, 321 to 321.3 and 323.2 to 323.5”.

**25.** Section 348 of the Act is amended by replacing the second paragraph by the following paragraphs:

“If the Commission accepts an employer’s application under the first paragraph, it may charge to the fund the obligations of the employer relating to industrial accidents having occurred or occupational diseases reported before the change of status, on the remittance, by the employer, the employer’s insurer or the surety or warrantor, of a reserve to pay the benefits for the industrial accidents and occupational diseases as well as the assessment referred to in section 343.

An employer who chooses not to remit such a reserve remains personally liable for the payment of benefits due in relation to industrial accidents having occurred or occupational diseases reported before the change of status, and must make a contract in accordance with section 334 or file with the Commission an irrevocable letter of credit in accordance with section 334.1 to cover, in case of default on the employer’s part, the payment of benefits for the industrial accidents and occupational diseases as well as the assessment referred to in section 343.

An employer who becomes subject to Chapter IX under section 336 or who fails to make a contract or file with the Commission an irrevocable letter of credit in accordance with the third paragraph, the employer’s insurer, or the surety or warrantor must, at the request of the Commission, remit a reserve in the amount established by the Commission so that the obligations of the employer relating to industrial accidents having occurred or occupational diseases reported before the change of status and the assessment referred to in section 343 will be charged to the fund.

For the purposes of payment, the computation of interest, the due date and any contestation, the request referred to in the fourth paragraph constitutes a notice of assessment.”

**26.** Section 358 of the Act is amended

(1) by adding “, or to refuse to waive or cancel interest, a penalty or fees under section 323.1” at the end of the third paragraph;

(2) by adding the following paragraph after the third paragraph:

“A person may not apply for the review of a provisional rate fixed by the Commission under section 315.2.”

**27.** Section 454 of the Act is amended

(1) by replacing subparagraph 4.3 of the first paragraph by the following subparagraphs:

“(4.3) prescribing, for the purposes of section 290, the standards applicable to the notice that an employer who begins operating must give to the Commission;

“(4.4) determining, for the purposes of section 291, the other information the employer must declare to the Commission, and prescribing standards applicable to the declaration of gross wages and other information;

“(4.5) determining, for the purposes of section 296, the registers and records an employer must keep and the supporting documents the employer must retain as well as standards relating to the keeping and retention of such registers, records and supporting documents;”;

(2) by striking out “; those rules may vary according to the categories of employers the Commission determines” at the end of subparagraph 5.1 of the first paragraph;

(3) by inserting the following subparagraphs after subparagraph 12.2 of the first paragraph:

“(12.2.1) prescribing, for the purposes of section 315, standards applicable to the payment of the assessment by the employer;

“(12.2.2) prescribing, for the purposes of section 315.1, standards applicable to the periodic payments the employer must make;”;

(4) by striking out “. The conditions may vary according to the categories of employers the Commission determines” at the end of subparagraph 12.4 of the first paragraph;

(5) by striking out “. The conditions may vary according to the categories of employers the Commission determines” at the end of subparagraph 13 of the first paragraph;

(6) by striking out “The standards adopted under this subparagraph may vary according to the categories of employers the Commission determines.” at the end of subparagraph 15 of the first paragraph;

(7) by inserting the following subparagraph after subparagraph 15 of the first paragraph:

“(16) determining, for the purposes of section 343, percentages for fixing the assessment of employers who are personally liable for the payment of benefits, determining the situations to which the percentages apply and providing for any minimum assessment.”;

(8) by inserting the following paragraph after the first paragraph:

“In exercising its regulatory powers under subparagraphs 4.2 to 13, 15 and 16 of the first paragraph, the Commission may prescribe standards that differ according to the categories of employers it determines.”

**28.** Section 455 of the Act is amended by replacing “5 to 13 and 15” in the second line of the second paragraph by “4.2 to 13, 15 and 16”.

**29.** The Act is amended by inserting the following sections after section 574:

**574.1.** Unless the Commission agrees to charge to the fund the obligations of an employer who is personally liable for the payment of benefits under the Workers’ Compensation Act (chapter A-3), the employer remains liable for the payment of benefits for a recurrence, relapse or aggravation of an injury or disease resulting from an industrial accident suffered or an occupational disease reported by one of the employer’s workers while the employer was personally liable for the payment of benefits.

This section is declaratory. However, it cannot operate to prevent an employer who is personally liable for the payment of benefits under the Workers’ Compensation Act from being declared, under a final judgment of an administrative tribunal or a court of justice, not personally liable for the payment of benefits for a recurrence, relapse or aggravation suffered by one of the employer’s workers, as long as the employer contested a decision of the Commission holding the employer liable for the payment of those benefits before 14 November 2006.

**574.2.** The Commission may impose and is deemed to have always had the power to impose on an employer that it considered personally liable for the payment of benefits under the Workers’ Compensation Act (chapter A-3) an assessment to defray the costs incurred under this Act in

relation to a recurrence, a relapse or an aggravation of an injury or disease resulting from an industrial accident suffered or an occupational disease reported by one of the employer's workers while the employer was personally liable for the payment of benefits.

For the purpose of fixing the assessment, the Commission exercises its powers under section 343 of this Act, with the necessary modifications."

#### WORKERS' COMPENSATION ACT

**30.** Section 125 of the Workers' Compensation Act (R.S.Q., chapter A-3) is replaced by the following section:

**"125.** A regulation made by the Commission under section 124 is subject to the approval of the Government with the exception of a regulation made under paragraph *d* of that section."

#### MISCELLANEOUS AND TRANSITIONAL PROVISIONS

**31.** A regulatory amendment made before 1 July 2007 by the Commission de la santé et de la sécurité du travail under subparagraph 7, 9 or 12.1 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001) to reflect the amendments to that Act that are enacted by this Act concerning the definition of "worker" comes into force on the day of its publication in the *Gazette officielle du Québec* without prior publication and has effect from the assessment year 2007.

**32.** Sections 323.2, 323.3 and 323.5 of the Act respecting industrial accidents and occupational diseases as enacted by section 17 do not apply to an assessment for a year before the year (*insert the year of coming into force of section 323.2 of the Act respecting industrial accidents and occupational diseases*).

**33.** An employer who fails to send in the notice required by section 333 of the Act respecting industrial accidents and occupational diseases on or before 1 January 2007 becomes subject to Chapter IX of that Act from that date.

However, the employer may become subject to Chapter X of that Act again if the employer files a written application to that effect with the Commission de la santé et de la sécurité du travail before the expiry of a six-month period beginning on 1 January 2007. The employer remains subject to Chapter IX of that Act for the period extending from 1 January 2007 to the date the application is received by the Commission de la santé et de la sécurité du travail.

The fourth and fifth paragraphs of section 348 of the Act respecting industrial accidents and occupational diseases as enacted by section 25 then apply to that employer.



**34.** The Commission de la santé et de la sécurité du travail may require employers to provide information necessary for the implementation of a regulation made under subparagraph 12.2.2 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases as enacted by paragraph 3 of section 27.

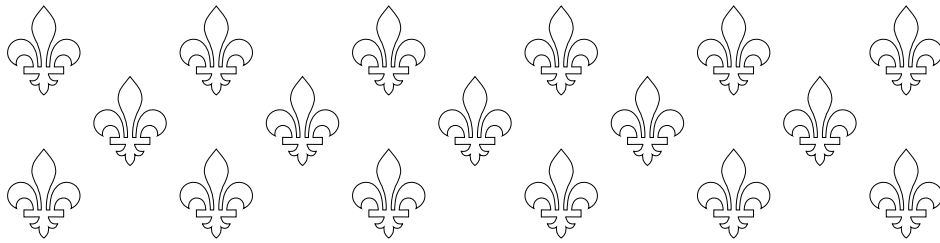
**35.** The amendment to the Workers' Compensation Act made by section 30 has effect from 14 November 2006.

**36.** Despite any judgment to the contrary, the resolutions adopted by the board of directors of the Commission de la santé et de la sécurité du travail under section 343 of the Act respecting industrial accidents and occupational diseases determining the percentages applicable to the determination of the assessment of employers personally liable for the payment of benefits to defray the costs incurred for the administration of Chapter X of that Act may not be invalidated, nor may the notices of assessment issued pursuant to those resolutions, on the ground that the Commission should have proceeded by regulation.

**37.** Sections 290 to 296, 306, 307, 315, 319, 321, 323.1 and 345 of the Act respecting industrial accidents and occupational diseases as they read on 13 December 2006 continue to apply for the purposes of employers' declarations and the fixing and payment of an assessment for an assessment year before the year (*insert the year of coming into force of section 7*).

**38.** This Act comes into force on the date or dates set by the Government, except for section 23, paragraphs 2 and 4 to 8 of section 27 and sections 28 to 37, which come into force on 14 December 2006, and sections 1 to 5 and 15, section 17 insofar as it enacts section 323.1 of the Act respecting industrial accidents and occupational diseases, sections 18 to 22, 24 and 25 and paragraph 1 of section 26, which come into force on 1 January 2007.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 43  
(2006, chapter 54)

## **An Act to amend the Education Act and the Act respecting municipal taxation**

---

---

**Introduced 25 October 2006**  
**Passage in principle 1 December 2006**  
**Passage 14 December 2006**  
**Assented to 14 December 2006**

---

**Québec Official Publisher**  
**2006**

**EXPLANATORY NOTES**

*The purpose of this bill is to allow the variation in a municipality's standardized assessment of taxable immovables resulting from the coming into force of its property assessment roll to be averaged for school tax purposes.*

*The bill also allows ratepayers to pay the school tax in two equal payments if it exceeds an amount determined by regulation.*

**LEGISLATION AMENDED BY THIS BILL:**

- Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- Education Act (R.S.Q., chapter I-13.3).

## Bill 43

### AN ACT TO AMEND THE EDUCATION ACT AND THE ACT RESPECTING MUNICIPAL TAXATION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Section 310 of the Education Act (R.S.Q., chapter I-13.3) is amended by adding the following paragraphs at the end:

“However, if there is a variation in a municipality’s standardized assessment of taxable immovables because of the coming into force of its property assessment roll, the tax base of the school tax is an adjusted value obtained after averaging the variation.

The variation in the standardized assessment of the taxable immovables is averaged in accordance with Division IV.3 of Chapter XVIII of the Act respecting municipal taxation (chapter F-2.1), with the necessary modifications.”

**2.** Section 315 of the Act is amended by adding the following paragraphs at the end:

“However, if the school tax is equal to or greater than the amount set by the regulation made under paragraph 4 of section 263 of the Act respecting municipal taxation (chapter F-2.1), the debtor may choose to pay it in two equal payments. The second payment is payable 121 days after the sending of the tax bill.

If the first payment is not made within the period prescribed, the entire amount becomes payable immediately. However, the school board may provide that only the first payment becomes payable immediately.”

**3.** Section 319 of the Act is amended by inserting “or, in the case referred to in the third paragraph of section 315, in two equal payments” after “payment” in the second line of the third paragraph.

**4.** Section 436 of the Act is amended by inserting “or, in the case referred to in the third paragraph of section 315, in two equal payments” after “payment” in the second line of the third paragraph.

**5.** The Act is amended by inserting the following section after section 475.1:

**“475.2.** If the variation in a municipality’s standardized assessment of taxable immovables resulting from the coming into force of its property assessment roll has the effect of reducing the amount of the equalization grant allocated under section 475 or 475.1, the amount of the equalization grant for the whole school year for which the roll applies may not be less than the amount of the equalization grant allocated for the school year before the roll came into force.

An amount corresponding to the difference between the amount of the equalization grant allocated under the first paragraph and the amount that would otherwise have been allocated under section 475 or 475.1 must be applied to the reduction of the school tax on that municipality’s taxable immovables, subject to the terms and conditions prescribed by the budgetary rules.”

**6.** Section 246 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended by replacing the second sentence of the first paragraph by the following sentence: “A school tax supplement resulting from such an alteration must be paid in the manner prescribed by the Education Act (chapter I-13.3) for the payment of school taxes.”

**7.** Section 248 of the Act is amended by replacing the second sentence of the first paragraph by the following sentence: “A school tax supplement resulting from such an alteration, including the interest it bears, must be paid in the manner prescribed by the Education Act (chapter I-13.3) for the payment of school taxes.”

**8.** Section 250 of the Act is amended by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) if due to a school board, it must be paid in the manner prescribed by the Education Act (chapter I-13.3) for the payment of school taxes;”.

**9.** Section 253.35 of the Act is amended by replacing the second paragraph by the following paragraph:

“They also apply, with the necessary modifications, in respect of school taxes, in the case referred to in section 310 of the Education Act (chapter I-13.3).”

**10.** The provisions enacted by this Act apply to every fiscal year from the fiscal year 2007-2008.

**11.** If the standardized assessment of a municipality’s taxable immovables for the fiscal year 2006-2007 differs from that established for the fiscal year 2005-2006 because of the coming into force of its property assessment roll, the tax base of the school tax for the fiscal year 2007-2008 is an adjusted value obtained after averaging the variation in the standardized assessment of the municipality’s taxable immovables in accordance with the third paragraph

of section 310 of the Education Act (R.S.Q., chapter I-13.3), enacted by section 1 of this Act. The adjusted value corresponds to that calculated for the second fiscal year for which the assessment roll applies.

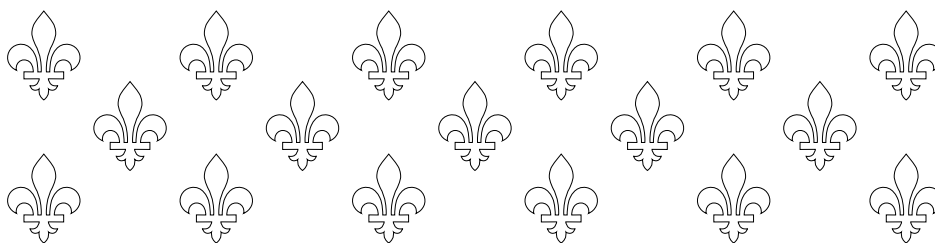
Furthermore, in the case described in the first paragraph, if the variation in a municipality's standardized assessment of taxable immovables resulting from the coming into force of its property assessment roll has the effect of reducing the amount of the equalization grant allocated under section 475 or 475.1 of the Education Act for the fiscal year 2006-2007, section 475.2 of that Act, enacted by section 5, applies from the fiscal year 2007-2008 as if it had applied for the purposes of the fiscal year 2006-2007. The reduction of the school tax provided for in that section applies to that municipality's taxable immovables, subject to the terms and conditions prescribed by the budgetary rules.

**12.** If a municipality orders the extension of the application period of its property assessment roll under section 140 of chapter 60 of the statutes of 2006, the variation in the standardized assessment of the municipality's taxable immovables must be averaged, for the purposes of the school tax, in accordance with the averaging measure prescribed by section 143 of that Act, with the necessary modifications.

**13.** This Act comes into force on 14 December 2006.







---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 44  
(2006, chapter 55)

## **An Act to amend various legislative provisions concerning retirement**

---

---

**Introduced 7 November 2006**  
**Passage in principle 28 November 2006**  
**Passage 14 December 2006**  
**Assented to 14 December 2006**

---

**Québec Official Publisher**  
**2006**

## EXPLANATORY NOTES

*This bill contains various amendments to the Acts constituting the public sector pension plans, arising in particular from recommendations made by the pension committees.*

*Thus, the bill amends the pension plans in order to clarify regulatory powers, eliminate certain obligations related to actuarial valuations, establish or standardize the wording used in relation to the computation of interest, and change the number of arbitrators who may act under the Government and Public Employees Retirement Plan.*

*The bill also amends the public sector pension plans in order to determine the pensionable salary of employees on adoption leave for the purpose of computing the amount of their contributions and pension, and set the maximum number of contributory days credited, without contributions, to an employee on maternity leave at 135 instead of 130.*

*In addition, the bill introduces measures relating to the membership of certain legal persons accredited as home child care coordinating offices in the pension plan established under the Act to facilitate the establishment of a pension plan for employees working in childcare services.*

*The bill also introduces amendments affecting the pension plan established under the Act respecting the Syndical Plan of the Sûreté du Québec in order, in particular, to allow the capitalization of member and employer contributions.*

*The bill makes it possible to terminate the pension plan of the non-teaching staff of the Commission des écoles catholiques de Montréal as at 31 January 2007, in compliance with the wishes of the active members of the plan, and allows them to participate in the Government and Public Employees Retirement Plan.*

*Lastly, the bill contains various technical and consequential amendments to simplify the administration of the public sector pension plans.*

**LEGISLATION AMENDED BY THIS BILL:**

- Act to facilitate the establishment of a pension plan for employees working in childcare services (R.S.Q., chapter E-12.011);
- Police Act (R.S.Q., chapter P-13.1);
- Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1);
- Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2);
- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11);
- Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12);
- Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1).



## Bill 44

### AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING RETIREMENT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS

**1.** Section 8 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1) is amended by inserting “, 29.2” after “29.1” in the last line of the first paragraph.

#### ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES

**2.** Section 9 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2) is amended by inserting the following paragraph after the first paragraph:

“In the case of an adoption leave, the pensionable salary is the basic salary the employee would have been entitled to receive for the period during which the employee receives benefits, or would receive benefits if the employee had applied for them, under the Québec parental insurance plan established under the Act respecting parental insurance (chapter A-29.011) or the employment insurance plan established under the Employment Insurance Act (Statutes of Canada, 1996, chapter 23).”

**3.** Section 21 of the Act is amended by replacing “130” in the second line of the first paragraph by “135”.

**4.** Section 35 of the Act is amended by replacing “the rate” in the next to last line of the first paragraph by “an annual rate”.

**5.** Section 36 of the Act is amended by replacing “determined for each period in” in the fourth line of the second paragraph by “determined in”.

**6.** Section 41.9 of the Act is amended by replacing “and” in the next to last line by “to”.

**7.** Section 41.12 of the Act is amended by replacing “determined for each period in” in the second line of the third paragraph by “determined in”.

**8.** The Act is amended by inserting the following section after section 42.1:

**“42.1.1.** The employer must withhold from any indemnity the employer pays to an employee because of an adoption leave an amount equal to the amount the employer would have withheld if the employee had not taken such a leave.”

**9.** Section 72 of the Act is amended by striking out the last paragraph.

**10.** The Act is amended by inserting the following section after section 74:

**“74.0.1.** For the purposes of this Act, subject to any contrary provision, the word “interest” used alone refers to the interest compounded annually at the rates determined for each period in Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10).

The applicable rates determined in Schedule VI to that Act are the rates determined for each period according to the period of application of those rates provided for by the relevant sections. The applicable rate determined in Schedule VII to that Act is the rate in force on the day that precedes the date the period of application of that rate begins as provided in the relevant sections, unless otherwise provided.”

**11.** Section 126 of the Act is amended by striking out the second paragraph.

**12.** Section 135 of the Act is amended by replacing “determined, for each period, in” in the next to last line of the second paragraph by “determined in”.

**13.** Section 136 of the Act is amended

(1) by replacing “determined, for each period, in” in the second line of the second paragraph by “determined in”;

(2) by replacing “à l’article 406 et à” in the fourth line of the second paragraph in the French text by “de l’article 406 et de”.

**14.** Section 137 of the Act is amended by replacing the second and third lines of the second paragraph by the following lines:

“annually, at the rates determined in Schedule VI to the Act respecting the Government and Public Employees Retirement Plan or section”.

**15.** Section 143.6 of the Act is amended by replacing the last two lines of the first paragraph by the following lines:

“granted are credited to the employee or person in accordance with section 23 of this Act, as it read before 1 January 2005, on the last date on which the employee or person once again began contributing to this plan before 1 January 2005.”

**16.** Section 143.16 of the Act is amended

(1) by replacing “determined for each period in” in the seventh line of the last paragraph by “determined in”;

(2) by replacing “under section 406 of the Act respecting the Pension Plan of Management Personnel and in” in the tenth and eleventh lines of the last paragraph by “in section 406 of the Act respecting the Pension Plan of Management Personnel and”.

**17.** Section 143.20 of the Act is amended

(1) by replacing “at the rate” in the twelfth line of the first paragraph by “, compounded annually, at the rates”;

(2) by replacing “204, 205” in the next to last line of the first paragraph by “205, 206”.

**ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES  
RETIREMENT PLAN**

**18.** Section 14 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended by inserting the following paragraph after the first paragraph:

“In the case of an adoption leave, the pensionable salary is the basic salary the employee would have been entitled to receive for the period during which the employee receives benefits, or would receive benefits if the employee had applied for them, under the Québec parental insurance plan established under the Act respecting parental insurance (chapter A-29.011) or the employment insurance plan established under the Employment Insurance Act (Statutes of Canada, 1996, chapter 23).”

**19.** Section 22 of the Act is amended by replacing “130” in the last line of the first paragraph by “135”.

**20.** The Act is amended by inserting the following section after section 29.1:

**“29.2.** The employer must withhold from any indemnity the employer pays to an employee because of an adoption leave an amount equal to the amount the employer would have withheld if the employee had not taken such a leave.”

**21.** Section 46.1 of the Act is amended by inserting “, compounded annually,” after “interest” in the first line of the last paragraph.

**22.** Section 85.20 of the Act is amended by striking out the second paragraph.

**23.** Section 85.21 of the Act is amended by striking out “, except the second paragraph of section 85.20,” in the first and second lines.

**24.** Section 89 of the Act is replaced by the following section:

“**89.** The pension credit may be increased on 1 January following the filing of the actuarial valuation of the service redeemed if the valuation shows that an upward adjustment should be made. The Government may establish, by regulation, the rules and procedures that apply to the increase of pension credits; those rules and procedures may vary with the categories of pension credits and persons the Government determines.”

**25.** Section 109.4 of the Act is amended by replacing the last paragraph by the following paragraph:

“The amounts established under this section are payable in a lump sum.”

**26.** Section 109.9 of the Act is amended

(1) by replacing “determined for each period in” in the second line of the third paragraph by “determined in”;

(2) by replacing “établi à” in the fourth line of the fourth paragraph in the French text by “de”.

**27.** Section 134 of the Act is amended

(1) by inserting the following subparagraph after subparagraph 11.3 of the first paragraph:

“(11.3.1) establish, for the purpose of section 89, the rules and procedures that apply to the increase of pension credits for the categories of pension credits and persons it determines;”;

(2) by striking out subparagraph 22 of the first paragraph.

**28.** Section 137 of the Act is amended

(1) by striking out “, 109.4” in the first line of subparagraph 1 of the second paragraph;

(2) by striking out “, 138.3” in the fourth line of the third paragraph.

**29.** Section 147.0.5 of the Act is amended by striking out “and section 147.0.2” in the second line.

**30.** Section 158 of the Act is amended by replacing “the fifth paragraph of section 109.4” in the next to last and last lines of the first paragraph by “section 26”.



**31.** Section 158.5 of the Act is amended by adding “, and those of the pension plan established under the Act respecting the Syndical Plan of the Sûreté du Québec (chapter R-14) shall be paid in accordance with section 67.3 of the Police Act (chapter P-13.1)” at the end.

**32.** Section 174 of the Act is amended

(1) by striking out “, of the Teachers Pension Plan and of the Civil Service Superannuation Plan” in the third and fourth lines of the first paragraph;

(2) by replacing “des régimes” in the last line of the second paragraph in the French text by “du régime”.

**33.** Section 178 of the Act is amended by replacing “one of the plans mentioned in section 174” in the second line by “the Government and Public Employees Retirement Plan”.

**34.** Section 183 of the Act is amended by replacing “two arbitrators” in the second line of the first paragraph by “three arbitrators”.

**35.** Section 187 of the Act is amended by inserting “and, if provided for under the plan, each payment of an indemnity paid because of an adoption leave” after “salary” in the third line of the first paragraph.

**36.** Section 191 of the Act is amended by replacing “204, 205” in the tenth line of the second paragraph by “205, 206”.

#### ACT RESPECTING THE TEACHERS PENSION PLAN

**37.** Section 11 of the Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11) is amended by inserting the following paragraph after the first paragraph:

“In the case of an adoption leave, the pensionable salary is the basic salary the teacher would have been entitled to receive for the period during which the teacher receives benefits, or would receive benefits if the teacher had applied for them, under the Québec parental insurance plan established under the Act respecting parental insurance (chapter A-29.011) or the employment insurance plan established under the Employment Insurance Act (Statutes of Canada, 1996, chapter 23).”

**38.** Section 19 of the Act is amended by replacing “130” in the last line of the first paragraph by “135”.

**39.** Section 23 of the Act is amended by replacing “with interest at 5%, compounded annually,” in the second and third lines of the second paragraph by “with interest, compounded annually, at the rate of 5%”.

**40.** Section 28.7 of the Act is repealed.

**41.** The Act is amended by inserting the following section after section 29.1:

**“29.1.0.1.** The employer must withhold from any indemnity the employer pays to a teacher because of an adoption leave an amount equal to the amount the employer would have withheld if the teacher had not taken such a leave.”

#### ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

**42.** Section 51 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) is amended by inserting the following paragraph after the first paragraph:

“In the case of an adoption leave, the pensionable salary is the basic salary the officer would have been entitled to receive for the period during which the officer receives benefits, or would receive benefits if the officer had applied for them, under the Québec parental insurance plan established under the Act respecting parental insurance (chapter A-29.011) or the employment insurance plan established under the Employment Insurance Act (Statutes of Canada, 1996, chapter 23).”

**43.** Section 67 of the Act is amended by replacing “130” in the last line of the first paragraph by “135”.

**44.** The Act is amended by inserting the following section after section 69.0.1:

**“69.0.1.1.** The employer must withhold from any indemnity the employer pays to an officer because of an adoption leave an amount equal to the amount the employer would have withheld if the officer had not taken such a leave.”

**45.** Section 99.21 of the Act is repealed.

**46.** Section 109 of the Act is amended by striking out paragraph 8.1.

#### ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

**47.** Section 25 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1) is amended by inserting the following paragraph after the first paragraph:

“In the case of an adoption leave, the pensionable salary is the basic salary the employee would have been entitled to receive for the period during which the employee receives benefits, or would receive benefits if the employee had

applied for them, under the Québec parental insurance plan established under the Act respecting parental insurance (chapter A-29.011) or the employment insurance plan established under the Employment Insurance Act (Statutes of Canada, 1996, chapter 23).”

**48.** Section 36 of the Act is amended by replacing “130” in the last line of the first paragraph by “135”.

**49.** The Act is amended by inserting the following section after section 43:

“**43.1.** The employer must withhold from any indemnity the employer pays to an employee because of an adoption leave an amount equal to the amount the employer would have withheld if the employee had not taken such a leave.”

**50.** Section 68 of the Act is amended by inserting “, compounded annually,” after “interest” in the first line of the fourth paragraph.

**51.** Section 118 of the Act is amended by replacing “or paternity” in the third line of the third paragraph by “, paternity or adoption”.

**52.** Section 138.3 of the Act is amended by replacing the last paragraph by the following paragraph:

“The amounts established under this section are payable in a lump sum.”

**53.** Section 138.8 of the Act is amended

(1) by replacing “for each period in Schedule VII to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1)” in the second, third and fourth lines of the third paragraph by “in Schedule VII”;

(2) by striking out “to that Act” in the sixth line of the third paragraph;

(3) by striking out “to the Act respecting the Government and Public Employees Retirement Plan” in the fourth and fifth lines of the fourth paragraph.

**54.** Section 196 of the Act is amended by striking out subparagraphs 5.2 and 21 of the first paragraph.

**55.** Section 203 of the Act is amended by replacing “in the second paragraph of section 138.2” in the last line of the first paragraph by “in section 40”.

#### MISCELLANEOUS AND FINAL PROVISIONS

**56.** Section 1 of the Act to facilitate the establishment of a pension plan for employees working in childcare services (R.S.Q., chapter E-12.011), amended by section 138 of chapter 47 of the statutes of 2005, is again amended by replacing “and of associations representing those permit holders” at the end

by “, of associations representing those permit holders and of legal persons accredited by the Minister as home child care coordinating offices referred to in the second paragraph of section 40 and in section 158 of that Act”.

**57.** Section 2 of the Act, amended by section 139 of chapter 47 of the statutes of 2005, is again amended by replacing the first paragraph by the following paragraph:

“**2.** Unless excluded by the pension plan, the permit holders and accredited legal persons referred to in section 1 are required to become a party to the pension plan referred to in that section from the time the plan is established or from the time the permit is issued or the accreditation is granted if the permit is issued or the accreditation is granted after the plan is established. The associations representing the permit holders may become a party to the pension plan.”

**58.** Section 3 of the Act is amended by replacing “the permit holders referred to in section 1 or to an association representing such permit holders” in the second and third lines of the first paragraph by “the accredited legal persons and permit holders referred to in section 1 and to the associations representing such permit holders”.

**59.** Despite section 57, legal persons accredited as home child care coordinating offices before 14 December 2006 are required to become a party to the pension plan on that date.

**60.** Section 67 of the Police Act (R.S.Q., chapter P-13.1) is replaced by the following sections:

“**67.** The contribution fund of the members of the pension plan referred to in the first paragraph of section 65 is established at the Caisse de dépôt et placement du Québec. The employers’ contributory fund is also established at the Caisse.

“**67.1.** Member contributions to the pension plan referred to in the first paragraph of section 65, with respect to years of service prior to 1 January 2007, shall be paid into the consolidated revenue fund. Member contributions with respect to years of service subsequent to 31 December 2006, except those concerning ancillary benefits, and related employer contributions to the pension plan shall be paid into the funds referred to in section 67, in accordance with the provisions of the plan. However, in the case of an officer who is a member of the plan on 31 December 2006, member and employer contributions shall be paid into the consolidated revenue fund if the officer sends the Commission administrative des régimes de retraite et d’assurances a written notice to that effect before 31 January 2007.

“**67.2.** Any benefits except ancillary benefits and any reimbursement or sum resulting from a transfer related to the pension plan referred to in the first paragraph of section 65 shall be paid out of

(1) the consolidated revenue fund for years of service prior to 1 January 2007; or

(2) the funds referred to in section 67, in accordance with the provisions of the plan, for years of service subsequent to 31 December 2006.

If the employers' contributory fund is exhausted, the sums that were to be taken out of that fund shall be taken out of the consolidated revenue fund. In the case of officers who sent the Commission administrative des régimes de retraite et d'assurances the notice referred to in section 67.1, the payments referred to in the first paragraph shall also be paid out of the consolidated revenue fund.

**“67.3.** The administration expenses of the pension plan referred to in the first paragraph of section 65, except those related to ancillary benefits, shall be paid out of the funds referred to in section 67, in accordance with the provisions of the plan.

If the employers' contributory fund is exhausted, the sums that were to be taken out of that fund shall be taken out of the consolidated revenue fund. In the case of officers who sent the Commission administrative des régimes de retraite et d'assurances the notice referred to in section 67.1, the payment referred to in the first paragraph shall also be paid out of the consolidated revenue fund.

**“67.4.** The Caisse de dépôt et placement du Québec shall administer:

(1) the sums deposited in the employers' contributory fund under the pension plan referred to in the first paragraph of section 65, in accordance with the investment policy of the Minister of Finance; and

(2) the sums deposited in the plan members' contribution fund, in accordance with the provisions of the plan.

**“67.5.** Plan members' contributions with respect to the ancillary benefits provided for in the pension plan referred to in the first paragraph of section 65 shall be paid in accordance with the provisions of the plan, and the payment and administration of those benefits shall be paid in accordance with those provisions.

**“67.6.** A benefit or reimbursement payable under the pension plan referred to in the first paragraph of section 65 is untransferable and unseizable.

**“67.7.** On the basis of the actuarial valuation required by the Minister of Finance, the Minister shall determine the amounts that could, from year to year, but at the latest every three years, be capitalized at prescribed periods to take into account undertakings of the Government with respect to the pension plan referred to in the first paragraph of section 65 regarding years of service

subsequent to 31 December 2006. The amounts so capitalized shall be drawn from the consolidated revenue fund.”

**61.** Section 353.3 of the Act is amended by replacing “having neither reached 65 years of age nor accumulated the maximum number of years of credited service under the plan referred to in section 353.4” in the fifth, sixth and seventh lines of the first paragraph by “not having reached 65 years of age”.

**62.** Section 353.4 of the Act is amended by striking out “or accumulating the maximum number of years of credited service under the plan, whichever occurs first” in the second and third lines of the second paragraph.

**63.** The pension plan of the non-teaching staff of the Commission des écoles catholiques de Montréal terminates on 31 January 2007 if, before 22 November 2006, more than half the employees who are members of the plan on 1 November 2006 have expressed in writing their wish to become members of the Government and Public Employees Retirement Plan. The termination of the plan applies despite sections 204 to 207 of the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1) and applies to all members and beneficiaries of the plan on the date of termination. The Régie des rentes du Québec is then deemed to have rendered, on 31 January 2007, a decision ordering the termination of the plan. Despite sections 212, 212.1, 236 and 237 of the Supplemental Pension Plans Act, the benefits to which the members and beneficiaries are entitled are established for the purposes of the termination report and paid in the manner prescribed in this section.

The active members of the plan on 31 January 2007 become members of the Government and Public Employees Retirement Plan on 1 February 2007. In accordance with section 101 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10), those employees are awarded a pension credit for the value of their benefits accrued under the plan, on the basis of the hypotheses set forth in Schedule I to the Regulation under the Act respecting the Government and Public Employees Retirement Plan made by Order in Council 1845-88 dated 14 December 1988 (1988, G.O. 2, 4154) in force on 1 November 2006. An amount equal to the value of the benefits is transferred to the Commission administrative des régimes de retraite et d’assurances.

On the date and according to the conditions and procedures prescribed by the Government, the Commission administrative des régimes de retraite et d’assurances assumes payment of the pension of all members and beneficiaries whose pension payments begin before 1 February 2007 and all non-active members at that date whose pension payments, under the plan, begin after 31 January 2007. The pensions are paid in accordance with sections 80, 82 and 83 of the Act respecting the Government and Public Employees Retirement Plan.

Despite section 102 of the Act respecting the Government and Public Employees Retirement Plan, the amounts transferred to the Commission administrative des régimes de retraite et d'assurances to assume the obligations conferred on it under this section are paid into a special fund at the Caisse de dépôt et placement du Québec. All the benefits referred to in this section and the administrative expenses relating to those benefits are paid first out of that fund and then out of the consolidated revenue fund. As of 1 February 2007, the benefits may not be the object of an increase other than increases provided for under the pension plan at the date of its termination; nor may the benefits give rise to an adjustment to the pension paid by the Government and Public Employees Retirement Plan.

If an actuarial valuation identifies a surplus pertaining to the benefits referred to in this section, the Commission must transfer the part of the surplus the minister responsible for the Act respecting the Government and Public Employees Retirement Plan specifies to the consolidated revenue fund. Once the Commission has met all the obligations conferred on it under this section, it must transfer any balance in the special fund referred to in the fourth paragraph to the consolidated revenue fund.

**64.** The first regulation made, after the date of coming into force of this Act, under section 89 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) may, if it so provides, have effect from any date not prior to 1 January 2006.

**65.** The first regulation made, after the date of coming into force of this Act, under paragraph 2 of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2), subparagraph 4 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10), paragraph 4 of section 73 of the Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11), paragraph 2 of section 109 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) or subparagraph 4 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1) may, if it so provides, have effect from any date not prior to 14 May 2006.

**66.** The first regulation made, after the date of coming into force of this Act, under subparagraph 1 of the first paragraph of section 215.13 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) in application of sections 79.3 and 81.15 of the Act respecting labour standards (R.S.Q., chapter N-1.1) may, if it so provides, have effect from any date not prior to 1 May 2003.

**67.** Sections 1, 2, 13, 14, 22, 23, 29 and 30 of the Regulation to amend various regulations under the pension plans of the public and parapublic sectors made by Conseil du trésor decision 202419 (2005, G.O. 2, 1727), sections 12 and 13 of the Regulation under the Act respecting the Pension Plan of Management Personnel made by Conseil du trésor decision 202420 (2005,

G.O. 2, 1733), and sections 1 and 2 of the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services made by Conseil du trésor decision 202422 (2005, G.O. 2, 1739), have effect from 1 July 2002.

**68.** Section 5 of the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services made by Conseil du trésor decision 202422 (2005, G.O. 2, 1739), insofar as it enacts sections 8.3.1 and 8.3.2, has effect from 1 January 2005.

**69.** Section 51 has effect from 1 July 2002.

**70.** Section 15 has effect from 1 January 2005.

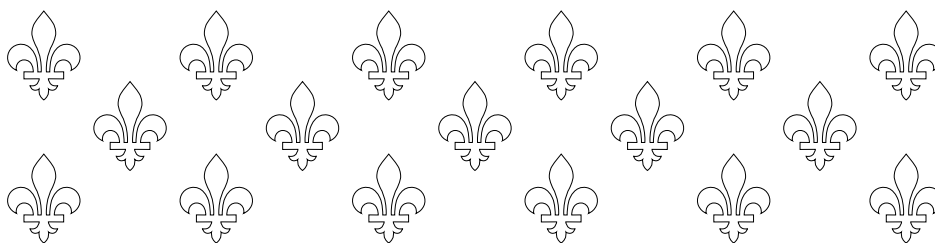
**71.** Sections 9 and 10 have effect from 1 June 2005.

**72.** Sections 1, 2, 8, 18, 20, 35, 37, 41, 42, 44, 47 and 49 have effect from 1 January 2006 in respect of adoption leaves that began after 31 December 2005.

Sections 3, 19, 38, 43 and 48 have effect from 1 January 2006 in respect of maternity leaves that began after 31 December 2005.

**73.** This Act comes into force on 14 December 2006, except section 31 and sections 60 to 62, which come into force on 1 January 2007, and sections 6, 26 and 53, which come into force on the date or dates to be set by the Government.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 48  
(2006, chapter 56)

**An Act to amend the Consumer  
Protection Act and the Act respecting  
the collection of certain debts**

---

---

**Introduced 9 November 2006  
Passage in principle 22 November 2006  
Passage 14 December 2006  
Assented to 14 December 2006**

---

**Québec Official Publisher  
2006**

## EXPLANATORY NOTES

*This bill amends the Consumer Protection Act to set up a new regime for distance contracts based on the Internet Sales Contract Harmonization Template agreed on by the provinces further to the Agreement on Internal Trade. Accordingly, the bill introduces new rules concerning the information a merchant must send to a consumer before a distance contract is entered into, the time limits for sending the contract to the consumer, the consumer's cancellation rights and the chargeback mechanism in cases where the merchant fails to make a refund.*

*The bill also amends the Consumer Protection Act to prohibit merchants from including, in contracts subject to that Act, a clause obliging the consumer to submit any dispute that may arise to arbitration.*

*Other amendments to the Act are aimed mainly at updating the rules concerning household appliance repairs, eliminating inconsistencies between that Act and the Civil Code with regard to the prescription of civil remedies, and relieving the Office de la protection du consommateur of certain outdated responsibilities.*

*In addition to these amendments, this bill amends the Act respecting the collection of certain debts to bring rules on prohibited practices in line with those set out in the Harmonized List of Prohibited Collection Practices further to the Agreement on Internal Trade. The bill also establishes a prescription period for penal proceedings in keeping with that provided for in the Consumer Protection Act.*

### LEGISLATION AMENDED BY THIS BILL:

- Consumer Protection Act (R.S.Q., chapter P-40.1);
- Act respecting the collection of certain debts (R.S.Q., chapter R-2.2).

## Bill 48

### AN ACT TO AMEND THE CONSUMER PROTECTION ACT AND THE ACT RESPECTING THE COLLECTION OF CERTAIN DEBTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### CONSUMER PROTECTION ACT

**1.** Section 5 of the Consumer Protection Act (R.S.Q., chapter P-40.1) is amended by striking out paragraph *c*.

**2.** The Act is amended by inserting the following section after section 11:

**“11.1.** Any stipulation that obliges the consumer to refer a dispute to arbitration, that restricts the consumer’s right to go before a court, in particular by prohibiting the consumer from bringing a class action, or that deprives the consumer of the right to be a member of a group bringing a class action is prohibited.

If a dispute arises after a contract has been entered into, the consumer may then agree to refer the dispute to arbitration.”

**3.** Sections 20 to 22 of the Act are repealed.

**4.** The heading of Chapter II of Title I of the Act is replaced by the following heading:

“RULES GOVERNING THE MAKING OF CERTAIN CONTRACTS IN RESPECT OF WHICH TITLE I REQUIRES A WRITING”.

**5.** The Act is amended by inserting the following after section 54:

#### “DIVISION I.1

#### “DISTANCE CONTRACTS

**“54.1.** A distance contract is a contract entered into without the merchant and the consumer being in one another’s presence and preceded by an offer by the merchant to enter into such a contract.

A merchant is deemed to have made an offer to enter into a distance contract if the merchant’s proposal comprises all the essential elements of the intended contract, regardless of whether there is an indication of the merchant’s

willingness to be bound in the event the proposal is accepted and even if there is an indication to the contrary.

**“54.2.** A distance contract is deemed to be entered into at the address of the consumer.

**“54.3.** No merchant who makes an offer to enter into or enters into a distance contract may collect or offer to collect a partial or full payment from the consumer before performing the merchant’s principal obligation, unless the consumer may request a chargeback of the payment under this Act or a regulation.

**“54.4.** Before a distance contract is entered into, the merchant must disclose the following information to the consumer:

(a) the merchant’s name and any other name under which the merchant carries on business;

(b) the merchant’s address;

(c) the merchant’s telephone number and, if available, the merchant’s fax number and technological address;

(d) a detailed description of goods or services that are to be the object of the contract, including characteristics and technical specifications;

(e) an itemized list of the prices of the goods or services that are to be the object of the contract, including associated costs charged to the consumer and any additional charges payable under an Act;

(f) a description of any possible additional charges payable to a third party, such as customs duties and brokerage fees, whose amounts cannot reasonably be determined;

(g) the total amount to be paid by the consumer under the contract and, if applicable, the amount of instalments, the rate applicable to the use of an incidental good or service and the terms of payment;

(h) the currency in which amounts owing under the contract are payable if not Canadian dollars;

(i) the date on which, or the time within which, the merchant’s principal obligation must be performed;

(j) if applicable, the mode of delivery, the name of the carrier and the place of delivery;

(k) the applicable cancellation, rescission, return, exchange and refund conditions, if any; and

(l) any other applicable restrictions or conditions.

The merchant must present the information prominently and in a comprehensible manner and bring it expressly to the consumer's attention; in the case of a written offer, the merchant must present the information in a manner that ensures that the consumer is able to easily retain it and print it.

**“54.5.** Before a distance contract is entered into, the merchant must provide the consumer with an express opportunity to accept or decline the proposal and to correct any errors.

**“54.6.** A distance contract must be evidenced in writing and indicate:

(a) the consumer's name and address;

(b) the date the contract is entered into; and

(c) the information described in section 54.4, as disclosed before the contract was entered into.

**“54.7.** The merchant must send a copy of the contract to the consumer within 15 days after the contract is entered into, in a manner that ensures that the consumer may easily retain it and print it.

**“54.8.** The consumer may cancel the contract within seven days after receiving a copy if

(a) the merchant did not disclose to the consumer the information described in section 54.4 before the contract was entered into, or did not disclose it in accordance with that section;

(b) the merchant did not provide the consumer with an express opportunity, before the contract was entered into, to accept or decline the proposal or to correct any errors;

(c) the contract does not meet the requirements of section 54.6; or

(d) the merchant did not send a copy of the contract in a manner that ensures that the consumer may easily retain it and print it.

However, the cancellation period begins as of the merchant's performance of the principal obligation if the consumer, at that time, observes that the merchant has not disclosed all the information described in section 54.4.

If the merchant does not send a copy of the contract to the consumer within the time provided for in section 54.7, the consumer has 30 days, as of the date the contract is entered into, in which to cancel the contract.

**“54.9.** In addition to the cases provided for in section 54.8, a distance contract may be cancelled by the consumer at any time before performance of the merchant’s principal obligation if

(a) the merchant’s principal obligation is not performed within 30 days after the date specified in the contract or the later date agreed on in writing by the consumer and the merchant, or within 30 days after the contract is entered into in the case of a contract that does not specify a date or time limit for the merchant’s principal obligation to be performed; or

(b) the contract is for transportation, lodging or restaurant services, or for tickets to an event, and the merchant does not provide the consumer, by the date specified in the contract or the later date agreed on in writing by the consumer and the merchant, with documents enabling the consumer to receive the services or attend the event.

**“54.10.** The merchant’s principal obligation is presumed to have been performed if the merchant attempted to perform it on the date specified in the contract, on a later date agreed on in writing by the consumer and the merchant, or on the date specified in a notice sent to the consumer within a reasonable time, but was prevented from doing so by the actions or negligence of the consumer.

**“54.11.** The consumer’s right to cancel the contract is exercised by sending a notice to that effect to the merchant.

**“54.12.** The contract is cancelled by operation of law as of the sending of the cancellation notice.

The cancellation of the contract entails the cancellation of any accessory contract and of any warranty or security given to guarantee the amount payable under the contract.

A contract of credit entered into between the consumer and another merchant under or in relation to a distance contract forms a whole with that contract and, as such, is also cancelled by operation of law if it results from an offer, representation or other action by the merchant who is party to the distance contract.

**“54.13.** Within 15 days following the cancellation of the contract, the merchant must refund all sums paid by the consumer under the contract and any accessory contract, including sums paid to a third person.

Within 15 days following the cancellation of the contract or following delivery if it postdates cancellation, the consumer must restore the goods that were the object of the contract to the merchant in the same state in which they were received.

The merchant shall assume the reasonable costs of restitution.

**“54.14.** If the merchant defaults on the obligation to make a refund under section 54.13 and the consumer has paid by credit card, the consumer may, within 60 days following the default, request the card issuer to chargeback all amounts paid under the contract and any accessory contract, and to cancel all charges made to the consumer’s account in relation to those contracts.

**“54.15.** A chargeback request must be in writing and contain the following information:

- (a) the credit cardholder’s name;
- (b) the credit card number and expiry date;
- (c) the merchant’s name;
- (d) the date the contract was entered into;
- (e) the amount charged to the credit card account and the sums to be refunded by the merchant;
- (f) a description of the goods or services that are the object of the contract and for which chargeback is requested;
- (g) the reason for cancelling the contract; and
- (h) the date of cancellation and the means used to send the cancellation notice.

**“54.16.** A credit card issuer that receives a chargeback request must

- (a) acknowledge receipt within 30 days;
- (b) make the chargeback and cancel all credit card charges in connection with the distance contract and any accessory contract within 90 days or two complete periods, as defined in section 67, following receipt of the request, whichever comes first.”

**6.** Section 182 of the Act is amended by replacing paragraph *a* by the following paragraph:

“(a) “household appliance” means a kitchen range, a refrigerator, a freezer, a dishwasher, a microwave oven, a clothes washer, a clothes dryer, an audio device, an audio-video device, a computer and its peripheral equipment, an air conditioner, a dehumidifier, a heat pump or any other appliance determined by regulation;”.

**7.** Sections 273 to 275 of the Act are repealed.

**8.** Section 292 of the Act is amended by striking out paragraphs *h* and *j*.

**9.** Section 309 of the Act is repealed.

**10.** Section 350 of the Act is amended by striking out “or 309” at the end of paragraph *x* and by adding the following paragraphs at the end:

“(y) determining cases where a distance contract may not be cancelled by the consumer under sections 54.8 and 54.9;

“(z) determining cases, other than that described in section 54.14, where the consumer may request a credit card chargeback following cancellation of a distance contract, and specifying the information to be included with the request and the chargeback terms;

“(z.1) determining appliances, other than those mentioned in section 182, that constitute household appliances.”

#### ACT RESPECTING THE COLLECTION OF CERTAIN DEBTS

**11.** Section 3 of the Act respecting the collection of certain debts (R.S.Q., chapter R-2.2) is amended

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

“(2.1) communicate verbally with the debtor before legal action is taken, if the debtor has informed the person in writing that the debt is contested and that the creditor may proceed with legal action; however, for the collection of a debt by the Government or one of its departments, this prohibition only applies as of 120 days following the sending of a demand for payment of the debt;”;

(2) by adding the following subparagraphs after subparagraph 6 of the first paragraph:

“(7) claim a sum of money from a person other than the debtor or his or her surety;

“(8) communicate verbally with a person believed to be the debtor but who, in the course of a prior communication, indicated that he or she was not the debtor.”

**12.** Section 4 of the Act is amended

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

**4.** No person may, for the purpose of collecting a debt, communicate with the debtor’s spouse, civil union spouse, family members, friends, acquaintances, neighbours or employer except on one occasion only to obtain the debtor’s address or telephone number if this information is not already



known; however, the creditor may communicate with such a person if that person is also the debtor's surety.”;

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

“No person may, for the purpose of collecting a debt, communicate with the debtor or surety at the debtor's or surety's place of work without the debtor's or surety's express authorization, except on one occasion only in the following cases:

(1) the person knows neither the address nor any other telephone number where the debtor or surety may be reached; or

(2) the person has tried unsuccessfully to reach the debtor or surety at the debtor's or surety's home telephone number.”

**13.** The Act is amended by inserting the following paragraph after section 4:

“**4.1.** Subparagraph 7 of the first paragraph of section 3, and section 4, do not limit the exercise of a right or power under another Act.”

**14.** Section 6 of the Act, amended by section 52 of chapter 44 of the statutes of 2005, is again amended by replacing “or to the Minister of Revenue in the exercise of the functions of provisional administrator of property entrusted to him by law, or,” in paragraph 1 by “or to the Minister of Revenue, or”.

**15.** Section 34 of the Act is amended

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

“(1) communicate verbally with a debtor before five days after the sending of a notice of payment, in paper form, in conformity with the model prescribed by regulation;”;

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

“(1.1) again communicate verbally with a debtor before five days after the sending of a new notice of payment consistent with the description in subparagraph 1 to the address provided by the debtor, where the debtor has informed the permit holder or representative that he or she did not receive the first notice;”;

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

“(2.1) communicate with the debtor if the latter has informed the permit holder or representative in writing that the debt is contested and that the creditor may proceed with legal action;

“(2.2) communicate with a person who, in the course of a prior communication, indicated that he or she is not the debtor.”;

(4) by striking out subparagraph 3 of the first paragraph;

(5) by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(4) communicate verbally with the debtor or the debtor’s surety, or their spouses, civil union spouses, family members, friends, acquaintances, neighbours or employers except on days other than Sundays and holidays from 8:00 a.m. to 8:00 p.m.”;

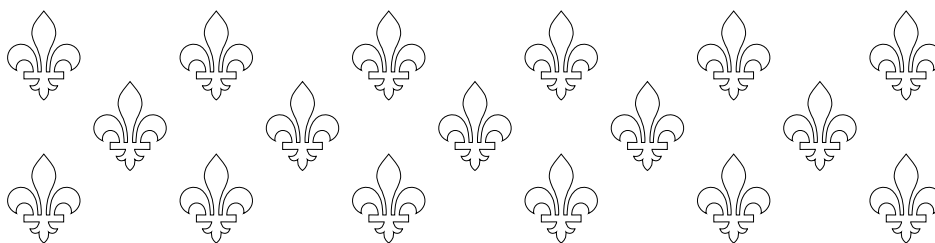
**16.** The Act is amended by inserting the following section after section 63:

“**63.1.** Penal proceedings for an offence under this Act are prescribed two years after the date on which the offence is committed.”

#### FINAL PROVISIONS

**17.** Sections 54.8 to 54.16 of the Consumer Protection Act, enacted by this Act, do not apply to contracts entered into before the coming into force of section 54.8 of that Act.

**18.** The provisions of this Act come into force on 14 December 2006, except section 1, which comes into force on 1 April 2007, and sections 3, 5, 9 and 10, which come into force on the date or dates to be set by the Government, but not later than 15 December 2007.



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 50  
(2006, chapter 57)

## **An Act respecting the Centre de la francophonie des Amériques**

---

---

**Introduced 15 November 2006**  
**Passage in principle 23 November 2006**  
**Passage 13 December 2006**  
**Assented to 14 December 2006**

---

**Québec Official Publisher**  
**2006**

## **EXPLANATORY NOTES**

*This bill establishes the Centre de la francophonie des Amériques. The Centre's mission, to be achieved by reinforcing and enriching relations among francophones and francophiles in Québec, Canada and the Americas and by fostering the complementarity of their actions, is to contribute to the promotion and development of a francophone culture that will carry the French language into the future in a context of cultural diversity.*

*The bill specifies that the board of directors is to consist of fifteen directors, eight of whom are to be appointed by the Government and seven, elected by the general meeting of the Centre's members.*

*The bill establishes the Centre's operating procedure and sets out the rules governing its organization.*

## **LEGISLATION AMENDED BY THIS BILL:**

- Financial Administration Act (R.S.Q., chapter A-6.001);
- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1).

## **Bill 50**

### **AN ACT RESPECTING THE CENTRE DE LA FRANCOPHONIE DES AMÉRIQUES**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### **CHAPTER I**

##### **ESTABLISHMENT**

- 1.** The “Centre de la francophonie des Amériques” is established.
- 2.** The Centre is a legal person.
- 3.** The Centre has its head office in the territory of Ville de Québec.

#### **CHAPTER II**

##### **MISSION AND FUNCTIONS**

- 4.** The Centre’s mission, to be achieved by reinforcing and enriching relations among francophones and francophiles in Québec, Canada and the Americas and by fostering the complementarity of their actions, is to contribute to the promotion and development of a francophone culture that will carry the French language into the future in a context of cultural diversity.

The Centre is to help develop the cultural awareness and self-fulfillment of francophones and francophiles and to encourage collaboration between individuals, groups and communities interested in francophone culture.

It is to encourage exchanges, partnerships and the development of francophone networks in order to support substantive, socially-relevant projects, and is to disseminate information on francophone-related subjects.

It may provide financial or technical support for activities or projects and it must take into account the policies of the government departments and bodies concerned by its activities.

- 5.** The Minister may entrust the Centre with any mandate for the fulfillment of its mission.

**6.** The Centre may, subject to the applicable legislative provisions, enter into an agreement with a government other than that of Québec, a department or body of such a government, or an international organization or one of its agencies.

**7.** The Centre may take any measure that is useful in the fulfillment of its mission.

### CHAPTER III

#### ADMINISTRATION

**8.** The Centre's affairs are to be administered by a board of directors consisting of 15 directors including a chair and a president and chief executive officer, who is a member of the board by virtue of office. The directors are appointed or elected as follows:

(1) three directors, including the chair and a person from outside Canada, are appointed by the Government on the joint recommendation of the Minister responsible for Canadian Intergovernmental Affairs and for Francophones within Canada, the Minister of International Relations and Minister responsible for La Francophonie, the Minister of Culture and Communications, and the Minister responsible for the Charter of the French language;

(2) four directors are appointed respectively by the Minister responsible for Canadian Intergovernmental Affairs and for Francophones within Canada, the Minister of International Relations and Minister responsible for La Francophonie, the Minister of Culture and Communications and the Minister responsible for the Charter of the French language;

(3) seven directors are elected from among the Centre's members by the general meeting of members.

Of the directors elected by the general meeting of the Centre's members, there must be one from each of Québec, Ontario, Acadia, and Western Canada or the Territories, one from outside Canada, one who was elected from among the leaders of pan-Canadian organizations of Canadian francophone and Acadian communities and one who is not more than 35 years of age when elected.

**9.** The chair of the board of directors is appointed for a term of up to five years, and the other directors, excluding the president and chief executive officer, for a term of up to three years.

The duration of the terms of elected directors is determined by the general meeting of the Centre's members.

However, the expiry of the terms of directors must be staggered in such a way that they do not all end in the same year.

**10.** On expiry of their term, the members of the board of directors remain in office until replaced, reappointed or re-elected.

**11.** The members of the board of directors, excluding the president and chief executive officer, are not remunerated except in the cases, under the conditions and to the extent determined by the Government. However, they are entitled to be reimbursed for expenses incurred in the exercise of their functions, under the conditions and to the extent determined by the Government.

**12.** The offices of chair of the board of directors and of president and chief executive officer may not be held concurrently.

**13.** The chair of the board of directors presides at meetings of the board and sees to the smooth operation of the board and the board committees.

In the case of a tie vote, the chair has a casting vote.

The chair also assumes any other responsibility assigned by the board.

**14.** The board of directors must designate a vice-chair from among its members.

If the chair of the board is absent or unable to act, the vice-chair acts as chair.

**15.** On the recommendation of the board of directors, the Government appoints the president and chief executive officer based on the expertise and experience profile established by the Centre.

The president and chief executive officer is appointed for a term of up to five years.

The Government determines the remuneration, employment benefits and other conditions of employment of the president and chief executive officer.

**16.** If the board of directors does not recommend a president and chief executive officer for appointment in accordance with section 15 within a reasonable time, the Government may appoint a president and chief executive officer after notifying the board members.

**17.** If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of the Centre's personnel to exercise the president and chief executive officer's functions.

**18.** The president and chief executive officer is responsible for the direction and management of the Centre within the framework of its by-laws and policies. The president and chief executive officer proposes strategic directions, action plans and overall development priorities to the board of directors.

The president and chief executive officer assumes any other responsibilities assigned by the board.

The office of president and chief executive officer is a full-time position.

**19.** A vacancy on the board of directors must be filled in accordance with the rules of appointment provided in this Act.

Non-attendance at a number of board meetings determined by the Centre's internal by-laws constitutes a vacancy in the cases and circumstances indicated in the by-laws.

**20.** The responsibilities of the board of directors include

(1) approving the strategic directions, action plans and overall development priorities proposed by the president and chief executive officer;

(2) establishing the Centre's annual activities program after consultation with the Minister responsible for Canadian Intergovernmental Affairs and for Francophones within Canada, the Minister of International Relations and Minister responsible for La Francophonie, the Minister of Culture and Communications and the Minister responsible for the Charter of the French language, as regards the mission of each;

(3) approving the Centre's financial statements, annual report and annual budget;

(4) approving the standards and scales of remuneration and other conditions of employment of the Centre's personnel;

(5) approving the governance rules of the Centre and the rules of ethics and professional conduct applicable to board members and personnel; and

(6) approving the expertise and experience profiles to be used in appointing the board members, including the president and chief executive officer.

**21.** The Centre's personnel are appointed according to the staffing plan established by by-law of the Centre.

Subject to a collective agreement, the Centre determines by by-law the standards and scales of remuneration, employee benefits and other conditions of employment of its personnel in accordance with the conditions defined by the Government.

**22.** The quorum at meetings of the board of directors is the majority of board members including the chair.

The board's decisions are made on the basis of the majority of votes cast by the members present.



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

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

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

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

**26.** A member of the Centre's personnel who has a direct or indirect interest in an enterprise that places his or her personal interest in conflict with the interest of the Centre must, on pain of dismissal, disclose the interest in writing to the president and chief executive officer.

**27.** The board of directors may set the amount of dues to be paid by each class of member of the Centre as well as the contributions to be paid for certain activities.

**28.** The board of directors may make by-laws

(1) to regulate the exercise of its powers and the other aspects of its internal management;

(2) to define rules governing the admission, suspension, expulsion and disciplining of members and to establish various classes of members; and

(3) to establish committees to facilitate the smooth operation of the Centre.

**29.** The chair of the board of directors may take part in committee meetings.

## CHAPTER IV

### FINANCIAL PROVISIONS AND REPORTS

**30.** The Centre may impose fees or charges or require other payment for the services it provides.

**31.** The Centre may not, except with the authorization of the Government,

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

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

(3) acquire or hold shares in a legal person or an interest in a partnership in excess of the limits or in contravention of the conditions determined by the Government;

(4) transfer shares in a legal person or an interest in a partnership in excess of the limits or in contravention of the conditions determined by the Government;

(5) acquire or transfer other assets in excess of the limits or in contravention of the conditions determined by the Government; or

(6) accept a gift or legacy to which a charge or condition is attached.

**32.** The sums received by the Centre must be used to finance its activities and perform its obligations. Any surplus is retained by the Centre unless the Government decides otherwise.

**33.** The Government may, subject to the conditions it determines,

(1) guarantee the payment of the capital of and interest on any loan contracted by the Centre and the performance of its obligations; and

(2) authorize the Minister of Finance to advance to the Centre any amount considered necessary to meet its obligations and fulfill its mission.

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

**34.** The fiscal year of the Centre ends on 31 March.

**35.** The books and accounts of the Centre are to be audited by the Auditor General every year and whenever ordered by the Government.

The Auditor General's report must accompany the financial statements and annual report of the Centre.

**36.** Not later than 31 July each year, the Centre must file with the Minister its financial statements and annual report for the preceding fiscal year.

The financial statements and annual report must contain all information required by the Minister.

The Minister tables the financial statements and annual report in the National Assembly within 30 days of their receipt or, if the Assembly is not sitting, within 30 days of resumption.

**37.** Each year the Centre files with the Minister, in the manner determined by the Minister, its estimates for the following fiscal year.

**38.** The Centre must communicate to the Minister any information required by the Minister concerning its operations.

## CHAPTER V

### MISCELLANEOUS AND TRANSITIONAL PROVISIONS

**39.** In accordance with the rules set out in the second paragraph of section 8, the Government may appoint provisional directors who remain in office until directors are elected by the general meeting of the Centre's members.

**40.** Schedule 2 to the Financial Administration Act (R.S.Q., chapter A-6.001) is amended by inserting in alphabetical order the following:

“Centre de la francophonie des Amériques”.

**41.** Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended by inserting in alphabetical order the following:

“the Centre de la francophonie des Amériques”.

**42.** Schedule II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1) is amended by inserting in alphabetical order the following:

“the Centre de la francophonie des Amériques”.

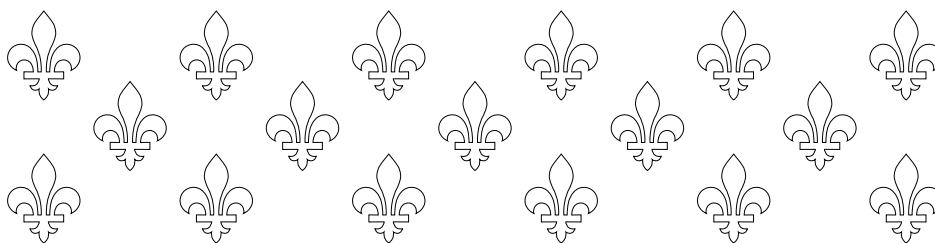
**43.** Not later than 14 December 2011, and subsequently every 10 years, the Centre must report to the Government on the application of this Act as concerns the mission entrusted to the Centre, and on the advisability of amending the Act.

The report is tabled in the National Assembly within 30 days or, if the Assembly is not sitting, within 30 days of resumption.

**44.** The Minister responsible for Canadian Intergovernmental Affairs and for Francophones within Canada is responsible for the administration of this Act.

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





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 53  
(2006, chapter 59)

**An Act respecting the governance  
of state-owned enterprises and amending  
various legislative provisions**

---

---

**Introduced 15 November 2006  
Passage in principle 29 November 2006  
Passage 14 December 2006  
Assented to 14 December 2006**

---

**Québec Official Publisher  
2006**

## EXPLANATORY NOTES

*The object of this bill is to introduce new governance rules for state-owned enterprises, namely Hydro-Québec, Investissement Québec, the Société de l'assurance automobile du Québec, the Société des alcools du Québec, the Société des loteries du Québec and the Société générale de financement du Québec. The new rules concern, among other things, the composition, functioning and responsibilities of the board of directors.*

*The bill sets criteria for selecting board members and requires that two thirds of board members be independent. It provides for the establishment, by the board, of an audit committee, a governance and ethics committee and a human resources committee, whose functions are determined by law.*

*The bill prescribes that the positions of chair of the board of directors and of president and chief executive officer are to be separate positions. It determines new rules concerning the strategic plan and the disclosure and publication of information. It also confers on the minister responsible for the Act constituting a state-owned enterprise the power to issue directives on the objectives and directions the enterprise is to pursue.*

*The bill introduces rules relating to the joint auditing of the books and accounts of the enterprises specified in the bill and of the Caisse de dépôt et placement du Québec. It also allows the Auditor General to designate any other auditor to audit their books and accounts.*

*Lastly, the bill contains consequential, transitional and final provisions.*

### LEGISLATION AMENDED BY THIS BILL:

- Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2);
- Hydro-Québec Act (R.S.Q., chapter H-5);
- Act respecting Investissement Québec and La Financière du Québec (R.S.Q., chapter I-16.1);

- Act respecting the Société de l'assurance automobile du Québec (R.S.Q., chapter S-11.011);
- Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13);
- Act respecting the Société des loteries du Québec (R.S.Q., chapter S-13.1);
- Act respecting the Société générale de financement du Québec (R.S.Q., chapter S-17);
- Auditor General Act (R.S.Q., chapter V-5.01).





## **Bill 53**

### **AN ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES AND AMENDING VARIOUS LEGISLATIVE PROVISIONS**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### **CHAPTER I**

##### **PURPOSE AND SCOPE**

**1.** The purpose of this Act is to establish corporate governance principles so as to strengthen the stewardship of state-owned enterprises with a view to enhancing the effectiveness, transparency and accountability of the officers and bodies that make up their management.

**2.** This Act applies to the enterprises listed in Schedule I.

**3.** In this Act,

“Minister” means the minister responsible for the administration of the Act constituting an enterprise referred to in section 2;

“officer” of an enterprise referred to in section 2 means the president and chief executive officer, who is the most senior officer of the enterprise, or any person with management responsibilities who reports directly to the president and chief executive officer;

“wholly-owned subsidiary” means a legal person all of whose voting shares are held directly or indirectly by an enterprise.

#### **CHAPTER II**

##### **BOARD OF DIRECTORS**

##### **DIVISION I**

##### **RULES RELATING TO MEMBERS OF THE BOARD OF DIRECTORS**

**4.** At least two thirds of the members of the board of directors, including the chair, must qualify as independent directors in the opinion of the Government.

Board members qualify as independent directors if they have no direct or indirect relationships or interests, for example of a financial, commercial, professional or philanthropic nature, which are likely to interfere with the quality of their decisions as regards the interests of the enterprise.

A board member

(1) who is in the employ of the enterprise or one of its wholly-owned subsidiaries or has been in such employ in the three years preceding appointment to office,

(2) who is in the employ of the Government or a government agency or enterprise within the meaning of sections 4 and 5 of the Auditor General Act (R.S.Q., chapter V-5.01), or

(3) whose immediate family member is a senior officer of the enterprise or one of its subsidiaries

is deemed not to be an independent director.

**5.** The Government may adopt a policy concerning situations it intends to examine to determine if a board member qualifies as an independent director. The Government may specify the meaning it intends to assign to the expression “immediate family member”.

**6.** For a board member having the status of independent director, the sole fact of being in a limited and specific conflict of interest situation does not disqualify the board member as an independent director.

**7.** A board member appointed as an independent director must disclose in writing to the board and to the Minister any situation likely to affect the member’s status.

**8.** No act or document of an enterprise or decision of the board of directors of an enterprise is invalid because less than two thirds of the board members are independent directors.

**9.** A board member who exercises functions on a full-time basis within an enterprise may not have a direct or indirect interest in a body, enterprise or association that places the board member’s personal interests in conflict with the enterprise’s interests. If such an interest devolves to the board member, including by succession or gift, it must be renounced or disposed of with dispatch.

Any other board member who has a direct or indirect interest in a body, enterprise or association that places the board member’s personal interests in conflict with the enterprise’s interests must disclose it in writing to the chair of the board and abstain from participating in any discussion or decision involving that body, enterprise or association. The board member must also withdraw from a meeting for the duration of the discussion or vote on such a matter.

This section does not prevent a board member from expressing an opinion on general measures relating to conditions of employment within the enterprise which would also apply to the board member.

**10.** If a board member is sued by a third party for an act done in the exercise of the functions of office, the enterprise assumes the board member's defence and pays any damages awarded as compensation for the injury resulting from that act, unless the board member committed a gross fault or a personal fault separable from those functions.

In penal or criminal proceedings, however, the enterprise pays the defence costs of the board member only if the board member was discharged or acquitted, or if the enterprise judges that the board member acted in good faith.

**11.** If the enterprise sues a member of the board of directors for an act done in the exercise of the functions of office and loses its case, it pays the board member's defence costs if the court so decides.

If the enterprise wins its case only in part, the court may determine the amount of the defence costs it must pay.

**12.** Board members may be reappointed twice to serve in that capacity only for a consecutive or non-consecutive term.

In addition to terms served as a board member, the chair of the board of directors may be reappointed twice to serve in that capacity for a consecutive or non-consecutive term.

## **DIVISION II**

### **OPERATION AND RESPONSIBILITIES OF THE BOARD OF DIRECTORS**

**13.** Depending on its priorities, the board of directors designates the chair of a committee established under section 19 to act as a replacement when the chair of the board is absent or unable to act.

**14.** The board of directors determines the enterprise's strategic directions, sees to their implementation and inquires into any issue it considers important.

The board is accountable to the Government for the enterprise's decisions and the chair is answerable to the Minister for such decisions.

**15.** The functions of the board of directors also include

- (1) adopting the strategic plan;

(2) approving the capital plan, the operating plan, the financial statements, the annual report and the annual budget of the enterprise;

(3) approving the governance rules of the enterprise;

(4) approving the code of ethics applicable to the board members and the codes applicable to the officers appointed by the enterprise and to the employees of the enterprise and of its wholly-owned subsidiaries, subject to a regulation made under sections 3.0.1 and 3.0.2 of the Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30);

(5) approving the expertise and experience profiles to be used in appointing board members;

(6) approving the criteria for evaluating board members and those applicable to the president and chief executive officer;

(7) approving the criteria for assessing the performance of the board;

(8) establishing the policies for management of the risks associated with the conduct of the operations of the enterprise;

(9) seeing to it that the audit committee exercises its functions properly;

(10) determining delegations of authority;

(11) approving, in accordance with the applicable legislative provisions, human resources policies, as well as the standards and scales of remuneration, including, where applicable, a variable pay policy, and other conditions of employment of employees and officers appointed by the enterprise, if such employees and officers are not subject to the Public Service Act (R.S.Q., chapter F-3.1.1);

(12) approving the succession planning program for officers appointed by the enterprise;

(13) approving the appointment of officers other than the president and chief executive officer, and that of the most senior officer of each wholly-owned subsidiary of the enterprise, if such officers are not subject to the Public Service Act;

(14) approving human resources policies, as well as the standards and scales of remuneration, including a variable pay policy, if any, and other conditions of employment of the employees and officers of each wholly-owned subsidiary of the enterprise, if such senior officers and employees are not subject to the Public Service Act; and

(15) adopting measures to assess the effectiveness and performance of the enterprise, including benchmarking against similar enterprises; such measures are to be carried out every three years by an independent firm.

**16.** The enterprise submits the variable pay policy referred to in paragraphs 11 and 14 of section 15 to the Government for approval.

**17.** The board of directors reviews the integrity of internal controls, information disclosure controls and information systems, and approves a financial disclosure policy.

**18.** The board of directors makes sure that initiation and ongoing training programs for board members are implemented.

### **CHAPTER III**

#### **COMMITTEES OF THE BOARD OF DIRECTORS**

##### **DIVISION I**

###### **ESTABLISHMENT OF COMMITTEES**

**19.** The board of directors must establish the following committees:

- (1) a governance and ethics committee;
- (2) an audit committee; and
- (3) a human resources committee.

The committees are to be composed solely of board members who are independent directors.

**20.** The board of directors may establish other committees to examine specific issues or facilitate the proper operation of the enterprise.

**21.** The chair of the board of directors may take part in board committee meetings.

##### **DIVISION II**

###### **GOVERNANCE AND ETHICS COMMITTEE**

**22.** The functions of the governance and ethics committee include

(1) formulating governance rules and a code of ethics for the conduct of the operations of the enterprise;

(2) formulating a code of ethics applicable to the board members, the officers appointed by the enterprise and the employees of the enterprise and its wholly-owned subsidiaries, subject to any applicable provision of a regulation made under sections 3.0.1 and 3.0.2 of the Act respecting the Ministère du Conseil exécutif and subject to the Public Service Act;

(3) developing expertise and experience profiles to be used in appointing board members, except the chair and the president and chief executive officer; the profiles must include management experience that is relevant to the position;

(4) formulating criteria for evaluating the members of the board;

(5) formulating criteria for assessing the performance of the board; and

(6) developing initiation and ongoing training programs for board members.

The committee conducts the evaluation referred to in subparagraph 5 of the first paragraph in accordance with the criteria approved by the board.

### **DIVISION III**

#### **AUDIT COMMITTEE**

**23.** The audit committee must include members with accounting or financial expertise.

At least one committee member must be a member of one of the professional orders of accountants governed by the Professional Code (R.S.Q., chapter C-26).

**24.** The functions of the audit committee include

(1) approving the annual internal audit plan;

(2) making sure that a plan for the optimal utilization of the enterprise's resources is put in place, and following up on that process;

(3) seeing to it that internal control mechanisms are put in place and making sure that they are appropriate and effective;

(4) making sure that a risk management process is put in place;

(5) reviewing any activity likely to be detrimental to the enterprise's financial health that is brought to its attention by the internal auditor or an officer;

(6) examining the financial statements with the Auditor General and the external auditor appointed by the Government; and

(7) recommending the approval of the financial statements by the board of directors.

**25.** The audit committee must notify the board of directors in writing on discovering operations or management practices that are unsound or do not comply with the law or the regulations or with the policies of the enterprise or its wholly-owned subsidiaries.

**26.** The internal audit department operates under the authority of the audit committee.

The head of the internal audit department is under the administrative authority of the president and chief executive officer.

#### **DIVISION IV**

##### **HUMAN RESOURCES COMMITTEE**

**27.** The functions of the human resources committee include

(1) making sure that human resources policies are put in place, subject to the Public Service Act where applicable;

(2) developing and proposing an expertise and experience profile to be used in appointing the president and chief executive officer;

(3) formulating and proposing criteria for evaluating the president and chief executive officer, and making recommendations to the board regarding the remuneration of the president and chief executive officer in keeping with parameters set by the Government;

(4) assisting in the selection of officers; and

(5) establishing a succession planning program for officers appointed by the enterprise.

#### **CHAPTER IV**

##### **CHAIR OF THE BOARD OF DIRECTORS AND PRESIDENT AND CHIEF EXECUTIVE OFFICER**

**28.** The positions of chair of the board of directors and president and chief executive officer of the enterprise may not be held concurrently.

**29.** The chair of the board of directors presides at meetings of the board and sees to its smooth operation. In the case of a tie vote, the chair has a casting vote.

The chair also sees to the smooth operation of the board committees.

**30.** The chair of the board of directors evaluates the performance of the other board members according to criteria established by the board.

The chair assumes any other function assigned by the board.

**31.** The president and chief executive officer is responsible for the direction and management of the enterprise within the framework of its by-laws and policies.

The president and chief executive officer proposes strategic directions to the board of directors, as well as a capital plan and an operating plan for the enterprise.

The president and chief executive officer assumes any other function assigned by the board.

**32.** The president and chief executive officer must make sure that the board of directors is given, at its request, adequate human, material and financial resources to perform its functions and for its committees to perform their functions.

**33.** In French, the president and chief executive officer may be designated by the title “président-directeur général” or “président et chef de la direction”.

## CHAPTER V STRATEGIC PLAN

**34.** The strategic plan of an enterprise that is not subject to the Public Administration Act (R.S.Q., chapter A-6.01) is established according to the form, content and timetable determined by the Government. The strategic plan must state

- (1) the context in which the enterprise operates and the main challenges it faces;
- (2) the enterprise’s objectives and strategic directions;
- (3) the results targeted over the period covered by the plan;
- (4) the performance indicators to be used in measuring results; and
- (5) any other element determined by the Minister.

**35.** The strategic plan of an enterprise described in section 34 must be submitted to the Government for approval.

## CHAPTER VI DISCLOSURE AND PUBLICATION OF GOVERNANCE INFORMATION

### DIVISION I INFORMATION CONCERNING THE OPERATION OF BOARD COMMITTEES

**36.** The annual report of an enterprise must contain a summary of the following reports, submitted to the board of directors:



(1) the report of the governance and ethics committee on its activities during the fiscal year, including a summary of its assessment of the performance of the board of directors;

(2) the report of the audit committee on the discharge of its mandate and on the optimal resource utilization plan; and

(3) the report of the human resources committee on the discharge of its mandate.

The report must also state the results obtained from the benchmarking measures adopted by the board of directors.

**37.** The enterprise must make public the code of ethics applicable to its employees.

## **DIVISION II**

### **INFORMATION CONCERNING BOARD MEMBERS**

**38.** The annual report of an enterprise must comprise a section on its governance, including the following information concerning the board members:

(1) the dates of appointment and expiry of term of all board members, as well as the identification of those with the status of independent director;

(2) the identification of any other board of directors on which a board member sits;

(3) a summary of the expertise and experience profile of each board member and a statement of the board members' attendance at board and committee meetings; and

(4) the code of ethics and rules of professional conduct applicable to board members.

## **DIVISION III**

### **INFORMATION CONCERNING REMUNERATION**

**39.** The annual report of an enterprise must state

(1) the remuneration and benefits paid to each board member;

(2) the remuneration, including variable pay and other benefits, paid to each of the enterprise's five most highly remunerated officers;

(3) the remuneration, including variable pay and other benefits, paid to the directors and the five most highly remunerated officers of every wholly-owned subsidiary of the enterprise; and

(4) the fees paid to the external auditor.

## CHAPTER VII

### POWERS AND RESPONSIBILITIES OF THE MINISTER

**40.** The Minister may issue directives on the direction and general objectives to be pursued by the enterprise.

The directives must be approved by the Government, and come into force on the day of their approval. Once approved, they are binding on the enterprise and the enterprise must comply with them.

The directives must be tabled in the National Assembly within 15 days after they are approved by the Government or, if the Assembly is not sitting, within 15 days of resumption.

**41.** At least once every 10 years, the Minister must report to the Government on the carrying out of the Act constituting an enterprise for which the Minister is responsible. The report must include recommendations concerning a review of the mission of the enterprise.

The report must include an assessment of the effectiveness and performance of the enterprise, including benchmarking measures to be carried out by an independent firm at the request of the board of directors.

The Minister tables the report in the National Assembly.

**42.** The Government designates the minister responsible for the administration of this Act.

## CHAPTER VIII

### GOVERNMENT POLICIES

**43.** The Government establishes a policy whose objectives are

(1) that the boards of directors of the enterprises as a group be composed of members whose cultural identity reflects the various segments of Québec society; and

(2) that the boards of directors of the enterprises as a group include an equal number of women and men as of 14 December 2011.

SCHEDULE I  
(Section 2)

ENTERPRISES

Investissement Québec

Société de l'assurance automobile du Québec

Société des loteries du Québec

Société des alcools du Québec

Société générale de financement du Québec

**CHAPTER IX**

AMENDMENTS TO SPECIFIC ACTS

HYDRO-QUÉBEC ACT

**44.** Section 1 of the Hydro-Québec Act (R.S.Q., chapter H-5) is amended

(1) by inserting the following paragraph after paragraph 3:

“(3.1) “officer” means the president and chief executive officer, who is the most senior officer of the Company, or any person with management responsibilities who reports directly to the president and chief executive officer;”;

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

“(5) “wholly-owned subsidiary” means a legal person all of whose voting shares are held directly or indirectly by the Company.”

**45.** Section 9 of the Act is amended by replacing “chairman of the board of directors” by “chair of the board of directors”.

**46.** Sections 13, 14 and 15 of the Act are renumbered 3.1.1, 3.1.2 and 3.1.3, respectively.

**47.** The Act is amended by inserting the following after section 3.5:

**“3.6.** The provisions of Part II of the Companies Act (chapter C-38) that are not inconsistent with this Act, except sections 142, 159 to 162, 184 and 190 to 196, apply to the Company.

**“DIVISION II.1****“COMPOSITION AND OPERATION OF THE BOARD OF DIRECTORS”.**

**48.** Section 4 of the Act is amended by replacing the first paragraph by the following paragraph:

**“4.** The Company is administered by a board of directors consisting of 17 members, including the chair and the president and chief executive officer.”

**49.** The Act is amended by inserting the following sections after section 4:

**“4.0.1.** The Government shall appoint the members of the board of directors, other than the chair and the president and chief executive officer, based on the expertise and experience profiles approved by the board. Board members are appointed for a term of up to four years.

Board members may be reappointed twice to serve in that capacity only for a consecutive or non-consecutive term.

**“4.0.2.** The Government shall appoint the chair of the board of directors for a term of up to five years.

In addition to terms served as a board member, the chair may be reappointed twice to serve in that capacity for a consecutive or non-consecutive term.

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

**“4.0.4.** The chair of the board of directors shall preside at meetings of the board and see to the smooth operation of the board. In the case of a tie vote, the chair has a casting vote.

The chair shall also see to the smooth operation of the board committees.

**“4.0.5.** The chair of the board of directors shall assess the performance of the other board members according to criteria approved by the board.

The chair shall assume any other function assigned by the board.

**“4.0.6.** At least two thirds of the board members, including the chair, must qualify as independent directors in the opinion of the Government.

Board members qualify as independent directors if they have no direct or indirect relationships or interests, for example of a financial, commercial, professional or philanthropic nature, likely to interfere with the quality of their decisions in relation to the interests of the Company.

A board member

(1) who is in the employ of the Company or one of its wholly-owned subsidiaries or having been in such employ in the three years preceding appointment to office,

(2) who is in the employ of the Government or a government agency or enterprise within the meaning of sections 4 and 5 of the Auditor General Act (chapter V-5.01), or

(3) whose immediate family member is a senior officer in the Company or any of its subsidiaries

is deemed not to be an independent director.

**“4.0.7.** The Government may adopt a policy concerning situations it intends to examine to determine if a board member qualifies as an independent director. The Government may specify the meaning it intends to assign to the expression “immediate family member”.

**“4.0.8.** For a member of the board of directors having the status of independent director, the sole fact of being in a limited and specific conflict of interest situation does not disqualify the board member as an independent director.

**“4.0.9.** A board member appointed as an independent director must disclose in writing to the board and to the Minister any situation likely to affect the member’s status.

**“4.0.10.** No act or document of the Company or decision of the board of directors is invalid because less than two thirds of the members of the board are independent directors.”

**50.** Section 4.2 of the Act is replaced by the following section:

**“4.2.** A vacancy on the board of directors shall be filled for the remainder of the unexpired term in accordance with the rules of appointment to the board.

Non-attendance at a number of board meetings determined by by-law of the Company constitutes a vacancy in the cases and circumstances specified by by-law.”

**51.** Section 5 of the Act is replaced by the following section:

**“5.** If the chair of the board of directors is absent or unable to act, the board designates, depending on its priorities, the chair of a committee established under section 7.6 to temporarily replace the chair of the board.”

**52.** The Act is amended by inserting the following sections after section 7:

**“7.1.** The board of directors shall determine the Company’s strategic directions, see to their implementation and inquire into any issue it considers important.

The board is accountable to the Government for the Company’s decisions and the chair is answerable to the Minister for such decisions.

**“7.2.** The functions of the board of directors also include

- (1) adopting the strategic plan;
- (2) approving the capital plan, the operating plan, the financial statements, the annual report and the annual budget of the Company;
- (3) approving the governance rules of the Company;
- (4) approving the code of ethics applicable to the board members and the codes applicable to the officers appointed by the Company and to the employees of the Company and of its wholly-owned subsidiaries, subject to a regulation made under sections 3.0.1 and 3.0.2 of the Act respecting the Ministère du Conseil exécutif (chapter M-30);
- (5) approving the expertise and experience profiles to be used in appointing board members;
- (6) approving the criteria for evaluating board members and those applicable to the president and chief executive officer;
- (7) approving the criteria for assessing the performance of the board;
- (8) establishing policies for management of the risks associated with the conduct of the operations of the Company;
- (9) making sure that the audit committee exercises its functions properly;
- (10) determining delegations of authority;
- (11) approving, in accordance with the applicable legislative provisions, human resources policies, as well as the standards and scales of remuneration, including, where applicable, a variable pay policy, and other conditions of employment of employees and officers appointed by the Company;
- (12) approving the succession planning program for officers appointed by the Company;
- (13) approving the appointment of officers other than the president and chief executive officer, and that of the most senior officer of each wholly-owned subsidiary of the Company;

(14) approving human resources policies, as well as the standards and scales of remuneration, including a variable pay policy, if any, and other conditions of employment of the employees and officers of each wholly-owned subsidiary of the Company; and

(15) adopting measures to assess the effectiveness and performance of the Company, including benchmarking against similar enterprises; such measures are to be carried out every three years by an independent firm.

**“7.3.** The Company shall submit the variable pay policy referred to in paragraphs 11 and 14 of section 7.2 to the Government for approval.

**“7.4.** The board of directors must review the integrity of internal controls, information disclosure controls and information systems, and approve a financial disclosure policy.

**“7.5.** The board of directors shall make sure that initiation and ongoing training programs for board members are implemented.

**“7.6.** The board of directors must establish the following committees:

- (1) a governance and ethics committee;
- (2) an audit committee; and
- (3) a human resources committee.

The committees are to be composed solely of board members who are independent directors.

**“7.7.** The board of directors may establish other committees to examine specific issues or facilitate the proper operation of the Company.

**“7.8.** The chair of the board of directors may take part in board committee meetings.

**“7.9.** The functions of the governance and ethics committee include

(1) formulating governance rules and a code of ethics for the conduct of the operations of the Company;

(2) formulating a code of ethics applicable to the members of the board of directors, the officers appointed by the Company and the employees of the Company and its wholly-owned subsidiaries, subject to any applicable regulation made under sections 3.0.1 and 3.0.2 of the Act respecting the Ministère du Conseil exécutif;

(3) developing expertise and experience profiles to be used in appointing the members of the board of directors, except the chair and the president and

chief executive officer; the profiles must include management experience that is relevant to the position;

- (4) formulating criteria for evaluating board members;
- (5) formulating criteria for assessing the performance of the board; and
- (6) developing initiation and ongoing training programs for board members.

The committee shall conduct the assessment referred to in subparagraph 5 of the first paragraph in accordance with the criteria approved by the board of directors.

**“7.10.** The audit committee must include members with accounting or financial expertise.

At least one committee member must be a member of one of the professional orders of accountants governed by the Professional Code (chapter C-26).

**“7.11.** The functions of the audit committee include

- (1) approving the annual internal audit plan;
- (2) making sure that a plan for the optimal utilization of the Company’s resources is put in place, and following up on that process;
- (3) seeing to it that internal control mechanisms are put in place and making sure that they are appropriate and effective;
- (4) making sure that a risk management process is put in place;
- (5) reviewing any activity likely to be detrimental to the Company’s financial health that is brought to its attention by the internal auditor or an officer;
- (6) examining the financial statements with the Auditor General and the external auditor appointed by the Government; and
- (7) recommending the approval of the financial statements by the board of directors.

**“7.12.** The audit committee must notify the board of directors in writing on discovering operations or management practices that are unsound or do not comply with the law or the regulations or with the policies of the Company or its wholly-owned subsidiaries.

**“7.13.** Internal audit activities are conducted under the authority of the audit committee.



The person responsible for internal auditing is under the administrative authority of the president and chief executive officer.

**“7.14.** The functions of the human resources committee include

- (1) making sure that human resources policies are put in place;
- (2) developing and proposing an expertise and experience profile to be used in appointing the president and chief executive officer;
- (3) formulating and proposing criteria for evaluating the president and chief executive officer, and making recommendations to the board regarding the remuneration of the president and chief executive officer in keeping with parameters set by the Government;
- (4) assisting in the selection of officers; and
- (5) establishing a succession planning program for officers appointed by the Company.”

**53.** Sections 8 and 11.2 of the Act are repealed.

**54.** The Act is amended by inserting the following after section 11.5:

**“DIVISION II.2**

**“APPOINTMENT AND FUNCTIONS OF THE PRESIDENT AND CHIEF EXECUTIVE OFFICER**

**“11.6.** On recommendation of the board of directors, the Government shall appoint the president and chief executive officer based on the expertise and experience profile established by the Company.

The president and chief executive officer is appointed for a term of up to five years.

The board shall determine the remuneration and other conditions of employment of the president and chief executive officer in keeping with parameters set by the Government.

**“11.7.** If the board of directors does not recommend a candidate for the position of president and chief executive officer in accordance with section 11.6 within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

**“11.8.** The president and chief executive officer is responsible for the direction and management of the Company within the framework of its by-laws and policies.

The president and chief executive officer shall propose strategic directions to the board of directors, as well as a capital plan and an operating plan for the Company.

The president and chief executive officer shall assume any other function assigned by the board.

**“11.9.** The president and chief executive officer must make sure that the board of directors is given, at its request, adequate human, material and financial resources to perform its functions and for its committees to perform their functions.

**“11.10.** If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of the Company’s personnel to exercise the functions of that position.

**“11.11.** In French, the president and chief executive officer may be designated by the title “président-directeur général” or “président et chef de la direction”.

### **“DIVISION II.3**

#### **“STRATEGIC PLAN**

**“11.12.** The strategic plan of the Company shall be established according to the form, content and timetable determined by the Government. The strategic plan must state

- (1) the context in which the Company acts and the main challenges it faces;
- (2) the Company’s objectives and strategic directions;
- (3) the results targeted over the period covered by the plan;
- (4) the performance indicators to be used in measuring results; and
- (5) any other element determined by the Minister.

**“11.13.** The strategic plan of the Company shall be submitted to the Government for approval.”

**55.** The Act is amended by inserting the following heading after section 15:

### **“DIVISION II.4**

#### **“DIVIDENDS AND DUES”.**

**56.** The Act is amended by inserting the following heading after section 16:

**“DIVISION II.5**

**“RIGHTS AND OBLIGATIONS OF BOARD MEMBERS”.**

**57.** The Act is amended by inserting the following sections after section 18:

**“18.1.** If a board member is sued by a third party for an act done in the exercise of the functions of office, the Company shall assume the board member’s defence and pay any damages awarded as compensation for the injury resulting from that act, unless the board member committed a gross fault or a personal fault separable from those functions.

In penal or criminal proceedings, however, the Company shall pay the board member’s defence costs only if the board member was discharged or acquitted, or if the Company deems that the board member acted in good faith.

**“18.2.** If the Company sues a board member for an act done in the exercise of the functions of office and loses its case, it must pay the board member’s defence costs if the court so decides.

If the Company wins its case only in part, the court may determine the amount of the defence costs it must pay.”

**58.** Section 19 of the Act is amended by replacing the first and second paragraphs by the following paragraphs:

**“19.** A board member who exercises functions within the Company on a full-time basis shall not have a direct or indirect interest in a body, enterprise or association that places the board member’s personal interests in conflict with the Company’s interests. If such an interest devolves to the board member, including by succession or gift, it must be renounced or disposed of with dispatch.

Any other board member who has a direct or indirect interest in a body, enterprise or association that places the member’s personal interests in conflict with the Company’s interests shall disclose it in writing to the chair of the board of directors and abstain from participating in any discussion or decision involving the body, enterprise or association in which the member has that interest. The member must also withdraw from a meeting for the duration of the discussion or vote on such a matter.

This section does not prevent a board member from expressing an opinion on general measures relating to conditions of employment within the Company which would also apply to the member.”

**59.** The Act is amended by inserting the following heading after section 19:

**“DIVISION II.6**

**“ANNUAL REPORT AND INFORMATION”.**

**60.** Section 20 of the Act is replaced by the following section:

**“20.** Each year, the Company shall send the Minister its financial statements and its annual report including a detailed statement of the property in its possession.

The Minister shall table the financial statements and the annual report in the National Assembly within 15 days after receiving them or, if the Assembly is not sitting, within 15 days of resumption.”

**61.** The Act is amended by inserting the following sections after section 20:

**“20.1.** The annual report of the Company must contain a summary of the following reports, submitted to the board of directors:

(1) the report of the governance and ethics committee on its activities during the fiscal year, including a summary of its assessment of the performance of the board of directors;

(2) the report of the audit committee on the discharge of its mandate and on the optimal resource utilization plan; and

(3) the report of the human resources committee on the discharge of its mandate.

The report must also state the results obtained from the benchmarking measures adopted by the board of directors.

**“20.2.** The Company shall make public the code of ethics applicable to its employees.

**“20.3.** The annual report of the Company must comprise a section on its governance, including the following information relating to the board members:

(1) the dates of appointment and expiry of term of all board members, as well as the identification of those with the status of independent director;

(2) the identification of any other board of directors on which a board member sits;

(3) a summary of the expertise and experience profile of each board member and a statement of the board members' attendance at board and committee meetings; and

(4) the code of ethics and rules of professional conduct applicable to board members.

**“20.4.** The annual report of the Company must state

(1) the remuneration and benefits paid to each board member;

(2) the remuneration, including variable pay and other benefits, paid to each of the Company's five most highly remunerated officers;

(3) the remuneration, including variable pay and other benefits, paid to the managers and the five most highly remunerated officers of every wholly-owned subsidiary of the Company; and

(4) the fees paid to the external auditor.”

**62.** Section 21 of the Act is repealed.

**63.** Section 21.1 of the Act is amended by replacing “on its activities or those of its subsidiaries” by “on the Company and its subsidiaries”.

**64.** Sections 21.2 and 21.3 of the Act are repealed.

**65.** The Act is amended by inserting the following before Division III:

**“DIVISION II.7**

**“AUDITING**

**“21.5.** The books and accounts of the Company shall be audited jointly every year by the Auditor General and an external auditor appointed by the Government. The remuneration of the external auditor shall be paid out of the revenues of the Company. The joint report must accompany the Company's annual report.”

**66.** The Act is amended by inserting the following after section 61:

**“DIVISION IX.1**

**“POWERS AND RESPONSIBILITIES OF THE MINISTER**

**“61.1.** The Minister may issue directives on the direction and general objectives to be pursued by the Company.

The directives must be approved by the Government, and come into force on the day of their approval. Once approved, they are binding on the Company and the Company must comply with them.

The directives shall be tabled in the National Assembly within 15 days after they are approved by the Government or, if the Assembly is not sitting, within 15 days of resumption.

**“61.2.** At least once every 10 years, the Minister must report to the Government on the carrying out of this Act. The report must include recommendations concerning a review of the mission of the Company.

The Minister shall table the report in the National Assembly.”

#### ACT RESPECTING INVESTISSEMENT QUÉBEC AND LA FINANCIÈRE DU QUÉBEC

**67.** Section 4 of the Act respecting Investissement Québec and La Financière du Québec (R.S.Q., chapter I-16.1) is replaced by the following section:

**“4.** The agency is administered by a board of directors consisting of from 9 to 15 members, including the chair and the president and chief executive officer.”

**68.** Section 5 of the Act is replaced by the following section:

**“5.** The Government shall appoint the members of the board of directors, other than the chair and the president and chief executive officer, based on the expertise and experience profiles established by the board. Board members are appointed for a term of up to four years.”

**69.** Section 6 of the Act is replaced by the following section:

**“6.** The Government shall appoint the chair of the board of directors for a term of up to five years.”

**70.** Section 8 of the Act is amended by replacing the first paragraph by the following paragraph:

**“8.** A vacancy on the board of directors shall be filled for the remainder of the unexpired term in accordance with the rules of appointment to the board.”

**71.** Section 9 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “The other board members” in the first line of the second paragraph by “Board members other than the president and chief executive officer”.

**72.** The Act is amended by inserting the following sections after section 9:

**“9.1.** On the recommendation of the board of directors, the Government shall appoint the president and chief executive officer based on the expertise and experience profile established by the agency.

The president and chief executive officer is appointed for a term of up to five years.

The board shall determine the remuneration and other conditions of employment of the president and chief executive officer in keeping with parameters set by the Government.

**“9.2.** If the board of directors does not recommend a candidate for the position of president and chief executive officer in accordance with section 9.1 within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

**“9.3.** If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of the agency’s personnel to exercise the functions of that position.”

**73.** Section 10 of the Act is amended by inserting “president and” before “chief executive officer” in the first paragraph.

**74.** Section 15 of the Act is amended

(1) by inserting “president and” before “chief executive officer” in the first paragraph;

(2) by striking out “or vice-chair” in that paragraph.

**75.** Section 19 of the Act is amended

(1) by striking out the first and second paragraphs;

(2) by inserting “president and” before “chief executive officer” in the third paragraph.

**76.** Section 20 of the Act is amended by striking out “director or” in the first line of the first paragraph and the second line of the second paragraph, and by replacing “director or” and “director’s or” everywhere else they appear in those paragraphs by “personnel”.

**77.** Section 21 of the Act is repealed.

**78.** Section 22 of the Act is amended by replacing “in sections 20 and 21” by “in section 20 of this Act and in sections 10 and 11 of the Act respecting the governance of state-owned enterprises and amending various legislative provisions (2006, chapter 59)”.

**79.** Section 24 of the Act is repealed.

**80.** Section 42 of the Act is amended by replacing “business plan” in the first and second paragraphs by “strategic plan”.

**81.** The heading of Division IV of the Act is replaced by the following heading:

“STRATEGIC PLAN, ACCOUNTS AND REPORTS”.

**82.** Section 46 of the Act is amended by replacing “business” in the second line by “strategic”.

**83.** Section 47 of the Act is amended by replacing “business” by “strategic”.

**84.** Section 48 of the Act is replaced by the following section:

“**48.** The books and accounts of the agency shall be audited jointly every year by the Auditor General and an external auditor appointed by the Government. The remuneration of the external auditor shall be paid out of the revenues of the agency. The joint report must accompany the agency’s annual report.”

**85.** Section 49 of the Act is amended by replacing “its operations and the operations of its subsidiaries” by “the agency and its subsidiaries”.

**86.** Section 52.1 of the Act is amended by inserting “president and” before “chief executive officer”.

**87.** Sections 70 and 71 of the Act are repealed.

#### ACT RESPECTING THE SOCIÉTÉ DE L’ASSURANCE AUTOMOBILE DU QUÉBEC

**88.** Section 7 of the Act respecting the Société de l’assurance automobile du Québec (R.S.Q., chapter S-11.011) is replaced by the following section:

“**7.** The Société is administered by a board of directors consisting of from 9 to 15 members, including the chair and the president and chief executive officer.

The Government shall appoint the members of the board, other than the chair of the board and the president and chief executive officer, after consulting with bodies designated by the board and representative of any of the following



sectors or groups, and based on the expertise and experience profiles approved by the board:

- (1) business;
- (2) insurance;
- (3) law;
- (4) health;
- (5) highway safety;
- (6) road victims; and
- (7) road users.

Board members are appointed for a term of up to four years.”

**89.** Sections 7.1 and 7.2 of the Act are repealed.

**90.** Section 8 of the Act is replaced by the following section:

“**8.** The Government shall appoint the chair of the board of directors for a term of up to five years.”

**91.** The Act is amended by inserting the following sections after section 8:

“**8.1.** On the expiry of their term, board members remain in office until they are replaced or reappointed.

“**8.2.** A vacancy on the board of directors shall be filled for the remainder of the unexpired term in accordance with the rules of appointment to the board.

Non-attendance at a number of board meetings determined by by-law of the Société constitutes a vacancy in the cases and circumstances specified by by-law.”

**92.** Section 9 of the Act is amended

- (1) by striking out “and of the vice-chairmen” in the third line;
- (2) by replacing “they” in the fourth line by “board members”.

**93.** Section 10 of the Act is replaced by the following sections:

**“10.** On the recommendation of the board of directors, the Government shall appoint the president and chief executive officer based on the expertise and experience profile approved by the board of directors.

The president and chief executive officer is appointed for a term of up to five years.

The board shall determine the remuneration and other conditions of employment of the president and chief executive officer in keeping with parameters set by the Government.

**“10.1.** If the board of directors does not recommend a candidate for the position of president and chief executive officer in accordance with section 10 within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

**“10.2.** If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of the Société’s personnel to exercise the functions of that position.”

**94.** Section 11 of the Act is amended by striking out the first, second and third paragraphs.

**95.** Section 12 of the Act is amended by replacing “chairman” in the first line of the second paragraph by “president and chief executive officer”.

**96.** Section 13 of the Act is amended by striking out the first and second paragraphs.

**97.** Section 14 of the Act is replaced by the following section:

**“14.** The Société shall determine, by by-law, the rules relating to the quorum of the board of directors.”

**98.** Section 15 of the Act is amended by replacing “chairman, one of the vice-chairmen” in the second paragraph by “president and chief executive officer”.

**99.** Section 16 of the Act is amended by striking out “, the vice-chairmen of the Société”.

**100.** Section 16.3 of the Act is amended by replacing “chairman of the Société” in the second paragraph by “president and chief executive officer”.

**101.** Section 17.1 of the Act is amended by replacing “general manager” in the first line of the first paragraph by “president and chief executive officer”.

**102.** Section 17.6 of the Act is amended by replacing “chairman” in the sixth paragraph by “chair”.

**103.** Section 19 of the Act is replaced by the following section:

“**19.** Not later than 30 April each year, the Société must submit to the Minister its financial statements and its annual management report for the preceding fiscal year.

Within the same period, the Société must also submit to the Minister a separate report concerning its mandate under Title VIII.2 of the Highway Safety Code (chapter C-24.2).

The annual management report must contain the information that must be provided in an annual report under sections 36, 38 and 39 of the Act respecting the governance of state-owned enterprises and amending various legislative provisions (2006, chapter 59). In addition, the reports of the Société must contain any other information required by the Minister.

The Minister shall table the reports of the Société in the National Assembly within 15 days after receiving them or, if it is not sitting, within 15 days of resumption.

The Société must submit to the Minister any other information the Minister requests concerning the Société and any subsidiary of the Société.”

**104.** Section 20 of the Act is replaced by the following section:

“**20.** The books and accounts of the Société shall be audited jointly every year by the Auditor General and an external auditor appointed by the Government. The remuneration of the external auditor shall be paid out of the revenues of the Société. The joint report must accompany the Société’s annual management report.”

**105.** The Act is amended by inserting the following section after section 23.0.13:

“**23.0.13.1.** Paragraph 5 of section 34 and sections 35 and 40 of the Act respecting the governance of state-owned enterprises and amending various legislative provisions (2006, chapter 59) do not apply to the Société in the exercise of its functions as trustee.”

**106.** Section 23.0.17 of the Act is amended by replacing “30” wherever it appears in the second paragraph by “15”.

**107.** Section 23.0.18 of the Act is replaced by the following section:

“**23.0.18.** The books and accounts of the Fonds d’assurance shall be audited, every year and whenever the Government so orders, by the Auditor General and an external auditor appointed by the Government. The remuneration of the external auditor shall be paid out of the revenues of the Fonds d’assurance.

The joint report must accompany the Société's annual management report.”

**108.** Section 23.0.19 of the Act is amended

(1) by replacing “chairman and general manager” in the first paragraph by “president and chief executive officer”;

(2) by replacing “chairman and general manager” in the second paragraph by “chair of the board and the president and chief executive officer”.

#### ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

**109.** Section 7 of the Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13) is amended by replacing the first paragraph by the following paragraphs:

“**7.** The Société is administered by a board of directors consisting of from 9 to 15 members, including the chair and the president and chief executive officer.

The Government shall appoint the members of the board of directors, other than the chair of the board and the president and chief executive officer, based on the expertise and experience profiles established by the board. Board members are appointed for a term of up to four years.”

**110.** Section 7.1 of the Act is replaced by the following sections:

“**7.1.** A vacancy on the board of directors shall be filled for the remainder of the unexpired term in accordance with the rules of appointment to the board.

Non-attendance at a number of board meetings determined by by-law of the Société constitutes a vacancy in the cases and circumstances specified by by-law.

“**7.2.** The Government shall appoint the chair of the board of directors for a term of up to five years.”

**111.** Section 8 of the Act is amended by replacing “president and managing director” by “president and chief executive officer”.

**112.** Section 9 of the Act is amended by striking out the second sentence.

**113.** Section 10 of the Act is repealed.

**114.** Section 12 of the Act is replaced by the following sections:

“**12.** On the recommendation of the board of directors, the Government shall appoint the president and chief executive officer based on the expertise and experience profile established by the Société.

The president and chief executive officer is appointed for a term of up to five years.

The board shall determine the remuneration and other conditions of employment of the president and chief executive officer in keeping with parameters set by the Government.

“**12.1.** If the board of directors does not recommend a candidate for the position of president and chief executive officer in accordance with section 12 within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

“**12.2.** If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of the Société’s personnel to exercise the functions of that position.”

**115.** Sections 13 and 20.2 of the Act are repealed.

**116.** Section 59 of the Act is amended

(1) by replacing “make a report of its activities” in the first paragraph by “send its financial statements and annual report”;

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

“The Minister must table the annual report and the financial statements in the National Assembly within 15 days after receiving them or, if it is not sitting, within 15 days of resumption.”;

(3) by replacing “on its operations” in the third paragraph by “concerning the Société and its subsidiaries”.

**117.** Section 60 of the Act is replaced by the following section:

“**60.** The books and accounts of the Société shall be audited jointly every year by the Auditor General and an external auditor appointed by the Government. The remuneration of the external auditor shall be paid out of the revenues of the Société. The joint report must accompany the Société’s annual report.”

#### ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

**118.** The Act respecting the Société des loteries du Québec (R.S.Q., chapter S-13.1) is amended by inserting the following sections after section 6:

**“6.1.** The company is administered by a board of directors consisting of from 9 to 15 members including the chair and the president and chief executive officer.

**“6.2.** The Government appoints the members of the board of directors, other than the chair of the board and the president and chief executive officer, based on the expertise and experience profiles established by the board. Board members are appointed for a term of up to four years.”

**119.** Section 7 of the Act is amended by striking out the first paragraph.

**120.** Section 8 of the Act is amended by striking out the second paragraph.

**121.** The Act is amended by inserting the following section after section 8:

**“8.1.** A vacancy on the board of directors is filled for the remainder of the unexpired term in accordance with the rules of appointment to the board.

Non-attendance at a number of board meetings determined by by-law of the company constitutes a vacancy in the cases and circumstances specified by by-law.”

**122.** Section 9 of the Act is replaced by the following sections:

**“9.** The Government appoints the chair of the board of directors for a term of up to five years.

**“9.1.** On the recommendation of the board of directors, the Government appoints the president and chief executive officer based on the expertise and experience profile established by the company.

The president and chief executive officer is appointed for a term of up to five years.

The board determines the remuneration and other conditions of employment of the president and chief executive officer in keeping with parameters set by the Government.

**“9.2.** If the board of directors does not recommend a candidate for the position of president and chief executive officer in accordance with section 9.1 within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

**“9.3.** If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of the company’s personnel to exercise the functions of that position.”

**123.** Section 10 of the Act is repealed.

**124.** Section 14 of the Act is amended by replacing “chairman” in the second line by “chair of the board, the president and chief executive officer”.

**125.** The Act is amended by inserting the following section after section 21:

“**21.1.** The company must submit any information on the company and its subsidiaries requested by the Minister of Finance.”

**126.** Section 24 of the Act is replaced by the following section:

“**24.** The books and accounts of the company are audited jointly every year by the Auditor General and an external auditor appointed by the Government. The remuneration of the external auditor is paid out of the revenues of the company. The joint report must accompany the company’s annual report.”

**127.** Section 25 of the Act is amended by replacing the second paragraph by the following paragraph:

“The Minister tables the report and the financial statements in the National Assembly within 15 days after receiving them or, if it is not sitting, within 15 days of resumption.”

#### ACT RESPECTING THE SOCIÉTÉ GÉNÉRALE DE FINANCEMENT DU QUÉBEC

**128.** Section 14 of the Act respecting the Société générale de financement du Québec (R.S.Q., chapter S-17) is amended by replacing the first paragraph by the following paragraph:

“**14.** The company is administered by a board of directors consisting of from 9 to 15 members, including the chair and the president and chief executive officer.”

**129.** Section 14.0.1 of the Act is replaced by the following section:

“**14.0.1.** The Government shall appoint the members of the board of directors, other than the chair of the board and the president and chief executive officer, based on the expertise and experience profiles established by the board. Board members are appointed for a term of up to four years.”

**130.** The Act is amended by inserting the following sections after section 14.0.1:

“**14.0.1.1.** Board members other than the president and chief executive officer receive no remuneration, except in the cases, on the conditions and to the extent that may be determined by the Government. They are entitled, however, to the reimbursement of expenses incurred in the exercise of their functions on the conditions and to the extent determined by the Government.

“**14.0.1.2.** On the expiry of their term, board members remain in office until replaced or reappointed.

“**14.0.1.3.** A vacancy on the board of directors shall be filled for the remainder of the unexpired term in accordance with the rules of appointment to the board.

Non-attendance at a number of board meetings determined by by-law of the company constitutes a vacancy in the cases and circumstances specified by by-law.”

**131.** Section 14.0.2 of the Act is replaced by the following sections:

“**14.0.2.** The Government shall appoint the chair of the board of directors for a term of up to five years.

“**14.0.3.** On the recommendation of the board of directors, the Government shall appoint the president and chief executive officer based on the expertise and experience profile established by the company.

The president and chief executive officer is appointed for a term of up to five years.

The board shall determine the remuneration and other conditions of employment of the president and chief executive officer in keeping with parameters set by the Government.

“**14.0.4.** If the board of directors does not recommend a candidate for the position of president and chief executive officer in accordance with section 14.0.3 within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

“**14.0.5.** If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of the company’s personnel to exercise the functions of that position.”

**132.** Section 14.1 of the Act is amended by replacing “chairman of the board” by “chair of the board”.

**133.** Sections 14.2 to 14.4 of the Act are repealed.

**134.** Section 14.5 of the Act is amended by replacing “14.3 and 14.4” by “10 and 11 of the Act respecting the governance of state-owned enterprises and amending various legislative provisions (2006, chapter 59)”.

**135.** Section 15 of the Act is repealed.

**136.** Section 15.1 of the Act is replaced by the following section:



**“15.1.** The company shall establish a strategic plan to be submitted for approval to the Government by the Minister of Economic Development, Innovation and Export Trade, after consultation with the Minister of Natural Resources and Wildlife and the Minister of Agriculture, Fisheries and Food as regards the sectors of activity under their respective responsibility.”

**137.** Section 15.2 of the Act is amended

(1) by replacing “five-year development plan” in the first paragraph by “strategic plan”;

(2) by replacing “30” wherever it appears by “15”.

**138.** The Act is amended by inserting the following section after section 15.2:

**“15.3.** The books and accounts of the company shall be audited jointly every year by the Auditor General and an external auditor appointed by the Government. The remuneration of the external auditor shall be paid out of the revenues of the company. The joint report must accompany the company’s annual report.”

**139.** Section 17 of the Act is amended

(1) by replacing “make a report of its activities for its preceding fiscal year to the Minister of Economic Development, Innovation and Export Trade” in the first paragraph by “send its financial statements and annual report for the preceding fiscal year to the Minister of Economic Development, Innovation and Export Trade”;

(2) by replacing the second and third paragraphs by the following paragraphs:

“The Minister shall table the financial statements and the annual report in the National Assembly within 15 days after receiving them or, if the Assembly is not sitting, within 15 days of resumption.

In addition, the company must, at any time, submit to the Minister of Economic Development, Innovation and Export Trade any information the Minister requests concerning the company and its subsidiaries.”

## CHAPTER X

### OTHER AMENDING PROVISIONS

#### ACT RESPECTING THE CAISSE DE DÉPÔT ET PLACEMENT DU QUÉBEC

**140.** Section 13.8 of the Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2) is amended

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

“(3) making sure that a plan for the optimal utilization of the Fund’s resources is put in place, and following up on that process;”;

(2) by striking out paragraph 4;

(3) by replacing “1 to 4” in paragraph 5 by “1 to 3”;

(4) by adding “and the external auditor appointed by the Government” at the end of paragraph 8.

**141.** Section 46 of the Act is amended by adding “and on the plan referred to in paragraph 3 of section 13.8” at the end of paragraph *j*.

**142.** Section 48 of the Act is replaced by the following section:

“**48.** The books and accounts of the Fund shall be audited jointly every year by the Auditor General and an external auditor appointed by the Government. The remuneration of the external auditor shall be paid out of the revenues of the Fund. The joint report must accompany the annual report of the Fund.

The report must mention any investment or financial transaction that is not in compliance with this Act.”

#### AUDITOR GENERAL ACT

**143.** Section 23 of the Auditor General Act (R.S.Q., chapter V-5.01) is amended by adding the following paragraphs at the end:

“The Auditor General may assign to another auditor all or part of the audit of the books and accounts of a government agency or government enterprise, or of a fund managed by a government agency or enterprise, or of any other body whose books and accounts the Auditor General is required to audit, except a public body referred to in section 3, but the Auditor General remains responsible for the audit.

An enterprise, agency, body or fund which derives less than half of its revenues from the consolidated revenue fund and any other funds managed by a public body must pay the fees and costs of the auditor designated under the second paragraph.”

**144.** Section 24 of the Act is amended by inserting “to act alone in that respect,” after “appointed” in the third line of the first paragraph.

**145.** Section 28 of the Act is amended by replacing “of which he audits the books and accounts” in the second line of the first paragraph by “whose books and accounts he has the power to audit in whole or in part”.

## CHAPTER XI

### TRANSITIONAL AND FINAL PROVISIONS

**146.** The requirements relating to the number of independent directors on a board of directors and those relating to the independence of the chair provided for in the first paragraph of section 4 of this Act and in the first paragraph of section 4.0.6 of the Hydro-Québec Act enacted by section 49 of this Act as well as the requirement provided for in the second paragraph of section 19 of this Act and the requirements provided for in the second paragraph of section 7.6 of the Hydro-Québec Act enacted by section 52 of this Act apply as of the date set by the Government in respect of each of the enterprises referred to in section 2 and Hydro-Québec. That date must be set as soon as possible and the provisions referred to in this section are to apply not later than 14 December 2011.

The same applies to the requirement that the audit committee include a member of one of the professional orders of accountants as set out in the second paragraph of section 23 of this Act and in the second paragraph of section 7.10 of the Hydro-Québec Act enacted by section 52 of this Act.

**147.** The Government may, in accordance with this Act, determine that a member of the board of directors of an enterprise referred to in section 2 or of Hydro-Québec, in office on 13 December 2006, has the status of independent director.

**148.** A board member in office on 13 December 2006 who has not obtained the status of independent director under section 147 may, despite section 19, be a member of a committee referred to in that section until two thirds of the members of the board of directors are independent directors.

**149.** The members of the board of directors of Hydro-Québec in office on 13 December 2006 continue in office on the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

The president and chief executive officer and the chairman of the board of directors of Hydro-Québec continue in office on the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

**150.** The members of the board of directors of Investissement Québec in office on 13 December 2006 continue in office on the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

The chief executive officer and the chair of the board of directors of Investissement Québec continue in office on the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

**151.** The members of the board of directors of the Société de l'assurance automobile du Québec in office on 13 December 2006 continue in office on

the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

The chairman and general manager of the Société continues in office on the same terms, for the unexpired portion of his term, as president and chief executive officer. He exercises the functions of chair of the board of directors until that office is filled in accordance with section 8 of the Act respecting the Société de l'assurance automobile du Québec as enacted by section 90 of this Act.

**152.** The vice-chairmen of the Société de l'assurance automobile du Québec appointed by the Government and in office on 13 December 2006 continue in office on the same terms, for the unexpired portion of their term, until they are replaced or reappointed by the Société.

Sections 8 to 11, 15 and 16 of the Act respecting the Société de l'assurance automobile du Québec, as they read on 13 December 2006, continue to apply to those vice-chairmen.

**153.** The members of the board of directors of the Société des alcools du Québec in office on 13 December 2006 continue in office on the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

The president and managing director and the chairman of the board of directors of the Société continue in office on the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

**154.** The members of the board of directors of the Société des loteries du Québec in office on 13 December 2006 continue in office on the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

The president and managing director of the Société continues in office on the same terms, for the unexpired portion of his term, as president and chief executive officer. He exercises the functions of chair of the board of directors until that office is filled in accordance with section 9 of the Act respecting the Société des loteries du Québec as enacted by section 122 of this Act.

**155.** The members of the board of directors of the Société générale de financement du Québec in office on 13 December 2006 continue in office on the same terms, for the unexpired portion of their term, until they are replaced or reappointed.

The chief executive officer of the Société continues in office on the same terms, for the unexpired portion of the term, until he is replaced or reappointed. He exercises the functions of chair of the board of directors until that office is filled in accordance with section 14.0.2 of the Act respecting the Société générale de financement du Québec, enacted by section 131 of this Act.

**156.** For the purposes of sections 34 and 35 of this Act, an enterprise referred to in section 2 of this Act that has a strategic plan in place on 14 December 2006 must meet the requirements of those sections not later than on the plan's expiry date. If such an enterprise has no strategic plan in place on 14 December 2006, it must meet those requirements not later than 31 March 2008.

For the purposes of section 11.13 of the Hydro-Québec Act, enacted by section 54 of this Act, Hydro-Québec must submit its strategic plan to the Government for approval on the plan's expiry date.

**157.** Enterprises referred to in section 2 of this Act and Hydro-Québec must submit to the Government for approval the variable pay policy applicable to their officers and employees and the variable pay policy applicable to the officers and employees of their wholly-owned subsidiaries not later than 31 December 2007.

Enterprises referred to in section 2 of this Act and Hydro-Québec may not change their variable pay policy in force on 15 November 2006 unless the change is approved by the Government.

**158.** Sections 36, 38 and 39 of this Act and sections 20.1, 20.3 and 20.4 of the Hydro-Québec Act, enacted by section 61, apply in regard to enterprises referred to in section 2 of this Act and Hydro-Québec, respectively, from their respective fiscal years ending after 31 March 2007.

**159.** In addition to the transitional provisions provided in this Act, the Government may, by a regulation made before 14 December 2007, enact any other transitional provision or measure conducive to the carrying out of this Act.

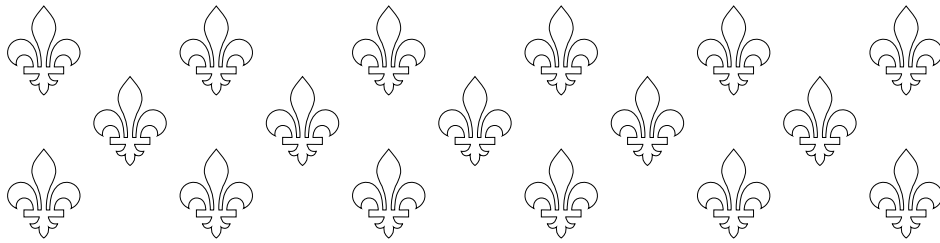
A regulation made under this section is not subject to the publication requirement of section 8 of the Regulations Act (R.S.Q., chapter R-18.1) or to the date of coming into force set out in section 17 of that Act.

**160.** Section 21.5 of the Hydro-Québec Act, section 48 of the Act respecting Investissement Québec and La Financière du Québec, sections 20 and 23.0.18 of the Act respecting the Société de l'assurance automobile du Québec, section 60 of the Act respecting the Société des alcools du Québec, section 24 of the Act respecting the Société des loteries du Québec, section 15.3 of the Act respecting the Société générale de financement du Québec and section 48 of the Act respecting the Caisse de dépôt et placement du Québec, respectively enacted by sections 65, 84, 104, 107, 117, 126, 138 and 142 of this Act, apply, as regards joint auditing requirements, to fiscal years ending in or after the year 2010.

However, the Government may determine that an enterprise referred to in section 2 of this Act, Hydro-Québec or the Caisse de dépôt et placement du Québec is subject, as of any date between 14 December 2006 and

1 January 2010, to the provisions referred to in the first paragraph that are applicable to it.

**161.** This Act comes into force on 14 December 2006, except paragraph 1 of section 43, which comes into force on the date to be set by the Government and not later than 14 December 2011.



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 55  
(2006, chapter 60)

**An Act to again amend various  
legislative provisions respecting  
municipal affairs**

---

---

**Introduced 15 November 2006  
Passage in principle 28 November 2006  
Passage 14 December 2006  
Assented to 14 December 2006**

---

**Québec Official Publisher  
2006**

## EXPLANATORY NOTES

*This bill makes various amendments to Acts and orders in council that concern municipal affairs.*

*It allows a municipality to determine categories of immovables for the purpose of a by-law under which an authorization must be obtained to demolish immovables in those categories. It empowers local municipalities to install conduits for the burial of an electric power distribution or telecommunications system and to contribute financially to the costs of installing equipment for power distribution. As well, it allows a local municipality to act in the place and at the expense of a person who fails to carry out work required by a municipal by-law relating to the protection of a drinking water supply.*

*It requires municipalities governed by the Cities and Towns Act to appoint a director general. The obligation for borough councils to obtain the authorization of the city council before giving a grant to a non-profit organization that is suing the city is abolished.*

*The bill also empowers all local municipalities to appoint a person to act as Municipal Ombudsman or to create a body to act in that capacity and appoint the members of the body. Each local municipality is given the power to determine the functions that are to be exercised by the Municipal Ombudsman. Provisions are introduced affording the Municipal Ombudsman protection against certain proceedings, granting the Municipal Ombudsman the right to obtain any information considered necessary, and ensuring the confidentiality of the information entrusted to the Municipal Ombudsman.*

*The bill proposes various amendments concerning initiatives and development associations.*

*As long as all tenderers are treated equally, the bill authorizes a municipality or intermunicipal board to reach an agreement with a supplier to modify the contract it entered into with the supplier before 23 June 2006 for the removal of residual materials in order to provide that any charges payable are in addition to the price specified in the contract and are to be borne by the municipality or the board.*



*The bill allows the council of a regional county municipality to delegate the awarding of a contract of less than \$25,000 to the regional county municipality's executive committee.*

*It allows the Communauté métropolitaine de Montréal to charge fees for control and monitoring measures it enforces in matters of air and water purification, and provide that the costs of proceedings instituted to enforce a regulation on those matters include the cost of any sampling, analysis, inspection or investigation.*

*The bill stipulates that a decision of the urban agglomeration council relating to the financing of an expenditure out of the urban agglomeration surplus must be made by a by-law subject to the right of objection of the related municipalities.*

*The bill grants the Commission municipale du Québec the power to deal with any objection expressed by a related municipality regarding certain by-laws adopted by an urban agglomeration council. It allows a by-law adopted by an urban agglomeration council and ordering a loan or the use of the urban agglomeration surplus for the purpose of financing a capital expenditure to come into force before the expiry of the period for objecting or, if an objection has been expressed, before the by-law is approved by the Commission. Lastly, it provides that if the Commission refuses to approve the by-law after it comes into force, it may provide for the management of the resolatory effects of the refusal.*

*The bill makes various amendments to the Act respecting municipal taxation to take into account the application, as of 2007, of a new credit plan under which the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation pays a part of the property taxes and compensations for municipal services applicable to an immovable forming part of an agricultural operation registered with the department.*

*The bill allows an extension for one year of the application period of rolls of assessment that came into force on 1 January 2006 or are to come into force at the beginning of 2007, 2008 or 2009. The decision relating to an extension is to be made by the council of the local municipality concerned except in the case of an urban agglomeration, whose council makes the decision regarding the rolls of all related municipalities. Generally, the extension of a property assessment roll is accompanied by the application of a modified version of the measure for averaging the variation in taxable values resulting from the coming into force of the roll; the modification consists in averaging the variation over four years, in*

*one-quarter portions, rather than over three years, in portions of one third.*

*Under the bill, an agreement to test new methods of voting, entered into by a municipality before 14 December 2006, is suspended for the purposes of a poll held on or after that date.*

*The bill empowers the Minister of Public Security to authorize a regional authority to use a simplified procedure to modify the deadlines provided for in its fire safety cover plan.*

*Lastly, the bill contains various provisions relating to particular situations concerning municipal affairs.*

**LEGISLATION AMENDED BY THIS BILL:**

- Act respecting land use planning and development (R.S.Q., chapter A-19.1);
- Charter of Ville de Lévis (R.S.Q., chapter C-11.2);
- Charter of Ville de Longueuil (R.S.Q., chapter C-11.3);
- Charter of Ville de Montréal (R.S.Q., chapter C-11.4);
- Charter of Ville de Québec (R.S.Q., chapter C-11.5);
- Cities and Towns Act (R.S.Q., chapter C-19);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Act respecting the Communauté métropolitaine de Montréal (R.S.Q., chapter C-37.01);
- Act respecting the Communauté métropolitaine de Québec (R.S.Q., chapter C-37.02);
- Municipal Powers Act (R.S.Q., chapter C-47.1);
- Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1);
- Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1);

- Municipal Aid Prohibition Act (R.S.Q., chapter I-15);
- Act respecting the Ministère des Affaires municipales et des Régions (R.S.Q., chapter M-22.1);
- Fire Safety Act (R.S.Q., chapter S-3.4);
- Act respecting the Société québécoise d’assainissement des eaux (R.S.Q., chapter S-18.2.1);
- Act respecting public transit authorities (R.S.Q., chapter S-30.01);
- Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001);
- Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);
- Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, chapter 56).



## Bill 55

### AN ACT TO AGAIN AMEND VARIOUS LEGISLATIVE PROVISIONS RESPECTING MUNICIPAL AFFAIRS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

**1.** Section 148.0.2 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) is amended

(1) by striking out “or an immovable that includes one or more dwellings” in the first and second lines of paragraph 1;

(2) by striking out “, for certain categories of immovables that it shall specify,” in the first line of paragraph 3;

(3) by adding the following subparagraph and paragraph after paragraph 3:

“(4) if conditions are imposed under section 148.0.12, require that the owner provide the municipality with a monetary guarantee prior to the issuance of an authorization certificate, to ensure that those conditions are complied with.

For the purposes of subparagraphs 1 and 3 of the first paragraph, the by-law may establish categories of immovables.”

**2.** Section 148.0.4 of the Act is amended by striking out “in an amount not exceeding the value on the assessment roll of the immovable to be demolished” in the seventh and eighth lines of the first paragraph.

#### CHARTER OF VILLE DE LÉVIS

**3.** Section 69.2 of the Charter of Ville de Lévis (R.S.Q., chapter C-11.2) is amended by striking out the first paragraph.

#### CHARTER OF VILLE DE LONGUEUIL

**4.** Section 56.2 of the Charter of Ville de Longueuil (R.S.Q., chapter C-11.3) is amended by striking out the first paragraph.

**5.** Section 27 of Schedule C to the Charter is amended by striking out the second paragraph.

## CHARTER OF VILLE DE MONTRÉAL

**6.** Section 11 of the Charter of Ville de Montréal (R.S.Q., chapter C-11.4) is amended by replacing “Pierrefonds-Roxboro Borough” in the first line of the first paragraph by “borough of Pierrefonds-Roxboro”.

**7.** Section 59 of the Charter is amended by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) in keeping with the strategic guidelines adopted by the city council and within the limits of the funds available for that purpose, to designate the associations, societies, organizations, groups or persons and the artistic or cultural events that are to be paid a grant, and to fix the amount of the grant.”

**8.** Section 67 of the Charter is amended by replacing “the recommendation” in the first line of the first paragraph by “a decision”.

**9.** Section 85.2 of the Charter is amended by striking out the first paragraph.

**10.** The Charter is amended by inserting the following section after section 133:

“**133.1.** The borough council exercises the jurisdiction of the city described in section 134 of the Educational Childcare Act (chapter S-4.1.1).”

**11.** Schedule B to the Charter is amended by replacing the names of the boroughs in Part I by the following names:

- (1) “**Borough of Anjou**”;
- (2) “**Borough of Montréal-Nord**”;
- (3) “**Borough of Outremont**”;
- (4) “**Borough of Saint-Laurent**”;
- (5) “**Borough of Saint-Léonard**”;
- (6) “**Borough of Verdun**”;
- (7) “**Borough of LaSalle**”;
- (8) “**Borough of Lachine**”;
- (9) “**Borough of Ahuntsic-Cartierville**”;
- (10) “**Borough of Mercier-Hochelaga-Maisonneuve**”;
- (11) “**Borough of Plateau-Mont-Royal**”;

- (12) “**Borough of Rosemont–La Petite-Patrie**”;
- (13) “**Borough of Sud-Ouest**”;
- (14) “**Borough of Ville-Marie**”;
- (15) “**Borough of Villeray–Saint-Michel–Parc-Extension**”;
- (16) “**Borough of Côte-des-Neiges–Notre-Dame-de-Grâce**”;
- (17) “**Borough of L’Île-Bizard–Sainte-Geneviève**”;
- (18) “**Borough of Pierrefonds-Roxboro**”;
- (19) “**Borough of Rivière-des-Prairies–Pointe-aux-Trembles**”.

**12.** Schedule C to the Charter is amended by inserting the following section after section 190:

“**190.1.** The third paragraph of section 190 applies, with the necessary modifications, to a parcel of land that the owner undertakes to transfer for the purposes of a provision enacted under the first paragraph of section 117.1 of the Act respecting land use planning and development (chapter A-19.1) and that forms part of a site defined in the fourth paragraph of section 117.2 of that Act.”

**13.** Section 199 of Schedule C to the Charter is amended by replacing “and 573.1” in the first line of the first paragraph by “, 573.1 and 573.3.0.2”.

**14.** Section 201 of Schedule C to the Charter is amended by replacing the fourth paragraph by the following paragraphs:

“Subject to the fifth paragraph, the rules governing the awarding of contracts by the city apply to any contract awarded following a joint call for public tenders under the first paragraph. The total amount of the expenditures incurred by all the parties under the contract must be taken into consideration when applying those rules.

To the extent that the terms of any intergovernmental agreement on the opening of public procurement applicable to the city are observed, the Minister of Municipal Affairs and Regions may exercise the power conferred by section 573.3.1 of the Cities and Towns Act (chapter C-19) in relation to a contract referred to in the fourth paragraph.”

#### CHARTER OF VILLE DE QUÉBEC

**15.** Section 70.2 of the Charter of Ville de Québec (R.S.Q., chapter C-11.5) is amended by striking out the first paragraph.

**16.** Section 6 of Schedule C to the Charter is amended by adding the following paragraph at the end:

“The first paragraph does not apply in the case of a body created under the first paragraph of section 573.15 of the Cities and Towns Act (chapter C-19).”

**17.** Section 38 of Schedule C to the Charter is amended by replacing “paragraph 2.1 of subsection 1” in the second line of the first paragraph by “subsection 1.0.1”.

**18.** Section 41 of Schedule C to the Charter is amended by replacing the fourth paragraph by the following paragraphs:

“Subject to the fifth paragraph, the rules governing the awarding of contracts by the city apply to every contract awarded following an agreement under the first paragraph.

To the extent that the terms of any intergovernmental agreement on the opening of public procurement applicable to the city are observed, the Minister of Municipal Affairs and Regions may exercise the power conferred by section 573.3.1 of the Cities and Towns Act (chapter C-19) in relation to a contract referred to in the fourth paragraph.”

**19.** Section 43 of Schedule C to the Charter, amended by section 52 of chapter 29 of the statutes of 2006, is again amended by replacing “43” in the first line of the second paragraph by “41”.

**20.** Section 44.1 of Schedule C to the Charter is repealed.

**21.** Schedule C to the Charter is amended by inserting the following section after section 151:

**“151.1.** The city council may adopt a by-law imposing an annual tax on an advertising structure in the territory of the city, such as a sign or a billboard situated elsewhere than at the place where the object of the advertisement is located.

The debtor of the tax is the person responsible for the presence of the structure.

The amount of the tax is based on the number of sign faces on the structure. A surface that displays a series of different advertisements rotating in a loop by mechanical or electronic means constitutes one sign face.

The by-law must define the structures to which it applies and specify those for which the tax is not applicable.”



## CITIES AND TOWNS ACT

**22.** Section 112 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended

(1) by replacing “may, by the vote of the absolute majority of its members,” in the first line of the first paragraph by “must”;

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

“A person may hold the office of director general and a position as officer or employee of the municipality simultaneously.”

**23.** Section 345 of the Act is replaced by the following section:

**“345.** A public notice given for municipal purposes is posted in the office of the municipality and published in a newspaper in the territory of the municipality.

However, a public notice given on a matter within the jurisdiction of a borough council may be posted in the office of the borough and published in a newspaper in the borough.”

**24.** Section 458.3 of the Act is amended by replacing the first paragraph by the following paragraphs:

**“458.3.** Ratepayers having a place of business in the district may apply to the council of the municipality to form an association.

The application must be signed by a minimum number of such ratepayers. There must be

(1) 10 signatures, if there are fewer than 100 such ratepayers;

(2) 20 signatures, if there are 100 or more but fewer than 250 such ratepayers;

(3) 30 signatures, if there are 250 or more but fewer than 500 such ratepayers; and

(4) 40 signatures, if there are 500 or more such ratepayers.”

**25.** Section 458.13 of the Act, amended by section 20 of chapter 31 of the statutes of 2006, is again amended by replacing “12” in the fourth line by “24”.

**26.** Section 458.24 of the Act is amended by striking out the last sentence.

**27.** Section 458.25 of the Act is amended by inserting “or at the annual general meeting, as the board of directors decides” after “purpose” in the first line.

**28.** Section 573.1.0.1.1 of the Act is amended

(1) by inserting the following paragraph after the fourth paragraph:

“The council may adopt a by-law delegating the power to establish a selection committee to an officer or employee of the municipality and setting the conditions and procedures for the exercise of the delegated power.”;

(2) by replacing “and fourth” in the fourth line of the fifth paragraph by “, fourth and fifth”.

**29.** Section 573.2 of the Act is amended by replacing “In” in the first line by “Despite sections 573, 573.1 and 573.3.0.2, in”.

**30.** Section 573.3 of the Act is amended

(1) by replacing “and 573.1” in the first line of the first paragraph by “, 573.1 and 573.3.0.2”;

(2) by inserting “, or, if the object of the contract is the providing of professional services referred to in section 573.3.0.2, the only one within Québec that is in a position to provide the services” after “services” in the seventh line of subparagraph 2 of the first paragraph.

**31.** Section 573.3.2 of the Act, amended by section 52 of chapter 29 of the statutes of 2006, is again amended by replacing “and 573.1” in the second and third lines of the second paragraph by “, 573.1 and 573.3.0.2”.

**32.** The Act is amended by inserting the following division before the heading of Division XII:

#### “DIVISION XI.1

##### “MUNICIPAL OMBUDSMAN

“**573.14.** For the purposes of this division, “Municipal Ombudsman” means the person appointed or body created under the first paragraph of section 573.15.

“**573.15.** The council may, by a resolution adopted by a two-thirds majority vote of its members, appoint a person to act as Municipal Ombudsman or create a body to act in that capacity and appoint its members.

In addition to what is provided in this division, the resolution must determine the term, rights, powers and obligations of the person or of the body and its members.

A two-thirds majority vote of the council members is required for the council to dismiss the person, abolish the body or dismiss a member of the body.

**“573.16.** In no case may the following persons act as Municipal Ombudsman or be a member of a body created to act in that capacity:

- (1) a member of the council or of a borough council of the municipality;
- (2) an associate of a member mentioned in subparagraph 1; or
- (3) a person who, personally or through an associate, has a direct or indirect interest in a contract with the municipality.

Any report produced by the Municipal Ombudsman must disclose any situation that could cause a conflict between the responsibilities inherent in the office of Municipal Ombudsman and the Municipal Ombudsman’s personal interest or, in the case of a body, the personal interest of any of its members.

**“573.17.** In the exercise of the functions of office, the Municipal Ombudsman is entitled to obtain from any person any information the Municipal Ombudsman considers necessary.

**“573.18.** Each year, the Municipal Ombudsman must transmit a report on the exercise of the functions of Municipal Ombudsman to the council.

No civil action may be instituted by reason of the report.

**“573.19.** Despite any general law or special Act, neither the Municipal Ombudsman, its members in the case of a body, the members of the personnel, or any professionals under contract may be compelled to give testimony relating to information obtained in the performance of their duties or to produce a document containing such information.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person has a right of access to such a document.

**“573.20.** Neither the Municipal Ombudsman, its members in the case of a body, or the members of the personnel may be prosecuted by reason of an act they have done or failed to do in good faith in the performance of their duties.

Except on a question of jurisdiction, no recourse under article 33 of the Code of Civil Procedure (chapter C-25) or extraordinary recourse within the

meaning of that Code may be exercised nor an injunction granted against the Municipal Ombudsman, its members in the case of a body, the members of the personnel or any professionals under contract, if acting in their official capacity.

A judge of the Court of Appeal, on a motion, may summarily annul any proceeding instituted or decision rendered contrary to the first or second paragraph.”

#### MUNICIPAL CODE OF QUÉBEC

**33.** Article 124 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by replacing “\$10 000” in the fifth line of the second paragraph by “\$25,000”.

**34.** Article 636 of the Code is amended by replacing the first paragraph by the following paragraphs:

“**636.** Ratepayers having a place of business in the district may apply to the council of the municipality to form an association.

The application must be signed by a minimum number of such ratepayers. There must be

- (1) 10 signatures, if there are fewer than 100 such ratepayers;
- (2) 20 signatures, if there are 100 or more but fewer than 250 such ratepayers;
- (3) 30 signatures, if there are 250 or more but fewer than 500 such ratepayers; and
- (4) 40 signatures, if there are 500 or more such ratepayers.”

**35.** Article 646 of the Code, amended by section 36 of chapter 31 of the statutes of 2006, is again amended by replacing “12” in the fourth line by “24”.

**36.** Article 657 of the Code is amended by striking out the last sentence.

**37.** Article 658 of the Code is amended by inserting “or at the annual general meeting, as the board of directors decides” after “purpose” in the first line.

**38.** Article 937 of the Code is amended by replacing “In” in the first line by “Despite articles 935, 936 and 938.0.2, in”.

**39.** Article 938 of the Code is amended

- (1) by replacing “and 936” in the first line of the first paragraph by “, 936 and 938.0.2”;

(2) by inserting “, or, if the object of the contract is the providing of professional services referred to in article 938.0.2, the only one within Québec that is in a position to provide the services” after “services” in the seventh line of subparagraph 2 of the first paragraph.

**40.** Article 938.2 of the Code, amended by section 52 of chapter 29 of the statutes of 2006, is again amended by replacing “and 936” in the second line of the second paragraph by “, 936 and 938.0.2”.

**41.** Article 949 of the Code is amended by replacing “and 936” in the fourth line of the first paragraph by “, 936 and 938.0.2”.

**42.** The Code is amended by inserting the following Title after article 1104.1:

**“TITLE XXVIII.1**

**“MUNICIPAL OMBUDSMAN**

**“1104.2.** For the purposes of this Title, “Municipal Ombudsman” means the person appointed or body created under the first paragraph of article 1104.3.

**“1104.3.** The council of a local municipality may, by a resolution adopted by a two-thirds majority vote of its members, appoint a person to act as Municipal Ombudsman or create a body to act in that capacity and appoint its members.

In addition to what is provided in this Title, the resolution must determine the term, rights, powers and obligations of the person or of the body and its members.

A two-thirds majority vote of the council members is required for the council to dismiss the person, abolish the body or dismiss a member of the body.

**“1104.4.** In no case may the following persons act as Municipal Ombudsman or be a member of a body created to act in that capacity:

- (1) a member of the council of the municipality;
- (2) an associate of a member mentioned in subparagraph 1; or
- (3) a person who, personally or through an associate, has a direct or indirect interest in a contract with the municipality.

Any report produced by the Municipal Ombudsman must disclose any situation that could cause a conflict between the responsibilities inherent in the office of Municipal Ombudsman and the Municipal Ombudsman’s personal interest or, in the case of a body, the personal interest of any of its members.

“**1104.5.** In the exercise of the functions of office, the Municipal Ombudsman is entitled to obtain from any person any information the Municipal Ombudsman considers necessary.

“**1104.6.** Each year, the Municipal Ombudsman must transmit a report on the exercise of the functions of Municipal Ombudsman to the council.

No civil action may be instituted by reason of the report.

“**1104.7.** Despite any general law or special Act, neither the Municipal Ombudsman, its members in the case of a body, the members of the personnel, or the professionals under contract may be compelled to give testimony relating to information obtained in the performance of their duties or to produce a document containing such information.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person has a right of access to such a document.

“**1104.8.** Neither the Municipal Ombudsman, its members in the case of a body, or the members of the personnel may be prosecuted by reason of an act they have done or failed to do in good faith in the performance of their duties.

Except on a question of jurisdiction, no recourse under article 33 of the Code of Civil Procedure (chapter C-25) or extraordinary recourse within the meaning of that Code may be exercised nor an injunction granted against the Municipal Ombudsman, its members in the case of a body, the members of the personnel or any professionals under contract, if acting in their official capacity.

A judge of the Court of Appeal, on a motion, may summarily annul any proceeding instituted or decision rendered contrary to the first or second paragraph.”

#### ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

**43.** Section 106 of the Act respecting the Communauté métropolitaine de Montréal (R.S.Q., chapter C-37.01) is amended by striking out the third and fourth paragraphs.

**44.** Section 109.1 of the Act is amended

(1) by inserting the following paragraph after the fourth paragraph:

“The Community may adopt a by-law delegating the power to establish a selection committee to an employee and setting the conditions and procedures for the exercise of the delegated power.”;

(2) by replacing “and fourth” in the fourth line of the fifth paragraph by “, fourth and fifth”.

**45.** Section 112.2 of the Act is amended by striking out the second paragraph.

**46.** The Act is amended by inserting the following section after section 112.3:

**“112.4.** Sections 106 and 112.2 do not apply to a contract

(1) whose object is the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or body thereof;

(2) whose object is the supply of insurance, equipment, materials or services and that is entered into with a non-profit organization, a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), or a supplier found, after thorough and documented verification, to be the only one in all the provinces and territories of Canada that is in a position to provide the equipment, materials or services, or, if the object of the contract is the providing of professional services referred to in section 112.2, the only one within Québec that is in a position to provide the services;

(3) whose object is the performance of work to remove, move or reconstruct mains or installations for waterworks, sewers, electricity, gas, steam, telecommunications, oil or another fluid and that is entered into with the owner of the mains or installations or with a public utility, for a price corresponding to the price usually charged by an undertaking generally performing such work;

(4) whose object is the supply of services by a supplier in a monopoly position in the field of communications, electricity or gas;

(5) whose object is the maintenance of specialized equipment that must be carried out by the manufacturer or its representative;

(6) whose object is the supply of bulk trucking services and that is entered into through the holder of a brokerage permit issued under the Transport Act (chapter T-12);

(7) whose object is the supply of movable property or services related to cultural or artistic fields or the supply of subscriptions or computer software for educational purposes;

(8) whose object is the supply of media space for the purposes of a publicity or promotional campaign; or

(9) whose object, stemming from the use of a software package or software product, is to

(a) ensure compatibility with existing systems, software packages or software products;

(b) ensure the protection of exclusive rights such as copyrights, patents or exclusive licences;

(c) carry out research and development; or

(d) produce a prototype or original concept.

The second paragraph of section 106 and section 112.2 do not apply to a professional services contract entered into with the designer of plans and specifications for adaptation, modification or supervision work if the plans and specifications are used and the contract relating to their design was the subject of a call for tenders.

The second paragraph of section 106 does not apply to a contract covered by the regulation in force made under section 112.1.”

**47.** Section 114 of the Act, amended by section 52 of chapter 29 of the statutes of 2006, is again amended by replacing “section 106 does not apply” in the second and third lines of the second paragraph by “sections 106 and 112.2 do not apply”.

**48.** Section 115 of the Act is amended by replacing “section 106” in the first line of the first paragraph by “sections 106 and 112.2”.

**49.** Section 118 of the Act is amended by inserting the following paragraphs after the third paragraph:

“Subject to the fifth paragraph, the rules governing the awarding of contracts by the Community apply to any contract awarded following a joint call for public tenders under the first paragraph. The total amount of the expenditures incurred by all the parties under the contract must be taken into consideration when applying those rules.

To the extent that the terms of any intergovernmental agreement on the opening of public procurement applicable to the Community are observed, the Minister of Municipal Affairs and Regions may exercise the power conferred by section 113 in relation to a contract referred to in the fourth paragraph.”

**50.** The Act is amended by inserting the following section after section 184:

**“184.1.** Without restricting the generality of section 184, the Community may, within the framework of its jurisdiction over the matters set out in Divisions VIII and IX of Chapter III, exercise the powers provided for in



subparagraph *t* of the first paragraph of section 31 and section 115.0.1 of the Environment Quality Act (chapter Q-2), with the necessary modifications.

Section 159.8 of this Act and the fourth paragraph of section 31 of the Environment Quality Act apply, with the necessary modifications, in respect of a regulation made under subparagraph *t* mentioned in the first paragraph.

The Community may, in accordance with section 159.18, delegate the powers mentioned in the first paragraph.”

**51.** The Act is amended by inserting the following section after section 224:

**“224.1.** In proceedings instituted under a regulation made under Division VIII or Division IX of Chapter III, the cost of any sampling, analysis, inspection or investigation is included in the costs of the proceedings at the rate established by a by-law adopted by the Community and that requires the approval of the Minister of Sustainable Development, Environment and Parks.

The Community may, by a by-law approved by that Minister, delegate its jurisdiction with respect to the by-law adopted under the first paragraph.”

#### ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC

**52.** Section 99 of the Act respecting the Communauté métropolitaine de Québec (R.S.Q., chapter C-37.02) is amended by striking out the third and fourth paragraphs.

**53.** Section 102.1 of the Act is amended

(1) by inserting the following paragraph after the fourth paragraph:

“The Community may adopt a by-law delegating the power to establish a selection committee to an employee and setting the conditions and procedures for the exercise of the delegated power.”;

(2) by replacing “and fourth” in the fourth line of the fifth paragraph by “, fourth and fifth”.

**54.** Section 105.2 of the Act is amended by striking out the second paragraph.

**55.** The Act is amended by inserting the following section after section 105.3:

**“105.4.** Sections 99 and 105.2 do not apply to a contract

(1) whose object is the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or body thereof;

(2) whose object is the supply of insurance, equipment, materials or services and that is entered into with a non-profit organization, a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), or a supplier found, after thorough and documented verification, to be the only one in all the provinces and territories of Canada that is in a position to provide the equipment, materials or services, or, if the object of the contract is the providing of professional services referred to in section 105.2, the only one within Québec that is in a position to provide the services;

(3) whose object is the performance of work to remove, move or reconstruct mains or installations for waterworks, sewers, electricity, gas, steam, telecommunications, oil or another fluid and that is entered into with the owner of the mains or installations or with a public utility, for a price corresponding to the price usually charged by an undertaking generally performing such work;

(4) whose object is the supply of services by a supplier in a monopoly position in the field of communications, electricity or gas;

(5) whose object is the maintenance of specialized equipment that must be carried out by the manufacturer or its representative;

(6) whose object is the supply of bulk trucking services and that is entered into through the holder of a brokerage permit issued under the Transport Act (chapter T-12);

(7) whose object is the supply of movable property or services related to cultural or artistic fields or the supply of subscriptions or computer software for educational purposes;

(8) whose object is the supply of media space for the purposes of a publicity or promotional campaign; or

(9) whose object, stemming from the use of a software package or software product, is to

(a) ensure compatibility with existing systems, software packages or software products;

(b) ensure the protection of exclusive rights such as copyrights, patents or exclusive licences;

(c) carry out research and development; or

(d) produce a prototype or original concept.

The second paragraph of section 99 and section 105.2 do not apply to a professional services contract entered into with the designer of plans and specifications for adaptation, modification or supervision work if the plans

and specifications are used and the contract relating to their design was the subject of a call for tenders.

The second paragraph of section 99 does not apply to a contract covered by the regulation in force made under section 105.1.”

**56.** Section 107 of the Act, amended by section 52 of chapter 29 of the statutes of 2006, is again amended by replacing “section 99 does not apply” in the third line of the second paragraph by “sections 99 and 105.2 do not apply”.

**57.** Section 108 of the Act is amended by replacing “section 99” in the first line of the first paragraph by “sections 99 and 105.2”.

**58.** Section 111 of the Act is amended by replacing the fourth paragraph by the following paragraphs:

“Subject to the fifth paragraph, the rules governing the awarding of contracts by the Community apply to any contract awarded following a joint call for public tenders under the first paragraph. The total amount of the expenditures incurred by all the parties under the contract must be taken into consideration when applying those rules.

To the extent that the terms of any intergovernmental agreement on the opening of public procurement applicable to the Community are observed, the Minister of Municipal Affairs and Regions may exercise the power conferred by section 106 in relation to a contract referred to in the fourth paragraph.”

#### MUNICIPAL POWERS ACT

**59.** The Municipal Powers Act (R.S.Q., chapter C-47.1) is amended by inserting the following section after section 16:

“**16.1.** A local municipality may install conduits for the burial of an electric power distribution or telecommunications system.”

**60.** The Act is amended by inserting the following section after the heading of subdivision 2 of Division II of Chapter V of Title II:

“**26.1.** If a person fails to carry out work required by a by-law under section 19 relating to the protection of a source of drinking water, the municipality may, in an emergency, carry it out at the person’s expense.”

**61.** Section 72 of the Act is amended

(1) by striking out “private” in the first line of the first paragraph;

(2) by replacing “following formalities” in the second and third lines of the first paragraph by “following formalities prescribed by this paragraph”;

(3) by replacing “description, based on the cadastre in force, of the private road” in the first and second lines of subparagraph 1 of the first paragraph by “technical description, based on the cadastre in force and prepared by a land surveyor, of the land occupied by the road”;

(4) by replacing the portion before subparagraph *a* of subparagraph 3 of the first paragraph by the following:

“(3) the municipality has a notice published twice in a newspaper in its territory. The notice must contain”;

(5) by striking out “private” in subparagraph *b* of subparagraph 3 of the first paragraph;

(6) by replacing the second paragraph by the following paragraphs:

“The second publication must be made after the 60th and not later than the 90th day following the first.

If registration is required by law, the municipality submits to the minister responsible for the cadastre a cadastral plan showing both the part of the road that has become its property because of this section and the remaining part. In addition, the municipality must give notice of the deposit to any person whose address has been registered in the land register, but the consent of the creditors or the beneficiary of a declaration of family residence is not required in order to obtain the new cadastral numbering.

The municipality publishes in the land register a statement referring to this section that includes the cadastral description of the land concerned and states that the formalities prescribed in the first three paragraphs have been observed.”;

(7) by striking out “private” in the second line of the third paragraph;

(8) by replacing “one year after the last publication in the *Gazette officielle du Québec*” in the third and fourth lines of the third paragraph by “three years after the last publication prescribed in subparagraph 3 of the first paragraph”;

(9) by striking out “private” in the first line of the fourth paragraph.

**62.** Section 73 of the Act is amended

(1) by inserting “technical” before “description” in the second line of the first paragraph;

(2) by replacing the portion before subparagraph 1 of the third paragraph by the following:

“The municipality has a notice published twice in a newspaper in its territory.”;

(3) by replacing the fourth paragraph by the following paragraphs:

“The second publication must be made after the 60th and not later than the 90th day following the first.

The land to which the resolution provided for in the first paragraph applies becomes the property of the municipality on the date of the first publication of the notice provided for in the third paragraph. If registration is required by law, the municipality submits to the minister responsible for the cadastre a cadastral plan showing both the land that has become its property because of this section and the remaining land. In addition, the municipality must give notice of the deposit to any person whose address has been registered in the land register, but the consent of the creditors or the beneficiary of a declaration of family residence is not required in order to obtain the new cadastral numbering.

The municipality publishes in the land register a statement referring to this section and section 74 that includes the cadastral description of the land concerned and states that the formalities prescribed in the first five paragraphs have been observed.”

**63.** Section 74 of the Act is amended

(1) by replacing “sending” in the second line of the first paragraph by “first publication”;

(2) by replacing “notice is sent” in the second line of the third paragraph by “second publication of the notice”.

**64.** Section 90 of the Act, amended by section 119 of chapter 31 of the statutes of 2006, is again amended

(1) by inserting “and installing equipment for the distribution of the electric power” after “system” in the second line of the second paragraph;

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

“(3.1) to a person to help the person carry out required work relating to the protection of a source of drinking water;”.

**65.** The Act is amended by inserting the following section after section 247:

“**247.1.** A local municipality owns the land occupied, on 31 December 2005, by a municipal road that was governed by the Municipal Code of Québec (chapter C-27.1) and that, on that date, was under its management or the management of another local municipality having jurisdiction in the territory that includes the land.

If no land title document has been published in the land register for land the municipality owns under the first paragraph, the municipality determines the boundaries of the land and requests publication of its right of ownership by observing the formalities prescribed in sections 73 and 74 with the necessary modifications.

Ownership of the land referred to in the first paragraph is conferred, retroactively to 1 January 2006, on the local municipality having jurisdiction in the territory concerned on 14 December 2006.

However, if another local municipality had jurisdiction in the territory concerned before that second date, that other municipality is deemed to have owned the land as of 1 January 2006 and until the municipality referred to in the third paragraph succeeds to the rights and obligations of the other municipality with respect to the territory concerned.”

#### ACT RESPECTING DUTIES ON TRANSFERS OF IMMOVABLES

**66.** Section 20.1 of the Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) is amended by replacing the third paragraph by the following paragraph:

“In addition, the municipality may provide that special duties need not be paid in any or all of the following cases:

(1) the exemption is provided for in subparagraph *d* of the first paragraph of section 20 and the transfer results from the death of the transferor;

(2) the exemption is provided for in subparagraph *e* of the first paragraph of section 20 and the transfer results from the death of the transferor; or

(3) the exemption is provided for in subparagraph *e.1* of the first paragraph of section 20 and the transfer results from the death of the person who transferred the immovable to the trust referred to in that subparagraph.”

#### ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL POWERS IN CERTAIN URBAN AGGLOMERATIONS

**67.** Section 53 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001) is amended by adding the following paragraph at the end:

“However, in the case of a city that succeeded a regional county municipality, the power conferred on such a municipality by the Police Act (chapter P-13.1) with respect to an agreement with the Minister of Public Security for the provision, by the Sûreté du Québec, of the police services required in the territory of the municipality constitutes an urban agglomeration power. For that purpose, entering into an agreement and the rights, powers and obligations conferred by that Act on the regional county municipality as a signatory to the agreement are deemed to be matters referred to in paragraph 12 of section 19.”

**68.** The Act is amended by inserting the following section after section 99:

**“99.1.** A decision of the urban agglomeration council relating to the financing of an expenditure out of the urban agglomeration surplus must be made by a by-law subject to the right of objection under section 115.

The adoption of the by-law need not be preceded by a notice of motion.

For the purposes of the first paragraph, “urban agglomeration surplus” means

(1) a surplus of the city that, at the time of the reorganization, remained with the central municipality;

(2) a surplus of the central municipality resulting from the fact that urban agglomeration revenues exceed urban agglomeration expenditures.”

**69.** Section 112 of the Act is amended by adding the following paragraph after the second paragraph:

“However, the urban agglomeration expenditure that is the contribution of Ville de Longueuil to the financing of the expenditures of the Société de transport de Longueuil may be financed by the aliquot shares paid by the related municipalities of the urban agglomeration. To that end, the urban agglomeration council apportions the urban agglomeration expenditure among the related municipalities by a by-law subject to the right of objection under section 115. The second paragraph of section 205 and section 205.1 of the Act respecting land use planning and development (chapter A-19.1) apply, with the necessary modifications, to determine the particulars to be included in the by-law and, if necessary, an alternate apportionment criterion. Section 488 of the Cities and Towns Act (chapter C-19) applies to every related municipality as if the aliquot share was an amount payable directly to the transit authority.”

**70.** Section 113 of the Act is repealed.

**71.** Section 115 of the Act, amended by section 68 of chapter 31 of the statutes of 2006, is again amended

(1) by replacing “or 85” in the second line of the first paragraph by “, 85, 99.1 or 112”;

(2) by replacing “Minister” in the third line of the first paragraph by “Commission municipale du Québec”;

(3) by replacing “Minister” in the first and third lines of the second paragraph by “Commission”;

(4) by replacing “Minister” in the second line of the third paragraph by “Commission”;

(5) by replacing “Minister or by the person designated by the Minister to examine the merits of the by-law and make a decision in the Minister’s place” in the fourth and fifth lines of the third paragraph” by “Commission”.

**72.** Section 115.1 of the Act, enacted by section 69 of chapter 31 of the statutes of 2006, is amended by replacing the first paragraph by the following paragraph:

**“115.1.** A by-law may be published to meet the publication requirement for its coming into force before the period prescribed in the second paragraph of section 115 expires or before the approval required under the third paragraph of that section is granted if the by-law

(1) is made to collect the revenue provided for in the part of the budget of the central municipality that is within the jurisdiction of the urban agglomeration council;

(2) is required under section 69 or 112; or

(3) orders a loan for the purpose of financing a capital expenditure, or is required under section 99.1.”

**73.** Section 116.1 of the Act, amended by section 70 of chapter 31 of the statutes of 2006, is again amended by replacing “Minister” in the second line of the second paragraph by “Commission”.

**74.** The Act is amended by inserting the following section after section 117:

**“117.1.** The director general and the treasurer of the central municipality must take the necessary steps to meet with the mayor or director general and the treasurer of any reconstituted municipality to inform them of the content of the parts of the budget and of the capital expenditure program relating to urban agglomeration powers.

The meeting must be held at least 24 hours before the meeting during which the documents referred to in the first paragraph must be submitted to the urban agglomeration council for adoption.

If the urban agglomeration includes the territory of several reconstituted municipalities, the director general and the treasurer may decide to meet with the mayors or directors general and the treasurers of two or more of them at the same time.”

#### ACT RESPECTING MUNICIPAL TAXATION

**75.** The Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended by inserting the following after section 41.1:



“§6.1. — *Pipeline*

“**41.1.0.1.** The aggregate of the components of a pipeline that must be entered on the roll, that are situated in the territory of the local municipality and that are installed on a parcel of land belonging to an owner other than the owner of the pipeline constitutes a separate unit of assessment entered in the name of their owner.

The value of the parcel of land referred to in the first paragraph is reduced in proportion to the value of the right held in respect of the land by the owner of the pipeline. The value of that right is not added to the value of the unit of assessment entered in the name of the owner of the pipeline. These assessment rules do not limit the scope of the fourth paragraph of section 66 if a component of a system of gas distribution to Québec consumers is installed on a parcel of land belonging to an owner that is not the operator of the system.

If another unit of assessment is entered on the roll of the municipality in the name of the owner of the pipeline, the assessor may decide that the aggregate referred to in the first paragraph is added to that unit or, if there are several such units, to one of them.

However, any component of the pipeline that is installed on a parcel of land belonging to a public body is excluded from the aggregate referred to in the first paragraph, provided no building other than such a component is installed on that land.”

**76.** Section 79 of the Act is amended by replacing “such a document” in the second line of the third paragraph by “a document referred to in the second paragraph of section 78 and”.

**77.** The Act is amended by inserting the following section after section 80.1:

“**80.1.1.** The powers conferred on the Minister by the third paragraph of section 79, the second paragraph of section 80 and the first paragraph of section 80.1, with respect to the Minister’s right of access to a document, are also conferred on the Minister of Agriculture, Fisheries and Food if the document concerns an agricultural operation registered in accordance with a regulation under section 36.15 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14) and included in an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).”

**78.** Section 80.2 of the Act is amended

(1) by striking out “of Municipal Affairs and Regions” in the second line of the first paragraph;

(2) by striking out the second paragraph;

(3) by striking out “concerned” in the third line of the third paragraph.

**79.** Section 81 of the Act is amended by striking out “or, where the unit of assessment is a unit of assessment referred to in the second paragraph of section 80.2, before 1 March each year” in the second, third and fourth lines of the first paragraph.

**80.** Section 126 of the Act is amended

(1) by striking out “of Municipal Affairs and Regions” in the first line of the first paragraph;

(2) by striking out the second paragraph.

**81.** Section 131.1 of the Act is amended

(1) by striking out “of Municipal Affairs and Regions” in the second line of the first paragraph;

(2) by striking out the second paragraph.

**82.** Section 132 of the Act is amended by striking out “of Municipal Affairs and Regions or the Minister of Agriculture, Fisheries and Food, as the case may be,” in the seventh and eighth lines.

**83.** Section 133 of the Act is amended by striking out “of Municipal Affairs and Regions or the Minister of Agriculture, Fisheries and Food, as the case may be,” in the sixth and seventh lines.

**84.** Section 138.1 of the Act is amended

(1) by striking out “of Municipal Affairs and Regions” in the second line of the first paragraph;

(2) by striking out the second paragraph.

**85.** Section 138.3 of the Act is amended by replacing “quatre” in the third line of the third paragraph in the French text by “quatre”.

**86.** Section 138.5 of the Act is amended

(1) by striking out “of Municipal Affairs and Regions” in the first line of subparagraph 4 of the second paragraph;

(2) by striking out subparagraph 5 of the second paragraph;

(3) by replacing subparagraph 4 of the fourth paragraph by the following subparagraph:

“(4) receipt by the Minister of a copy of the notice provided for in section 180, in the case described in subparagraph 4 of that second paragraph.”

**87.** Section 138.9 of the Act is amended

(1) by replacing paragraph 4 by the following paragraph:

“(4) the Minister, in the case described in section 138.1;”;

(2) by striking out paragraph 5.

**88.** Section 154 of the Act is amended by striking out “of Municipal Affairs and Regions or the Minister of Agriculture, Fisheries and Food, as the case may be,” in the third and fourth lines of paragraph 2.

**89.** Section 180 of the Act is amended

(1) by striking out “of Municipal Affairs and Regions” in the first line of the fourth paragraph;

(2) by striking out the second sentence of the fourth paragraph.

**90.** The Act is amended by inserting the following section after section 180:

“**180.0.1.** If an alteration concerns a unit of assessment that includes an agricultural operation registered in accordance with a regulation under section 36.15 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14) and situated within an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), a copy of the notice of alteration must be sent to the Minister of Agriculture, Fisheries and Food.”

**91.** Section 183 of the Act is amended by replacing “, by the Minister of Municipal Affairs and Regions or the Minister of Agriculture, Fisheries and Food, as the case may be,” in the fourth, fifth and sixth lines of subparagraph 4 of the third paragraph by “by the Minister”.

**92.** The Act is amended by inserting the following sections after section 204.1:

“**204.1.1.** If a unit of assessment is not entered on the roll in the name of a person mentioned in section 204 and includes an immovable referred to in section 255, it is partially exempt from taxation, as if the part corresponding to the immovable were entered on the roll in the name of the owner of the immovable.

The immovable is then deemed to be referred to in the paragraph of section 204 that refers to its owner.

**“204.1.2.** If the owner of an immovable is a group of persons that includes at least one of the persons referred to in section 255, but is not composed entirely of such persons, the roll must clearly state what part of the value of the immovable relates to that person.

Unless all the immovables included in the unit of assessment are owned by the same group referred to in the first paragraph, and the part that relates to the person referred to in section 255 corresponds to the same percentage of the value for each of those immovables, the information required under that paragraph is added to the special entries arising from the application of sections 2 and 61 that are used to identify the immovable within the unit of assessment.

If the obligation under the first paragraph applies, the immovable is deemed to be referred to in the paragraph of section 204 that mentions the member of the group that is a person referred to in section 255, solely for the part of the value noted in the roll of assessment in accordance with the first paragraph.

Only the part of the value noted in the roll of assessment in accordance with the first paragraph is exempt from taxation. In that case, a member of the group that is a person referred to in section 255 is not the debtor of any part of the property taxes relating to the immovable.

The fourth paragraph does not apply if all the owners of the immovable are persons mentioned in section 204 and all the immovables included in the unit of assessment are exempt from property taxes.

**“204.1.3.** In the case described in the third paragraph, any provision under which a reference to the owner of an immovable is a reference to the person in whose name the unit of assessment that includes the immovable is entered on the roll is inoperative if the immovable is referred to in section 204.1.1 or 204.1.2.

If the obligation under the first paragraph of section 204.1.2 applies in respect of the immovable, the reference in a provision to the owner of the immovable is a reference, in the case described in the third paragraph, to the member of the group of owners to whom the non-taxable part of the value relates.

The first two paragraphs apply if the provision containing the reference specifically concerns the owner of an immovable referred to in section 204. However, if the provision specifically concerns the owner of an immovable referred to in a particular paragraph of that section, the first two paragraphs apply only if that paragraph is the one referred to in the second paragraph of section 204.1.1 or the third paragraph of section 204.1.2.”

**93.** Section 208 of the Act is amended by replacing “the immovable is included in the unit of assessment entered on the roll in the name of” in the third and fourth lines of the first paragraph by “its owner is”.

**94.** The heading of subdivision 3 of Division II of Chapter XVIII of the Act is replaced by the following heading:

“§3. — *Self-produced electric power*”.

**95.** Section 229 of the Act becomes section 220.14.

**96.** The Act is amended by inserting the following sections after section 253:

**“253.0.1.** If a demand for payment of a tax or compensation, including a supplement, mentions a credit granted in consideration of an amount to be paid to the municipality on behalf of the debtor under Division VII.1 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (chapter M-14), the municipality may, if the Minister of Agriculture, Fisheries and Food refuses to pay that amount, require the debtor to pay it.

A demand under the first paragraph for payment of the amount of the credit is treated as a demand for payment of a tax supplement. However, despite Division VII.1 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation, no credit is to be mentioned in the demand.

**“253.0.2.** If a refund must be paid by the municipality in the case of a tax or compensation for which a credit referred to in section 253.0.1 was granted, the amount of the refund is apportioned to take into account the respective overpayments of the debtor and the Minister of Agriculture, Fisheries and Food.

The part paid by the debtor is refunded subject to the rules set out in this division. The part paid by the Minister is refunded as agreed by the Minister and the municipality or, failing agreement, as prescribed by the Minister.”

**97.** Section 255.1 of the Act is replaced by the following section:

**“255.1.** When a unit of assessment includes both an immovable referred to in section 255 and another that is not referred to in that section, the roll must, in accordance with section 61, contain the information required to calculate, on the basis of the part of the non-taxable value of the unit that corresponds to the non-taxable value of the immovable referred to in section 255, the amount to be paid under the first paragraph of section 254.”

**98.** Section 255.2 of the Act is amended by replacing the first paragraph by the following paragraph:

**“255.2.** When an immovable referred to in a provision under section 255 belongs to several owners, not all of whom are persons referred to in that provision, section 255.1 applies as if the immovable consisted only of that part that relates to the owner or owners referred to in that provision.”

## MUNICIPAL AID PROHIBITION ACT

**99.** Section 1 of the Municipal Aid Prohibition Act (R.S.Q., chapter I-15) is amended by striking out the second paragraph.

ACT RESPECTING THE MINISTÈRE DES AFFAIRES MUNICIPALES  
ET DES RÉGIONS

**100.** Section 21.7 of the Act respecting the Ministère des Affaires municipales et des Régions (R.S.Q., chapter M-22.1), enacted by section 21 of chapter 8 of the statutes of 2006, is amended by replacing “the powers and responsibilities stemming from the agreement referred to in section 21.6” in the third and fourth lines of the fourth paragraph by “its powers and responsibilities, particularly in order to implement regional priorities and to adapt government activities to regional characteristics”.

**101.** The Act is amended by inserting the following section after section 21.23, enacted by section 21 of chapter 8 of the statutes of 2006:

“**21.23.1.** The Minister of Municipal Affairs and Regions may delegate the administration of a part of the fund to a regional conference of elected officials, according to the terms of an agreement under the second paragraph of section 21.6.

The board of directors of a regional conference of elected officials that has been delegated the administration of a part of the fund may entrust that administration to the executive committee, a member of the committee or the director general.”

**102.** Section 21.30 of the Act, enacted by section 21 of chapter 8 of the statutes of 2006, is amended

(1) by striking out “regional county municipality or local municipality whose territory is not comprised within the territory of a regional county” in the second, third and fourth lines;

(2) by inserting “or measure” after “policy” in the fifth line.

**103.** Section 21.31 of the Act, enacted by section 21 of chapter 8 of the statutes of 2006, is amended by striking out “regional county municipality or local” in the second and third lines.

**104.** Section 21.32 of the Act, enacted by section 21 of chapter 8 of the statutes of 2006, is amended

(1) by striking out “regional county municipality or local” in the first line of the first paragraph;

(2) by inserting “or the measure” after “policy” in the fourth line.

## FIRE SAFETY ACT

**105.** The Fire Safety Act (R.S.Q., chapter S-3.4) is amended by inserting the following section after section 30:

**“30.1.** As an exceptional measure, following a request with reasons from a regional authority, the Minister may authorize the amendment of a fire safety cover plan in force in order to extend one or more deadlines contained in the plan.

The authorization may be granted if the amendment does not change any of the public protection objectives and if the regional authority has demonstrated that, for valid reasons, it and the local municipalities concerned are unable to meet the deadlines.

If the Minister grants the request, an authorization is issued, which is added to the certificate of conformity.

Without further formality or delay, the amendment to the plan is adopted by the council of the regional authority and comes into force on the date the authorization of the Minister is issued.”

**106.** Section 31 of the Act is amended by inserting “or an authorization” after “certificate of compliance” in the second line.

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE  
D’ASSAINISSEMENT DES EAUX

**107.** Section 5 of the Act respecting the Société québécoise d’assainissement des eaux (R.S.Q., chapter S-18.2.1) is replaced by the following section:

**“5.** The affairs of the Société are administered by the person designated by the Minister of Municipal Affairs and Regions.”

**108.** Sections 6 to 9, 11, 12, 14 and 15 of the Act are repealed.

**109.** Section 16 of the Act is amended by striking out “, except those made under section 15,” in the first line.

**110.** Section 17 of the Act is repealed.

**111.** Section 45 of the Act is amended by replacing “The president and the” in the first line by “The”.

## ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

**112.** Section 93 of the Act respecting public transit authorities (R.S.Q., chapter S-30.01) is amended by striking out the third and fourth paragraphs.

**113.** Section 96.1 of the Act is amended

(1) by inserting the following paragraph after the fourth paragraph:

“The transit authority may adopt a by-law delegating the power to establish a selection committee to an employee and setting the conditions and procedures for the exercise of the delegated power.”;

(2) by replacing “and fourth” in the fourth line of the fifth paragraph by “, fourth and fifth”.

**114.** Section 101 of the Act is amended by striking out the second paragraph.**115.** The Act is amended by inserting the following section after section 101:

“**101.1.** Sections 93 and 101 do not apply to a contract

(1) whose object is the supply of equipment, materials or services for which a tariff is fixed or approved by the Government of Canada or of Québec or by a minister or body thereof;

(2) whose object is the supply of insurance, equipment, materials or services and that is entered into with a non-profit organization, a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), or a supplier found, after thorough and documented verification, to be the only one in all the provinces and territories of Canada that is in a position to provide the equipment, materials or services, or, if the object of the contract is the providing of professional services referred to in section 101, the only one within Québec that is in a position to provide the services;

(3) whose object is the performance of work to remove, move or reconstruct mains or installations for waterworks, sewers, electricity, gas, steam, telecommunications, oil or another fluid and that is entered into with the owner of the mains or installations or with a public utility, for a price corresponding to the price usually charged by an undertaking generally performing such work;

(4) whose object is the supply of services by a supplier in a monopoly position in the field of communications, electricity or gas;

(5) whose object is the maintenance of specialized equipment that must be carried out by the manufacturer or its representative;

(6) whose object is the supply of bulk trucking services and that is entered into through the holder of a brokerage permit issued under the Transport Act (chapter T-12);



(7) whose object is the supply of movable property or services related to cultural or artistic fields or the supply of subscriptions or computer software for educational purposes;

(8) whose object is the supply of media space for the purposes of a publicity or promotional campaign;

(9) whose object is the supply of materials or equipment and that is entered into in circumstances that are exceptionally advantageous for the transit authority, such as the bankruptcy or liquidation of the supplier; or

(10) whose object, stemming from the use of a software package or software product, is to

(a) ensure compatibility with existing systems, software packages or software products;

(b) ensure the protection of exclusive rights such as copyrights, patents or exclusive licences;

(c) carry out research and development; or

(d) produce a prototype or original concept.

The second paragraph of section 93 and section 101 do not apply to a professional services contract entered into with the designer of plans and specifications for adaptation, modification or supervision work if the plans and specifications are used and the contract relating to their design was the subject of a call for tenders.

The second paragraph of section 93 does not apply to a contract covered by the regulation in force made under section 100.”

**116.** Section 104 of the Act is amended by replacing “section 93 does not apply” in the second and third lines of the second paragraph by “sections 93 and 101 do not apply”.

**117.** Section 105 of the Act is amended by replacing “section 93” in the first line of the first paragraph by “sections 93 and 101”.

**118.** Section 108 of the Act is amended by inserting the following paragraphs after the second paragraph:

“Subject to the fourth paragraph, the rules governing the awarding of contracts by the transit authority apply to any contract awarded following a joint call for public tenders under the first paragraph. The total amount of the expenditures incurred by all the parties under the contract must be taken into consideration when applying those rules.

To the extent that the terms of any intergovernmental agreement on the opening of public procurement applicable to the transit authority are observed, the Minister of Municipal Affairs and Regions may exercise the power conferred by section 103 in relation to a contract referred to in the third paragraph.”

#### ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

**119.** Section 21.2 of the Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001) is amended by adding the following paragraph at the end:

“The total annual remuneration referred to in section 21.1 to which the chair of the board of directors of the Société de transport de Montréal is entitled may not exceed 90% of the maximum applicable to the mayor of Ville de Montréal.”

#### ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

**120.** Section 296.1 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1) is amended by replacing the third paragraph by the following paragraph:

“The annual amount of the basis remuneration and each additional remuneration are determined in accordance with sections 296.4 to 296.6.”

**121.** The Act is amended by inserting the following sections after section 296.3:

**“296.4.** An amount prescribed under section 296.1 and applicable for a fiscal year, referred to as “the fiscal year concerned”, is the result obtained by indexing upward the amount applicable for the preceding fiscal year.

The indexation consists in increasing the amount applicable for the preceding fiscal year by a percentage corresponding to the rate of increase, according to Statistics Canada, of the Consumer Price Index for Canada.

That rate is established by

(1) subtracting the index established for the third month of December preceding the fiscal year concerned from the index established for the second month of December preceding that fiscal year; and

(2) dividing the difference obtained under subparagraph 1 by the index established for the third month of December preceding the fiscal year concerned.

If the indexation results in a mixed number, only the integer is used and it is rounded up if the first decimal is greater than 4.

**“296.5.** If an increase is impossible for the fiscal year concerned, the amount applicable for that fiscal year is equal to the amount applicable for the preceding fiscal year.

**“296.6.** Before the beginning of the fiscal year concerned, the Minister of Municipal Affairs and Regions shall transmit to the Regional Government a notice

(1) stating the percentage corresponding to the rate of increase used to establish any amount applicable for that fiscal year or, as the case may be, stating that an increase is impossible for that fiscal year; and

(2) stating any amount applicable for that fiscal year.”

**122.** Section 410 of the Act is amended

(1) by striking out “, the third paragraph of section 296.1” in the fifth and sixth lines of the second paragraph;

(2) by striking out the third paragraph.

#### ACT TO REFORM THE MUNICIPAL TERRITORIAL ORGANIZATION OF THE METROPOLITAN REGIONS OF MONTRÉAL, QUÉBEC AND THE OUTAOUAIS

**123.** Section 250 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, chapter 56), amended by section 230 of chapter 25 of the statutes of 2001, section 115 of chapter 68 of the statutes of 2001, section 265 of chapter 37 of the statutes of 2002 and sections 45 and 52 of chapter 68 of the statutes of 2002, is again amended by striking out the fifth and sixth paragraphs.

#### OTHER AMENDING PROVISIONS

**124.** Section 70.1 of Order in Council 850-2001 dated 4 July 2001, concerning Ville de Sherbrooke, enacted by Order in Council 509-2002 dated 1 May 2002, is repealed.

**125.** Section 31 of Order in Council 1055-2005 dated 9 November 2005, concerning the urban agglomeration of La Tuque, is amended by replacing “and the revenues generated by that equipment” in the second and third lines by “and the municipal social centre, as well as the revenues generated by that equipment”.

**126.** Section 44 of the Order in Council is amended by striking out “304-98,” “317-99,” “866,” “978-95,” and “983-96 (983-1-96),” in the second, third and fourth lines.

**127.** Schedule B to the Order in Council is amended by striking out “—Parc Saint-Eugène;”, “—Stade de baseball Sévère-Scarpino;” and “—Bicycle trail.” in the fourth, fifth and tenth lines.

**128.** Schedule E to the Order in Council is amended

(1) by replacing “92%” and “8%” in the second line of the table by “34.7%” and “8.7%”, respectively;

(2) by adding “56.6%” in the second line of the table under the heading “**Revenue from the sector made up of the territory of the former Ville de La Tuque**”;

(3) by replacing “66.9%” and “33.1%” in the third line of the table by “42%” and “33.1%”, respectively;

(4) by adding “24.9%” in the third line of the table under the heading “**Revenue from the sector made up of the territory of the former Ville de La Tuque**”;

(5) by replacing “69.4%” and “30.6%” in the sixth line of the table by “23.6%” and “31.5%”, respectively;

(6) by adding “20.6%” in the sixth line of the table under the heading “**Revenue from the territory of the central municipality**”;

(7) by adding “24.3%” in the sixth line of the table under the heading “**Revenue from the sector made up of the territory of the former Ville de La Tuque**”;

(8) by striking out “37.5%” in the eleventh line of the table;

(9) by adding “29.4%” in the eleventh line of the table under the heading “**Urban agglomeration revenues except for the sectors made up of the territory of the former TNO and of the former Village de Parent**”;

(10) by replacing “3.3%” and “59.2%” in the eleventh line of the table by “4.3%” and “66.3%”, respectively.

**129.** Section 15 of Order in Council 1214-2005 dated 7 December 2005, concerning the urban agglomeration of Longueuil, amended by section 13 of Order in Council 549-2006 dated 14 June 2006, is again amended by replacing the third paragraph by the following paragraphs:

“Two persons designated in accordance with the fourth and fifth paragraphs to act as representatives of the reconstituted municipalities may attend the meetings of the executive committee. Once the director general of the central municipality is informed in writing of the names of the two persons, the director general must see that the documents relating to the meetings of the

executive committee are sent to the two persons as well as to the committee members. The two persons participate as members of the executive committee in the deliberations and the vote on any matter related to the exercise of an urban agglomeration power.

The council of each reconstituted municipality appoints from among its members

(1) one person who may be designated in accordance with the fifth paragraph to act as representative of the reconstituted municipalities; and

(2) one person who may be designated in accordance with the fifth paragraph to replace a representative who is unable to act.

The persons appointed by the councils under subparagraph 1 of the fourth paragraph designate from among themselves the two persons who are to act as representatives of the reconstituted municipalities for the purposes provided for in the third paragraph. At the same time, they must also designate from among the persons appointed by the councils under subparagraph 2 of the fourth paragraph, the two persons who are to replace the representatives if the latter are unable to act.

For the purposes of a decision under the fifth paragraph, each person has the number of votes assigned, in accordance with Division II of Chapter I of Title II, to the representative of the municipality on whose council the person sits.”

**130.** Section 67 of Order in Council 1229-2005 dated 8 December 2005, concerning the urban agglomeration of Montréal, is amended by replacing “is an aspect of power other” in the sixth and seventh lines of the first paragraph by “and the work necessary to enable the fluoridation of water produced by those plants are powers other”.

## MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

### *Land use planning and development instruments of certain municipalities*

**131.** Not later than 14 June 2007, Ville de Lévis must adopt a by-law adopting a revised land use planning and development plan under section 56.13 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1).

If the city fails to adopt the by-law referred to in the first paragraph within the prescribed time, the Government may prohibit any new industrial, commercial or residential structure in any part of the territory of the city, in view of government policies or the strategic vision proposed by the Communauté métropolitaine de Québec in respect of that part of the territory.

No building or subdivision permit may be issued under a city by-law in respect of a structure that is prohibited under the second paragraph.

An order made under the second paragraph has precedence over any interim control resolution or by-law applicable to the same territory and ceases to have effect, if not repealed previously, on the date of coming into force of the revised plan.

For the purpose of fulfilling its obligation under the first paragraph, the city initiates the revision process for the plan defined in the third paragraph of section 250 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, chapter 56), amended by section 123, by adopting, for its whole territory, a second draft revised plan as required under section 56.6 of the Act respecting land use planning and development. The revision process is then continued using the second draft plan.

**132.** Ville de Lévis must apply the revision process referred to in section 110.3.1 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) to replace the planning program defined in the fourth paragraph of section 250 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, chapter 56), amended by section 123.

After the revised plan resulting from the application of section 131 comes into force, the city council must adopt the by-law revising the planning program to be replaced. That by-law is deemed to be a concordance by-law required under section 59 of the Act respecting land use planning and development, arising from that revision of the plan, as if it amended the planning program in force rather than revising it. However, the by-law must be adopted within one year, rather than two years, from the coming into force of the revised plan.

Following the coming into force of the by-law revising the planning program to be replaced, the time limit for adopting a concordance by-law referred to in section 110.4 of the Act respecting land use planning and development in order to ensure conformity with the revised planning program of any by-law not deemed to be in conformity under section 110.9 of that Act is 12 months rather than 90 days.

**133.** Municipalité régionale de comté de Maskinongé need not revise its land use planning and development plan as required under Division VI.1 of Chapter I of Title I of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) for the part of the plan applicable to the territory of Paroisse de Saint-Étienne-des-Grès.

It must, however, adopt a by-law amending its plan, by following the procedure prescribed in Division VI of that chapter, in order to integrate and harmonize the different parts of the plan.

For the purposes of the second paragraph, the following rules apply as modifications to the Act respecting land use planning and development:

(1) the adoption of documents under the second paragraph of section 48 and section 53.10 of the Act is optional;

(2) the Minister of Municipal Affairs and Regions gives an opinion on the proposed amendment within 120 days after receiving a copy of the draft by-law, and section 51 of that Act then applies with the necessary modifications; and

(3) the coming into force of the amending by-law is considered to be the coming into force of a by-law adopting a revised plan.

The first three paragraphs cease to have effect at the end of 31 December 2008. If an amending by-law described in the second paragraph is not in force at that time, the municipality must complete the revision process for the part of the plan referred to in the first paragraph.

#### *Agreements on new methods of voting*

**134.** An agreement entered into by a municipality under section 659.2 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) before 14 December 2006 is suspended for the purposes of a poll held on or after that date.

No recourse may be exercised against a municipality because of the suspension of an agreement under the first paragraph.

#### *Electoral districts of Ville de Saguenay*

**135.** The division of the territory of Ville de Saguenay into electoral districts for the purposes of the general election of 2009 and any by-election held before the general election of 2013 is the division that was applicable for the purposes of the general election of 2005.

#### *Retrospective adjustments of contributions to the Commission de la santé et de la sécurité du travail*

**136.** The urban agglomeration council of Ville de Montréal apportions among the related municipalities the expenditures it made or the revenues it received as retrospective adjustments of contributions it paid to the Commission de la santé et de la sécurité du travail for 2002, 2003, 2004 and 2005.

The apportionment, determined by a by-law subject to the right of objection under section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001), is carried out according to the formula for apportioning retrospective adjustments the city used during those years.

**137.** The expenditures made or revenues received by Ville de Québec or Ville de Longueuil as retrospective adjustments of contributions paid to the Commission de la santé et de la sécurité du travail for 2002, 2003, 2004 and 2005 constitute urban agglomeration expenditures or revenues.

*Application period of certain assessment rolls*

**138.** For the purposes of sections 139 to 147,

(1) “central municipality”, “regular council”, “related municipality”, “urban agglomeration”, “urban agglomeration council”, “urban agglomeration property roll” and “urban agglomeration rental roll” have the meanings assigned by the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001);

(2) “Act” means the Act respecting municipal taxation (R.S.Q., chapter F-2.1);

(3) “averaging measure” means the measure for averaging the variation in taxable values resulting from the coming into force of the roll, provided for in Division IV.3 of Chapter XVIII of the Act respecting municipal taxation; and

(4) “roll” means indifferently the property assessment roll or the roll of rental values, including the rolls referred to in paragraph 1, unless the provision that includes that word refers to either of those rolls by name.

**139.** A roll deposited during the fiscal year 2005, 2006, 2007 or 2008 and that is to apply, according to section 14 or 14.1 of the Act, for the three subsequent fiscal years, applies, despite that section, for the four subsequent fiscal years, if the extension is ordered in accordance with section 140 and the first paragraph of section 141.

**140.** An extension of the application period of the roll of a local municipality is ordered by the council of the municipality.

However, the extension of the application period of the rolls of related municipalities whose territory is included in an urban agglomeration is ordered by the urban agglomeration council of the central municipality.

To order an extension of the application period of the roll that came into force on 1 January 2006, the council referred to in the first or second paragraph must have used the averaging measure for the property assessment roll of the municipality or the urban agglomeration property roll that came into force on that date.

**141.** The resolution by which the council having jurisdiction orders an extension of the application period of the roll must be adopted after the roll is deposited and before the budget or any part of the budget for the first fiscal year for which the roll applies is adopted. However, if the roll concerned came



into force on 1 January 2006, the resolution must be adopted before the budget or any part of the budget for the fiscal year 2007 is adopted.

The clerk or the secretary-treasurer of the municipality whose council adopted the resolution must send an authenticated copy of the resolution as soon as possible after it is adopted to the Minister of Municipal Affairs and Regions and to the municipal body responsible for assessment that caused the roll to be drawn up, if the municipality is not that body.

**142.** Every roll subsequent to the roll whose application period was extended is drawn up for three fiscal years

(1) if the municipality whose council ordered the extension is the municipal body responsible for assessment that caused the roll to be drawn up; or

(2) if the municipality whose council ordered the extension is not the municipal body responsible for assessment that caused the roll to be drawn up, and the application period of all the rolls that the body causes to be drawn up and that are deposited in 2006, 2007 and 2008 is extended.

In any other case, the first roll that follows the roll whose application period was extended is drawn up for two fiscal years. That first subsequent roll is considered to be a roll drawn up under the second paragraph of section 72 of the Act. Any roll subsequent to the roll that applies for two fiscal years is drawn up for three fiscal years.

**143.** In the case referred to in the first paragraph of section 140, the municipality applies the averaging measure, with the modifications set out in the schedule, for its property assessment roll whose application period is extended. The resolution adopted by the council of the municipality under that paragraph is considered to be a resolution adopted by that council under section 253.27 of the Act that applies only to the property assessment roll of the municipality. The municipality and its council are consequently deemed to have exercised the power under that section in respect of that roll.

In the case referred to in the second paragraph of section 140, the central municipality applies the averaging measure, with the modifications set out in the schedule, for its property assessment roll and the urban agglomeration property roll whose application period is extended. The resolution adopted by the urban agglomeration council under that paragraph is considered to be a resolution adopted by that council or by the regular council of the central municipality under section 253.27 of the Act that applies only to the urban agglomeration property roll or the property assessment roll, as the case may be, of the central municipality. The central municipality and the council of the central municipality having jurisdiction are consequently deemed to have exercised the power under that section in respect of those rolls.

If the roll whose application period is extended came into force on 1 January 2006, a municipality that has begun to apply the averaging measure

for that roll continues to apply it, with the modifications set out in the schedule, according to the rules applicable for the second, third and fourth fiscal years for which the roll applies.

**144.** The legislative provisions modified by the schedule apply, as they read with those modifications, to any municipality that has a roll whose application period has been extended.

Those provisions apply for the purposes of any fiscal year, as of the fiscal year 2007, for which that roll applies.

**145.** Acts performed before 14 December 2006, in anticipation of the coming into force of sections 138 to 144, with a view to the extension of the application period of a roll that came into force on 1 January 2006 or is to come into force on 1 January 2007, are valid.

**146.** The property assessment roll of Canton de Low, in force since the beginning of the fiscal year 2006, remains in force until the end of the fiscal year 2007. The latter is considered to be the third year of application of that roll.

For the purpose of determining for which fiscal years the roll subsequent to the roll referred to in the first paragraph is to be drawn up in accordance with section 14 of the Act, the roll referred to in that paragraph is deemed to have been drawn up for the fiscal years 2005, 2006 and 2007.

**147.** The property assessment roll in force since the beginning of the fiscal year 2004 remains in force until the end of the fiscal year 2007 for

- (1) Municipalité de Bouchette;
- (2) Municipalité de Sainte-Thérèse-de-la-Gatineau;
- (3) Ville de Maniwaki;
- (4) Municipalité régionale de comté de la Vallée-de-la-Gatineau, acting in respect of the unorganized territory included in its territory.

The fiscal year 2007 is considered to be the third year of application of the roll referred to in the first paragraph.

For the purpose of determining for which fiscal years the roll subsequent to the roll referred to in the first paragraph is to be drawn up in accordance with section 14 of the Act, the roll referred to in that paragraph is deemed to have been drawn up for the fiscal years 2005, 2006 and 2007.

*Maximum applicable to the non-residential property taxation of certain reconstituted municipalities*

**148.** In the case of a reconstituted municipality of the urban agglomeration of Montréal, a coefficient of 3.70 is used, for each of the fiscal years 2007 to 2010, for the purposes of the second paragraph of section 244.39 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) or subparagraph 2 of the third paragraph of that section.

The coefficient replaces the coefficient of 2.75 provided for in subparagraph 1 of the second paragraph of section 244.40 of that Act, and any other coefficient resulting from the exercise by the municipality of the power under section 1 of Order in Council 1210-2005 (2005, G.O. 2, 5131A) concerning various taxation measures relating to the reorganization.

*Approval of certain loans of reconstituted municipalities*

**149.** If the conditions set out in the second and third paragraphs are met, the approval of the qualified voters is not required for a loan by-law adopted by a reconstituted municipality to which sections 3 to 9 of Order in Council 1210-2005 (2005, G.O.2, 5131A) concerning certain taxation measures relating to the reorganization apply pursuant to section 2 of that Order in Council.

The loan that is the object of the by-law must be ordered for the purpose of reducing the taxes imposed by the reconstituted municipality for any of the fiscal years 2007 to 2010 and the amount of the compensations standing in lieu of those taxes.

The amount of the loan may not exceed the product obtained by applying the percentage provided for in subparagraph 2 to the amount provided for in subparagraph 1:

(1) the total sum that the reconstituted municipality may pay to the central municipality for the fiscal year concerned, under section 3 of the Order in Council mentioned in the first paragraph, in respect of all the categories of immovables;

(2) the part of the total tax burden resulting from the revenues provided for in the budget of the reconstituted municipality as a percentage of the total tax burden established for the fiscal year 2006 in respect of all the categories of immovables, in accordance with section 2 of the Order in Council mentioned in the first paragraph.

If the reconstituted municipality adopts two or more loan by-laws for the purpose mentioned in the second paragraph for the same fiscal year, the maximum provided for in the third paragraph refers to the total of the loans ordered by those by-laws.

*Modification of certain contracts relating to residual materials*

**150.** A municipality or intermunicipal board may reach an agreement with a supplier to modify, retroactively to 23 June 2006, the contract it entered into with the supplier before that date for the removal of residual materials in order to provide that any amount the supplier must pay to fulfill the contract and that results from the application of the Regulation respecting the charges payable for the disposal of residual materials, enacted by Order in Council 340-2006 (2006, G.O.2, 1481) is in addition to the price established in the contract and is to be borne by the municipality or the board.

The power under the first paragraph may be exercised by the municipality or the board only as long as all tenderers are treated equally.

*Permit relating to a childcare centre or day care centre*

**151.** A permit granted before 14 December 2006 in accordance with a by-law made under the first paragraph of section 134 of the Educational Childcare Act (R.S.Q., chapter S-4.1.1), by a borough council of Ville de Montréal, for the use of land or the construction, alteration or occupation of buildings for the purposes of a childcare centre or day care centre within the meaning of that Act may not be declared invalid on the ground that the borough council did not have jurisdiction to adopt the by-law.

*Director general*

**152.** The person who, on 13 december 2006, performed the duties of the director general under the second paragraph of section 112 of the Cities and Towns Act (R.S.Q., chapter C-19), as it read before being replaced by paragraph 2 of section 22, is deemed to have been appointed director general.

*Municipal Ombudsman*

**153.** A person appointed or a body created by the council of a local municipality before 14 December 2006 to act as Municipal Ombudsman is deemed to have been appointed or created under section 573.15 of the Cities and Towns Act (R.S.Q., chapter C-19) or article 1104.3 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), enacted respectively by sections 32 and 42.

The presumption in the first paragraph also applies to a member of a body referred to in that paragraph, with the necessary modifications.

*Validation of acts relating to the installation of certain equipment*

**154.** A decision made by the council of a local municipality before 14 December 2006 on the installation of conduits for the burial of an electric power distribution or telecommunications system or on a financial contribution

to the costs of installing power distribution equipment may not be invalidated on the ground that the municipality did not have jurisdiction over that matter.

*Municipal financing of expenditures of the Société de transport de Longueuil*

**155.** The acts performed before 14 December 2006 in anticipation of the coming into force of the third paragraph of section 112 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001), enacted by section 69, with a view to the municipal financing of the expenditures of the Société de transport de Longueuil are valid.

*Contribution payable for the services of the Sûreté du Québec in an urban agglomeration*

**156.** Section 113 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001), as it existed before being repealed by section 70, continues to apply to the contribution payable to the Government for the fiscal year 2006 for the services of the Sûreté du Québec provided to the related municipalities of an urban agglomeration.

*Objection to an urban agglomeration council by-law*

**157.** A power granted to the Commission municipale du Québec under section 115 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001), as amended by section 71, is exercised by the Minister of Municipal Affairs and Regions or any person designated by that Minister to act in the Minister's place with regard to a by-law referred to in that section 115 in respect of which a related municipality informed the Minister of its objection not later than 14 December 2006.

For the purposes of the first paragraph, the Minister may designate the Commission to act in the Minister's place.

*Unit of assessment including taxable and non-taxable parts*

**158.** The legislative provisions enacted or amended by sections 92, 93, 97 and 98, as enacted or amended, apply for the purposes of every fiscal year as of the fiscal year 2007.

The Act respecting municipal taxation (R.S.Q., chapter F-2.1), as it existed before being amended by those sections, continues to apply for the purposes of every fiscal year preceding the fiscal year 2007. However, any act performed for the purposes of such a preceding fiscal year and that complies with the provisions referred to in the first paragraph remains valid.

*Validation of delegation of administration of the regional development fund to regional conferences of elected officials*

**159.** The delegation of the administration of the regional development fund to a regional conference of elected officials before 14 December 2006 and any decision made by the regional conference before that date for the purposes of the delegation may not be invalidated on the ground that the possibility of delegating the administration of the fund to the regional conference was not provided for by law.

*End of term of office of members of the board of directors of the Société québécoise d'assainissement des eaux*

**160.** The term of office of the members of the board of directors of the Société québécoise d'assainissement des eaux terminates on 1 March 2007 without compensation, subject to the compensation provided for in the members' deeds of appointment.

*Remuneration of the chair of the board of directors of the Société de transport de Montréal*

**161.** The second paragraph of section 21.2 of the Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001), enacted by section 119, applies for the purposes of every fiscal year as of the fiscal year 2007.

That Act, as it existed before being amended by that section, continues to apply for the purposes of every fiscal year preceding the fiscal year 2007.

*Remuneration of the members of Kativik Regional Authority deliberative bodies*

**162.** Sections 296.4 to 296.6 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1), enacted by section 121, apply for the purpose of establishing the amounts prescribed under section 296.1 of that Act, amended by section 120, for every fiscal year as of the fiscal year 2007.

**163.** For the fiscal year 2006, the amounts prescribed under section 296.1 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1), amended by section 120, are as follows:

- (1) the basic remuneration for each office on the council is \$11,902;
- (2) the additional remuneration for the office of speaker of the council is \$1,731;
- (3) the additional remuneration for the office of deputy-speaker of the council is \$866;

(4) the additional remuneration for the office of chairman of the executive committee is \$78,998;

(5) the additional remuneration for the office of vice-chairman of the executive committee is \$58,571; and

(6) the additional remuneration for an office on the executive committee other than the office of chairman or vice-chairman is \$21,640.

*Equipment, infrastructures and activities of collective interest of the urban agglomeration of La Tuque*

**164.** Order in Council 1055-2005 dated 9 November 2005, concerning the urban agglomeration of La Tuque, as amended by sections 125 to 128, applies for the purposes of every fiscal year from the fiscal year 2007.

The Order in Council, as it existed before being amended by those sections, continues to apply for the purposes of every fiscal year before the fiscal year 2007.

*Coming into force*

**165.** This Act comes into force on 14 December 2006, except sections 107 to 111, which come into force on 1 March 2007.

SCHEDULE  
(Section 144)

MODIFICATIONS TO CERTAIN LEGISLATIVE PROVISIONS  
WHEN APPLICABLE TO A MUNICIPALITY WHOSE ROLL HAS  
AN EXTENDED APPLICATION PERIOD UNDER SECTION 139

*Act respecting municipal taxation*

**1.** Section 72.1 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is modified by inserting the following paragraph at the end:

“The first paragraph does not apply to a reference to the third fiscal year in a legislative provision modified to apply to a roll whose application period is extended under section 139 of chapter 60 of the statutes of 2006.”

**2.** Section 74.1 of the Act is modified by replacing “and third” in the second line of the first paragraph by “, third and fourth”.

**3.** Section 244.45.4 of the Act is modified

(1) by replacing “either of the first two” in the sixth line of the first paragraph by “any of the first three”;

(2) by replacing “one-third or two-thirds” in the third line of the third paragraph by “one quarter, one half or three quarters”;

(3) by replacing “or the second” in the fourth line of the third paragraph by “, the second or the third”;

(4) by striking out the fourth paragraph.

**4.** Section 244.48.1 of the Act is modified

(1) by replacing “two” in the sixth line of the first paragraph by “three”;

(2) by replacing “one-third or two-thirds” in the third line of the third paragraph by “one quarter, one half or three quarters”;

(3) by replacing “or the second” in the fourth line of the third paragraph by “, the second or the third”;

(4) by striking out the fourth paragraph.

**5.** Section 244.49.0.4 of the Act, enacted by section 86 of chapter 31 of the statutes of 2006, is modified

(1) by replacing “two” in the sixth line of the first paragraph by “three”;



(2) by replacing “one-third or two thirds” in the third line of the third paragraph by “one quarter, one half or three quarters”;

(3) by replacing “or the second” in the fifth line of the third paragraph by “, the second or the third”;

(4) by striking out the fourth paragraph.

**6.** Section 253.30 of the Act is modified

(1) by replacing “two” in the third line of the first paragraph by “three”;

(2) by replacing “one-third or two-thirds, according as” in the first line of subparagraph 2 of the second paragraph by “one quarter, one half or three quarters, according to whether”;

(3) by replacing “or the second” in the second line of subparagraph 2 of the second paragraph by “, the second or the third”;

(4) by striking out the third paragraph.

**7.** Section 253.31 of the Act is modified by replacing the third paragraph by the following paragraph:

“Where an alteration referred to in the second paragraph takes effect in the first fiscal year, the replacement of the adjusted value for that fiscal year takes effect at the same time as the alteration, and the replacement of the adjusted value for the second or the third fiscal year takes effect at the beginning of that fiscal year. Where the alteration takes effect in the second fiscal year, the replacement of the adjusted value for that fiscal year takes effect at the same time as the alteration, and the replacement of the adjusted value for the third fiscal year takes effect at the beginning of that fiscal year. Where the alteration takes effect in the third fiscal year, the replacement of the adjusted value for that fiscal year takes effect at the same time as the alteration.”

**8.** Section 253.36 of the Act is modified by inserting “or the fourth” after “third” in the third line of the second paragraph.

**9.** Section 253.51 of the Act is modified by inserting “or the fourth” after “third” in the third line of the second paragraph.

**10.** Section 253.54 of the Act is modified by inserting “or the fourth” after “third” in the second line of the third paragraph.

**11.** Section 261.5.10 of the Act, enacted by section 100 of chapter 31 of the statutes of 2006, is modified by replacing the second paragraph by the following paragraph:

“The first paragraph applies for the purpose of establishing the aggregate taxation rate for any of the first three fiscal years for which the roll applies.”

**12.** Section 261.5.18 of the Act, enacted by section 100 of chapter 31 of the statutes of 2006, is modified by replacing the second paragraph by the following paragraph:

“The first paragraph applies for the purpose of establishing the taxable non-residential property assessment for any of the first three fiscal years for which the roll applies.”

*Act to amend various legislative provisions concerning municipal affairs*

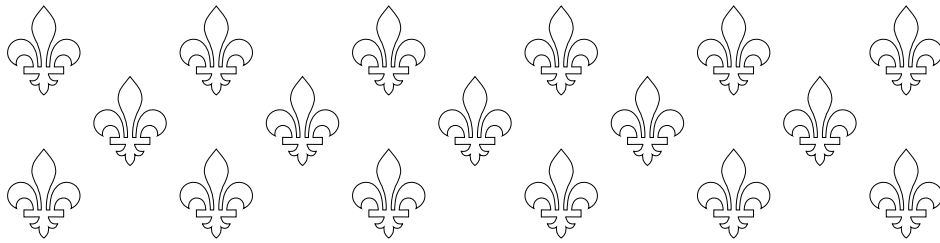
**13.** Section 134 of the Act to amend various legislative provisions concerning municipal affairs (2006, chapter 31) is modified

(1) by replacing “either of the first two” in the sixth line of the first paragraph by “any of the first three”;

(2) by replacing “one-third or two thirds” in the second and third lines of the third paragraph by “one quarter, one half or three quarters”;

(3) by replacing “or the second” in the fifth line of the third paragraph by “, the second or the third”;

(4) by striking out the fourth paragraph.



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 200

(Private)

**An Act respecting Ville de Québec**

---

---

**Introduced 9 May 2006**

**Passage in principle 14 December 2006**

**Passage 14 December 2006**

**Assented to 14 December 2006**

---

**Québec Official Publisher  
2006**



## **Bill 200**

(Private)

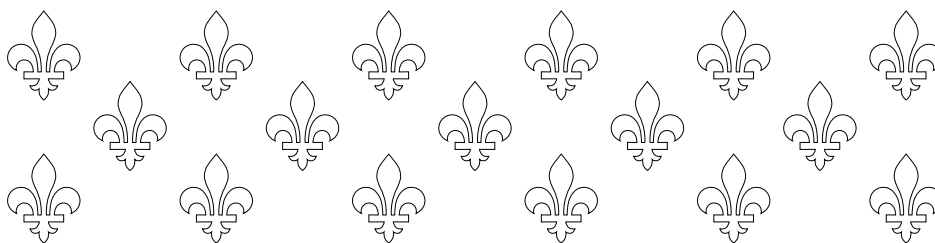
### **AN ACT RESPECTING VILLE DE QUÉBEC**

AS it is in the interest of Ville de Québec that it be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite any contract provision to the contrary, Ville de Québec may alienate the immovables consisting of lots 3 307 058 and 3 347 429 of the cadastre of Québec, and any other lot resulting from the subdivision of those lots.
- 2.** Any contract provision limiting the purposes for which the immovables described in section 1 and the immovable consisting of lot 3 601 039 of the cadastre of Québec may be used is without effect.
- 3.** Section 2 has effect, for lot 3 601 039 of the cadastre of Québec, from 7 February 2005.
- 4.** This Act comes into force on 14 December 2006.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 207

(Private)

## **An Act respecting Le Parc Co-ownership**

---

---

**Introduced 31 October 2006**

**Passage in principle 14 December 2006**

**Passage 14 December 2006**

**Assented to 14 December 2006**

---

**Québec Official Publisher  
2006**





## **Bill 207**

(Private)

### **AN ACT RESPECTING LE PARC CO-OWNERSHIP**

AS RWI Holdings Limited and RWI Holdings Two Ltd. acquired lot 1758-11 of the official cadastre of the City of Montréal (Saint-Antoine ward) from Mountain Place Limited on 19 November 1976 by a deed of sale received before Pierre Desjardins, notary, and published at the registry office of the registration division of Montréal under number 2740582;

AS RWI Holdings Two Ltd. / Gestion RWI Deux Ltée changed its name by a certificate of amendment dated 21 August 1981 and is now known under the name Immoparc Holdings Two Ltd. / Gestions Immoparc Deux Ltée;

AS RWI Holdings Limited / Gestion RWI Limitée changed its name by a certificate of amendment dated 15 September 1988 and is now known under the name Regentor IC Holdings Inc. / Gestion Regentor IC Inc.;

AS the immovable underwent a cadastral renewal on 20 July 1999 and was known from then on as lot 1 338 668 of the cadastre of Québec, registration division of Montréal;

AS lot 1 338 668 of the cadastre of Québec was totally replaced on 7 February 2006 by lots 3 472 891, 3 472 892, 3 472 893, 3 472 894, 3 472 895, 3 472 896, 3 472 897, 3 472 898 and 3 472 899 of the cadastre of Québec, registration division of Montréal;

AS the immovable is partially situated in the protected area of classified cultural property under the terms of a notice published by the Minister of Cultural Affairs on 18 June 1975 at the registry office of the registration division of Montréal under number 2610966;

AS, under sections 48 and 50 of the Cultural Property Act (R.S.Q., chapter B-4), no person may, as far as immovables or parts of immovables situated in a protected area are concerned, divide, subdivide, re-divide or parcel out a lot without the authorization of the Minister of Culture and Communications;

AS the authorization of the Minister of Culture and Communications required under sections 48 and 50 of the Cultural Property Act was not obtained when lot 1 338 668 was divided into lots 3 472 891, 3 472 892, 3 472 893, 3 472 894, 3 472 895, 3 472 896, 3 472 897, 3 472 898 and 3 472 899, and the plans creating the lots were registered in the land register despite the lack of authorization;

AS, under section 57 of the Cultural Property Act, the Minister of Culture and Communications may obtain an order from the Superior Court for the cessation of any act or operation undertaken or continued without the authorization required under section 48 of that Act;

AS, under section 57.1 of the Cultural Property Act, no division or subdivision plan or any other form of parcelling out of land situated in a protected area may be registered in the land register if the conditions of an authorization given under that Act have not been met or if such an authorization has not been given;

AS the immovable was converted to divided co-ownership under the terms of a declaration of divided co-ownership and servitude registered on 27 March 2006 at the registry office of the registration division of Montréal under number 13 145 372;

AS a deed of servitude was registered against one of the private portions of the co-ownership property on 28 March 2006 at the registry office of the registration division of Montréal under number 13 148 606 in order to grant another private portion of the same property the use of seventy (70) parking spaces;

AS a deed of hypothec in favour of 6212344 Canada Limited was registered on 31 March 2006 at the registry office of the registration division of Montréal under number 13 161 837 against the private portions consisting of lot 3 472 892 of the cadastre of Québec and Tower A bearing the civic address 3450, rue Drummond, Montréal, and lot 3 472 893 of the cadastre of Québec and Tower B bearing the civic address 3450-60, rue Drummond, Montréal, with the undivided rights of ownership in the common portions;

AS another deed of hypothec in favour of Laurentian Bank of Canada was registered on 3 April 2006 at the registry office of the registration division of Montréal under number 13 166 398 against a private portion consisting of lot 3 472 894 of the cadastre of Québec and Tower C bearing the civic address 3475, rue de la Montagne, Montréal, with the undivided rights of ownership in the common portions;

AS it is important to Regentor IC Holdings Inc. / Gestion Regentor IC Inc. and Immoparc Holdings Two Ltd. / Gestions Immoparc Deux Ltée that the absence of the authorization of the Minister of Culture and Communications with respect to the co-ownership property be remedied;

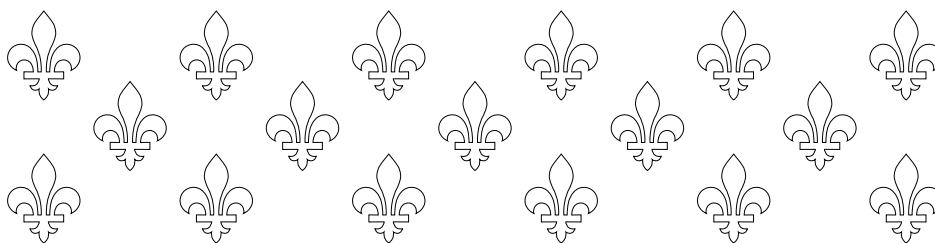
AS the syndicate of co-owners has agreed to the introduction and passage of this Act;

AS the Minister of Culture and Communications was notified of the introduction of this Act and did not object to it;

## THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite sections 57 and 57.1 of the Cultural Property Act (R.S.Q., chapter B-4), the plans creating lots 3 472 891, 3 472 892, 3 472 893, 3 472 894, 3 472 895, 3 472 896, 3 472 897, 3 472 898 and 3 472 899 of the cadastre of Québec, registration division of Montréal, may not be cancelled because the authorization of the Minister of Culture and Communications was not obtained as required under sections 48 and 50 of that Act.
- 2.** Moreover, the declaration of divided co-ownership and servitude registered under number 13 145 372, the deed of servitude registered under number 13 148 606, the deed of hypothec registered under number 13 161 837, the deed of hypothec registered under number 13 166 398 and the alienation of any of the private portions with the undivided rights of ownership in the common portions may not be cancelled because the plans creating the lots listed in section 1 were not authorized by the Minister of Culture and Communications.
- 3.** This Act must be published at the registry office of the registration division of Montréal and the appropriate entries registered against the lots listed in section 1.
- 4.** This Act comes into force on 14 December 2006.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 209

(Private)

## **An Act respecting the Agence de développement de Saint-Donat**

---

---

**Introduced 8 November 2006**

**Passage in principle 14 December 2006**

**Passage 14 December 2006**

**Assented to 14 December 2006**

---

**Québec Official Publisher  
2006**



## **Bill 209**

(Private)

### **AN ACT RESPECTING THE AGENCE DE DÉVELOPPEMENT DE SAINT-DONAT**

AS it is in the interest of Municipalité de Saint-Donat that it be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### **CHAPTER I**

##### **CREATION OF THE AGENCY**

**1.** For the purposes of this Act,

(1) “Guepar” means the limited partnership known as Guepar S.E.C.;

(2) “Agreement” means the agreement made on 30 November 2006 between Municipalité de Saint-Donat and Guepar, and referred to in resolution 06-11-661, passed by the municipality on 13 November 2006.

**2.** A development agency to be known as the Agence de développement de Saint-Donat is established.

**3.** The development agency is a legal person.

**4.** The development agency has its head office in the territory of Municipalité de Saint-Donat.

Notice of the location or of any change of location of the head office is published in the *Gazette officielle du Québec*.

**5.** The affairs of the development agency are administered by a board of directors consisting of five members appointed for a term of not more than three years. Two members are appointed by Municipalité de Saint-Donat, two by Guepar, and one jointly by the municipality and Guepar. If the municipality and Guepar fail to agree on the joint appointment, the provisions of the Agreement apply.

**6.** The board of directors designates a chair from among its members.

**7.** Board members receive no remuneration. They are, however, entitled to the reimbursement of expenses incurred in the performance of their functions on the conditions and to the extent determined by the development agency.

**8.** The resignation of a board member takes effect on notification to the development agency.

**9.** The quorum at board meetings is three members.

**10.** The chair calls a board meeting at least once every quarter, presides over the meeting and sees to the proper conduct of business.

Two board members may requisition the chair to call a special meeting. The special meeting must be held within five days after the requisition is received.

**11.** Each board member present at a board meeting has one vote and is required to vote unless prevented from voting on account of a personal interest.

**12.** If all the board members consent, a board member may participate in a board meeting by means of telephone or other communications facilities that permit all persons participating in the meeting to communicate orally with each other. A person participating in a board meeting by such means is deemed to be present at the meeting.

**13.** The development agency may hire employees, including a director general, and determine their functions. It may make by-laws determining remuneration standards and scales, employment benefits and other terms of employment for its employees.

**14.** The development agency may adopt internal management by-laws for the conduct of its business.

**15.** A board member who has a direct or indirect interest in an enterprise causing the board member's personal interests to conflict with the interests of the development agency must, on pain of forfeiture of office, disclose that interest in writing to the other board members and abstain from participating in any discussion or decision involving the enterprise or in any part of a board meeting during which that interest is discussed.

Neither the director general nor any employee of the development agency may, on pain of forfeiture of office, have a direct or indirect interest in an enterprise causing that person's personal interests to conflict with the interests of the development agency.

Forfeiture under the first or second paragraph is not incurred if the interest devolves to a person by succession or gift, provided the person renounces it or disposes of it with dispatch.



**16.** Section 15 does not apply if

(1) the person's interest resides in the fact that the person is an employee or executive officer of Guepar; or

(2) the person's interest resides in the fact that the person is a member of the council of Municipalité de Saint-Donat or an officer or employee of the municipality.

**17.** The minutes of board meetings, approved by the board and signed by the chair or the secretary, are authentic. The same applies to any document or copy of a document emanating from the development agency or forming part of its records if certified true by the director general or a person authorized by the board.

## CHAPTER II

### OBJECT AND POWERS OF THE DEVELOPMENT AGENCY

**18.** The object of the development agency is to finance, in accordance with the Agreement, the construction of the municipal infrastructures and community equipment described in Schedule D to the Agreement, in the territory referred to in Schedule C to the Agreement.

**19.** The development agency may, in particular,

(1) enter into contracts with any person for the furtherance of its object; and

(2) solicit and receive gifts, legacies, subsidies or other contributions, provided that any condition attached to them is compatible with the furtherance of its object.

**20.** The infrastructures and equipment whose construction is financed by the development agency under this Act become the property of Municipalité de Saint-Donat on completion of the work and on fulfillment of the transfer conditions set out in the Agreement.

## CHAPTER III

### MISCELLANEOUS PROVISIONS

**21.** The development agency may borrow a maximum amount of \$15,000,000 for the purposes specified in the Agreement, in accordance with the terms of the Agreement. That amount may be increased in accordance with the terms of the Agreement.

**22.** Municipalité de Saint-Donat is authorized to carry out the Agreement and exercise the rights and fulfill the obligations arising from the Agreement. The municipality has the power to make the payments determined in accordance with the Agreement to the development agency, out of the proceeds of the general property tax it levies or the transfer duties it collects.

**23.** Municipalité de Saint-Donat and Guepar may amend the Agreement with the authorization of the Minister of Municipal Affairs and Regions.

**24.** Article 14.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) does not apply to the Agreement.

**25.** The development agency is a municipal body for the purposes of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1).

**26.** This Act and the Agreement apply despite the Municipal Aid Prohibition Act (R.S.Q., chapter I-15).

**27.** The fiscal year of the development agency ends on 31 December.

**28.** Once the development agency has fulfilled all its obligations, it must file an application for dissolution with the Minister of Municipal Affairs and Regions. An application for dissolution may also be made in accordance with the terms of the Agreement.

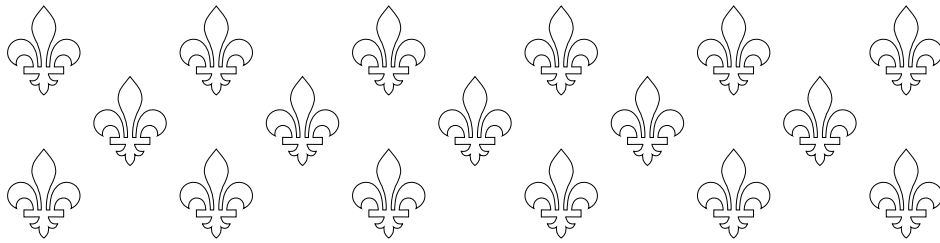
Notice of the application must be published in the *Gazette officielle du Québec* at least 30 days before being filed with the Minister.

The development agency is dissolved by order of the Minister.

Any remaining assets of the development agency devolve to Municipalité de Saint-Donat.

Notice of the dissolution of the development agency must be published by the secretary-treasurer of the municipality in the *Gazette officielle du Québec*. The dissolution of the development agency terminates the Agreement.

**29.** This Act comes into force on 14 December 2006.



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 212

(Private)

**An Act to again amend the charter of La  
Communauté des Sœurs de Charité de la  
Providence**

---

---

**Introduced 9 November 2006**

**Passage in principle 14 December 2006**

**Passage 14 December 2006**

**Assented to 14 December 2006**

---

**Québec Official Publisher  
2006**



## Bill 212

(Private)

### AN ACT TO AGAIN AMEND THE CHARTER OF LA COMMUNAUTÉ DES SŒURS DE CHARITÉ DE LA PROVIDENCE

AS the charter of La Communauté des Sœurs de Charité de la Providence was consolidated by chapter 53 of the statutes of 1884;

AS the charter of that legal person was amended by chapter 136 of the statutes of 1925, chapter 171 of the statutes of 1958, chapter 176 of the statutes of 1959 and chapter 83 of the statutes of 1970;

AS it is expedient to again amend the internal structure as well as certain powers, rights and privileges of that legal person so as to better reflect its current needs;

AS it is in the interest of that legal person that its charter be amended accordingly;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Section 2 of the Act to consolidate and amend the acts relating to Les Sœurs de l'Asile de la Providence de Montréal (1884, chapter 53) is amended by replacing “corporate seat” in the second line by “head office”.

**2.** Section 3 of the Act, replaced by section 1 of chapter 83 of the statutes of 1970, is again replaced by the following section:

**“3.** The legal person may make, amend and repeal by-laws respecting

(a) its internal management;

(b) the number, qualifications required, method of election or appointment, functions, term of office, duties and powers of its directors, agents, officers and employees;

(c) the constitution, appointment and management of executive committees, special committees, boards and officers that may be constituted or appointed for the pursuit of its purposes and charged with the exercise of all or some of its powers;

(d) the administration, management and control of its property, works and undertakings; and

(e) the pursuit of its purposes generally.”

**3.** Section 4 of the Act is repealed.

**4.** Section 5 of the Act, replaced by section 1 of chapter 136 of the statutes of 1925 and section 3 of chapter 171 of the statutes of 1958, is again replaced by the following section:

“**5.** The legal person has all the rights conferred on a legal person by the Civil Code. It may, in particular, in the exercise of its rights,

(a) acquire and alienate property by gratuitous or onerous title;

(b) carry out new constructions;

(c) invest its funds in its own name or as depositary and administrator;

(d) assist any person, including its members, pursuing any purpose similar to one of its own, transfer any property gratuitously or not to such a person, lend money to such a person and secure or guarantee the person’s obligations or commitments;

(e) establish and maintain cemeteries and erect vaults in its chapels for the mortal remains of its members, its benefactors, or any person connected in any way with it, in conformity with the Burial Act (R.S.Q., chapter I-11); and

(f) provide for the education, instruction, sustenance and support of its members, persons in its service and persons connected in any way with it.”

**5.** Section 6 of the Act, amended by section 2 of chapter 171 of the statutes of 1958, is replaced by the following section:

“**6.** The objects of the legal person shall be to organize, administer and maintain the congregation of the Sœurs de la Providence, whose purposes are religion, charity, instruction, education and welfare.”

**6.** Section 7 of the Act is replaced by the following section:

“**7.** The persons who made a religious profession according to the rules of the congregation of the Sœurs de la Providence are members of the legal person as long as they remain members of that congregation.”

**7.** Section 12 of the Act is amended by replacing “La Communauté des Sœurs de Charité de la Providence” by “the legal person constituted under this Act”.

**8.** Section 14 of the Act is amended

(1) by replacing “of the community” in the fifth and sixth lines of the first paragraph by “described in section 6”;

(2) by inserting “vice-province,” after “any house,” in the eighth and ninth lines of the first paragraph;

(3) by replacing “notice of the issuing of such letters patent shall be published in the *Quebec Official Gazette*” at the end of the first paragraph by “a copy of the letters patent must be forwarded to the enterprise registrar, who shall deposit it in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., chapter P-45)”;

(4) by replacing “corporate seat” in the third line of the second paragraph by “head office”;

(5) by replacing “its member or members, as the case may be, and of its administrators” in the seventh and eighth lines of the second paragraph by “its members, directors and visitor, if it has a visitor, the latter being the nun who holds the office of superior general of the congregation of the Sœurs de la Providence or any person she has appointed as visitor”;

(6) by replacing “community and her council” in the fifth line of the third paragraph by “congregation of the Sœurs de la Providence and her council, or the visitor, if there is one”;

(7) by striking out “the corporate name and the corporate seat,” in the sixth and seventh lines of the third paragraph;

(8) by replacing “notice of the issuing of such letters patent shall also be published in the *Quebec Official Gazette*” at the end of the third paragraph by “a copy of the supplementary letters patent must be forwarded to the enterprise registrar, who shall deposit it in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons”;

(9) by adding the following paragraph after the third paragraph:

“A legal person constituted under this section may make a by-law changing its name or transferring its head office to another place within Québec; a copy of the by-law must be forwarded to the enterprise registrar for approval. If the by-law is approved, the enterprise registrar shall deposit a notice to that effect in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons. The by-law so approved comes into force on the date of deposit of the notice in the register.”;

(10) by replacing “Provincial Secretary” in the first line of the last paragraph by “enterprise registrar”;

(11) by replacing “community and her council” in the fifth line of the last paragraph by “congregation of the Sœurs de la Providence and her council, or the visitor, if there is one”;

(12) by replacing “declare such corporation dissolved; such dissolution shall take effect only from and after the sixtieth day following the publication of a notice to that effect in the *Quebec Official Gazette*” in the last paragraph by “agree to dissolve the legal person and set the date of its dissolution. The enterprise registrar shall dissolve the legal person by drawing up an act of dissolution and depositing it in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons. The legal person is dissolved from the date set by the enterprise registrar”.

**9.** Section 15 of the Act is amended

(1) by replacing “éteinte” in the seventh line of the first paragraph and the third line of the third paragraph in the French text by “dissoute”;

(2) by replacing “approved by the community” in the third and fourth lines of the second paragraph by “with the authorization of the superior general of the congregation of the Sœurs de la Providence and her council, or the visitor, if there is one”;

(3) by adding the following at the end of the third paragraph: “Any disposal of property made in favour of the legal person dissolved is considered as made in favour of the legal person succeeding it and all proceedings commenced by or against the legal person dissolved may validly be undertaken or continued by or against the legal person succeeding it.”;

(4) by replacing “register, in conformity with the laws of registration, at the registry offices of the places where” in the last paragraph by “cause to be published, in the land register of the registry office of the registration division in which”.

**10.** Section 16 of the Act is replaced by the following section:

**“16.** The legal person may make a by-law changing its name or transferring its head office to another place within Québec; a copy of the by-law must be forwarded to the enterprise registrar for approval. If the by-law is approved, the enterprise registrar shall deposit a notice to that effect in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons.”

**11.** Section 17 of the Act is amended

(1) by striking out “juniors,” in the second line;

(2) by striking out “juniors or” in the tenth and eleventh lines;



(3) by inserting “of the Sœurs de la Providence” after “congregation” in the third and last lines.

**12.** Section 20 of the Act is replaced by the following section:

**“20.** The enterprise registrar may, upon petition by the legal person, agree to dissolve the legal person, determine the conditions of dissolution and set the date of its dissolution. The enterprise registrar shall dissolve the legal person by drawing up an act of dissolution and depositing it in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons.

The legal person is dissolved from the date set by the enterprise registrar.

The property of the dissolved legal person, after payment of any obligations, is vested in the body that is designated in the petition for dissolution and that previously accepted the property so vested.”

**13.** Section 24 of the Act is amended by replacing “corporate seat” in the second line by “head office”.

**14.** The Act is amended by inserting the following section before section 25, which is renumbered as section 26:

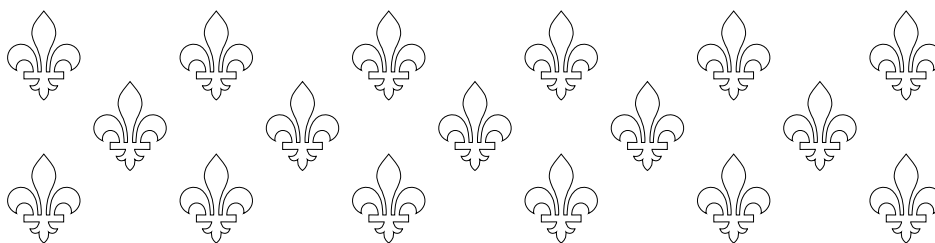
**“25.** In the absence of a mandate given by its members under article 2166 of the Civil Code, the legal person shall have the mandate and responsibility to fully ensure the care and administer the property of its members for as long as they remain members of the legal person. The legal person shall appoint one of its officers to execute the mandate.

The execution of the mandate is subordinate to the occurrence of incapacity and to homologation by the court, on the application of the legal person. An application for homologation or revocation of the mandate of the legal person is effected in accordance with the Code of Civil Procedure. The application for homologation must identify the officer appointed to execute the mandate. Proof that the mandator is a member of the legal person is proof of the mandate.”

**15.** Sections 8, 10, 13, 14, 15, 17 to 19 and 21 to 24 of the Act are amended by replacing “corporation” and “corporations” wherever they appear by “legal person” and “legal persons”, by replacing “incorporated” wherever it appears in sections 13, 14 and 15 by “constituted”, by replacing “incorporating” in the first paragraph of section 14 by “constituting as a legal person” and “incorporating” in the first paragraph of section 15 by “constituting”, and by replacing “administrators” and “administrator” wherever they appear in sections 14 and 15 by “directors” and “director”.

**16.** This Act comes into force on 14 December 2006.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 214

(Private)

## **An Act to amend the charter of the City of Laval**

---

---

**Introduced 15 November 2006**

**Passage in principle 14 December 2006**

**Passage 14 December 2006**

**Assented to 14 December 2006**

---

**Québec Official Publisher  
2006**



## **Bill 214**

(Private)

### **AN ACT TO AMEND THE CHARTER OF THE CITY OF LAVAL**

AS it is in the interest of Ville de Laval that its charter, chapter 89 of the statutes of 1965 (1<sup>st</sup> session) and the Acts amending it be again amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Section 1 of the Act to amend the charter of the City of Laval (1999, chapter 92) is amended by replacing “2004” in the third paragraph by “2008”.
- 2.** This Act comes into force on 14 December 2006.



## Regulations and other acts

Gouvernement du Québec

### O.C. 56-2007, 30 January 2007

Professional Code  
(R.S.Q., c. C-26; 2006, c. 20)

#### Psychologues

#### — Diploma and training equivalence standards for the issue of a permit by the Ordre

Regulation respecting diploma and training equivalence standards for the issue of a permit by the Ordre des psychologues du Québec

WHEREAS, under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of an order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist's certificate, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

WHEREAS, under paragraph *c.1* of section 93 of the Code, enacted by section 4 of chapter 20 of the Statutes of 2006, the Bureau must, in the same manner, determine a procedure for recognizing an equivalence, standards for which are established in a regulation under paragraph *c* of that section, stipulating that a decision must be reviewed by persons other than those who made it and, for that purpose, provide that the Bureau's power to decide an application or review a decision may be delegated to a committee established under paragraph 2 of section 86.0.1 of the Code;

WHEREAS the Bureau of the Ordre des psychologues du Québec made the Regulation respecting diploma and training equivalence standards for the issue of a permit by the Ordre des psychologues du Québec as a replacement for the regulation currently in force, approved by Order in Council 133-2001 dated 21 February 2001;

WHEREAS, under section 95 of the Code and subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination; it shall be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 6 September 2006 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, following that publication, the Office des professions du Québec did not receive any comments;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting diploma and training equivalence standards for the issue of a permit by the Ordre des psychologues du Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### Regulation respecting diploma and training equivalence standards for the issue of a permit by the Ordre des psychologues du Québec

Professional Code  
(R.S.Q., c. C-26, s. 93, pars. *c* and *c. 1*; 2006, c. 20, s. 4)

#### DIVISION I GENERAL

**1.** The Secretary of the Ordre des psychologues du Québec must forward a copy of this Regulation to a candidate who, for the purpose of obtaining a permit from the Order, applies to have a diploma issued by an educational institution outside Québec or training recognized as equivalent.

In this Regulation:

“credit” means the quantitative value assigned to the activities of a student as part of a university practical training or research program; if the activity is a formal course, one credit represents 15 hours of teaching and 30 hours of personal work;

“diploma equivalence” means recognition by the Order that a diploma issued by an educational institution outside Québec certifies that a candidate’s level of knowledge and skills is equivalent to the level attained by the holder of a diploma recognized by a regulation of the Government, made pursuant to the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), as giving access to the permit issued by the Order;

“internship” means an activity allowing a student to assimilate knowledge and apply recognized methods to diverse groups and problems in a professional working environment under the supervision of at least one psychologist having a minimum of two years of practical experience if he or she holds a doctorate or a minimum of six years of practical experience if he or she holds a master’s degree, in the field in which the internship is being served, or under the supervision of at least one professional working in psychology whose expertise and experience the committee referred to in section 10 considers to be equivalent to that of a psychologist having the same minimum qualifications;

“training equivalence” means recognition by the Order that a candidate’s training has enabled him or her to attain a level of knowledge and skills equivalent to the level attained by the holder of a diploma recognized by a regulation of the Government, made pursuant to the first paragraph of section 184 of the Professional Code, as giving access to the permit issued by the Order;

“training period” means an activity allowing a student to become familiar with the practice of the profession of psychologist with a variety of client groups, including children, adolescents, adults and elderly persons, and the use of various methods of evaluation and treatment (individual, group and community) under the supervision of at least one psychologist having a minimum of two years of practical experience if he or she holds a doctorate or a minimum of six years of practical experience if he or she holds a master’s degree, in the field in which the training period is undertaken, or under the supervision of at least one professional working in psychology or in a related field whose expertise and experience the committee referred to in section 10 considers to be equivalent to that of a psychologist having the same minimum qualifications.

## DIVISION II DIPLOMA EQUIVALENCE STANDARDS

**2.** A candidate who holds a diploma issued by a university-level educational institution outside Québec is granted a diploma equivalence if he or she can demonstrate that:

(1) the diploma in psychology was obtained upon completion of a university program in psychology of a level equivalent to that of a program in psychology leading to one of the diplomas in psychology recognized as giving access to the permit issued by the Order.

The programs of studies must include a minimum of 45 credits in courses and research and a minimum of 2,300 hours of supervised practical training (700 hours in training periods and 1,600 hours of internship, for a total of 51 credits) apportioned so as to allow acquisition of the following professional skills considered to be necessary for the practice of psychology:

- i. interpersonal relationships: a minimum of 3 credits;
- ii. psychological evaluation and diagnosis: a minimum of 500 hours of practical training and 9 credits in evaluation methods and in psychopathology or dysfunction;
- iii. treatment: a minimum of 500 hours of practical training and 9 credits of which a minimum of 3 are in the treatment of individuals, 3 in the treatment of systems (couple, family, group, organizations, etc.) and 3 optional credits in treatment;
- iv. research: a minimum of 6 credits in research processes and methods;
- v. ethics and professional conduct: a minimum of 3 credits;
- vi. consultation and supervision: a minimum of 200 hours of practical training including at least 50 hours in consultation and 50 hours in supervision and a minimum of 3 credits in consultation and supervision;
- vii. independent research activity (assignments, dissertations, essays or theses) for a minimum of 12 credits;

(2) he or she was admitted to the program having previously completed a minimum of 42 credits in courses covering the scientific foundations of psychology, apportioned as follows:

- i. biological bases of behavior, a minimum of 6 credits;



- ii. cognitive and affective bases of behavior: a minimum of 6 credits;
- iii. social and cultural bases of behavior: a minimum of 6 credits;
- iv. developmental psychology: a minimum of 6 credits;
- v. history and systems in psychology: a minimum of 3 credits;
- vi. psychometrics: a minimum of 3 credits;
- vii. research methods: a minimum of 3 credits;
- viii. data analysis: a minimum of 3 credits;
- ix. personality: a minimum of 3 credits;
- x. psychopathology: a minimum of 3 credits.

**3.** Despite section 2, if the diploma for which an equivalence application is made was obtained more than five years before the application and, considering the developments in the profession, the knowledge certified by the diploma no longer corresponds to the knowledge currently being taught, the candidate is granted a training equivalence pursuant to section 4 if the candidate has attained the required level of knowledge and skills since obtaining his or her diploma.

### DIVISION III TRAINING EQUIVALENCE STANDARDS

**4.** A candidate is granted a training equivalence if the candidate demonstrates having a level of knowledge and skills equivalent to the level attained by the holder of a diploma recognized by a regulation of the Government, made pursuant to the first paragraph of section 184 of the Professional Code, as giving access to a permit issued by the Order.

In assessing the training equivalence of a candidate, all the following factors are taken into account:

- (1) the nature and length of work experience in psychology;
- (2) the nature and content of the courses taken and the results obtained;
- (3) the nature and content of work experience and other continuing education or professional development activities;
- (4) the total number of years of education;

(5) the fact that the candidate has obtained one or more diplomas in Québec or elsewhere.

### DIVISION IV TRAINING EQUIVALENCE RECOGNITION PROCEDURE

**5.** A candidate who wishes to have a diploma or training equivalence recognized must provide the secretary with the following documents, which are required to support the candidate's application, together with the application processing fees payable under paragraph 8 of section 86.0.1 of the Professional Code:

(1) the candidate's academic record, including the official transcript, a description of courses taken and the number of hours or credits for each course;

(2) a copy of any diploma obtained, certified true by the educational institution;

(3) an official attestation from the university-level educational institution that issued the diploma confirming that the internships and training periods have been successfully completed;

(4) an official attestation of participation in any other training period or training activity, a description of the activities in the training period or training activity including the number of hours, the number of hours of supervision and the qualifications of the supervisor; and

(5) an official attestation and a description of relevant work experience, including a description of the duties and responsibilities assumed, the number of hours of work with or without supervision and the qualifications of the immediate manager or, if applicable, the immediate supervisor.

**6.** Documents in a language other than French or English submitted in support of an application for diploma or training equivalence must be accompanied by a French or English translation certified by the translator.

**7.** As regards diplomas obtained outside Québec, the Secretary may require a candidate to obtain a comparative evaluation of studies outside Québec, issued by the Ministère de l'Immigration et des Communautés Culturelles.

**8.** The Secretary must send the documents referred to in section 5 to the committee formed by the Bureau under paragraph 2 of section 86.0.1 of the Professional Code to study diploma or training equivalence applications and make an appropriate recommendation.

For the purposes of the recommendation, the committee may require the applicant to successfully undergo an interview, pass an examination or do both.

**9.** At the first meeting following the date of receipt of the recommendation, the administrative committee must decide, in accordance with this Regulation, whether it will grant a diploma or training equivalence and inform the candidate in writing within 30 days of its decision.

If the administrative committee refuses to grant or decides to partially grant a diploma or training equivalence, it must so inform the candidate in writing and indicate the programs of study or any complementary training, training periods or examinations to be successfully completed within the allotted time to enable the candidate to be granted the equivalence.

**10.** A candidate who is informed of the administrative committee's decision not to grant or to partially grant the equivalence may apply to the secretary in writing, with reasons, for a review of the decision within 30 days of receiving it.

The decision must be reviewed within 90 days of receipt of the application by a committee formed by the Bureau under paragraph 2 of section 86.0.1 of the Professional Code, made up of persons other than members of the administrative committee or the committee referred to in section 8. Before disposing of the review application, the committee must allow the candidate to make submissions.

A candidate who wishes to be present to make submissions must inform the secretary at least five days before the date scheduled for the meeting. The candidate may, however, send written submissions to the secretary at any time before the date scheduled for the meeting.

The decision of the committee is final and must be sent to the candidate in writing within 30 days following the date of the meeting.

**11.** This regulation replaces the Regulation regarding standards for equivalence of diplomas and training for the issue of a permit by the Order professionnel des psychologues du Québec, approved by Order in Council 133-2001 dated 21 February 2001.

Despite the foregoing, a diploma or training equivalence application duly completed and received with payment of the applicable fees before this Regulation comes into force is evaluated in accordance with the Regulation being replaced.

**12.** This Regulation comes into force on the fifteenth day after its publication in the *Gazette officielle du Québec*.

8001

Gouvernement du Québec

**O.C. 57-2007**, 30 January 2007

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

**Comptables agréés**

**— Trust accounting by chartered accountants and indemnity fund of the Ordre**

Regulation respecting trust accounting by chartered accountants and the indemnity fund of the Ordre des comptables agréés du Québec

WHEREAS, under section 89 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Ordre des comptables agréés du Québec, whose members are called upon to hold sums of money or other securities for the account of their clients, must determine, by regulation, the terms, conditions and standards for receipt, custody and disposition of those sums of money and securities so held;

WHEREAS that regulation must also determine standards relating to the keeping and auditing of trust accounts, establish an indemnity fund and determine the terms and conditions applicable to the filing of claims addressed to the fund;

WHEREAS the Bureau of the Ordre des comptables agréés du Québec adopted the Regulation respecting trust accounts by chartered accountants and the indemnity fund of the Ordre des comptables agréés du Québec;

WHEREAS, under section 95.3 of the Professional Code, the draft Regulation was sent to every member of the Order at least 30 days before its adoption by the Bureau;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 8 January 2003 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting trust accounting by chartered accountants and the indemnity fund of the Ordre des comptables agréés du Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## **Regulation respecting trust accounting by chartered accountants and the indemnity fund of the Ordre des comptables agréés du Québec**

Professional Code  
(R.S.Q., c. C-26, s. 89)

### **DIVISION I GENERAL PROVISIONS**

**1.** This Regulation applies to a member of the Ordre who, in the practice of his profession:

(1) administers, against remuneration, a property or a group of properties belonging to a person other than the member, including the administration of a not-for-profit organization without charge;

(2) holds property entrusted to him by a third party.

**2.** The property administered or held by a member may be movable or immovable. Property may include funds such as cash, negotiable bills payable to the member or to the member in trust, endorsed to his order or to his order in trust or payable to the bearer, and all bills and valuables payable to the bearer or registered in the name of the member or in the name of the member in trust and entrusted as such to the member.

**3.** A member may not be entrusted with property that is not tied to the performance of a written contract, and related to a clearly defined transaction. A member shall also take the necessary measures to ascertain that such transaction is legal.

**4.** A member shall not combine the property held or administered with his personal property.

He shall take the necessary steps and exercise strict control at all times in order to identify property administered or held.

All funds held by a member must, immediately after receipt thereof, be deposited in a trust account.

**5.** A member who holds property shall use such property only for the purposes for which it was entrusted to him.

A member who administers property for a third party shall comply with the contract he has entered into and satisfy the requirements of the law.

When a member is entrusted with property other than funds, he shall take appropriate steps to preserve it.

**6.** This Regulation does not exempt a member from a more compelling obligation imposed by provincial or federal legislation or by a regulation made under such legislation.

### **DIVISION II GENERAL TRUST ACCOUNT AND SPECIAL TRUST ACCOUNT**

**7.** A member may not deposit or leave his personal funds in a trust account.

All general trust accounts must be opened in the name of the member entrusted with the funds. They may also be held jointly by several members or opened in the name of the partnership or joint-stock company within which the member practices his profession, provided a member practicing therein assumes direct control over the account.

Neither these funds nor the interest earned thereon belong to the member.

**8.** A general trust account includes all accounts opened in the name of a member, several members or the partnership or joint-stock company within which the member practices his profession, made up of deposits covered by deposit insurance pursuant to the Canada Deposit Insurance Corporation Act (R.S., 1985, c. C-3) or guaranteed under the Deposit Insurance Act (R.S.Q., c. A-26), in which such member deposits funds in Canadian dollars or foreign currencies. The trust account must be opened in Quebec in a financial institution governed by the Act respecting trust companies and savings companies (R.S.Q., c. S-29.01), the Bank Act (L.C. 1991, c. 46), the Act respecting financial services cooperatives (R.S.Q., c. C-67.3) or by the Trust and Loan Companies Act (S.C., 1991, c. 45).

**9.** Where so required by provincial or federal legislation or by the interest of the person, or where the person expressly requests the remittance of the interest or other income from the funds, a member shall deposit the funds in a special trust account or in a special consolidated trust account separate from his general account and have the name of the person requiring such account to be opened indicated therein.

**10.** A special trust account includes all accounts that meet the conditions set out in section 8 or any investment that is presumed sound within the meaning of article 1339, paragraphs 2 and 3, of the Civil Code of Quebec.

In the case of an investment, the account may be opened with an unrestricted practice investment dealer duly accredited by the Autorité des marchés financiers or a similar organization and member of the Investment Dealers Association of Canada. A member shall, unless he holds a general power of attorney, also obtain written authorization from the client specifying the type of investment, its maturity and the terms and conditions.

**11.** A member who deposits the funds contemplated in section 9 in a special consolidated trust account shall:

(1) exercise direct control over the account or, where the account is opened by the partnership or joint-stock company within which the member practices his profession, ensure that a member practicing within such partnership or joint-stock company exercises direct control over the account;

(2) maintain in good order a bank account and an accounting system allocating, on a monthly basis, the interest and expenses generated by the consolidated trust account;

(3) make accessible to the person who requested that the funds be deposited in such an account and to the persons and committees contemplated in section 12, paragraph 3, the computation method, the amount of any expenses tied to the consolidated account and the allocation of such expenses.

**12.** Upon opening a general trust account, a member shall submit to the Ordre a sworn statement duly completed on the form provided by the Ordre indicating:

(1) the name, address, postal code and transit number of the depository financial institution, as well as the account number and the date of its opening;

(2) an irrevocable waiver in favour of the Ordre of the interest or other income from such account and authorization for the financial institution to directly transfer to the Ordre the interest and other income from such account, less administration costs, if any, for payment into the indemnity fund;

(3) an irrevocable authorization entitling the Bureau, the Administrative Committee, the chair of the Ordre, the secretary general, the Professional Inspection Committee, the person in charge of professional inspection appointed in accordance with section 90 of the Professional Code (R.S.Q., c. C-26), an inspector, or a syndic, to take any action contemplated in section 25;

(4) an irrevocable authorization entitling the Bureau, the Administrative Committee or the chair of the Ordre, upon recommendation by a syndic, the Professional Inspection Committee or the person in charge of professional inspection appointed in accordance with section 90 of the Professional Code, to require that the member obtain, at his expense, the cosignature of another member designated by the inspection committee or a syndic, to draw cheques and other payment orders on the account.

**13.** Upon opening a special trust account, a member shall complete the form provided by the Ordre without delay. In addition to the information and other requirements under section 12, the form must contain a sworn statement by the member that:

(1) the interest or other income from the account will be the property of the person;

(2) he has obtained an irrevocable authorization from the person entitling the Bureau, the Administrative Committee, the chair of the Ordre, the secretary general or, if applicable, the Professional Inspection Committee, an inspector, or a syndic to take any action contemplated in section 25.

**14.** A member shall submit without delay a duly completed copy of the form contemplated in sections 12 and 13 to the financial institution or investment dealer with which the general trust account or the special trust account was opened as well as to the Ordre; the member shall retain a copy thereof.

**15.** Upon closing a trust account, a member shall notify the Ordre of such closing in a timely manner by completing the form provided by the latter, indicating the name, address, postal code and transit number of the financial institution or investment dealer, as the case may be, as well as the account number, the opening date and the effective closing date.

### DIVISION III KEEPING OF TRUST ACCOUNTS AND ADMINISTRATION OF THE PROPERTY OF THIRD PARTIES

**16.** Trust accounting records must be kept up to date and a reconciliation of accounts must be made each month whether such accounting is on paper or a technology-based medium.

Trust accounting must:

- (1) ensure data confidentiality, security and integrity;
- (2) allow the member and the Ordre access at all times to readable data;
- (3) include all information relevant for the control and administration of the funds received and required, if applicable, by the standards, principles or data contemplated in section 17.

**17.** A member shall comply with generally accepted standards and principles respecting bookkeeping and trust accounting, and with current scientific knowledge.

**18.** Trust account inflows and outflows, including electronic transfers, are subject to the obligations under this Regulation.

**19.** A member shall transfer to the Minister of Revenue any property that, in the three years following its becoming payable or claimable, was not the subject of a claim, transaction or written instruction as to its use from any successor, unless another provincial or federal act provides otherwise.

**20.** For each mandate to administer a person's property, a member shall keep up-to-date accounting records in accordance with generally accepted accounting standards and principles, with current scientific knowledge and, if applicable, with standards established by the Ordre.

### DIVISION IV REPORT TO THE ORDRE

**21.** Each year, on or before March 31, a member shall forward to the Ordre, using the form provided by the latter, a sworn statement attesting that the property entrusted to him during the year ending December 31 has been deposited, accounted for and used in accordance with the provisions of the Professional Code and this Regulation.

**22.** A single report is sufficient for members who have a joint trust account or who jointly administer the property of third parties, provided they practice their profession within the same partnership or joint-stock company and that a member, who is a partner or director and shareholder with voting rights in the partnership or joint-stock company, was designated as the representative for the members in that partnership or joint-stock company and that the Ordre was informed in advance.

**23.** A member who has not been entrusted with any property during the year ending December 31 shall submit to the Ordre, on or before March 31 and on the form provided for in section 21, a sworn statement to that effect.

**24.** A member shall keep, and provide upon request to the Ordre in a readable format, up-to-date information pertaining to:

- (1) trust accounting, including:
  - (a) a list of the sums held;
  - (b) a list of the general and special trust accounts held, indicating for each, if applicable, the name of the investment dealer or depository financial institution, the account number and the balance at the end of each fiscal year identified by the Ordre;
  - (c) the accounting books and accounts pertaining to said accounting;
- (2) the administration of the property of third parties, including:
  - (a) the nature of the administration mandate;
  - (b) the date on which the mandate was entrusted and, if applicable, the date on which it ended;
  - (c) a brief description of the property administered, its value, the location of such property and the member's responsibility for such property;
  - (d) the accounting books, accounts and records pertaining to said administration.

A member shall keep the accounting books, documents, records and statements of account of the financial institution or investment dealer, or any other document pertaining to trust accounting or to the administration of the property of third parties, for a period of seven years following the end of the contract, unless different terms and conditions or time periods are provided for in the Regulation adopted under section 91 of the Professional Code.

## DIVISION V POWERS OF THE ORDRE

**25.** The Bureau, the Administrative Committee, the chair of the Ordre, the secretary general, the Professional Inspection Committee, the person in charge of professional inspection appointed in accordance with section 90 of the Professional Code, an inspector, or a syndic, is authorized to:

(1) request and obtain at any time from the financial institution or investment dealer with which any general or special trust account has been opened all the information or explanations that are necessary or useful for the purposes of this Regulation;

(2) require and obtain from the financial institution or investment dealer with which are deposited funds belonging to a client that should have been deposited in a trust account, all the information or explanations that are necessary or useful for the purposes of this Regulation;

(3) unless a provincial or federal act or a regulation thereunder provides otherwise, block the funds deposited;

(4) unless a provincial or federal act or a regulation thereunder provides otherwise, take possession of any property entrusted to a member, revoke the signature of a member or close the account;

(5) unless a provincial or federal act or a regulation thereunder provides otherwise, dispose of the property entrusted to a member if the permit of the member is revoked, the member is subject to a striking off the roll or a limitation of his right to practice, if the member ceases to practice or is in a situation where a provisional guardian or an assignee may be appointed, or when the interest of the person so requires.

**26.** Where the Bureau, the Administrative Committee, the chair of the Ordre, the secretary general, the Professional Inspection Committee, the person in charge of professional inspection appointed in accordance with section 90 of the Professional Code, an inspector, or a syndic is informed that a member has failed to comply with the provisions of this Regulation, they may appoint a member of their choice to conduct an audit of the trust accounting records of the member, at his expense, and compel him to provide the information required for such audit, including the information contemplated in section 24, even if the member is no longer entered on the Membership Roll of the Ordre.

## DIVISION VI ESTABLISHMENT AND COMPOSITION OF AN INDEMNITY FUND

**27.** The Bureau shall establish an indemnity fund to reimburse the sums or property used by a member for purposes other than those for which they were entrusted to him in the practice of his profession.

**28.** The fund shall be maintained at a minimum amount of \$300,000. The fund may consist of the following, less any related administrative expenses:

(1) sums already allocated for this purpose on June 14, 1986;

(2) sums allocated therefor by the Bureau;

(3) assessments fixed for that purpose;

(4) sums recovered from the offending member under a subrogation or pursuant to section 159 of the Professional Code;

(5) revenue and growth of fund assets;

(6) sums that may be paid by an insurance company under an insurance or reinsurance policy taken out by the Ordre;

(7) sums received by the Ordre for the fund; and

(8) interest and other income generated by the members' general trust accounts.

## DIVISION VII ADMINISTRATION OF THE INDEMNITY FUND

**29.** The Bureau manages the indemnity fund and is authorized to enter into an insurance or reinsurance contract for the purposes of the fund and to pay the premiums thereof out of the fund.

**30.** The Ordre keeps a separate accounting in respect of the fund.

**31.** The sums constituting the fund are invested by the Bureau as follows:

(1) the portion of those sums which the Bureau intends to use on a short-term basis is deposited in a financial institution contemplated in section 8;

(2) the balance is administered by the Ordre or entrusted to an investment manager and may be invested in short-term securities, fixed-interest securities or Canadian or international shares, in accordance with the investment policy adopted by the Bureau.

### **DIVISION VIII** **CLAIMS**

**32.** Claims must be addressed to the secretary general at the Ordre's head office.

**33.** The secretary general of the Ordre enters the claim on the agenda for the first meeting of the Bureau following its receipt.

**34.** A claim must:

- (1) be submitted in writing;
- (2) state all facts in support of the claim and be accompanied by all relevant documents;
- (3) indicate the amount claimed; and
- (4) be made under oath.

**35.** A claim in respect of a member may be filed whether or not a decision of the Committee on Discipline, the Professions Tribunal or any other competent tribunal has been rendered.

**36.** A claim must be filed within twelve months from the time the claimant becomes aware that sums or property have been used for purposes other than those for which they were entrusted to a member in the practice of his profession.

**37.** Subject to section 38, a claim which is not filed within the prescribed time period is not receivable.

**38.** The Bureau may extend the time period contemplated in section 36 if a claimant demonstrates that he was unable to file a claim within the prescribed time period due to reasons beyond his control.

**39.** A request made to the Ordre by a person for an inquiry with regard to facts likely to give rise to a claim against the fund is deemed to be a claim within the meaning of section 34 if the request for an inquiry is filed within the time period contemplated in section 36.

### **DIVISION IX** **INDEMNITY**

**40.** The Bureau may designate a person or committee to hold an inquiry in accordance with section 89, paragraphs 5 and 6, of the Professional Code, and submit a report to it in respect of a claim.

**41.** Upon the request of the person or committee designated by the Bureau to hold an inquiry, the claimant or the member concerned shall provide all the details and documents relating to the claim and produce any relevant proof.

**42.** A syndic, the Professional Inspection Committee or the person in charge of professional inspection may provide all the information and evidence deemed relevant for the purposes of an inquiry by the Bureau, the Committee or the person appointed to conduct the inquiry.

**43.** The Bureau decides on a timely basis whether it is expedient to accept a claim in whole or in part and, where applicable, fixes the indemnity. The Bureau's decision is final.

**44.** The maximum indemnity payable from the fund is set at \$300,000 for all claims in respect of a member and to \$80,000 per claimant in respect of this same member.

Where the total of the claims allowed by the Bureau in respect of a member exceeds the maximum indemnity provided for in the first paragraph, the indemnity is allocated among the claimants on a prorata basis according to the amounts of the claims allowed.

**45.** Where the Bureau believes that claims in excess of \$300,000 may be filed against the fund in respect of a member, it shall suspend the payment of indemnities until it has reviewed all claims concerning the member. The Bureau shall, as the case may be:

(1) cause a notice to be published in a newspaper having general circulation in the location where the member has or had his professional domicile inviting any person to inform the Ordre of claims for which an indemnity is likely to be paid in accordance with this Regulation;

(2) cause an inventory to be made of the sums or property entrusted to the member and notify in writing the persons likely to file a claim.

**46.** The balance of a member's general trust account, the funds of which have been blocked or otherwise disposed of in accordance with section 25, is distributed by the secretary general at the expiry of 60 days following the publication of a notice to that effect in a newspaper having general circulation in the location where the member has or had his professional domicile, among the claimants on a prorata basis according to the amounts of their claims allowed, up to the amount of the claim, less the indemnity under section 43.

The secretary general causes the notice to be published after one year has elapsed with no new claim having been filed in respect of the member.

**47.** Before receiving the indemnity fixed by the Bureau, the claimant shall sign an acquittance in favour of the Ordre with subrogation to all his rights in respect of his claim up to the amount of the indemnity, against the offending member, his successors and any individual, partnership, joint-stock company or legal person that is or might be held liable for such payment.

**48.** The Ordre shall, at the expiry of a period of not more than five years from the date of coming into force of this Regulation, and every five years thereafter, review the propriety of the limits that were set and report thereon to the Office des professions.

#### **DIVISION X** **TRANSITIONAL AND FINAL PROVISION**

**49.** This Regulation replaces the Regulation respecting the Indemnity Fund of the Ordre des comptables agréés du Québec (R.R.Q., 1981, c. C-48, r.6).

However, the Regulation respecting the Indemnity Fund of the Ordre des comptables agréés du Québec will continue to govern claims filed against the fund before the effective date of this Regulation, as well as claims filed against the fund after that date but which relate to events that took place prior to the coming into force of this Regulation and concerning a member in respect of whom one or more other claims have already been filed against the fund.

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

8002

Gouvernement du Québec

### **O.C. 58-2007, 30 January 2007**

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

#### **Orthophonistes et audiologistes** **— Categories of permits issued by the Ordre**

Regulation respecting the categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec

WHEREAS, under paragraph *m* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of an order may, by regulation, determine categories of permits on the basis of the professional activities that the members may engage in or the titles they may use, and the conditions and restrictions to which members must submit when engaging in such activities or using such titles;

WHEREAS the Bureau of the Ordre des orthophonistes et audiologistes du Québec made the Regulation respecting the categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec;

WHEREAS, under section 95 of the Code and subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination and submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 6 September 2006 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, following that publication, the Office des professions du Québec did not receive any comments;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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



THAT the Regulation respecting the categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

---

## **Regulation respecting the categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec**

Professional Code  
(R.S.Q., c. C-26, s. 94, par. m)

**1.** The following two categories of permits are established within the Ordre des orthophonistes et audiologistes du Québec:

- (1) the speech therapist category; and
- (2) the audiologist category.

A speech therapist category permit may be issued only to a holder of a diploma referred to in paragraphs *a*, *c* and *d* of section 1.12 of the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983, or to a person who has had a diploma equivalence or training equivalence recognized by the Bureau of the Order.

An audiologist category permit may be issued only to a holder of a diploma referred to in paragraph *b* of section 1.12 of the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders or to a person who has had a diploma equivalence or training equivalence recognized by the Bureau of the Order.

**2.** No member of the Order may use the title of speech therapist or any other title or abbreviation or use initials that may imply that the member is a speech therapist, or engage in the professional activities referred to in paragraphs *c* and *d* of paragraph 2 of section 37.1 of the Professional Code (R.S.Q., c. C-26), unless the member holds the speech therapist category permit referred to in subparagraph 1 of the first paragraph of section 1.

**3.** No member of the Order may use the title of audiologist or any other title or abbreviation or use initials that may imply that the member is an audiologist, or engage in the professional activities referred to in paragraphs *a*, *b* and *c* of paragraph 2 of section 37.1 of the Professional Code, unless the member holds the audiologist category permit referred to in subparagraph 2 of the first paragraph of section 1.

**4.** Every permit issued by the Bureau of the Order between 11 September 2003 and 1 March 2007 becomes

(1) a speech therapist category permit in the case of a holder of a diploma referred to in paragraphs *a*, *c* and *d* of section 1.12 of the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders or of a person who has had a diploma equivalence or training equivalence recognized by the Bureau of the Order;

(2) an audiologist category permit in the case of a holder of a diploma referred to in paragraph *b* of section 1.12 of the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders or of a person who has had a diploma equivalence or training equivalence recognized by the Bureau of the Order; or

(3) a permit of both categories established by the first paragraph of section 1 in the case of a person who, on 10 September 2003, was the holder of a diploma giving access to the permit of the Ordre des orthophonistes et audiologistes du Québec or was registered in a program giving access to such a diploma.

**5.** Every permit issued by the Bureau of the Order before 11 September 2003 becomes a permit of both categories referred to in the first paragraph of section 1.

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

8003

Gouvernement du Québec

**O.C. 59-2007**, 30 January 2007

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

**Advocates**

— **Code of ethics**  
— **Amendments**

Regulation to amend the Code of ethics of advocates

WHEREAS, under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, the professional's clients and the profession;

WHEREAS, in accordance with that section, the General Council of the Barreau du Québec made the Regulation to amend the Code of ethics of advocates;

WHEREAS, in accordance with section 95.3 of the Professional Code, the secretary of the Bar sent a draft of the Regulation to every member of the Bar at least 30 days before it was made by the General Council;

WHEREAS, under section 95 of the Professional Code and subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published as a draft in Part 2 of the *Gazette officielle du Québec* of 14 June 2006, with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Code of ethics of advocates, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Code of ethics of advocates\***

Professional Code  
(R.S.Q., c. C-26, s. 87)

**1.** Section 4.01.01 of the Code of ethics of advocates is amended by deleting, in paragraph *b*, the words “or of police officer”.

**2.** This Code is amended by inserting, after section 4.01.01.01, the following:

“**4.01.01.02.** An advocate who is also a police officer may act as an advocate only for the police force to which he is attached.

He may not act as a prosecutor in penal or criminal matters.”.

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

8004

\* The last amendments to the Code of ethics of advocates (R.R.Q., 1981, c. B-1, r.1) were made by the regulation approved by Order in Council 351-2004 dated 7 April 2004 (2004, *G.O.* 2, 1272). For previous amendments, see the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.

Gouvernement du Québec

**O.C. 74-2007, 30 January 2007**

An Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors  
(R.S.Q., c. R-8.2)

Exemption of a local legal aid centre from the application of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors

WHEREAS Chapter IV of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., c. R-8.2) provides for the process for negotiating and entering into collective agreements for the Government agencies appearing in Schedule C to the Act;

WHEREAS, in the legal aid sector, this process applies to the Commission des services juridiques as well as to the regional and local legal aid centres;

WHEREAS, under section 76 of the Act, the Government may strike off from Schedule C any agency appearing in it, add to it any agency it has struck off or any other agency;

WHEREAS it is expedient to exempt the Clinique juridique populaire de Hull inc. local legal aid centre from the application of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, responsible for the administration of the Act:

THAT Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., c. R-8.2) be amended by striking off “The Centre local d’aide juridique de la Clinique juridique populaire de Hull inc.”.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

8006

Gouvernement du Québec

**O.C. 77-2007, 30 January 2007**

An Act respecting the Société immobilière du Québec  
(R.S.Q., c. S-17.1)

**Société immobilière du Québec  
— Signing of certain documents**

By-law respecting the signing of certain documents of the Société immobilière du Québec

WHEREAS, under section 17 of the Act respecting the Société immobilière du Québec (R.S.Q., c. S-17.1), no document is binding on the Société unless it is signed by the president of the Société or, in the cases determined by by-law of the Société, a person designated by the Société;

WHEREAS, under the second paragraph of section 17 of the Act, the Société, by by-law, may, on the conditions it determines, allow a required signature to be affixed by means of an automatic device to the documents it determines, or a facsimile of a signature to be engraved, lithographed or printed on them;

WHEREAS, by Order in Council 84-2005 dated 9 February 2005, the Government approved the By-law respecting the signing of certain documents of the Société immobilière du Québec;

WHEREAS, at its meeting of 25 October 2006, the Société made a By-law respecting the signing of certain documents of the Société immobilière du Québec, which updates and replaces the By-law currently in force to provide for the operational needs of the Société;

WHEREAS it is expedient to approve the By-law;

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

THAT the By-law respecting the signing of certain documents of the Société immobilière du Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

---

## By-law respecting the signing of certain documents of the Société immobilière du Québec

An Act respecting the Société immobilière du Québec (R.S.Q., c. S-17.1, s. 17)

**1.** Every document signed, in accordance with the authorizations set forth hereinafter, by the holders of the positions or the officers responsible for the duties hereinafter designated or, where applicable, by the persons authorized on an interim basis to hold those positions or exercise those duties, is binding on the Société immobilière du Québec and may be attributed to the Société as if it had been signed by the president and chief executive officer of the Société.

**2.** The vice-presidents and the secretary general of the Société immobilière du Québec are authorized to sign all the documents referred to in this By-law and any other deed or document including, but not limited to, cheques, drafts, orders of payment, promissory notes, bonds, bankers' acceptances, bills of exchange, bank transfers and other negotiable instruments.

**3.** The director of financial administration is authorized to sign cheques, drafts, orders of payment, promissory notes, bonds, bankers' acceptances, bills of exchange, bank transfers and other negotiable instruments.

**4.** Immovable property directors, the director of planning and coordination, the director of operational support and the director of planning, coordination and support are authorized to sign

(1) temporary occupancy agreements, parking space agreements, access to immovable property agreements, proposals to clients and occupancy agreements and their riders;

(2) leases and riders where the annual rent is less than \$500,000;

(3) construction contracts, concession contracts and contracts for services other than professional services where the amount is less than \$500,000;

(4) deeds of receipt of a work concerning a contract where the amount is less than \$500,000;

(5) supply contracts where the amount is less than \$100,000;

(6) contracts for professional services where the amount is less than \$50,000;

(7) contracts for the alienation of movable or immovable property where the amount is less than \$10,000; and

(8) program changes, orders for changes and riders to construction contracts, concession contracts and contracts for services other than professional services where the amount is less than \$50,000, to contracts for professional services and to supply contracts where the amount is less than \$10,000.

**5.** Immovable property counsellors are authorized to sign

(1) proposals to clients;

(2) occupancy agreements and their riders;

(3) construction contracts where the amount is less than \$100,000;

(4) contracts for professional services where the amount is less than \$10,000;

(5) contracts for services other than professional services where the amount is less than \$25,000;

(6) supply contracts where the amount is less than \$10,000;

(7) deeds of receipt of a work concerning a contract where the amount is less than \$100,000; and

(8) program changes, orders for changes and riders to proposals to clients and construction contracts where the amount is less than \$10,000, to contracts for services other than professional services where the amount is less than \$2,500 and to supply contracts and contracts for professional services where the amount is less than \$1,000.

**6.** Coordinating engineers, operations engineers and project managers are authorized to sign

(1) proposals to clients and construction contracts where the amount is less than \$100,000;

(2) contracts for professional services where the amount is less than \$10,000;

(3) contracts for services other than professional services where the amount is less than \$50,000;

(4) supply contracts where the amount is less than \$25,000;

(5) deeds of receipt of a work concerning a contract where the amount is less than \$100,000; and

(6) program changes, orders for changes and riders to proposals to clients and construction contracts where the amount is less than \$10,000, to contracts for services other than professional services where the amount is less than \$5,000, to supply contracts where the amount is less than \$2,500 and to contracts for professional services where the amount is less than \$1,000.

**7.** Immovable property technicians, architecture and planning technicians, project management technicians, the central coordinating technician and security technicians are authorized to sign

(1) proposals to clients and construction contracts and contracts for services other than professional services where the amount is less than \$25,000;

(2) supply contracts where the amount is less than \$10,000;

(3) deeds of receipt of a work concerning a contract where the amount is less than \$25,000; and

(4) program changes, orders for changes and riders to construction contracts where the amount is less than \$2,500, to contracts for services other than professional services where the amount is less than \$1,000 and to supply contracts where the amount is less than \$1,000.

**8.** Operations support technicians and leasing technicians in the immovable property branches are authorized to sign

(1) proposals to clients and construction contracts and contracts for services other than professional services where the amount is less than \$5,000;

(2) supply contracts where the amount is less than \$2,000;

(3) deeds of receipt of a work concerning a contract where the amount is less than \$5,000; and

(4) program changes, orders for changes and riders to proposals to clients and construction contracts and contracts for services other than professional services where the amount is less than \$500, and riders to supply contracts where the amount is less than \$200.

**9.** Maintenance and repair managers are authorized to sign

(1) proposals to clients, construction contracts and contracts for services other than professional services where the amount is less than \$25,000;

(2) deeds of receipt of a work concerning a contract where the amount is less than \$25,000;

(3) program changes, orders for changes and riders to construction contracts, supply contracts and contracts for services other than professional services and proposals to clients where the amount is less than \$2,500.

**10.** Supervisors are authorized to sign supply contracts where the amount is less than \$2,000.

**11.** Warehousemen are authorized to sign

(1) supply contracts where the amount is less than \$5,000;

(2) contracts for services other than professional services where the amount is less than \$2,000;

(3) contracts for the alienation of movable property where the amount is less than \$2,500; and

(4) orders for changes and riders to supply contracts where the amount is less than \$500.

**12.** Expertise/Development directors are authorized to sign

(1) proposals to clients and their riders;

(2) construction contracts and contracts for services other than professional services where the amount is less than \$500,000;

(3) deeds of receipt of a work concerning a contract where the amount is less than \$500,000;

(4) supply contracts where the amount is less than \$100,000;

(5) contracts for professional services where the amount is less than \$100,000; and

(6) program changes, orders for changes and riders to construction contracts and contracts for services other than professional services where the amount is less than \$50,000, to contracts for professional services and to supply contracts where the amount is less than \$10,000.

**13.** Major project directors are authorized to sign

(1) proposals to clients, construction contracts and contracts for services other than professional services where the amount is less than \$250,000;

(2) supply contracts where the amount is less than \$50,000;

(3) contracts for professional services where the amount is less than \$50,000;

(4) deeds of receipt of a work concerning a contract where the amount is less than \$250,000;

(5) program changes, orders for changes and riders to construction contracts, contracts for services other than professional services and proposals to clients where the amount is less than \$25,000, to supply contracts and contracts for professional services where the amount is less than \$5,000.

**14.** The director of information and office systems is authorized to sign

(1) supply contracts and contracts for computer services where the amount is less than \$50,000 and their riders where the amount is less than \$5,000; and

(2) contracts for the alienation of movable computer property where the amount is less than \$50,000.

**15.** The person in charge of office systems is authorized to sign supply contracts where the amount is less than \$1,000.

**16.** The director of lease evaluation and management is authorized to sign contracts for professional services where the amount is less than \$25,000 and their riders where the amount is less than \$2,500 as well as lessee certificates.

**17.** The director of communications is authorized to sign supply contracts and contracts for communication services where the amount is less than \$25,000 and riders where the amount is less than \$2,500.

**18.** Directors are authorized to sign supply contracts and contracts for services where the amount is less than \$2,000.

**19.** Financial statement analysts and the treasury and financial management technician are authorized to sign bank transfers.

**20.** The signatures of the president and chief executive officer, the vice-president for administration and finance and the secretary general may be affixed by means of an automatic device and a facsimile of their signatures may be engraved, lithographed or printed on the following documents:

(1) cheques for an amount of less than \$50,000;

(2) employee paycheques; and

(3) cheques, drafts, orders of payment, promissory notes, bonds, bills of exchange, or other negotiable instruments used in connection with the Société's financing operations.

**21.** This By-law replaces the By-law respecting the signing of certain documents of the Société immobilière du Québec approved by Order in Council 84-2005 dated 9 February 2005.

**22.** This By-law comes into force on the date of its approval by the Government.

8007

## Draft Regulations

---

### Draft By-law

An Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1)

#### Mini Loto, Inter Loto, instant lotteries and “pool” type lotteries — 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 By-law to amend the By-law respecting the Mini Loto, Inter Loto, any instant lottery and any “pool” type lottery, appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The purpose of the draft By-law is to amend the maximum rate of return allowed for the different lottery schemes governed by the By-law in order to reflect the rates of return offered in the industry.

Further information may be obtained by contacting Lynne Roiter, Secretary General and Vice-president, Legal Affairs, Loto-Québec, 500, rue Sherbrooke Ouest, Montréal (Québec) H3A 3G6; telephone 514 499-5190; fax: 514 873-8999.

Any interested person having comments to make on the draft By-law is asked to send them in writing before the expiry of the 45-day period to the Minister of Finance, 12, rue Saint-Louis, 1<sup>er</sup> étage, Québec (Québec) G1R 5L3.

MICHEL AUDET,  
*Minister of Finance*

---

### By-law to amend the By-law respecting the Mini Loto, Inter Loto, any instant lottery and any “pool” type lottery \*

An Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1, s. 13)

**1.** The By-law respecting the Mini Loto, Inter Loto, any instant lottery and any “pool” type lottery is amended in section 8 by replacing “55” by “75”.

**2.** This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

7999

### Draft Regulation

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

#### Annual reports of professional orders — Replacement

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 respecting the annual reports of professional orders, made by the Office des professions du Québec, may be made by the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The Regulation, which replaces the Regulation respecting standards for the preparation and content of annual reports of professional corporations (R.R.Q., 1981, c. C-26, r.4), updates the standards of preparation and content that professional orders must meet in the preparation of their annual reports. The reports must be submitted at the annual general meeting of members, then sent to the Office and to the Minister responsible

---

\* The By-law respecting the Mini Loto, Inter Loto, any instant lottery and any “pool” type lottery, made by Decision dated 2 December 1981 (R.R.Q., Suppl. 1224), was amended by the by-law approved by Order in Council 270-92 dated 26 February 1992 (1992, G.O. 2, 1060).

for the administration of legislation respecting the professions, who tables it in the National Assembly. The proposed update takes into account the evolution of the law of professions by insuring consistency with amendments made to the Professional Code in the last years. The required information covers each sphere of activity of a professional order.

The Office foresees no impact of the new measures on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting France Lesage or Ugo Chaillez, Direction des affaires juridiques, Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3, telephone: 418 643-6912 or 1 800 643-6912; fax: 418 643-0973.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the interested persons, departments and bodies or agencies.

GAÉTAN LEMOYNE,  
*Chair of the Office des  
professions du Québec*

## Regulation respecting the annual reports of professional orders

Professional Code  
(R.S.Q., c. C-26, s. 12, 3rd par., subpar. 6, subpar. b  
and s. 12.2)

### DIVISION I GENERAL

**1.** The annual reports of professional orders must correspond to a fiscal year.

The annual reports must contain all the information required in Divisions II to V of this Regulation.

**2.** The information must be provided for the fiscal year concerned and indicate, where applicable, that there has been no activity or that no information is available.

**3.** Within 45 days after the date of its annual general meeting, the order must send 80 copies of its annual report to the Office des professions du Québec, which sends to the Minister responsible for the administration of legislation respecting the professions the copies necessary for tabling the report in the National Assembly.

If changes must be made to the preparation or content of the annual report after it has been sent to the Office and to the Minister, the order must send to the Office without delay 80 copies of the changes on the order's letterhead, specifying the period concerned.

### DIVISION II PRESENTATION

**4.** The presentation of the annual report must include

(1) three cover letters, namely

(a) a letter from the Minister to the President of the National Assembly;

(b) a letter from the order to the Minister; and

(c) a letter from the order to the Office; and

(2) the report of the president of the order.

### DIVISION III REPORT OF ACTIVITIES

**5.** The report of activities of the Bureau must contain

(1) the name of the president, the method of the president's election and the date on which the president took office;

(2) a list of directors of the Bureau, the date on which they took office, indicating whether they have been elected or appointed and, for the elected directors, indicating, if applicable, the region and sector of professional activity they represent;

(3) the number of regular and special meetings of the Bureau;

(4) a list of employees of the order and their positions;

(5) the date of the annual general meeting of the members of the order; and

(6) a list of the main resolutions adopted by the Bureau.



**6.** The report of activities of the administrative committee, if there is one, must contain

- (1) a list of members of the committee;
- (2) the number of regular and special meetings of the committee; and
- (3) a list of the main resolutions adopted by the committee.

**7.** The report of activities of the training committee must contain

- (1) a list of members of the committee;
- (2) the number of meetings of the committee; and
- (3) the conclusions of the committee's report on findings, if any, and those of its opinions.

**8.** The report of activities concerning recognition of equivalence of diplomas, training and other terms and conditions for the purpose of issuing a permit or a specialist's certificate must contain, in respect of the permits and, if applicable, specialist's certificates,

(1) the number of applications for recognition received, granted or refused, indicating those relating to recognition of equivalence

(a) of a diploma issued by an educational institution situated outside Québec, indicating the diplomas issued in Canada and those outside Canada;

(b) of the training of a person who does not hold a required diploma, indicating the training received, in whole or in part, in Canada outside Québec and the training received, in whole or in part, outside Canada and, if applicable, indicating the training to be acquired as specified by the order to obtain the recognition; or

(c) of other terms and conditions, if applicable, indicating those met, in whole or in part, in Canada outside Québec and those met, in whole or in part, outside Canada and, if applicable, indicating the training to be acquired as specified by the order to obtain the recognition;

(2) the number of applications for recognition under consideration at the end of the period; and

(3) the actions taken by the order to facilitate recognition of equivalence of diplomas, training and, if applicable, other terms and conditions of issue of permits and specialist's certificates.

**9.** The report of activities relating to the issue of temporary permits, temporary restrictive permits and special permits must contain

(1) the number of applications for temporary permits received, granted or refused;

(2) the number of applications for temporary restrictive permits received, granted or refused indicating those based on

(a) the indication from the order, after examining an application for recognition of equivalence of diplomas, training or, if applicable, other terms and conditions, of the training to be acquired to obtain recognition of each equivalence; or

(b) any of the conditions provided for in a regulation determining the legal authorizations to practise the profession outside Québec that give access to a permit or, if applicable, a specialist's certificate, or in a regulation establishing special permits;

(3) the number of applications for special permits received, granted or refused;

(4) the number of applications for temporary permits, temporary restrictive permits and special permits under consideration at the end of the period; and

(5) the actions taken by the order to facilitate the issue of temporary permits, temporary restrictive permits and special permits.

**10.** The report of activities relating to the issue of permits or specialist's certificates must contain, in respect of permits and, if applicable, specialist's certificates,

(1) the number of applications received, granted or refused, indicating those based on

(a) the possession of a diploma determined pursuant to the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26) and, if applicable, the fact that the other terms and conditions have been met or the recognition of equivalence of the other terms and conditions;

(b) recognition of equivalence of a diploma issued by an educational institution situated outside Québec for the purpose of issuing a permit or, if applicable, a specialist's certificate and, if applicable, the fact that the other terms and conditions have been met or recognition of equivalence of the other terms and conditions; or

(c) recognition of equivalence of the training received by a person who does not hold a required diploma for the purpose of issuing a permit or, if applicable, a specialist's certificate and, if applicable, the fact that the other terms and conditions have been met or recognition of equivalence of the other terms and conditions;

(d) the holding of a legal authorization to practise the profession outside Québec;

(2) the number of applicants to the practice of the profession that met, if applicable, the other terms and conditions of issue of permits and specialist's certificates and those that have begun the process;

(3) the number of applications for the permits and specialist's certificates referred to in subparagraphs *b*, *c* and *d* of paragraph 1 under consideration at the end of the period; and

(4) the actions taken by the order to facilitate the issue of the permits and specialist's certificates referred to subparagraphs *b*, *c* and *d* of paragraph 1.

**11.** The report of activities relating to security against professional liability must contain

(1) a breakdown of members or, if applicable, classes of members entered on the roll at the end of the period according to means of security; and

(2) the amount of coverage per claim and for the aggregate of claims.

**12.** The report of activities relating to the indemnity fund, if there is one, must contain

(1) the maximum amount that the fund may pay to a claimant and to all claimants in respect of the same member;

(2) the number of claims received and members concerned and the total amount of the claims;

(3) the number of claims accepted in whole, claims accepted in part, members concerned and the total amount of compensation paid; and

(4) the number of claims refused and members concerned and the total amount of the claims.

**13.** The report of activities of the professional inspection committee must contain

(1) a list of members of the professional inspection committee and, if applicable, the name of the person responsible for professional inspection appointed by the Bureau;

(2) the number of meetings of the professional inspection committee;

(3) the program of general supervision of the practice of the profession and a summary of the recommendations made by the professional inspection committee;

(4) the number of members visited and, if applicable, the number of forms or questionnaires sent to the members and the number returned to the committee;

(5) the number of audit reports, indicating which were drawn up after a visit and, if applicable, after the sending of a form or questionnaire;

(6) the number of members that were the subject of an inquiry and the number of inquiry reports drawn up by the professional inspection committee;

(7) the number of recommendations of the professional inspection committee to the Bureau that it require a member to successfully complete a period of refresher training or a refresher course, or require the member to do both, indicating which recommendations include a restriction or suspension of the member's right to engage in professional activities;

(8) the number of decisions of the Bureau approving the recommendations of the professional inspection committee and the number of decisions of the Bureau rejecting the recommendations; and

(9) the number of members that were the subject of a notification to the syndic, pursuant to the fifth paragraph of section 112 of the Code.

**14.** The report of activities relating to optional continuing education organized by the order and mandatory continuing education must contain

(1) for each continuing education activity held, the number of hours and the number of members that took part in the activity, indicating if it was mandatory; and

(2) the number and nature of penalties imposed following failure to attend mandatory continuing education, if applicable.

**15.** The report of activities of the syndic must contain

(1) the name of the syndic and, if applicable, assistant syndics and corresponding syndics;

(2) the number of files opened and the total number of members concerned;

(3) the number of decisions to lodge a complaint;

(4) the number of decisions to not lodge a complaint;

(5) the number of cases settled by conciliation by the syndic; and

(6) the number of cases remaining open at the end of the period.

**16.** The report of activities relating to the conciliation and arbitration of accounts must contain

(1) the number of applications for conciliation received;

(2) the number of applications for conciliation rejected because of non-compliance with time limits;

(3) the number of applications for conciliation that led to an agreement;

(4) a list of members of the council of arbitration;

(5) the number of council of arbitration hearings;

(6) the number of applications for arbitration received; and

(7) the number of arbitration awards made, indicating those in which the account in dispute was reduced and those in which it was maintained.

**17.** The report of activities of the review committee must contain

(1) a list of members of the committee, indicating which members were appointed from among directors appointed by the Office or from among the persons on a list drawn up by the Office;

(2) the number of meetings of the committee;

(3) the number of requests for an opinion received;

(4) the number of requests for an opinion submitted outside the prescribed time limit; and

(5) the number of opinions given according to the nature of the conclusion or recommendation.

**18.** The report of activities of the committee on discipline must contain

(1) a list of members of the committee;

(2) the number of hearings of the committee;

(3) the number and nature of complaints heard by the committee, indicating which complaints were lodged by the syndic or assistant syndic and which were lodged by any other person;

(4) the number of decisions of the committee indicating

(a) which decisions authorized the withdrawal of the complaint;

(b) which decisions rejected the complaint;

(c) which decisions acquitted the respondent;

(d) which decisions found the respondent guilty;

(e) which decisions acquitted the respondent and which found the respondent guilty; or

(f) which decisions imposed a penalty, specifying its nature;

(5) the number of recommendations to the Bureau according to their nature and the number of decisions of the Bureau relating to those recommendations;

(6) the number of decisions rendered by the Committee within 90 days from the time the matter was taken under advisement;

(7) the number of decisions on convictions or penalties appealed to the Professions Tribunal; and

(8) the number of appeals on convictions or penalties heard by the Professions Tribunal and the number of decisions made.

**19.** The report of activities relating to the unlawful practice of the profession, if applicable, and unauthorized use of a reserved title must contain

(1) the number of inquiries carried out, indicating which dealt with unlawful practice, which dealt with unauthorized use of a reserved title and which dealt with both at the same time;

(2) the number of penal proceedings instituted, indicating which dealt with unlawful practice, which dealt with unauthorized use of a reserved title and which dealt with both at the same time; and

(3) the number of judgments rendered, indicating which dealt with unlawful practice, which dealt with unauthorized use of a reserved title and which dealt with both at the same time, and indicating which judgments acquitted the respondent and which found the respondent guilty, and the total fines imposed.

**20.** The report of activities of any other committee established by the Bureau must contain

- (1) the name of the committee and its function;
- (2) a list of members of the committee;
- (3) the number of meetings of the committee; and
- (4) the summary of the activities carried out.

#### **DIVISION IV** GENERAL INFORMATION

**21.** The annual report must contain, if applicable,

- (1) the number of permits issued according to category;
- (2) the number of specialist's certificates issued according to class;
- (3) the number of special authorizations granted and those renewed;
- (4) the number of registrations issued;
- (5) the number of members entered on the roll at the end of the period and a breakdown according to
  - (a) administrative region in accordance with the description and map of the boundaries in Schedule I to Order in Council 2000-87 dated 22 December 1987 as it reads at the time it applies;
  - (b) sex; and
  - (c) the class of members established for the purposes of the assessment;
- (6) the amount of the annual assessment and of any additional assessment to be paid by the members or certain classes of members, and the date on which they must be paid;

(7) the number of members entered on the roll at the end of the period who hold

- (a) a temporary permit;
- (b) a restrictive permit;
- (c) a temporary restrictive permit;
- (d) a special permit;
- (e) a permit according to category; or
- (f) a specialist's certificate according to class;

(8) the number of members entered on the roll at the end of the period who engage in their professional activities within a partnership, indicating the type of activity;

(9) the number of entries on the roll, indicating the number of first entries;

(10) the number of entries on the roll with a restriction or suspension of the right to engage in professional activities;

(11) the number of members struck off the roll according to grounds;

(12) the number of permit suspensions or revocations according to category; and

(13) the number of specialist's certificates revoked according to class.

#### **DIVISION V** FINANCIAL STATEMENTS

**22.** The financial statements for each existing fund are to be presented in accordance with the generally accepted accounting principles contained in the CICA Handbook, Toronto, The Canadian Institute of Chartered Accountants.

**23.** Income in the operating statement must be apportioned, for each existing fund, among the following items:

(1) assessments, indicating which are annual and which are additional;

(2) premiums for the group plan or professional liability insurance fund and for the indemnity fund;

(3) fees received from applicants to the practice of the profession and applicants for a specialist's certificate and fees relating to entry on the roll and applications for special authorizations;

- (4) proceeds from the sale of documents;
- (5) fees received for continuing education activities;
- (6) fines;
- (7) investment income; and
- (8) other income.

**24.** Expenses in the operating statement must be apportioned among the following activities:

(1) activities relating to the issue of permits, specialist's certificates and special authorizations and the recognition of equivalence of diplomas, training and other terms and conditions for the purpose of issuing a permit or a specialist's certificate;

- (2) activities of the training committee;
- (3) activities relating to security against professional liability;
- (4) activities relating to the indemnity fund;
- (5) activities relating to the professional inspection;
- (6) activities relating to optional continuing education organized by the order and to mandatory continuing education;
- (7) activities of the syndic;
- (8) activities relating to the conciliation and arbitration of accounts;
- (9) activities of the review committee;
- (10) activities of the committee on discipline;
- (11) activities relating to unlawful practice and unauthorized use of a reserved title;
- (12) communication activities; and
- (13) other activities.

**25.** The expenses associated with each of the activities listed in section 24 must be apportioned between the following categories, if applicable:

(1) direct costs that include all the costs directly attributable to an activity and which are easily determinable; and

(2) share of general administration costs that include all the expenses that are not considered to be direct costs of an activity.

**26.** This Regulation replaces, as of the fiscal year ending in 2008, the Regulation respecting standards for the preparation and content of annual reports of professional corporations (R.R.Q., 1981, c. C-26, r.4).

Despite the foregoing, for the fiscal years ending in 2008 and 2009, an order may continue to apply Division V of the replaced Regulation. If an order applies Division V of this Regulation for the fiscal year ending in 2008, the order must continue to apply the Division for the fiscal year ending in 2009.

**27.** This Regulation comes into force on 1 April 2008.

8010

## Draft Regulation

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

### Nurses

#### — Certain professional activities which may be engaged in by nursing assistants

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 respecting certain professional activities which may be engaged in by nursing assistants" was adopted by the Bureau of the Ordre des infirmières et infirmiers du Québec, at its meeting held on December 14 and 15, 2006.

This regulation has been forwarded to the Office des professions du Québec, which will examine it pursuant to section 95 of the Professional Code (R.S.Q., c. C-26), and submit it, with its recommendation, to the Government, which may approve it, with or without amendment, upon the expiry of a period of 45 days following the publication of this notice.

According to the Ordre des infirmières et infirmiers du Québec, the purpose of this regulation is to authorise nursing assistants to provide care of a tracheostomy connected to a ventilator and to perform other professional activities reserved for nurses, and to determine the conditions under which such activities may be performed.

The Order considers that the Regulation will have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Ms. Carmelle Marchessault, Director and Attorney, Legal Services Department, Ordre des infirmières et infirmiers du Québec, 4200, boulevard Dorchester Ouest, Montréal (Québec) H3Z 1V4, telephone: 514 935-2501 or 1 800 363-6048, fax: 514 935-3147.

Any person having comments to make may submit them, before the expiry of the 45-day period specified above, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. These comments will be forwarded by the Office to the Minister responsible for professional laws; they may also be forwarded to the professional order which has adopted this regulation, as well as to interested persons, departments and agencies.

*Chairman of the Office des professions du Québec,*  
GAÉTAN LEMOYNE

## Regulation respecting certain professional activities which may be engaged in by nursing assistants

Professional Code  
(R.S.Q., c. C-26, s. 94, par. *h*)

**1.** The purpose of this regulation is to determine which of the professional activities that may be performed by nurses may also be performed by nursing assistants, following the issue of a prescription and in accordance with the other terms and conditions set out therein.

**2.** In order to be authorized to perform the professional activities set out in section 3, nursing assistants must meet the following conditions:

1° they must hold an attestation issued by the Ordre des infirmières et infirmiers auxiliaires du Québec, certifying that:

(*a*) they have completed at least 7 hours of theoretical and practical training organized by the Order, in application of sub-paragraph *j* of the first paragraph of section 86 of the Professional Code (R.S.Q., c. C-26), and which covers the following aspects:

i. anatomy of the respiratory system;

ii. complications and limitations associated with maintenance care of a tracheostomy connected to a ventilator;

iii. techniques related to maintenance care of a tracheostomy connected to a ventilator;

iv. the operation of a device incorporated into the ventilation circuit;

(*b*) they performed each of the professional activities set out in subsections 1°, 2° and 4° of section 3 at least three times under the immediate supervision of a nurse or respiratory therapist, and such supervision has been recorded on a form bearing the date, location, as well as the name and signature of the nurse or respiratory therapist who has supervised them;

2° they must perform these professional activities in one of the following centres, operated by an institution within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or the Act respecting health services and social services for Cree native persons (R.S.Q., c. S-5):

(*a*) a residential and long-term care centre;

(*b*) a hospital centre, when the patient is in rehabilitation, lodging or long-term care;

(*c*) a rehabilitation centre for persons with physical disabilities;

3° they must perform these professional activities while a nurse is available on the premises, so that the latter may intervene with the patient quickly;

4° the user falls under a therapeutic nursing plan and his state of health is not in a critical or acute phase.

Provided the conditions set out in subsections 2° to 4° above have been met, nursing assistants may, as part of the training set out in paragraph *b* of subsection 1 of section 2, perform the professional activities set out in section 3 under the immediate supervision of a nurse or respiratory therapist.

**3.** Nursing assistants may perform the following professional activities:

1° provide maintenance care of a tracheostomy connected to a ventilator, when the parameters of the ventilator are regulated;

2° open a device incorporated into the ventilation circuit in order to administer a metered-dose inhaler;

3° reinstall the tracheal cannula in case of decannulation, in emergency situations, and in the absence of a professional authorized by law to engage in such activity and available to perform an immediate intervention;

4° ventilate using a manual, self-inflating resuscitator, whether connected to an oxygen source or not.

**4.** This regulation shall come into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

8013

## Draft Regulation

Professional Code  
(R.S.Q., c. C-26; 2006, c. 20)

### Nursing assistants

#### — Standards of equivalence for diplomas and training

#### — 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 standards of equivalence for diplomas and training for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec, made by the Bureau of the Ordre des infirmières et infirmiers auxiliaires du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the Regulation that amends the Regulation currently in force is to update the standards of equivalence according to the new content of the “Santé, assistance et soins infirmiers” training program. An additional purpose is to modify the procedure for recognizing an equivalence so that a decision may be the subject of a review by persons other than those who made it.

The Order advises that the Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Georges Ledoux, Ordre des infirmières et infirmiers auxiliaires du Québec, 531, rue Sherbrooke Est, Montréal (Québec) H2L 1K2; telephone: 514 282-9511; fax: 514 282-0631.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D’Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order that made the Regulation and to the persons, departments and other bodies concerned.

GAÉTAN LEMOYNE,  
Chair of the Office des  
professions du Québec

## Regulation to amend the Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec \*

Professional Code  
(R.S.Q., c. C-26, s. 93, pars. c and c.1; 2006, c. 20, s. 4)

**1.** The Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec is amended in section 1

(1) by replacing “the recognition by the Bureau of the Order, pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code” in the third paragraph and in the definition “diploma equivalence” by “the recognition pursuant to the Professional Code”;

(2) by replacing “the recognition by the Bureau of the Order, pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code” in the third paragraph and in the definition “training equivalence” by “the recognition pursuant to the Professional Code”.

**2.** Section 3 is replaced by the following:

“**3.** A person who holds a diploma issued by an educational institution outside Québec is granted a diploma equivalence if the person’s diploma was obtained upon

\* The Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des infirmières et infirmiers auxiliaires du Québec, approved by Order in Council 749-98 dated 3 June 1998 (1998, *G.O.* 2, 2211), has not been amended since.

completion of Secondary IV studies in Québec, or the equivalent, comprising at least 1,800 hours of coursework apportioned as follows:

(1) a minimum of 945 theoretical and laboratory hours obtained in subjects dealing with professional training for nursing assistants including

(a) 150 hours on the profession, its ethical and legal aspects in the context of a comprehensive approach to health, and communication at work;

(b) 135 hours in basic care procedures and in establishing a helping relationship;

(c) 330 hours in the musculoskeletal, nervous and sensory systems, endocrine system, cardiovascular and respiratory systems, digestive system, urinary and reproductive systems;

(d) 90 hours in nutrition and pharmacotherapy;

(e) 90 hours of first aid and infection control;

(f) 30 hours in palliative care; and

(g) 120 hours in approaches to mental health and approaches to persons with cognitive deficits and intellectual impairments;

(2) a minimum of 855 hours of training apportioned as follows:

(a) 135 hours of specific care and basic care to persons suffering from a loss of autonomy;

(b) 120 hours in geronto-geriatric care;

(c) 120 hours of care of persons with mental health problems and persons with physical or intellectual impairments;

(d) 330 hours of care including at least 120 hours in medical care, at least 90 hours of pre- and postoperative care to adults and at least 90 hours of physical rehabilitation care; and

(e) 60 hours of care to persons suffering from a loss of autonomy in family or intermediate-type establishments.

**3.1.** Despite section 3, if the diploma relating to the application for equivalence was obtained more than four years before the application and the knowledge to which it attests no longer corresponds, given the developments within the profession, to the knowledge currently taught,

the candidate shall be granted training equivalence in accordance with section 4, provided the candidate has acquired the required level of knowledge and skills since the candidate obtained his or her diploma.”

**3.** Section 4 is amended by replacing subparagraph 1 of the first paragraph by the following:

“(1) attained a level of knowledge and skills equivalent to the level that may be attained upon completion of Secondary IV studies in Québec or the equivalent, comprising the hours of coursework specified in paragraph 1 of section 3; and”.

**4.** Section 8 is amended by replacing “Bureau of the Order” in the first paragraph by “administrative committee”.

**5.** Section 9 is amended

(1) by replacing “Bureau of the Order” wherever it appears by “administrative committee”;

(2) by replacing “Bureau” wherever it appears by “administrative committee”.

**6.** Section 10 is replaced by the following:

“**10.** A person who is granted partial training equivalence by the administrative committee or is not granted a diploma or training equivalence may apply for a review of the decision provided that the person applies to the secretary in writing within 30 days of receiving the decision.

The review must be made within 90 days following the date of receipt of the application by a committee formed by the Bureau, pursuant to section 86.0.1 of the Professional Code. The committee must be composed of persons other than members of the administrative committee or of the committee referred to in section 8. The committee must, before making its decision, allow the person concerned to present observations.

For that purpose, the secretary must inform the person concerned of the date, time and place of the meeting where the application will be examined, by means of a written notice sent by registered or certified mail at least 10 days before the date set for the meeting.

A person who wishes to present observations in person must inform the secretary at least five days before the date set for the meeting. The person may also submit written observations to the secretary at any time before the date set for the meeting.



The decision of the committee is final and must be sent to the person concerned in writing within 30 days following the date of the meeting.”.

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

8012

## Draft Regulation

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

### Pharmacists

#### — Standards for equivalence of diplomas or training for the issue of a pharmacist’s permit

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 respecting the standards for equivalence of diplomas or training for the issue of a pharmacist’s permit, made by the Bureau of the Ordre des pharmaciens du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days from this publication.

The Regulation replaces the regulation currently in force to introduce equivalence standards for the training of a candidate who applies to have a permit issued by the Order. It also modifies the procedure for recognizing an equivalence to enable review of the decision by persons other than those who made it.

The Order advises that the Regulation will have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Manon Bonnier, Assistant General Secretary, Ordre des pharmaciens du Québec, 266, rue Notre-Dame Ouest, bureau 301, Montréal (Québec) H2Y 1T6; telephone: 514 284-9588, extension 303, or 1 800 363-0324; fax: 514 284-3420.

Any interested person having comments to make is asked to send them in writing before the expiry of the 45-day period to the Chair of the Office des professions du Québec, 800, place D’Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions and may

also be sent to the professional order that made the Regulation and to the persons, departments and bodies concerned.

GAÉTAN LEMOYNE,  
*Chair of the Office des  
professions du Québec*

## Regulation respecting the standards for equivalence of diplomas or training for the issue of a pharmacist’s permit

Professional Code  
(R.S.Q., c. C-26, s. 93, par. c)

### DIVISION I GENERAL

**1.** The secretary of the Ordre des pharmaciens du Québec must forward a copy of this Regulation to a candidate who, for the purpose of obtaining a permit from the Order, applies to have a diploma issued by an educational institution outside Québec or training recognized as equivalent.

In this Regulation,

“diploma giving access to the permit issued by the Order” means a diploma recognized as giving access to the permit issued by the Order by regulation of the Government made under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26);

“diploma equivalence” means recognition by the Order that a diploma issued by an educational institution outside Québec certifies that a candidate’s level of knowledge and skills is equivalent to the level attained by the holder of a diploma recognized as giving access to a permit issued by the Order; and

“training equivalence” means recognition by the Order that a candidate’s training has enabled him or her to attain a level of knowledge and skills equivalent to the level attained by the holder of a diploma giving access to a permit issued by the Order.

### DIVISION II DIPLOMA EQUIVALENCE STANDARDS

**2.** A candidate who holds a diploma issued by an educational institution outside Québec is granted a diploma equivalence if the diploma was obtained upon completion of 8 semesters of university studies compris-

ing not fewer than 15 weeks of activities and that are equivalent to the program of studies in pharmacy at Université Laval or the Université de Montréal; the studies must comprise a minimum of 125 credits and each credit must correspond to 45 hours of course attendance or personal work in

- (1) biomedical science;
- (2) chemical and pharmaceutical sciences;
- (3) pharmacological science;
- (4) practical and clinical pharmacy; and
- (5) socio-economic and administrative aspects.

**3.** Despite section 2, if the diploma for which an equivalence application is made was obtained more than five years before the application and, considering the developments in the profession, the knowledge certified by the diploma no longer corresponds to the knowledge currently being taught, the candidate is granted a training equivalence pursuant to section 4 if the candidate has attained the required level of knowledge and skills since obtaining his or her diploma.

### DIVISION III TRAINING EQUIVALENCE STANDARDS

**4.** A candidate is granted a training equivalence if the candidate demonstrates having a level of knowledge and skills equivalent to the level attained by the holder of a diploma giving access to a permit issued by the Order.

**5.** In assessing the training submitted in support of a training equivalence application, the following factors are to be taken into consideration:

- (1) the relevant university diplomas, issued in Québec or outside Québec;
- (2) the nature and content of the relevant university courses passed by the candidate, the number of credits and the grades obtained;
- (3) the training periods successfully completed by the candidate, and any other relevant continuing training or upgrading activities;
- (4) the nature and duration of the candidate's relevant work experience; and
- (5) the fact that the candidate has passed the evaluating examination administered by the body incorporated under the Act to incorporate The Pharmacy Examining Board of Canada, (1963) 12 Eliz. II. c. 77.

### DIVISION IV TRAINING EQUIVALENCE RECOGNITION PROCEDURE

**6.** A candidate who, for the purpose of obtaining a permit from the Order, applies for a diploma or training equivalence must provide the secretary of the Order with the following documents and information which are required to support the candidate's application, together with the fees required under paragraph 8 of section 86.0.1 of the Professional Code:

- (1) the candidate's academic record, including a description of courses taken, the number of credits and corresponding transcripts;
- (2) a certified true copy of all diplomas held;
- (3) an attestation of the candidate's successful completion of a training period;
- (4) an attestation of the candidate's participation in any other relevant continuing training or upgrading activities;
- (5) a description and an attestation of the candidate's relevant work experience;
- (6) proof of the candidate's right to practise pharmacy in another jurisdiction;
- (7) a letter of recommendation from the candidate's professional order;
- (8) a list of the candidate's relevant publications; and
- (9) an attestation that the candidate has passed the evaluating examination and qualifying examination administered by the Pharmacy Examining Board of Canada.

Documents in a language other than French or English that are submitted in support of an application must be accompanied by a French translation certified by the translator. The translation must be certified true to the original by a member of the Ordre des traducteurs, terminologues et interprètes du Québec or by an authorized consular or diplomatic representative.

**7.** The secretary of the Order must send the documents referred to in section 6 to a committee formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code to study applications for equivalence and make a decision.

In order to make a decision, the committee may require the candidate to pass an examination or to complete a training session, or to do both.

**8.** The committee may decide to

(1) recognize the candidate's diploma or training equivalence;

(2) recognize the candidate's training equivalence in part and inform the candidate of the courses and training sessions that must be successfully completed for the equivalence to be granted; or

(3) refuse to recognize the candidate's diploma or training equivalence.

The secretary of the Order must send, by registered or certified mail, a copy of the committee's decision to the candidate within 30 days of its decision.

If the committee refuses to recognize the diploma or training equivalence or recognizes the training equivalence in part, the committee must at the same time inform the candidate in writing of any programs of study, additional training, training sessions or examinations that the candidate could successfully complete within the time it specifies to enable the candidate to be granted a training equivalence. The committee must also inform the candidate of the candidate's right to apply for a review of the decision in accordance with section 9.

**9.** A candidate who is informed of the committee's decision not to grant the equivalence or training or to grant the candidate's training equivalence in part may apply to a review committee for a review. The review committee is formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code. A member of the committee referred to in section 7 may not sit on the review committee.

The candidate must apply for a review to the secretary of the Order in writing within 30 days of receiving the decision. The candidate may include written submissions for the review committee.

The review committee has 60 days from the date of receipt of the application to make its decision.

For that purpose, the secretary must inform the candidate of the date of the meeting at which the review application will be examined, by means of a notice sent by registered or certified mail at least 15 days before the date set for the meeting.

**10.** The decision of the review committee is final and must be sent to the candidate in writing by registered or certified mail within 30 days following the date of the meeting.

**DIVISION V**  
FINAL

**11.** This Regulation replaces the Regulation respecting the standards for equivalence of diplomas for the issue of a pharmacist's permit, approved by Order in Council 1367-93 dated 22 September 1993.

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

8009

**Draft Regulation**

Pharmacy Act  
(R.S.Q., c. P-10)

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

**Pharmacists**  
— **Terms and conditions for the issue of permits by the Ordre**  
— **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 terms and conditions for the issue of permits by the Ordre des pharmaciens du Québec, made by the Bureau of the Ordre des pharmaciens du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days from this publication.

The Regulation establishes equivalence standards for the internship a person must serve to become a member of the Order. It also ensures concordance with the standards of equivalence for training and with the equivalence recognition procedure introduced into the Regulation respecting the standards for equivalence of diplomas or training for the issue of a pharmacist's permit.

The Order advises that the Regulation will have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Manon Bonnier, Assistant General Secretary, Ordre des pharmaciens du Québec, 266, rue Notre-Dame Ouest, bureau 301, Montréal (Québec) H2Y 1T6; telephone: 514 284-9588, extension 303, or 1 800 363-0324; fax: 514 284-3420.

Any interested person having comments to make is asked to send them in writing before the expiry of the 45-day period to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions and may also be sent to the professional order that made the Regulation and to the persons, departments and bodies concerned.

GAÉTAN LEMOYNE,  
*Chair of the Office des  
professions du Québec*

## Regulation to amend the Regulation respecting the terms and conditions for the issue of permits by the Ordre des pharmaciens du Québec \*

Pharmacy Act  
(R.S.Q., c. P-10, s. 10, 1st par., subpar. *b* and s. 15)

Professional Code  
(R.S.Q., c. C-26, s. 94, par *i*)

**1.** Section 1 of the Regulation respecting the terms and conditions for the issue of permits by the Ordre des pharmaciens du Québec is amended

(1) by replacing “recognized as equivalent by the Bureau under subparagraph *g* of the first paragraph of section 86 of the Code” in paragraph 1 by “or training recognized as equivalent by the Order”;

(2) by inserting “, where applicable” after “certificate” in paragraph 2;

(3) by inserting “or has been granted an equivalence by the Order under Division II.1” after “internship” in paragraph 3.

**2.** Section 2 is amended by replacing “recognized as equivalent by the Bureau under subparagraph *g* of the first paragraph of section 86 of the Code” in subparagraph *b* of paragraph 1 by “or training recognized as equivalent by the Order”.

**3.** Section 7 is amended by replacing “Bureau” by “secretary of the Order”.

**4.** Sections 8 to 10 are replaced by the following:

“**8.** The secretary of the Order must forward the report on an internship and the evaluation report to a committee formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code.

Within 60 days following the date of receipt of the documents, the committee must determine if the trainee has met the requirements of the internship.

**9.** The committee must inform the trainee of its decision in writing within 30 days of the decision.

If the trainee does not meet the requirements of the internship, the committee must also indicate to the trainee in writing the elements to be completed and the procedure to be followed to meet the requirements.

**10.** A trainee who is informed of the committee’s decision that the trainee has not met the requirements of the internship may apply to the review committee for a review. The review committee is set up by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code. A member of the committee referred to in section 8 may not be a member of the review committee.

The trainee must apply for a review to the secretary of the Order in writing within 30 days of receiving the decision. The trainee may include written submissions for the review committee.

The review committee has 60 days from the date of receipt of the application to make its decision.

For that purpose, the secretary must inform the trainee of the date of the meeting at which the review application will be examined, by means of a notice sent by registered or certified mail at least 15 days before the date set for the meeting.

The decision of the review committee is final and must be sent to the trainee in writing by registered or certified mail within 30 days following the date of the meeting.”.

\* The Regulation respecting the terms and conditions for the issue of permits by the Ordre des pharmaciens du Québec, approved by Order in Council 231-93 dated 24 February 1993 (1993, *G.O.* 2, 959), has not been amended since.

**5.** The following is added after section 10:

**“DIVISION II.1  
INTERNSHIP EQUIVALENCE STANDARDS**

**10.1.** A person is granted the internship equivalence provided for in Division II if the person demonstrates having a level of knowledge and skills equivalent to the level attained by a person who has met that condition.

In assessing the equivalence, the following factors are taken into particular account:

- (1) the nature and duration of the person’s work experience;
- (2) the fact that the person holds one or more diplomas awarded in Québec or elsewhere;
- (3) the nature and content of courses taken;
- (4) the nature and content of internships and other training activities; and
- (5) the total number of years of schooling.

**10.2.** A person who wishes to have an internship equivalence under section 10.1 recognized must so apply according to the terms prescribed in Division II, with the necessary modifications.

Documents in a language other than French or English that are submitted in support of an application must be accompanied by a French translation certified by the translator. The translation must be certified as true to the original by a member of the Ordre des traducteurs, terminologues et interprètes agréés du Québec or by an authorized consular or diplomatic representative.”

**6.** Section 12 is amended by replacing “recognized as equivalent by the Bureau under subparagraph *g* of the first paragraph of section 86 of the Code” in the second paragraph by “or training recognized as equivalent by the Order”.

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

8008

## Draft Regulation

Pharmacy Act  
(R.S.Q., c. P-10)

### Terms and conditions for the sale of medications — 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 terms and conditions for the sale of medications, made by the Office des professions du Québec and appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

According to the Office, the Regulation authorizes the sale of a vaccine to be administered as part of a vaccination operation under the Public Health Act (R.S.Q., c. S-2.2) to a nurse who could then, in turn, sell it to a patient. The purpose of the draft Regulation is also to reclassify Levonorgestrel in Schedule I to the Regulation, taking into account the activity reserved to pharmacists to prescribe emergency oral contraception medication.

The Regulation will have no financial impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Ugo Chaillez, Direction des affaires juridiques, Office des professions du Québec, 800, place D’Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3, telephone: 418 643-6912 or 1 800 643-6912; fax: 418 643-0973.

Any interested 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 the Chair of the Office des professions du Québec, 800, place D’Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional orders concerned and to interested persons, departments and bodies.

GAÉTAN LEMOYNE,  
*Chair of the Office des  
professions du Québec*

---

## Regulation to amend the Regulation respecting the terms and conditions for the sale of medications \*

Pharmacy Act  
(R.S.Q., c. P-10, s. 37.1)

**1.** The Regulation respecting the terms and conditions for the sale of medications is amended by inserting the following after section 8:

“**8.1.** Despite section 7, a vaccine to be administered as part of a vaccination operation under the Public Health Act (R.S.Q., c. S-2.2) may be sold without prescription to a nurse for professional use.

To obtain the vaccine, the nurse must send an application containing.

(1) the nurse’s name, printed or in block letters, telephone number, permit number and signature;

(2) the name and pharmaceutical formula of the vaccine and the quantity; and

(3) the words “professional use”.

**2.** The following is inserted after section 9:

“**9.1.** Despite section 9, a pharmacist who, pursuant to section 8.1, sells a vaccine to a nurse must

(1) open a file for each nurse to whom the vaccine is sold;

(2) enter the sale in that file with the words “professional use”; and

(3) keep, in a register, the original of the application for at least two years from the date of receipt of the application.”

**3.** The following is inserted after section 16:

“**16.1.** Despite sections 3 and 4, a vaccine obtained in accordance with section 8.1 may be sold by a nurse to the nurse’s patient, provided that the vaccine is administered to the patient by the nurse.”

\* The Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 712-98 dated 27 May 1998 (1998, *G.O.* 2, 2149), was last amended by the regulation approved by Order in Council 998-2005 dated 26 October 2005 (2005, *G.O.* 2, 4823). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.

**4.** Schedule I is amended by inserting “Levonorgestrel” after “Levallorphan and its salts”.

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

8011

## Draft Regulation

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2)

### Titles similar to the title of financial planner — 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 titles similar to the title of financial planner, the text of which appears below, may be submitted to the Government, which may approve it with or without amendment, on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to add the title “private wealth advisor” and its abbreviation “PWA” to the list of titles similar to the title of financial planner that may not be used by anyone.

Further information concerning the draft Regulation may be obtained by contacting Mario Beaudoin, Direction des pratiques de distribution, Autorité des marchés financiers, place de la Cité, tour Cominar, 2640, boulevard Laurier, bureau 400, Québec (Québec) G1V 5C1; telephone: 418 525-0558 extension 4784 or toll-free: 1 877 525-0337; e-mail: mario.beaudoin@lautorite.qc.ca, or by contacting Hélène Ouellet, Direction des affaires juridiques, Autorité des marchés financiers, place de la Cité, tour Cominar, 2640, boulevard Laurier, bureau 400, Québec (Québec) G1V 5C1; telephone: 418 525-0558 extension 2574 or toll-free: 1 877 525-0337; e-mail: helene.ouellet@lautorite.qc.ca

Any interested 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 the Minister of Finance, 12, rue Saint-Louis, 1<sup>er</sup> étage, Québec (Québec) G1R 5L3.

MICHEL AUDET,  
*Minister of Finance*

## Regulation to amend the Regulation respecting titles similar to the title of financial planner\*

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2, s. 215)

**1.** Section 1 of the Regulation respecting titles similar to the title of financial planner is amended by adding the following after paragraph 9:

“(9.1) private wealth advisor (PWA);”.

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

8000

## Draft Regulation

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

### Unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants

Notice is hereby given, in accordance with sections 10 and 13 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants, the text of which appears below, may be made on the expiry of 30 days following this publication.

This objective of this draft regulation is to fix, for the fiscal year 2007-2008, the unit rates of market value of standing timber applicable to the calculation of dues for forest management permits for the supply of wood processing plants.

Under section 12 of the Regulations Act, the draft Regulation may be made within a shorter period than the period provided for in section 11 of that Act, because the urgency due to the following circumstances requires it:

— The first paragraph of section 2 of the Regulation respecting forest royalties specifies that in order to determine a unit rate fixed by the Minister under section 72 of the Forest Act (R.S.Q., c. F-4.1), the stumpage value of standing timber shall be calculated on 1 April of each year in each forest tariffing zone, by species or group of species and quality of timber, according to the parity technique applicable in property assessment, by comparing the timber to similar timber for which the selling price is known.

For the application of that regulation, the rates must be calculated on 1 April next and must be effective as of that date, a deadline that the Minister could not meet were he to comply fully with the 45-day publication period provided for in Regulations Act.

Further information on the draft Regulation may be obtained by contacting Jean-Pierre Adam, head of the Service de la tarification et des évaluations économiques du ministère des Ressources naturelles et de la Faune, tel.: 418 627-8650, extension 4375, fax: 418 646-9245, e-mail: jean-pierre.adam@mrfn.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 30-day period, to Mrs. Paule Têtu, Associate Deputy Minister for Forêt Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10<sup>e</sup> étage, Québec (Québec) G1S 4X4.

PIERRE CORBEIL,  
*Minister of Natural Resources  
and Wildlife*

### Regulation respecting unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants

Forest Act  
(R.S.Q., c. F-4.1, ss. 5 and 72)

**1.** The unit rates for stumpage in forests in the public domain by tariffing zone for the 2007-2008 fiscal year set out in Schedule I shall be indexed on 1 April, 1 July, 1 October 2007 and 1 January 2008 in accordance with the performance of the price indexes for the forest products specified in Schedule II. The index rates per species, group of species and quality shall be calculated in accordance with the following formulas:

\* The Regulation respecting titles similar to the title of financial planner, approved by Order in Council 835-99 dated 7 July 1999 (1999, G.O. 2, 2101), has not been amended since its approval.

Index rate at = 1 April 2007	Average price index for the months of December 2006, January and February 2007
	Average price index for the months of April 2004 to March 2006
Index rate at = 1 July 2007	Average price index for the months of March, April and May 2007
	Average price index for the months of April 2004 to March 2006
Index rate at = 1 October 2007	Average price index for the months of June, July and August 2007
	Average price index for the months of April 2004 to March 2006
Index rate at = 1 January 2008	Average price index for the months of September, October and November 2007
	Average price index for the months of April 2004 to March 2006

The amounts thus indexed shall apply, in each forest tariffing zone indicated in Schedule I, to the calculation of the dues payable by the holder of a forest management permit for the supply of a wood processing plant for the 3-month period following the date of indexing.

The amounts indexed in the manner prescribed in the first paragraph shall be reduced to the nearest fraction of  $\$0.10/\text{m}^3$  where they contain a fraction less than  $\$0.025/\text{m}^3$ . They shall be rounded off to the nearest fraction of  $\$0.05/\text{m}^3$  where they contain a fraction equal to or greater than  $\$0.025/\text{m}^3$  but less than  $\$0.075/\text{m}^3$  and shall be increased to the nearest fraction of  $\$0.10/\text{m}^3$  where they contain a fraction equal to or greater than  $\$0.075/\text{m}^3$ .

The Minister of Natural Resources and Wildlife inform the public, through Part I of the *Gazette officielle du Québec* and, where he considers it appropriate, by any other means, of the indexing calculated under this section.

**2.** This Regulation replaces the Regulation respecting unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants, made by Minister's Order number AM 2006-016 of the Minister of Natural Resources and Wildlife dated 10 May 2006.

**3.** This Regulation comes into force on 1 April 2007.



**SCHEDULE I**  
(s. 1)

REFERENCE UNIT RATES FOR STUMPAGE IN FORESTS IN THE DOMAIN OF THE STATE THE 2007-2008 FISCAL YEAR

Species	Quality*	Stumpage (\$/m <sup>3</sup> )																
		101	102	103	104	111	112	113	114	115	116	117	201	202	203	204	205	
Fir, spruce, jack pine, tamarack	F	12,89	12,73	13,60	13,42	10,29	11,41	7,17	8,19	9,50	11,63	12,51	19,28	17,06	21,73	22,49	22,79	
	B, M	12,77	12,62	13,48	13,30	9,95	11,31	4,67	6,00	8,23	11,53	12,40	19,11	14,91	21,53	18,95	22,59	
White pine	G	8,56	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	11,01	11,01	11,01	11,01	9,91	
	H	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	5,43	5,43	5,43	5,43	4,98	
Red pine	I	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	
	F	19,09	15,22	15,10	15,11	14,32	14,31	14,29	14,29	14,32	14,32	14,31	18,74	18,74	18,23	16,67	17,44	
	G	6,35	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	8,14	8,14	8,14	8,14	7,35	
	H	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,94	3,94	3,94	3,94	3,69	
Hemlock, cedar	I	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	
	B	3,05	2,62	2,59	2,60	2,44	2,44	2,43	2,43	2,44	2,44	2,44	2,81	2,81	2,90	2,29	2,49	
White pine, red pine, hemlock, cedar	C	1,53	1,35	1,35	1,35	1,34	1,34	1,34	1,34	1,34	1,34	1,34	1,48	1,48	1,50	1,22	1,31	
Oak, cherry	A	58,00	48,64	38,75	35,89	26,05	25,93	25,93	25,93	25,93	25,93	28,39	25,93	31,23	26,05	46,13	28,01	26,05
	B	30,39	24,84	19,86	18,33	12,58	11,97	11,97	11,97	11,97	11,97	14,27	11,97	14,49	11,97	12,41	12,07	11,97
	C	11,79	6,51	5,21	6,14	5,21	4,97	4,97	4,97	4,97	4,97	4,97	5,21	4,97	5,21	4,97	4,97	4,97
Yellow birch	A	58,00	47,85	37,96	35,11	25,71	23,02	23,02	23,02	23,02	23,02	28,39	23,02	31,23	25,65	46,36	28,01	25,64
	B	23,56	19,13	15,28	14,09	9,72	8,92	8,92	8,92	8,92	8,92	10,51	8,92	11,24	8,92	9,62	9,35	8,92
	C	9,42	5,62	3,74	5,30	3,74	3,55	3,55	3,55	3,55	3,55	3,74	3,55	3,74	3,55	3,85	3,74	3,55
White birch	A	58,00	46,70	36,81	33,96	24,04	23,02	23,02	23,02	23,02	23,02	24,04	23,02	31,23	24,09	45,21	28,01	25,64
	B	11,50	6,94	5,68	8,37	5,60	5,60	5,60	5,60	5,60	5,60	5,68	5,60	5,68	5,68	9,23	7,37	5,68
	C	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02
Sugar maple	A	59,51	49,34	40,91	46,76	16,67	14,54	14,54	14,54	14,54	30,34	14,54	14,54	14,54	14,54	14,54	14,54	14,54
	B	23,86	19,78	16,40	17,08	10,69	10,69	9,68	9,68	9,68	10,69	10,69	9,68	10,69	10,69	10,69	10,69	10,69
	C	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17
Other hardwoods	B	9,42	7,81	6,27	5,79	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04
	C	4,02	3,03	1,82	2,61	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,80	1,79	1,79	1,79	1,79	1,79
	B	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09
All hardwoods (except poplars / aspen)	D, E	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25

\* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the basis of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.

Species	Quality*	Stumpage (\$/m <sup>3</sup> )																		
		206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221			
Fir, spruce, jack pine, tamarack	F	24,08	22,14	21,13	15,54	16,39	16,15	20,84	25,38	22,70	19,37	17,90	12,51	13,65	16,15	14,06	17,50			
	B, M	16,36	21,94	20,94	15,40	16,25	16,01	20,66	25,15	22,49	19,20	17,74	10,97	13,52	16,01	13,94	17,34			
White pine	G	7,85	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55			
	H	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85			
Red pine	I	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13			
	F	16,76	16,65	15,94	15,36	14,33	15,23	16,02	16,63	16,41	14,63	14,48	15,18	14,42	14,46	14,41	14,32			
Hemlock, cedar	G	5,82	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60			
	H	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59			
White pine, red pine, hemlock, cedar	I	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12			
	B	2,31	2,29	2,21	2,25	1,64	1,93	2,25	2,30	2,23	1,59	1,37	1,40	1,30	1,35	1,34	1,35			
Oak, cherry	C	1,25	1,21	1,29	1,35	1,21	1,23	1,29	1,25	1,14	1,06	0,96	0,87	1,01	0,97	0,96	1,01			
	A	37,54	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93			
Yellow birch	B	13,21	11,97	12,36	11,97	11,97	11,97	12,27	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97			
	C	5,28	4,97	5,08	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97			
White birch	A	36,75	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02			
	B	10,24	8,92	9,29	8,92	8,92	8,92	9,29	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92			
Sugar maple	C	4,10	3,55	3,63	3,55	3,55	3,55	3,63	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55			
	A	35,60	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02			
Other hardwoods	B	8,52	5,60	8,68	5,68	5,60	5,68	7,65	5,68	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60			
	C	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02			
Poplars	A	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54			
	B	10,69	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68			
All hardwoods (except poplars / aspen)	C	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17			
	B	4,10	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04			
D,E	C	1,94	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79			
	B	7,49	3,58	2,41	2,09	2,09	2,09	2,09	4,49	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09			

\* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the basis of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.

Species	Quality*	Stumpage (\$/m <sup>3</sup> )															
		222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237
Fir, spruce, jack pine, tamarack	F	22,75	18,21	18,82	19,24	13,77	11,79	8,42	3,23	3,07	2,97	6,52	12,08	4,01	15,05	9,14	10,21
	B, M	22,55	18,05	18,65	19,07	13,65	10,12	8,35	3,20	2,58	2,58	6,46	11,97	3,98	14,92	6,79	9,03
White pine	G	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55
	H	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85
Red pine	I	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13
	F	16,11	14,45	14,31	15,30	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,50	14,31	14,38
Hemlock, cedar	G	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60
	H	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59
White pine, red pine, hemlock, cedar	I	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12
	B	2,12	1,47	1,39	1,89	1,31	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,51	1,37	1,33
Oak, cherry	C	1,11	1,05	1,03	1,18	0,99	0,98	0,76	0,76	0,76	0,76	0,76	0,92	0,76	1,08	1,26	1,23
	A	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93
Yellow birch	B	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97
	C	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97
White birch	A	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02
	B	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92
Sugar maple	C	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55
	A	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02
Other hardwoods	B	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60
	C	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02
Poplars	A	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54
	B	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68
All hardwoods (except poplars / aspen)	C	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17
	B	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04
D, E	C	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79
	B	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09

\* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the basis of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.

Species	Quality*	Stumpage (\$/m <sup>3</sup> )															
		238	239	301	302	303	304	305	306	401	402	403	404	405	406	407	408
Fir, spruce, jack pine, tamarack	F	9,89	3,74	14,87	10,35	10,12	13,87	11,10	17,50	20,73	23,49	22,12	16,85	22,05	19,59	13,35	19,97
	B, M	9,80	2,58	14,74	6,28	5,80	13,06	9,61	17,34	19,71	23,28	21,92	16,70	21,85	15,66	13,23	19,80
White pine	G	7,55	7,55	11,01	11,01	11,01	33,84	11,01	7,55	11,01	20,08	30,66	25,91	21,36	7,55	11,01	11,01
	H	4,85	4,85	5,43	5,43	5,43	13,99	5,43	4,85	5,43	8,20	5,43	5,43	4,85	5,43	5,43	5,43
Red pine	I	4,13	4,13	4,13	4,13	4,13	8,08	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13
	F	14,29	14,29	23,42	17,91	18,65	25,39	15,93	15,47	23,76	24,33	26,17	23,00	22,30	17,34	20,83	15,52
Hemlock, cedar	G	5,60	5,60	8,14	8,14	8,14	25,39	8,14	5,60	8,14	14,89	22,74	19,21	15,84	5,60	8,14	8,14
	H	3,59	3,59	3,94	3,94	3,94	10,38	3,94	3,59	3,94	6,08	3,94	3,94	3,59	3,94	3,94	3,94
White pine, red pine, hemlock, cedar	I	3,12	3,12	3,12	3,12	3,12	5,99	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12
	B	1,35	1,30	3,47	2,96	2,82	3,52	2,61	2,47	3,46	3,54	3,82	3,39	3,28	2,40	2,92	2,38
Oak, cherry	C	1,28	1,00	1,74	1,51	1,49	1,92	1,47	1,46	1,85	1,93	2,10	1,84	1,77	1,22	1,49	0,91
Yellow birch	A	25,93	25,93	65,54	26,05	41,77	56,90	25,93	25,93	48,94	66,50	68,71	52,79	58,78	25,93	26,05	25,93
	B	11,97	11,97	28,05	11,97	17,52	28,30	11,97	11,97	23,18	32,48	35,95	26,01	31,78	11,97	11,97	11,97
White birch	C	4,97	4,97	8,44	4,97	5,21	11,27	4,97	4,97	5,21	10,93	14,37	7,87	11,24	4,97	4,97	4,97
	A	23,02	23,02	65,54	25,64	41,77	56,90	23,63	23,02	48,94	66,50	68,71	52,79	58,78	23,02	25,64	23,02
Sugar maple	B	8,92	8,92	24,22	8,92	13,58	21,94	8,92	8,92	17,97	26,17	27,87	20,16	24,64	8,92	8,92	8,92
	C	3,55	3,55	7,29	3,55	4,13	8,77	3,55	3,55	4,26	9,44	11,14	6,80	9,71	3,55	3,55	3,55
Other hardwoods	A	23,02	23,02	65,54	25,64	41,77	56,90	23,63	23,02	48,94	66,50	68,71	52,79	58,78	23,02	24,46	23,02
	B	5,60	5,60	8,60	5,68	5,68	9,93	5,68	5,68	11,35	14,28	17,17	8,75	12,49	5,60	5,60	5,60
Poplars	C	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,25	5,13	2,02	2,02	2,02	2,02	2,02
	A	14,54	14,54	58,48	18,83	28,98	50,81	14,54	14,54	39,80	52,18	68,68	44,44	37,91	14,54	30,34	14,54
All hardwoods (except poplars / aspen)	B	9,68	9,68	23,44	10,69	12,43	21,79	10,69	9,68	17,07	22,38	29,46	19,06	16,26	9,68	10,69	10,69
	C	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,81	2,17	2,17	2,17	2,17	2,17
* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.	B	4,04	4,04	11,42	4,04	5,43	8,78	4,04	4,04	7,19	10,47	11,15	8,06	9,85	4,04	4,04	4,04
	C	1,79	1,79	3,93	1,79	2,17	3,75	1,79	1,79	2,30	4,23	4,77	3,41	4,18	1,79	1,79	1,79
D, E	B	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	3,65	5,08	6,40	2,09	5,24	2,09	2,09	2,09
	C	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	2,80	0,25	0,25	0,25	0,25	0,25

\* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.

Species	Quality*	Zones															
		409	410	411	412	413	501	601	602	603	604	605	606	607	608	609	610
Fir, spruce, jack pine, tamarack	F	16,89	17,22	16,05	14,99	19,53	13,62	19,10	21,34	20,95	17,37	16,65	15,87	11,52	11,43	11,71	11,91
	B, M	13,53	8,55	15,13	13,85	19,35	10,43	18,36	21,15	20,77	17,22	15,22	14,91	11,30	8,37	11,60	8,03
White pine	G	7,55	7,55	7,55	7,55	7,55	11,01	34,12	33,01	19,55	11,01	16,62	28,32	24,91	17,59	11,75	11,01
	H	4,85	4,85	4,85	4,85	4,85	5,43	17,84	14,35	6,77	5,43	5,43	12,15	8,59	5,59	5,43	5,43
Red pine	I	4,13	4,13	4,13	4,13	4,13	4,13	13,80	8,44	4,13	4,13	4,13	6,23	4,13	4,13	4,13	4,13
	F	15,45	15,94	15,44	14,93	16,00	23,48	27,06	27,49	26,58	26,21	24,65	25,64	21,67	21,47	21,46	20,63
Hemlock, cedar	G	5,60	5,60	5,60	5,60	5,60	8,14	25,59	24,48	14,50	8,14	12,32	21,29	18,47	13,05	8,71	8,14
	H	3,59	3,59	3,59	3,59	3,59	3,94	13,31	10,64	5,02	3,94	3,94	9,01	6,37	4,15	3,94	3,94
White pine, red pine, hemlock, cedar	I	3,12	3,12	3,12	3,12	3,12	3,12	10,23	6,26	3,12	3,12	3,12	4,62	3,12	3,12	3,12	3,12
	B	2,40	2,09	2,40	1,71	2,09	3,48	3,96	4,04	3,89	3,83	3,55	3,73	3,02	2,99	2,99	2,88
Oak, cherry	C	0,89	0,96	0,89	0,99	1,11	1,75	2,20	2,25	2,15	2,11	1,93	2,05	1,59	1,56	1,56	1,50
	A	25,93	25,93	25,93	25,93	25,93	58,19	76,99	76,33	66,80	48,60	44,47	71,30	52,75	43,49	37,37	31,18
Yellow birch	B	11,97	11,97	11,97	11,97	11,97	33,48	41,41	41,20	29,88	25,26	24,71	35,87	27,91	24,39	16,17	13,71
	C	4,97	4,97	4,97	4,97	4,97	9,09	16,56	16,47	11,95	10,10	5,21	14,54	8,08	5,21	5,21	5,21
White birch	A	23,02	23,02	23,02	23,02	23,02	58,19	76,99	76,33	66,80	48,60	44,47	71,30	52,75	43,49	37,37	31,18
	B	8,92	8,92	8,92	8,92	8,92	26,65	32,10	31,94	23,16	19,58	19,27	29,02	21,64	18,91	12,54	10,63
Sugar maple	C	3,55	3,55	3,55	3,55	3,55	7,85	12,84	12,77	9,26	7,83	3,74	11,60	6,98	3,74	3,74	3,74
	A	23,02	23,02	23,02	23,02	23,02	58,19	76,99	76,33	66,80	48,60	44,47	71,30	52,75	43,49	37,37	31,18
Other hardwoods	B	5,60	5,60	5,60	5,60	5,60	12,25	19,83	18,28	20,64	14,77	5,76	17,80	11,85	6,68	5,68	5,68
	C	2,02	2,02	2,02	2,02	2,02	2,02	7,79	6,24	5,56	2,02	2,02	5,07	2,02	2,02	2,02	2,02
Poplars	A	14,54	14,54	14,54	14,54	14,54	69,85	77,91	74,29	53,88	33,98	41,20	64,54	49,19	41,41	30,34	24,52
	B	9,68	9,68	9,68	9,68	9,68	26,69	29,77	28,39	23,04	14,53	13,36	21,08	16,29	13,74	10,69	10,69
All hardwoods (except poplars / aspen)	C	2,17	2,17	2,17	2,17	2,17	3,11	6,43	4,68	2,17	2,17	2,17	2,63	2,17	2,17	2,17	2,17
	B	4,04	4,04	4,04	4,04	4,04	10,66	12,84	12,77	9,26	7,83	7,71	11,61	8,65	7,56	5,01	4,25
D, E	C	1,79	1,79	1,79	1,79	1,79	4,23	5,41	5,42	4,19	3,40	1,82	4,70	3,46	1,96	1,82	1,79
	B	2,09	2,09	2,09	2,09	2,09	6,99	10,31	10,48	8,17	2,42	5,04	2,09	2,09	2,09	2,09	2,09

\* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the basis of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.

Species	Quality*	Stumpage (\$/m <sup>3</sup> )															
		701	702	703	704	705	706	707	708	709	710	711	712	801	802	803	804
Fir, spruce, jack pine, tamarack	F	17,96	13,90	8,98	9,12	12,62	5,67	8,64	8,93	7,35	9,98	6,77	8,99	7,52	12,61	9,84	5,70
	B, M	13,73	5,61	5,03	5,43	6,55	2,65	5,23	6,69	5,62	4,85	2,66	3,33	3,46	8,67	9,08	2,58
White pine	G	35,57	34,26	32,07	29,49	30,48	27,22	18,80	20,66	11,98	11,01	11,01	11,01	25,68	23,95	32,96	29,46
	H	18,75	17,93	15,58	12,52	15,07	10,78	6,26	6,46	5,43	5,43	5,43	5,43	9,32	5,96	16,96	10,10
Red pine	I	14,55	14,03	9,66	6,60	9,16	4,87	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	11,04	4,19
	F	27,54	27,54	25,00	26,12	26,64	25,55	25,01	21,97	21,02	20,68	18,68	20,10	24,07	24,11	24,73	24,10
Hemlock, cedar	G	26,67	25,70	24,07	21,87	22,90	20,27	13,94	15,32	8,88	8,14	8,14	8,14	19,04	17,76	24,73	22,13
	H	13,98	13,38	11,55	9,28	11,18	8,00	4,64	4,79	3,94	3,94	3,94	3,94	6,91	4,42	12,58	7,49
White pine, red pine, hemlock, cedar	I	10,79	10,40	7,17	4,90	6,79	3,61	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	8,19	3,12
	B	4,04	4,01	3,56	3,76	3,85	3,65	3,56	2,99	2,77	2,78	2,31	2,67	3,38	3,39	3,26	3,39
Oak, cherry	C	2,24	2,20	1,89	2,02	2,09	1,96	1,89	1,59	1,49	1,47	1,26	1,41	1,79	1,78	1,71	1,78
	A	80,40	74,28	75,88	48,41	56,93	45,75	36,30	51,44	25,93	25,93	25,93	25,93	41,82	44,81	70,70	62,08
Yellow birch	B	41,30	35,85	34,30	24,29	27,59	20,93	17,38	26,90	11,97	11,97	11,97	11,97	22,64	21,05	35,62	34,37
	C	16,95	14,34	13,71	5,21	5,76	5,21	5,21	7,64	4,97	4,97	4,97	4,97	5,21	6,90	14,24	13,39
White birch	A	80,40	74,28	75,88	48,41	56,93	45,75	36,30	51,44	23,02	23,02	23,02	23,02	41,82	44,81	70,70	62,08
	B	32,86	27,79	26,59	18,83	23,83	18,08	13,47	20,85	8,92	8,92	8,92	8,92	17,55	16,32	27,61	26,65
Sugar maple	C	13,14	11,11	10,63	3,81	4,97	3,74	3,74	6,60	3,55	3,55	3,55	3,55	3,74	5,96	11,04	10,66
	A	80,40	74,28	75,88	48,41	56,93	45,75	36,30	51,44	23,02	23,02	23,02	23,02	41,82	44,81	70,70	62,08
Other hardwoods	B	23,27	21,02	18,21	11,57	11,05	5,68	10,54	5,60	5,60	5,60	5,60	5,60	9,30	12,43	20,80	16,57
	C	8,44	6,19	5,62	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	7,20	2,97
Poplars	A	82,88	65,05	59,28	41,85	60,99	46,27	30,34	44,24	15,90	17,00	14,54	14,54	41,10	37,37	69,22	54,95
	B	29,14	20,66	18,96	13,07	22,13	15,68	10,69	14,91	10,69	10,69	10,69	10,69	13,44	12,10	23,22	17,77
All hardwoods (except poplars / aspen)	C	6,59	2,17	2,44	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,20	2,17
	B	13,14	11,12	10,63	7,53	9,99	7,58	5,39	8,34	4,04	4,04	4,04	4,04	7,02	6,53	11,04	10,66
* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.	C	5,44	4,80	4,27	2,05	2,68	1,82	1,82	3,39	1,79	1,79	1,79	1,79	1,82	2,77	4,70	4,26
	B	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	4,35	7,97
	D, E	4,31	0,25	0,88	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25

\* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.

Species	Quality*	Stumpage (\$/m <sup>3</sup> )															
		805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820
Fir, spruce, jack pine, tamarack	F	5,77	10,26	16,53	9,96	9,95	13,21	11,70	12,70	14,03	15,83	16,51	18,45	12,63	12,51	19,89	23,25
	B, M	2,58	7,71	16,38	8,37	6,48	4,67	11,60	7,59	12,53	10,53	14,98	18,28	9,04	12,29	19,71	23,04
White pine	G	24,05	26,10	29,27	19,23	11,01	11,01	19,82	14,45	15,86	11,01	11,01	11,01	11,01	13,70	18,24	11,01
	H	9,22	6,19	10,69	5,43	5,43	5,43	5,43	5,43	5,43	5,43	5,43	5,43	5,43	5,43	5,43	5,43
Red pine	I	4,13	4,13	4,78	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13
	F	24,08	23,23	22,42	24,01	22,63	20,25	20,83	18,71	19,03	20,14	18,75	18,61	18,75	18,41	17,53	17,00
Hemlock, cedar	G	17,83	19,36	21,99	14,26	8,14	8,14	14,70	10,71	11,76	8,14	8,14	8,14	8,14	10,16	13,53	8,14
	H	6,83	4,59	7,93	3,94	3,94	3,94	3,94	3,94	3,94	3,94	3,94	3,94	3,94	3,94	3,94	3,94
White pine, red pine, hemlock, cedar	I	3,12	3,12	3,54	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12
	B	3,38	3,18	2,99	3,37	3,09	2,54	2,59	1,99	2,17	2,51	2,19	2,06	2,01	1,92	1,74	1,70
Oak, cherry	C	1,79	1,68	1,57	1,78	1,65	1,41	1,41	1,13	1,26	1,39	1,26	1,23	1,15	1,12	1,09	1,07
	A	36,17	43,87	52,68	41,32	29,25	25,93	42,06	30,78	25,93	25,93	25,93	25,93	25,93	26,05	31,78	25,93
Yellow birch	B	20,04	20,52	21,12	20,53	14,20	11,97	14,89	12,36	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97
	C	5,21	7,93	8,45	5,21	5,21	4,97	5,21	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97
White birch	A	36,17	43,87	52,68	41,32	29,25	23,02	42,06	30,78	23,70	23,02	23,02	23,02	23,02	25,64	31,78	23,02
	B	15,53	15,90	16,38	15,92	11,01	8,92	11,54	9,43	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92
Sugar maple	C	3,74	6,36	6,55	3,74	3,74	3,55	3,74	3,70	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55
	A	36,17	43,87	52,68	41,32	29,25	23,02	42,06	30,00	23,70	23,02	23,02	23,02	23,02	24,93	31,78	23,02
Other hardwoods	B	7,99	10,62	13,36	6,78	5,68	5,68	6,56	5,68	5,68	5,68	5,68	5,68	5,68	5,68	5,68	7,06
	C	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02
Poplars	A	40,10	34,62	39,06	30,34	16,74	14,54	30,34	24,74	16,12	14,54	14,54	14,54	14,54	22,54	26,61	14,54
	B	14,26	11,56	13,56	10,69	10,69	10,69	10,69	10,69	10,69	10,69	10,69	10,69	10,69	10,69	10,69	9,68
All hardwoods (except poplars / aspen)	C	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17
	B	6,21	6,36	6,55	6,37	4,40	4,04	4,62	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04
D, E	C	1,82	2,70	2,92	1,82	1,79	1,79	1,82	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79
	B	2,09	2,09	3,52	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09
D, E		0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25

\* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.

Species	Quality*	Stumpage (\$/m <sup>3</sup> )															
		821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836
Fir, spruce, jack pine, tamarack	F	20,27	15,96	16,25	13,10	18,35	24,83	19,97	18,47	19,55	18,58	20,63	18,46	11,03	17,82	16,58	17,50
	B, M	19,30	14,58	10,43	12,90	18,18	24,61	19,79	17,86	17,84	14,41	17,70	10,83	7,26	17,66	16,43	17,35
White pine	G	7,97	7,55	7,55	7,55	7,55	8,34	7,55	7,55	7,55	8,18	11,01	8,79	7,55	7,55	7,55	7,55
	H	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	5,43	4,85	4,85	4,85	4,85	4,85
Red pine	I	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13
	F	16,75	17,25	16,40	15,04	16,51	16,80	16,15	16,51	16,44	16,42	16,95	16,33	14,36	15,87	15,71	14,89
Hemlock, cedar	G	5,91	5,60	5,60	5,60	6,19	5,60	5,60	5,60	5,60	6,06	8,14	6,52	5,60	5,60	5,60	5,60
	H	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,94	3,59	3,59	3,59	3,59	3,59
White pine, red pine, hemlock, cedar	I	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12
	B	1,75	1,92	1,69	1,30	1,72	1,76	1,61	1,72	1,70	1,56	1,63	1,52	1,30	1,51	1,48	1,30
Oak, cherry	C	1,06	1,12	1,05	0,97	1,06	1,06	1,04	1,06	1,05	1,06	1,08	1,10	1,10	1,02	1,01	0,97
	A	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93
Yellow birch	B	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97
	C	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97
White birch	A	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02
	B	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92
Sugar maple	C	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55
	A	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02
Other hardwoods	B	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,68	5,68	5,60	5,60	5,60	5,60
	C	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02
Poplars	A	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54
	B	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68
All hardwoods (except poplars / aspen)	C	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17
	B	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04
D, E	C	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79
	B	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09

\* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the basis of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.



Species	Quality*	Stumpage (\$/m <sup>3</sup> )															
		837	838	839	840	841	842	901	902	903	904	905	906	907	908	909	910
Fir, spruce, jack pine, tamarack	F	9,93	10,81	3,78	5,16	2,60	3,95	11,44	12,49	11,24	11,53	14,51	18,77	15,97	14,77	9,49	3,62
	B, M	9,84	10,35	3,74	2,58	2,58	2,58	11,34	11,93	10,38	11,42	14,38	18,60	15,82	14,64	9,41	3,57
White pine	G	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55
	H	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85
Red pine	I	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13
	F	14,70	14,52	14,29	14,51	14,29	14,29	14,29	14,32	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29
Hemlock, cedar	G	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60
	H	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59
White pine, red pine, hemlock, cedar	I	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12
	B	1,30	1,30	1,30	1,30	1,30	1,30	1,71	1,93	1,71	1,63	1,45	1,66	1,61	1,37	1,30	1,30
Oak, cherry	C	0,95	0,92	1,11	1,01	0,76	0,96	1,32	1,37	1,31	1,28	1,17	1,30	1,28	1,11	0,76	0,76
	A	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93
Yellow birch	B	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97
	C	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97
White birch	A	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02
	B	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92
Sugar maple	C	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55
	A	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02
Other hardwoods	B	5,60	5,60	5,60	5,60	5,60	5,60	5,68	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60
	C	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02
Poplars	A	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54
	B	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68
All hardwoods (except poplars / aspen)	C	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17
	B	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04
All hardwoods (except poplars / aspen)	C	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79
	B	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09
All hardwoods (except poplars / aspen)	D, E	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25

\* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the basis of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.

Species	Quality*	Stumpage (\$/m <sup>3</sup> )																				
		911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	
Fir, spruce, jack pine, tamarack	F	3,31	10,30	4,28	4,38	7,39	3,21	3,00	2,98	2,98	2,60	2,82	2,60	2,75	2,60	2,60	2,60	2,60	2,60	2,60	2,60	2,97
	B, M	3,09	9,53	4,24	3,12	5,73	2,58	2,58	2,58	2,58	2,58	2,58	2,58	2,58	2,58	2,58	2,58	2,58	2,58	2,58	2,58	2,58
White pine	G	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55	7,55
	H	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85	4,85
Red pine	I	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13	4,13
	F	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29	14,29
Hemlock, cedar	G	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60
	H	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59	3,59
White pine, red pine, hemlock, cedar	I	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12	3,12
	B	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30	1,30
Oak, cherry	C	0,76	0,96	0,76	0,82	0,76	0,76	0,76	0,76	0,76	0,76	0,76	0,76	0,76	0,76	0,76	0,76	0,76	0,76	0,76	0,76	0,76
	A	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93	25,93
Yellow birch	B	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97	11,97
	C	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97	4,97
White birch	A	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02
	B	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92	8,92
Sugar maple	C	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55	3,55
	A	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02	23,02
Other hardwoods	B	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60	5,60
	C	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02	2,02
Poplars	A	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54	14,54
	B	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68	9,68
All hardwoods (except poplars / aspen)	C	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17	2,17
	B	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04	4,04
D, E	C	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79	1,79
	B	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09	2,09
	D, E	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25	0,25

\* The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined of the basis of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.

**SCHEDULE II**

(s.1)

## PRICE INDEXES PER SPECIES, GROUPS OF SPECIES AND QUALITY

Species and groups of species	Quality <sup>1</sup>	Price index <sup>2</sup>	Reference price index <sup>3</sup>
Fir, spruce, jack pine, tamarack	F	Preserved or treated wood (v1575024)	108.2
	B, M	Lumber, softwood, Québec (v1575011)	86.9
White pine	G, H, I	White pine (Random Lengths)	825.0
Red pine	F	Preserved or treated wood (v1575024)	108.2
	G, H, I	White pine (Random Lengths)	825.0
Hemlock, cedar	B	Lumber, softwood, Québec (v1575011)	86.9
White pine, red pine, hemlock, cedar	C	Lumber, softwood, Québec (v1575011)	86.9
Oak, cherry	A	Veneer and plywood, hardwood (v1575039)	97.5
	B, C	Lumber, hardwood, birch (v1575035)	114.3
Yellow birch	A	Veneer and plywood, hardwood (v1575039)	97.5
	B, C	Lumber, hardwood, birch (v1575035)	114.3
White birch	A	Veneer and plywood, hardwood (v1575039)	97.5
	B, C	Lumber, hardwood, birch (v1575035)	114.3
Sugar maple	A	Veneer and plywood, hardwood (v1575039)	97.5
	B, C	Lumber, hardwood, maple (v1575034)	113.1
Poplar	B	Index: Waferboard OSB (Random Lengths; 79.7%) Pallets (v1575072; 12.5%) Woodpulp, sulphate, hardwood, domestic (v1575105; 7.8%)	100.0
Other hardwoods	B, C	Lumber, hardwood, birch (v1575035)	114.3
All hardwoods except poplar	D, E	Index: Waferboard OSB (Random Lengths; 20.5%) Lumber, hardwood, birch (v1575035; 55.0%) Woodpulp, sulfate, hardwood, domestic (v1575105, 24.5%)	100.0

<sup>1</sup> The letters A, B, C, D, E, F, G, H, I and M correspond to quality levels determined on the basis of the assessment of cuts according to species, diameter, length and imperfections observed on crosscuts and trunks.

<sup>2</sup> The source of the price indexes and the relative weight of each are indicated in parentheses. The price indexes from Statistics Canada are indicated according to their Cansim number.

<sup>3</sup> The reference price index corresponds to the average of the price indexes calculated between 1 April 2004 and 31 March 2006.

## Draft Minister's Order

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

### Value of silvicultural treatments

Notice is thereby given that the Order of the Minister of Natural Resources and Wildlife respecting the value of silvicultural treatments admitted as payment of dues for the 2007-2008 fiscal year, the text of which appears below, may be taken, with or without amendment, at the expiry of 30 days following this publication.

Any person having comments to make on this matter is asked to send them in writing, before the expiry of the 30-day period, to Mrs. Paule Têtu, Associate Deputy Minister to Forest Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10<sup>e</sup> étage, Québec (Québec) G1S 4X4.

PIERRE CORBEIL,  
*Minister of Natural Resources  
and Wildlife*

---

## Order respecting the value of silvicultural treatments admitted as payment of dues for the fiscal year 2007-2008

Forest Act  
(R.S.Q., c. F-4.1, ss. 73.1 and 73.3)

**1.** The silvicultural treatments described in Schedule I shall be admitted as payment of the dues prescribed by the Minister responsible for the administration of the Forest Act (R.S.Q., c. F-4.1) as determined by the production priority groups described in Schedule I.

The silvicultural treatments are realized on the forest area where the priority production has to be performed.

**2.** The silvicultural treatments mentioned in Schedule I and their admissibility criterias are defined in the relative instructions to the application of the present Order.

**3.** The value of an admissible silvicultural treatment for the 2007-2008 fiscal year is the value indicated in Schedule II.

**4.** This Minister's Order replaces Minister's Order AM 2006-015 of the Minister of Natural Resources and Wildlife, dated 10 May 2006.

**5.** This Minister's Order comes into force on 1 April 2007.

**SCHEDULE I**

(a.1)

**SILVICULTURAL TREATMENTS ADMISSIBLE BY PRODUCTION PRIORITY GROUPS**

Silvicultural treatments	Production priority groups												
	Fir, spruce, jack pine, tamarack	Thuja	Poplar	White birch	Birch <sup>1</sup> or Oak or intermediary tol. hard.	Pine	Maple or tsuga or tol. hard.	Pine-Birch (Pine) <sup>1</sup>	Pin-Bou (Bou) <sup>1</sup>	Mixed S-int.hard. (S) or S-int.hard. (hard.)	Mixed S-Birch (S) <sup>1</sup> or S-intermediary tol.hard	Mixed S-Birch (hard.) <sup>1</sup> or S-intermediary tol. hard.	Mixed S-Maple (S) or S-tol.hard. (S)
Progressive seed cutting	X <sup>4</sup>	X		X	X	X	X	X	X	X	X	X	X
Seedlings reserve cutting	X <sup>4</sup>	X		X	X	X	X	X	X	X	X	X	X
Strip cutting with regeneration and soil protection	X	X		X	X	X	X	X	X	X	X	X	X
Drainage	X	X	X	X	X	X	X	X	X	X	X	X	X
Site preparation	X	X	X	X	X	X	X				X		
Planting	X	X	X	X	X	X	X				X		
Natural regeneration reinforcement planting	X	X	X	X	X	X	X	X	X	X	X	X	X
Pine seeding	X					X		X	X				
Mechanical release	X	X				X		X		X <sup>5</sup>	X		X
Precommercial thinning	X	X	X	X	X	X	X	X	X	X	X	X	X
Phytosanitary pruning	X					X		X	X				
Commercial thinning	X	X	X	X	X	X	X	X	X	X	X	X	X
Fertilization	X												
Selection cutting		X						X					X
Selection and sanitation cutting		X						X					X
Preselection cutting								X					X
Preselection and sanitation cutting								X					X
Selection cutting for maple sap and wood production								X <sup>2</sup>					

Silvicultural treatments	Production priority groups												
	Fir, spruce, jack pine, tamarack	Thuya	Poplar	White birch	Birch <sup>1</sup> or Oak or intermediary tol. hard.	Pine	Maple or tsuga or tol. hard.	Pine-Birch (Pine) <sup>1</sup>	Pin-Bou (Bou) <sup>1</sup>	Mixed S-int.hard. (S) or S-int.hard. (hard.)	Mixed S-Birch (S) <sup>1</sup> or S. intermediary tol.hard	Mixed S-Birch (hard.) <sup>1</sup> or S-intermediary tol. hard.	Mixed S-Maple (S) or S-tol.hard. (S)
Selection cutting by patches					X			X			X		
Selection cutting and sanitation by patches					X			X			X		
Selection and regeneration cutting by parquets					X			X			X		
Selection cutting for single tree and group of trees					X						X		
Selection cutting and sanitation for single tree and group of trees					X						X		
Individual selective thinning					X								
Commercial thinning mixed stands S-Birch (hard.) with fir											X <sup>3</sup>		
Spreading commercial thinning					X						X		
Improvement cutting		X											
Enrichment planting					X		X	X	X		X	X	X

1. For these priority productions, the yellow birch prevails over the white birch as the principal objective species.
2. For the priority production group maple, selection cutting for maple sap and wood production is possible.
3. For the yellow birch mixed stands (fir) with hardwood dominance.
4. Except for jack pine.
5. For mixt S-intolerant hardwood only.

**SCHEDULE II**

(s. 3)

**VALUES OF SILVICULTURAL TREATMENTS  
ADMITTED AS PAYMENT OF DUES FOR THE  
2007-2008 FISCAL YEAR\*****SITE PREPARATION (1)      EXECUTION      PLANNING  
AND  
FOLLOWING UP****Scarification**

Anchor chains	\$136/ha	\$26/ha
Shark-fin barrels and chains	\$387/ha	\$26/ha
Hydraulic cone trenchers (Wadell type)	\$306/ha	\$26/ha
Hydraulic disk trenchers (TTS hydraulic and Donaren types) or Rake scarifier (shark)	\$247/ha	\$26/ha
Batch scarifier (Bracke) or disk trencher (TTS type)	\$177/ha	\$26/ha
Batch scarifier moulder (Bracke moulder)	\$243/ha	\$26/ha
“V” blade batch scarifier (Bracke) or disk trencher	\$483/ha	\$26/ha
Cutter-type portable scarifier or forest mattock (2)	\$499/1 000 microsites	\$11/1 000 microsites

**Partial scarification in seed holes**

Inside the patches	\$817/ha	\$26/ha
Inside the parquets	\$710/ha	\$26/ha
Inside the regeneration cuttings	\$622/ha	\$26/ha

**Forest harrows (Rome et Crabe types)**

Single pass	\$278/ha	\$26/ha
Double pass	\$497/ha	\$26/ha
36 inches harrow	\$611/ha	\$26/ha

**Ploughing and harrowing**

Forest harrow (Rome and Crabes types)	\$1 505/ha	\$26/ha
--	------------	---------

**Clearing**

Rake-equipped crawler tractor	\$548/ha	\$26/ha
Winter shear-blading with a shear-blade-equipped crawler tractor	\$559/ha	\$26/ha
Grouping feller	\$438/ha	\$26/ha
Rake equipped skidder	\$463/ha	\$26/ha
Hydraulic rake	\$463/ha	\$26/ha
Modified “V” blade models C and H	\$233/ha	\$26/ha

Prescribed burning	\$458/ha	\$26/ha
--------------------	----------	---------

**MECHANICAL RELEASE TREATMENT (2)**

Boreal zone	\$798/ha	\$77/ha
Nordic tempered zone	\$897/ha	\$77/ha

**PRECOMMERCIAL THINNING (2)**

Priority production of softwoods, of mixed  
predominantly softwood stands, of poplars  
and of mixed predominantly intolerant hardwoods stands

**EXECUTION**

Value per hectare =  
 $483.72 \times \ln(ti/ha) - 3\ 653.85$       \$67/ha

ln: base *e* logarithm

ti: number of trees of more than 1.2 meter for  
softwoods and 1.8 meter for hardwoods  
ha: hectare

Priority production of tolerant  
hardwoods, of white birch,  
of mixed predominantly  
tolerant hardwood stands and  
of associations constituted  
of pines and birches

\$955/ha      \$67/ha

**COMMERCIAL THINNING (3)**

Softwoods and mixed with  
softwood dominance      \$72/ha

**EXECUTION**

Value per hectare with marking of trees to fell  
=  $271.98 / (\text{average DBH harvested} \times 0.0414)^2$

Value per hectare without marking of trees to fell  
=  $271.98 / (\text{average DBH harvested} \times 0.0414)^2 - 153.43$

Mixed with tolerant and  
intolerant hardwoods (4) (5)      \$674/ha      \$72/ha

Mixed with tolerant  
hardwoods – priority  
production yellow birch  
and softwoods with  
fir (5) (7)      \$674/ha      \$72/ha

Tolerant and intolerant  
hardwoods (4) (5)      \$674/ha      \$72/ha

White pine and red pine      \$674/ha      \$72/ha

**DRAINAGE**

Cleared areas  
(without prior felling)      \$1.90/m or m<sup>3</sup>      \$0.08/m ou m<sup>3</sup>

Wooded areas  
(without prior felling)      \$2.10/m or m<sup>3</sup>      \$0.08/m ou m<sup>3</sup>

Wooded areas  
(with prior felling)      \$2.40/m or m<sup>3</sup>      \$0.08/m ou m<sup>3</sup>

FERTILIZATION				PLANTING (2)		
Softwoods	\$429/ha	\$26/ha		With site preparation		
				Bare-root seedlings		
NATURAL REGENERATION FILL				Conventional size	\$247/1 000	\$20/1 000
PLANTING AND RED PINE AND WHITE PINE PLANTING (2) (6)				seedlings		seedlings
With site preparation				Large size	\$399/1 000	\$20/1 000
Bare-root seedlings				seedlings		seedlings
Conventional size	\$291/1 000	\$31/1 000		Seedlings 1½ to 2 meters		
seedlings		seedlings		height (hybrid poplars)	\$631/1 000	\$20/1 000
Large size	\$447/1 000	\$31/1 000		seedlings		seedlings
seedlings		seedlings		Container seedlings		
Seedlings 1½ to 2 meters				67-50	\$197/1 000	\$20/1 000
height (hybrid poplars)	\$676/1 000	\$31/1 000		seedlings		seedlings
seedlings		seedlings		45-110 or cuttings	\$226/1 000	\$20/1 000
Container seedlings				seedlings		seedlings
67-50	\$241/1 000	\$31/1 000		25-200	\$301/1 000	\$20/1 000
seedlings		seedlings		seedlings		seedlings
45-110 or cuttings	\$271/1 000	\$31/1 000		45-340 or 25-350-A	\$347/1 000	\$20/1 000
seedlings		seedlings		seedlings		seedlings
25-200	\$346/1 000	\$31/1 000		Mini-recipients 126-25	\$189/1 000	\$20/1 000
seedlings		seedlings		seedlings		seedlings
45-340 and 25-350-A	\$394/1 000	\$31/1 000				
seedlings		seedlings		Without site preparation		
Mini recipients 126-25	\$210/1 000	\$31/1 000		Bare-root seedlings		
seedlings		seedlings		Conventional size	\$264/1 000	\$20/1 000
				seedlings		seedlings
Without site preparation				Large size	\$417/1 000	\$20/1 000
Bare-root seedlings				seedlings		seedlings
Conventional size	\$309/1 000	\$31/1 000		Container seedlings		
seedlings		seedlings		67-50	\$215/1 000	\$20/1 000
Large size	\$465/1 000	\$31/1 000		seedlings		seedlings
seedlings		seedlings		45-110 or cuttings	\$243/1 000	\$20/1 000
Container seedlings				seedlings		seedlings
67-50	\$258/1 000	\$31/1 000		25-200	\$318/1 000	\$20/1 000
seedlings		seedlings		seedlings		seedlings
45-110 or cuttings	\$289/1 000	\$31/1 000		45-340 or 25-350-A	\$364/1 000	\$20/1 000
seedlings		seedlings		seedlings		seedlings
25-200	\$363/1 000	\$31/1 000		Mini-recipients 126-25	\$205/1 000	\$20/1 000
seedlings		seedlings		seedlings		seedlings
45-340 or 25-350-A	\$412/1 000	\$31/1 000				
seedlings		seedlings		ENRICHMENT AND REINFORCEMENT		
Mini-recipients 126-50	\$225/1 000	\$31/1 000		PLANTING OF HARDWOODS		
seedlings		seedlings		AND PINE (2)	\$592/1 000	\$31/1 000
				seedlings		seedlings
PROGRESSIVE SEED CUTTING (3)						
Softwoods	\$603/ha	\$72/ha		SPREADING COMMERCIAL		
Mixed with tolerant and				THINNING (3) (5)	\$675/ha	\$72/ha
intolerant hardwoods (4)	\$355/ha	\$72/ha				
Tolerant and intolerant				INDIVIDUAL SELECTIVE		
hardwoods (4)	\$355/ha	\$72/ha		THINNING (3) (5) (7)		
STRIP CUTTING WITH REGENERATION				Tolerant hardwood	\$675/ha	\$72/ha
AND SOIL PROTECTION (3)	\$244/ha	\$72/ha				



IMPROVEMENT CUTTING (3) (5)		
Softwoods (cedars)	\$675/ha	\$72/ha
SELECTION CUTTING (3) (5)		
Tolerant hardwood	\$675/ha	\$72/ha
Mixed with tolerant hardwood	\$675/ha	\$72/ha
Softwoods (cedars)	\$675/ha	\$72/ha
SELECTION CUTTING AND SANITATION (3) (5)		
Tolerant hardwood	\$675/ha	\$72/ha
Mixed with tolerant hardwood	\$675/ha	\$72/ha
SELECTION CUTTING BY PATCHES (3) (5)		
	\$675/ha	\$72/ha
SELECTION CUTTING AND SANITATION BY PATCHES (3) (5)		
Tolerant hardwood	\$675/ha	\$72/ha
Mixed with tolerant hardwood	\$675/ha	\$72/ha
Mixed with tolerant hardwood and pines	\$675/ha	\$72/ha
SELECTION CUTTING FOR TREE AND GROUP OF TREES (3) (5) (7)		
Tolerant hardwood	\$675/ha	\$72/ha
Mixed with tolerant hardwood	\$675/ha	\$72/ha
SELECTION CUTTING AND SANITATION FOR TREE AND GROUP OF TREES (3) (5) (7)		
Tolerant hardwood	\$675/ha	\$72/ha
Mixed with tolerant hardwood	\$675/ha	\$72/ha
SELECTION AND REGENERATION CUTTING BY PARQUETS (3) (5)		
	\$634/ha	\$72/ha
SEEDLINGS RESERVE CUTTING		
	\$22/ha	\$72/ha
PRESELECTION CUTTING (3) (5)		
Tolerant hardwood	\$675/ha	\$72/ha
Mixed with tolerant hardwood	\$675/ha	\$72/ha
PRESELECTION CUTTING AND SANITATION (3) (5)		
Tolerant hardwood	\$675/ha	\$72/ha
Mixed with tolerant hardwood	\$675/ha	\$72/ha

## PINE SEEDING

Aerial seeding	\$41/ha	\$20/ha
Ground seeding	\$157/ha	\$20/ha
Funnels	\$352/1 000	\$20/1 000
	microsites seeded	microsites seeded

## SELECTION CUTTING FOR MAPLE SAP AND WOOD

PRODUCTION (3) (5)	\$675/ha	\$72/ha
--------------------	----------	---------

PHYTOSANITARY PRUNING	\$461 \$/ha	\$77/ha
-----------------------	-------------	---------

\* To know the percentage of a silvicultural treatment value which is admitted as payment of royalties, refer to section 11 and following of the Regulation Respecting Forest Royalties. The values of the treatments apply either to in-house or contracted work.

(1) The execution value of the treatment can be increased by 2.6% when the silvicultural treatment is realized from forest camps whose admissibility criterias are defined in the relative instructions to the application of the present order.

(2) The execution value of the treatment can be increased by 7.8% when the silvicultural treatments are realized from forest camps whose admissibility criterias are defined in the relative instructions to the application of the present order.

(3) The execution value of the treatment includes some harvesting, road construction, supervision or tree marking costs.

(4) The execution value of the treatment can be increased by \$69/ha when the marking of trees takes into account the trees to preserve.

(5) The execution value of the treatment is increased by \$31/ha when felling and skidding paths are flagged.

(6) Excluding fill planting with white and red pines and tolerant hardwoods.

(7) The execution value of the treatment can be increase by \$205/ha if valid patches, according to the relative instructions to the application of the present order, was created during harvest operation.

Note: The expression "tolerant hardwoods" includes white pine and red pine.

8015



## Transport

Gouvernement du Québec

### **O.C. 66-2007, 30 January 2007**

An Act respecting roads  
(R.S.Q., c. V-9)

#### **Roads under the management of the Minister of Transport**

WHEREAS, under the first paragraph of section 2 of the Act respecting roads (R.S.Q., c. V-9), the Government must determine, by an order published in the *Gazette officielle du Québec*, the roads which are under the management of the Minister of Transport;

WHEREAS, under the first paragraph of section 3 of the Act, the Government may, by an order published in the *Gazette officielle du Québec*, determine that a road which is under the management of the Minister is, from the date indicated in the order, to be managed by a municipality in accordance with Chapter I and Division I of Chapter IX of Title II of the Municipal Powers Act (R.S.Q., c. C-47.1);

WHEREAS, under the second paragraph of section 3 of the Act, the Government may, by an order published in the *Gazette officielle du Québec*, determine that a road which is under the management of a municipality is, from the date indicated in the order, to pass under the management of the Minister;

WHEREAS Orders in Council 292-93 dated 3 March 1993, 492-93 dated 31 March 1993, 1127-93 dated 11 August 1993, 1607-93 dated 17 November 1993, 1292-94 dated 17 August 1994, 73-95 dated 18 January 1995, 485-95 dated 5 April 1995, 325-96 dated 13 March 1996, 686-96 dated 5 June 1996, 1410-96 dated 13 November 1996, 723-97 dated 28 May 1997, 1538-97 dated 26 November 1997, 724-98 dated 27 May 1998, 1565-98 dated 16 December 1998, 938-99 and 939-99 dated 18 August 1999, 154-2000 dated 16 February 2000, 871-2000 dated 28 June 2000, 945-2000 dated 26 July 2000, 114-2001 dated 14 February 2001, 978-2001 dated 23 August 2001, 529-2002 dated 1 May 2002, 950-2002 dated 21 August 2002, 1520-2002 dated 18 December 2002, 533-2003 dated 11 April 2003, 788-2003 dated 16 July 2003, 1168-2003 dated 5 November 2003, 39-2004 dated 14 January 2004, 216-2004 dated 17 March 2004, 395-2004 dated 21 April 2004, 743-2004 dated 4 August 2004, 977-2004 dated 20 October 2004, 815-2005 dated 31 August 2005,

36-2006 dated 25 January 2006 and 662-2006 dated 28 June 2006 determined, by municipality, the roads under the management of the Minister of Transport;

WHEREAS it is expedient, under this Order in Council, to amend the Schedules to those Orders in Council in order to correct the description of certain roads and to list the roads that have been geometrically redefined and those whose right-of-way has undergone a change in width;

WHEREAS it is expedient, under this Order in Council, to amend the Schedules to those Orders in Council in order to determine that certain roads under the management of the Minister are to come under the management of municipalities in which they are situated and that other roads under the management of municipalities are to come under the management of the Minister;

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

THAT the Schedules to Orders in Council 292-93 dated 3 March 1993, 492-93 dated 31 March 1993, 1127-93 dated 11 August 1993, 1607-93 dated 17 November 1993, 1292-94 dated 17 August 1994, 73-95 dated 18 January 1995, 485-95 dated 5 April 1995, 325-96 dated 13 March 1996, 686-96 dated 5 June 1996, 1410-96 dated 13 November 1996, 723-97 dated 28 May 1997, 1538-97 dated 26 November 1997, 724-98 dated 27 May 1998, 1565-98 dated 16 December 1998, 938-99 and 939-99 dated 18 August 1999, 154-2000 dated 16 February 2000, 871-2000 dated 28 June 2000, 945-2000 dated 26 July 2000, 114-2001 dated 14 February 2001, 978-2001 dated 23 August 2001, 529-2002 dated 1 May 2002, 950-2002 dated 21 August 2002, 1520-2002 dated 18 December 2002, 533-2003 dated 11 April 2003, 788-2003 dated 16 July 2003, 1168-2003 dated 5 November 2003, 39-2004 dated 14 January 2004, 216-2004 dated 17 March 2004, 395-2004 dated 21 April 2004, 743-2004 dated 4 August 2004, 977-2004 dated 20 October 2004, 815-2005 dated 31 August 2005, 36-2006 dated 25 January 2006 and 662-2006 dated 28 June 2006 concerning roads under the management of the Minister of Transport be amended, with respect to the municipalities indicated, by correcting descriptions, by adding and withdrawing certain roads and by listing the roads that have been geometrically redefined and those whose right-of-way has undergone a change in width in the Schedule to this Order in Council;

THAT this Order in Council take effect on the date of its publication in the *Gazette officielle du Québec*.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## SCHEDULE

### ROADS UNDER THE MANAGEMENT OF THE MINISTER OF TRANSPORT

#### EXPLANATORY NOTE

#### A. CORRECTIONS TO DESCRIPTIONS, ADDITIONS, WITHDRAWALS

The roads identified in the “Corrections to descriptions”, “Additions” and “Withdrawals” divisions appearing in the Schedule to this Order in Council are described under the following five headings for each municipality in which they are situated:

- (1) Route class;
- (2) Section identification;
- (3) Name;
- (4) Beginning of maintenance;
- (5) Length in km.

#### (1) Route class

The designation of the route classes is taken from the functional classification established by the Ministère des Transports.

#### (2) Section identification

Roads are identified by a sequence of figures composed of seven different groups:

Road:	Group 1:	road number;
	Group 2:	road segment number;
	Group 3:	road section number;
Sub-road:	Group 4:	the only figure other than zero that may appear in this group is 3, and it is used to identify one or more ramps;
	Group 5:	this group of figures indicates the sequential number of an intersection within a road segment;
	Group 6:	a letter identifying a ramp, if any;
	Group 7:	a letter identifying the type of roadway, (C: contiguous S: separate).

#### (3) Name

For roads whose number is lower than 1,000, the road number is indicated instead of the road name. For roads whose number is 10,000 or higher, the road name is indicated instead of the road number.

Where there are one or more ramps along a road section, the total number of ramps for that section is also indicated; the combined length of all the ramps is indicated under “Length in kilometres”.

#### (4) Beginning of maintenance

The description of a physical landmark used to situate the beginning of a road section or the identification of a municipal boundary in the case of a road section located within more than one municipality.

#### (5) Length in kilometres

The length in kilometres is indicated for each road or part of a road. That length, which is determined by the Minister of Transport, corresponds to the actual distance that a vehicle would travel between two points without taking into account the configuration of the road (number of lanes, extra width, etc.). The length is therefore the same whether the road is an autoroute or a feeder road.

#### B. CHANGES IN WIDTH OF RIGHT-OF-WAY

The roads identified in the “Changes in width of right-of-way” division appearing in the Schedule to this Order in Council are described for each municipality in which they are situated under the following six headings:

#### (1) Section identification

The roads in the division are identified by a sequence of figures composed of three different groups:

Route:	Group 1:	road number;
	Group 2:	road segment number;
	Group 3:	road section number;

#### (2) Name

#### (3) Name of land surveyor

#### (4) Minute number

#### (5) Plan number

#### (6) Length in km

## C. GEOMETRIC REDEFINITIONS

The roads identified in the “Geometric redefinitions” division appearing in the Schedule to this Order in Council are described using the five headings in Division “A” above, the plan number, the name of the land surveyor and the land surveyor’s minute number.

NOTE: Due to technical constraints, the place names appearing in the Schedule do not necessarily comply with the standards of the Commission de toponymie.

## CORRECTIONS TO DESCRIPTIONS:

<b>FLEURIMONT, V (4302000)</b>				
<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Beginning of maintenance</b>	<b>Length in km</b>
Autoroute	00010-03-100-0-00-2	Autoroute 10	Limit Sherbrooke, v	4,08
		8 ramps		4,49
Autoroute	00010-03-110-0-00-0	Autoroute 10	Bridge over Route 216	4,50
		4 ramps		1,53

and

<b>SHERBROOKE, V (4302700)</b>				
<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Beginning of maintenance</b>	<b>Length in km</b>
Autoroute	00010-03-080-0-00-6	Autoroute 10	Bridge over Autoroute 55	2,68
		2 ramps		1,74
Autoroute	00010-03-090-0-00-4	Autoroute 10	Bridge over Route 143	0,10
Autoroute	00055-02-080-0-00-3	Autoroute 55	Bridge over Autoroute 10	1,05

is replaced by

<b>SHERBROOKE, V (4302700)</b>				
<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Beginning of maintenance</b>	<b>Length in km</b>
Autoroute	00055-02-080-000-S	Autoroute 55	Bridge over Autoroute 10	1,05
		2 ramps		2,23
Autoroute	00610-01-010-000-S	Autoroute 610	Bridge Autoroute 55	8,09
		10 ramps		7,45
Autoroute	00610-01-020-000-C	Autoroute 610	End of separate lanes	2,83
		2 ramps		0,49

**SAINT-JACQUES-LE-MAJEUR-DE-CAUSAPSCAL, P (0702000)**

<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Beginning of maintenance</b>	<b>Length in km</b>
Access to resources	95490-02-000-0-00-5	Deuxième Rang	Limit Causapsal, v	3,25

is replaced by

**CAUSAPSCAL, V (0701800)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Access to resources	95490-02-020-000-C	Deuxième Rang	Intersection 3 <sup>e</sup> Rang	3,24

according to plans AA80-3371-0422 and LL80-3371-0422  
prepared by G.-Magella Proulx, I.S., minute numbers 2112 and 2113

**SAINT-HUBERT, V (5802000)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00112-01-100-000-S	Route 112	Bridge over Route 116	4,95

is replaced by

**LONGUEUIL, V (5822700)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00112-01-090-000-S	Route 112	Approach nose at the intersection of the ramps north of the interchange of routes 112 and 116	5,03

ADDITIONS:

**DORVAL, V (6608700)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Local	61054-01-030-000-S	Rue Cardinal	Intersection boulevard Albert-de-Niverville	0,75

ADDITIONS AND CORRECTIONS TO DESCRIPTIONS:

**DORVAL, V (6608700)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Autoroute	00020-02-050-000-S	Autoroute 20	Limit Pointe-Claire, v	2,95
		9 ramps		3,07
Autoroute	00020-02-060-000-S	Autoroute 20	Bridge over Autoroute 520	1,63
		8 ramps		2,53
Autoroute	00520-01-020-000-S	Autoroute 520	29 metres west of the railroad bridge	3,87
		18 ramps		3,89

is replaced by

Autoroute	00020-02-050-000-S	Autoroute 20	Limite Pointe-Claire,v	3,00
		10 ramps		4,21
Autoroute	00020-02-060-000-S	Autoroute 20	West bridge Autoroute 520 (Rond-point Dorval)	1,58
		9 ramps		3,25
Autoroute	00520-01-020-000-S	Autoroute 520	29 metres west of the railroad bridge	3,87
		20 ramps		6,13

## WITHDRAWALS:

**TERREBONNE, V (6400800)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Local	31235-01-033-000-C	Montée Gagnon	Limit Bois-des-Fillions, v	2,71

## GEOMETRIC REDEFINITIONS:

**BEEBE PLAIN, VL (4501500)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Feeder	00247-01-030-0-00-9	Route 247	Limit Rock Island, v	4,30

and

**ROCK ISLAND, V (4500500)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Regional	00143-01-010-0-00-4	Route 143	United States border	0,20
Regional	00143-01-021-0-00-1	Route 143	Intersection North Route 247	0,03
Regional	00143-01-024-0-00-8	Route 143	Intersection South Route 247	0,51
Feeder	00247-01-010-0-00-3	Route 247	Intersection North Autoroute 55	0,90
Feeder	0247-01-024-0-00-7	Route 247	Intersection South Route 143	1,38

and

**STANSTEAD PLAIN, VL (4501000)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Regional	00143-01-030-0-00-0	Route 143	Limit Rock Island, v	1,68
Regional	00143-01-040-0-00-8	Route 143	Bridge over autoroute 55	1,10

is replaced by

**STANSTEAD, V (4500800)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Regional	00143-01-025-000-C	Route 143	United States border	3,55
Feeder	00247-01-025-000-C	Route 247	Limit L'Avenir, m	6,57

according to plan TR20-5700-9936 prepared by Luc Bouthillier, l.s., minute number 924

**MONT-SAINT-PIERRE, VL (0401500)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Access to resources	98530-01-030-000-C	Route Pierre-Godefroi-Coulombe	Limit Rivière-à-Claude, m	6,78

according to plans A-6437, A-6439, A-6440, A-6441, A-6442 and A-6564 prepared by Jean-Paul Lavoie, l.s., minute numbers 6537, 6539, 6540, 6541, 6542 and 6664 and according to plan TR-6308-154-02-0065 prepared by G.-Magella Proulx, l.s., minute number 2194

**PADOUE, M (0904000)**

<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Beginning of maintenance</b>	<b>Length in km</b>
Feeder	96281-03-000-0-00-5	Chemin Kempt	Intersection Route Gagnon	3,52
<b>is replaced by</b>				
Feeder	96297-04-050-000-C	Chemin Kempt	Limit Saint-Octave-de-Métis, p	3,52
according to plan AA20-3371-9920 prepared by Nelson Banville, I.s., and Roger Mc Sween, I.s., minute numbers 1937, 1716, 1724 and 1740				

**SAINT-JEAN-SUR-RICHELIEU, V (5608300)**

<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Beginning of maintenance</b>	<b>Length in km</b>
Autoroute	00035-02-040-0-00-4	Autoroute 35 13 ramps	North limit of bridge over Rivière Richelieu	3,21 4,68
<b>is replaced by</b>				
Autoroute	00035-02-040-000-S	Autoroute 35 10 ramps	West joint bridge Marchand	3,22 6,05
according to plan TR20-5474-8702 prepared by Richard Lamontagne, I.s., minute number 37				

**SAINTE-FLAVIE, P (0908500)**

<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Beginning of maintenance</b>	<b>Length in km</b>
National	00132-14-010-0-00-0	Route 132	Intersection Route 132 (towards Amqui)	8,88
<b>is replaced by</b>				
National	00132-14-015-000-C	Route 132	Intersection Route 132 (Route Jacques-Cartier), v	8,81
according to plan AA20-3371-9168 prepared by Gilles Gagné, I.s., minute numbers 436 and 507				

## CHANGES IN WIDTH OF RIGHT-OF-WAY:

**SAINTE-CLAIRE, M (1905500)**

<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Beginning of maintenance</b>	<b>Length in km</b>
Regional	00277-01-120-000-C	Route 277	Limit Saint-Malachie, p	12,54
according to plan 622-98-DL-051 prepared by Carole Lebel, I.s., minute number 123				

## CHANGES IN WIDTH OF RIGHT-OF-WAY AND CORRECTIONS TO DESCRIPTIONS:

**BEAUCEVILLE, V (2702500)**

<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Beginning of maintenance</b>	<b>Length in km</b>
National	00173-01-140-0-00-4	Route 173	Limit Saint-François-de-Beauce, m	1,87



is replaced by

**BEAUCEVILLE, V (2702800)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00173-01-140-000-C	Route 173	Former limit Saint-François-de-Beauce, m	1,88
according to plan TR6606-154-01-1386 for one and plan TR80-3471-0170 for the other, both prepared respectively by Carole Lebel, I.s., minute numbers 117 and 133				

**BERNIÈRES, M (2504000)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Autoroute	00020-06-020-0-00-1	Autoroute 20 14 ramps	Bridge over Route 171	6,11 5,33

is replaced by

**LÉVIS, V (2521300)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Autoroute	00020-06-020-000-S	Autoroute 20 12 ramps	Bridge over Route 171	6,11 4,41
according to plan TR6610-154-06-7163 prepared by Philippe Côté, I.s., minute number 47				

**SAINT-JOSEPH-DE-KAMOURASKA, P (1403000)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
Feeder	92441-01-000-0-00-3	Route de l'Église	Intersection Cinquième Rang	1,64
Feeder	92630-02-010-0-00-7	Quatrième Rang	Intersection Route de la Station	0,60

is replaced by

Feeder	92441-01-005-000-C	Route de l'Église	Intersection 5 <sup>e</sup> Rang	1,65
Feeder	92440-01-008-000-C	4 <sup>e</sup> Rang	Intersection Route de l'Église	0,60
according to plan TR-6509-154-06-7145 prepared by Jules Lévesque, I.s., minute number 4363				

**TOURELLE, M (0403500)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00132-15-050-000-C	Route 132	Limit Sainte-Anne-des-Monts, v	9,72

is replaced by

**SAINTE-ANNE-DES-MONTS, V (0403700)**

Route class	Section identification	Name	Beginning of maintenance	Length in km
National	00132-15-050-000-C	Route 132	Former limit Tourelle, m	9,73
according to plan 622-97-A0-039 prepared by Gilles Gagné, I.s., minute numbers 525 and 545				



## Index

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

	<b>Page</b>	<b>Comments</b>
Advocates — Code of ethics . . . . . (Professional Code, R.S.Q., c. C-26)	972	M
Agence de développement de Saint-Donat, An Act respecting the... . . . . . (2006, Bill 209)	943	
Annual reports of professional orders . . . . . (Professional Code, R.S.Q., c. C-26)	977	Draft
Auditor General Act, amended . . . . . (2006, Bill 53)	839	
Caisse de dépôt et placement du Québec, An Act respecting the..., amended . . . (2006, Bill 53)	839	
Centre de la francophonie des Amériques, An Act respecting the... . . . . . (2006, Bill 50)	829	
Charte of Ville de Lévis, amended . . . . . (2006, Bill 55)	881	
Charter of La Communauté des Sœurs de Charité de la Providence, An Act to again amend the... . . . . . (2006, Bill 212)	949	
Charter of the City of Laval, An Act to amend the... . . . . . (2006, Bill 214)	957	
Charter of Ville de Longueuil, amended . . . . . (2006, Bill 55)	881	
Charter of Ville de Montréal, amended . . . . . (2006, Bill 55)	881	
Charter of Ville de Québec, amended . . . . . (2006, Bill 55)	881	
Cities and Towns Act, amended . . . . . (2006, Bill 55)	881	
Civil Service Superannuation Plan, An Act respecting the..., amended . . . . . (2006, Bill 44)	803	
Collection of certain debts, An Act respecting the..., amended . . . . . (2006, Bill 48)	819	
Communauté métropolitaine de Montréal, An Act respecting the..., amended . . . . (2006, Bill 55)	881	
Communauté métropolitaine de Québec, An Act respecting the..., amended . . . . (2006, Bill 55)	881	
Comptables agréés — Trust accounting by chartered accountants and indemnity fund of the Ordre . . . . . (Professional Code, R.S.Q., c. C-26)	964	N
Consumer Protection Act and the Act respecting the collection of certain debts, An Act to amend the... . . . . . (2006, Bill 48)	819	

Consumer Protection Act, amended . . . . . (2006, Bill 48)	819	
Distribution of financial products and services, An Act respecting the... — Titles similar to the title of financial planner . . . . . (R.S.Q., c. D-9.2)	992	Draft
Duties on transfers of immovables, An Act respecting..., amended . . . . . (2006, Bill 55)	881	
Education Act and the Act respecting municipal taxation, An Act to amend the... . . . . . (2006, Bill 43)	797	
Education Act, amended . . . . . (2006, Bill 43)	797	
Exemption of a local legal aid centre from the application of the Act . . . . . (An Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors, R.S.Q., c. R-8.2)	973	N
Exercise of certain municipal powers in certain urban agglomerations, An Act respecting the..., amended . . . . . (2006, Bill 55)	881	
Financial Administration Act, amended . . . . . (2006, Bill 50)	829	
Fire Safety Act, amended . . . . . (2006, Bill 55)	881	
Forest Act — Unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants . . . . . (R.S.Q., c. F-4.1)	993	Draft
Forest Act — Value of silvicultural treatments . . . . . (R.S.Q., c. F-4.1)	1006	Draft
Governance of state-owned enterprises and amending various legislative provisions, An Act respecting the... . . . . . (2006, Bill 53)	839	
Government and Public Employees Retirement Plan, An Act respecting the..., amended . . . . . (2006, Bill 44)	803	
Government and Public Employees Retirement Plan, An Act respecting the..., amended . . . . . (2006, Bill 50)	829	
Hydro-Québec Act, amended . . . . . (2006, Bill 53)	839	
Industrial accidents and occupational diseases and the Workers' Compensation Act, An Act to amend the Act respecting... . . . . . (2006, Bill 40)	783	
Industrial accidents and occupational diseases, An Act respecting..., amended . . . . . (2006, Bill 40)	783	

Investissement Québec and La Financière du Québec, An Act respecting..., amended . . . . .	839	
(2006, Bill 53)		
Land use planning and development, An Act respecting..., amended . . . . .	881	
(2006, Bill 55)		
Le Parc Co-ownership, An Act respecting... . . . .	937	
(2006, Bill 207)		
Mini Loto, Inter Loto, instant lotteries and “pool” type lotteries . . . . .	977	Draft
(An Act respecting the Société des loteries du Québec, R.S.Q., c. S-13.1)		
Ministère des Affaires municipales et des Régions, An Act respecting the..., amended . . . . .	881	
(2006, Bill 55)		
Municipal affairs, An Act to again amend various legislative provisions respecting... . . . .	881	
(2006, Bill 55)		
Municipal Aid Prohibition Act, amended . . . . .	881	
(2006, Bill 55)		
Municipal Code of Québec, amended . . . . .	881	
(2006, Bill 55)		
Municipal Powers Act, amended . . . . .	881	
(2006, Bill 55)		
Municipal taxation, An Act respecting..., amended . . . . .	881	
(2006, Bill 55)		
Municipal taxation, An Act respecting..., amended . . . . .	797	
(2006, Bill 43)		
Municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais, An Act to reform the..., amended . . . . .	881	
(2006, Bill 55)		
Northern villages and the Kativik Regional Government, An Act respecting..., amended . . . . .	881	
(2006, Bill 55)		
Nurses — Certain professional activities which may be engaged in by nursing assistants . . . . .	983	Draft
(Professional Code, R.S.Q., c. C-26)		
Nursing assistants — Standards of equivalence for diplomas and training for the issue of a permit by the Ordre . . . . .	985	Draft
(Professional Code, R.S.Q., c. C-26; 2006, c. 20)		
Orthophonistes et audiologistes — Categories of permits issued by the Ordre . . .	970	N
(Professional Code, R.S.Q., c. C-26)		
Pension plan for employees working in childcare services, An Act to facilitate the establishment of a..., amended . . . . .	803	
(2006, Bill 44)		
Pension Plan of Certain Teachers, An Act respecting the..., amended . . . . .	803	
(2006, Bill 44)		
Pension Plan of Management Personnel, An Act respecting the..., amended . . .	803	
(2006, Bill 44)		

Pension Plan of Management Personnel, An Act respecting the..., amended . . . . (2006, Bill 50)	829	
Pension Plan of Peace Officers in Correctional Services, An Act respecting the..., amended . . . . . (2006, Bill 44)	803	
Pharmacists — Standards for equivalence of diplomas or training for the issue of a pharmacist's permit . . . . . (Professional Code, R.S.Q., c. C-26)	987	Draft
Pharmacists — Terms and conditions for the issue of permits by the Ordre . . . . (Pharmacy Act, R.S.Q., c. P-10)	989	Draft
Pharmacists — Terms and conditions for the issue of permits by the Ordre . . . . (Professional Code, R.S.Q., c. C-26)	989	Draft
Pharmacy Act — Pharmacists — Terms and conditions for the issue of permits by the Ordre . . . . . (R.S.Q., c. P-10)	989	Draft
Pharmacy Act — Terms and conditions for the sale of medications . . . . . (R.S.Q., c. P-10)	991	Draft
Police Act, amended . . . . . (2006, Bill 44)	803	
Process of negotiation of the collective agreements in the public and parapublic sectors, An Act respecting the... — Exemption of a local legal aid centre from the application of the Act . . . . . (R.S.Q., c. R-8.2)	973	N
Professional Code — Advocates — Code of ethics . . . . . (R.S.Q., c. C-26)	972	M
Professional Code — Annual reports of professional orders . . . . . (R.S.Q., c. C-26)	977	Draft
Professional Code — Comptables agréés — Trust accounting by chartered accountants and indemnity fund of the Ordre . . . . . (R.S.Q., c. C-26)	964	N
Professional Code — Nurses — Certain professional activities which may be engaged in by nursing assistants . . . . . (R.S.Q., c. C-26)	983	Draft
Professional Code — Nursing assistants — Standards of equivalence for diplomas and training for the issue of a permit by the Ordre . . . . . (R.S.Q., c. C-26; 2006, c. 20)	985	Draft
Professional Code — Orthophonistes et audiologistes — Categories of permits issued by the Ordre . . . . . (R.S.Q., c. C-26)	970	N
Professional Code — Pharmacists — Standards for equivalence of diplomas or training for the issue of a pharmacist's permit . . . . . (R.S.Q., c. C-26)	987	Draft
Professional Code — Pharmacists — Terms and conditions for the issue of permits by the Ordre . . . . . (R.S.Q., c. C-26)	989	Draft

Professional Code — Psychologues — Diploma and training equivalence standards for the issue of a permit by the Ordre . . . . . (R.S.Q., c. C-26; 2006, c. 20)	961	N
Psychologues — Diploma and training equivalence standards for the issue of a permit by the Ordre . . . . . (Professional Code, R.S.Q., c. C-26; 2006, c. 20)	961	N
Public transit authorities, An Act respecting..., amended . . . . . (2006, Bill 55)	881	
Remuneration of elected municipal officers, An Act respecting the..., amended . . . . . (2006, Bill 55)	881	
Retirement, An Act to amend various legislative provisions concerning... . . . . (2006, Bill 44)	803	
Roads under the management of the Minister of Transport . . . . . (An Act respecting roads, R.S.Q., c. V-9)	1013	
Roads, An Act respecting... — Roads under the management of the Minister of Transport . . . . . (R.S.Q., c. V-9)	1013	
Société de l'assurance automobile du Québec, An Act respecting the..., amended . . . . . (2006, Bill 53)	839	
Société des alcools du Québec, An Act respecting the..., amended . . . . . (2006, Bill 53)	839	
Société des loteries du Québec, An Act respecting the..., amended . . . . . (2006, Bill 53)	839	
Société des loteries du Québec, An Act respecting the... — Mini Loto, Inter Loto, instant lotteries and “pool” type lotteries . . . . . (R.S.Q., c. S-13.1)	977	Draft
Société générale de financement du Québec, An Act respecting the..., amended . . . . . (2006, Bill 53)	839	
Société immobilière du Québec — Signing of certain documents . . . . . (An Act respecting the Société immobilière du Québec, R.S.Q., c. S-17.1)	973	N
Société immobilière du Québec, An Act respecting the... — Signing of certain documents . . . . . (R.S.Q., c. S-17.1)	973	N
Société québécoise d'assainissement des eaux, An Act respecting the..., amended . . . . . (2006, Bill 55)	881	
Teachers Pension Plan, An Act respecting the..., amended . . . . . (2006, Bill 44)	803	
Terms and conditions for the sale of medications . . . . . (Pharmacy Act, R.S.Q., c. P-10)	991	Draft
Titles similar to the title of financial planner . . . . . (An Act respecting the distribution of financial products and services, R.S.Q., c. D-9.2)	992	Draft

---

Unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants .....	993	Draft
(Forest Act, R.S.Q., c. F-4.1)		
Value of silvicultural treatments .....	1006	Draft
(Forest Act, R.S.Q., c. F-4.1)		
Ville de Québec, An Act respecting... ..	933	
(2006, Bill 200)		
Workers' Compensation Act, amended .....	783	
(2006, Bill 40)		