

Gazette
officielle
DU Québec

Part

2

No. 32

6 August 2008

Laws and Regulations

Volume 140

Summary

Table of Contents
Acts 2008
Regulations and other acts
Draft Regulations
Treasury Board
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2008

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 2008

72	Crop Health Protection Act	3127
81	An Act to modernize the governance of La Financière agricole du Québec	3139
82	An Act to amend various legislative provisions respecting municipal affairs	3147

Regulations and other acts

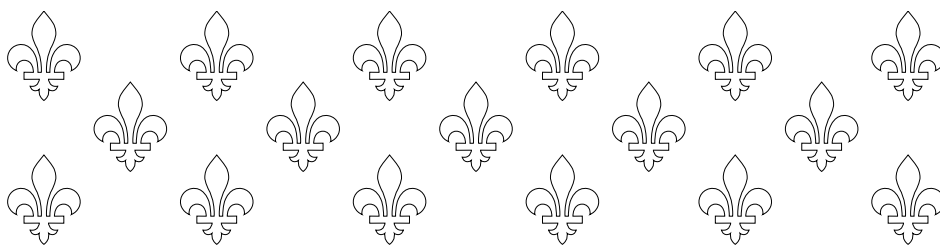
773-2008	Exclusion of certain premises and certain means of transportation and exemption of certain persons	3203
774-2008	Licences to operate target shooting clubs and ranges	3205
775-2008	Register of use of shooting ranges	3207
777-2008	Waste water disposal systems for isolated dwellings (Amend.)	3208
781-2008	University investments	3210
	Competency test in the safe practice of the sport of target shooting with firearms	3211
	Replacement of Schedule 111 to Order in Council 573-87 dated 8 April, 1987 concerning the designation and delimitation of land in the domain of the State	3212

Draft Regulations

	Commission de la construction du Québec — Levy	3215
	Landfilling and incineration of residual materials (Amend.)	3215

Treasury Board

206746	Government and Public Employees Retirement Plan, Act respecting the... — Amendments to Schedules VI and VII — Pension Plan of Management Personnel, Act respecting the... — Amendments to Schedules VII and VIII	3217
206747	Government and Public Employees Retirement Plan, An Act respecting the... — Amendment to Schedule II.1	3218
206748	Government and Public Employees Retirement Plan, Act respecting the... — Amendments to Schedules I and II.1 — Pension Plan of Management Personnel, Act respecting the... — Amendments to Schedule II	3219



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 72

(2008, chapter 16)

Crop Health Protection Act

Introduced 14 December 2007

Passed in principle 29 April 2008

Passed 10 June 2008

Assented to 12 June 2008

**Québec Official Publisher
2008**

EXPLANATORY NOTES

The object of this Act is to protect plants grown for commercial purposes from the harmful organisms identified by the Minister of Agriculture, Fisheries and Food. To achieve this, it replaces the Plant Protection Act, the Act respecting prevention of disease in potatoes and Division IV of the Agricultural Abuses Act by a new Act on crop health protection.

The Act gives the Government the power to designate protected crop zones in respect of which phytosanitary measures will be prescribed by regulation of the Minister. It empowers the Minister, among other things, to order that specified phytosanitary measures be implemented, have such measures implemented at the expense of persons who are the subject of an order and authorize a person to derogate from a regulatory provision for scientific or experimental purposes.

Moreover, the Act confers on inspectors appointed by the Minister powers of inspection, seizure and confiscation enabling them to enforce established phytosanitary standards. It gives the Minister the necessary regulatory powers to apply the Act, in particular to establish phytosanitary measures applicable to various harmful organisms and standards regarding the transfer and transportation of plants.

Lastly, the Act provides for offences and penalties permitting enforcement and contains transitional provisions.

LEGISLATION AMENDED BY THIS ACT:

- Agricultural Abuses Act (R.S.Q., chapter A-2).

LEGISLATION REPEALED BY THIS ACT:

- Act respecting prevention of disease in potatoes (R.S.Q., chapter P-23.1);
- Plant Protection Act (R.S.Q., chapter P-39.01).

Bill 72

CROP HEALTH PROTECTION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

INTERPRETATION

1. The object of this Act is to protect the health of plants grown for commercial purposes by a producer within the meaning of the Farm Producers Act (R.S.Q., chapter P-28), other than plants destined for reforestation.

For the purposes of this Act, the term “plants” includes the parts and raw products of a plant.

2. This Act is binding on the Government, on government departments and on bodies that are mandataries of the State.

3. For the purposes of this Act and unless the context indicates otherwise, the term “person” includes a partnership, an association, a cooperative and a body.

CHAPTER II

HARMFUL ORGANISMS

4. The Minister identifies by regulation the harmful organisms covered by this Act and, where applicable, the phytosanitary measures that apply.

The Minister may also identify by regulation the harmful organisms whose presence must be reported to the Minister.

If a harmful organism constitutes a threat by reason of a high and imminent risk of its spreading to commercial crops, the regulation identifying the harmful organism or the phytosanitary measures that apply is not subject to the provisions of Division III of the Regulations Act (R.S.Q., chapter R-18.1) on the publication of draft regulations. Despite sections 17 and 18 of that Act, the regulation comes into force on the date it is issued; in addition to being published in the *Gazette officielle du Québec*, it is publicized by any means that ensures that the persons concerned are rapidly and efficiently informed.

For the purposes of this Act, the term “phytosanitary measures” includes all the means, particularly biological, chemical or physical means, that can be implemented to prevent the introduction or propagation of a harmful organism, and control, remove or eradicate it.

5. A person who owns or has custody of plants, substrates or other property must implement phytosanitary measures to ensure that they do not spread harmful organisms to a commercial crop.

6. A person who observes or has reasonable grounds to believe in the presence of an invasive exotic species or a harmful organism identified under the second paragraph of section 4 must report it to the Minister without delay and, upon request, provide any relevant information.

For the purposes of this Act, the term “invasive exotic species” means a plant, animal or microorganism present outside its natural distribution range and liable to damage a commercial crop.

CHAPTER III

PROTECTED CROP ZONES

7. The Government may designate any part of the territory of Québec as a protected crop zone, in respect of any species of plant or type of production it determines.

Before designating a zone as a protected crop zone, the Government must publish in the *Gazette officielle du Québec* and publicize, using any means that ensures that the persons concerned are rapidly and efficiently informed, a notice stating its intentions and the period within which an order in council may not be made but within which an interested person may send comments to the person specified in the notice.

The order in council designating a zone as a protected crop zone comes into force on the date specified in it. The order is published in the *Gazette officielle du Québec* and publicized by any means that ensures that the persons concerned are rapidly and efficiently informed.

8. The Minister determines by regulation which phytosanitary measures apply in any protected crop zone designated under section 7.

CHAPTER IV

INSPECTION, SEIZURE AND CONFISCATION

9. The Minister appoints the inspectors necessary for the enforcement of this Act and may provide for the remuneration of those among them who are not remunerated under the Public Service Act (R.S.Q., chapter F-3.1.1).

10. The Minister may enter into an agreement with a person regarding the carrying out of an inspection program for the enforcement of this Act. Such an agreement must be evidenced in a document and provide for the method of implementing the program.

11. An inspector who has reasonable cause to believe in the presence of a harmful organism, an invasive exotic species or any property to which this Act applies may, when carrying out an inspection,

(1) at any reasonable time, enter the place where the harmful organism, invasive exotic species or property is located and, in the case of a vehicle, order that it be immobilized;

(2) examine the place or the harmful organism, invasive exotic species or property, and take specimens free of charge, take photographs and make recordings;

(3) require the production of any document for examination or for the purpose of making copies or obtaining extracts, if the inspector has reasonable cause to believe that it contains information related to the application of this Act; and

(4) be accompanied by persons the inspector considers necessary for the purposes of the inspection.

The inspector must, on request, provide identification and produce a certificate of authority signed by the Minister.

12. The inspector may, when carrying out an inspection, require a person to provide, within a reasonable time determined by the inspector, any information or document relating to the application of this Act.

The person of whom the request is made must comply within the time specified.

13. The owner or custodian of a place being inspected, as well as the employees, are required to lend assistance to an inspector carrying out an inspection, and to the persons accompanying the inspector.

14. An inspector who has reasonable cause to believe that plants, substrates or other property are liable to spread a harmful organism to a commercial crop may order the owner or custodian to implement and pay for the phytosanitary measures the inspector specifies.

Before issuing an order, the inspector must inform the person concerned of the inspector's intention to do so, specifying the grounds on which it is based, and give the person an opportunity to submit observations.

The order must be issued in writing, set out the inspector's reasons and refer to any document the inspector took into consideration; it must also inform the person concerned that a copy of such documents may be requested. The order takes effect on the date of notification or on any later date specified in the order.

The second paragraph does not apply if, in the opinion of the inspector, urgent action is required or there is a danger of irreparable damage being caused. In such a case, a person notified of an order may, within the time specified in the order, submit observations with a view to having the inspector reconsider it.

If the person to whom the order applies refuses or neglects to comply with it, the inspector may personally carry out the order or have it carried out at the expense of that person. The sums involved bear interest at the legal rate from the time as of which they were payable.

The carrying out of measures prescribed by the inspector does not give rise to claims for damages, except in cases of bad faith.

15. An inspector may seize plants, substrates or any other property to which this Act applies, if the inspector has reasonable cause to believe that they were used in the commission of an offence under this Act or its regulations, or that an offence was committed in connection with them.

An inspector who seizes property draws up minutes giving the inspector's name, the date and time, the place of and grounds for the seizure, the description of the seized property, the name and address of the person from whom the property was seized and any information allowing the person entitled to the property to be identified. The inspector gives a copy of the minutes to the person from whom the property was seized or to the person responsible for the place where the property was seized.

16. The owner or custodian of the seized property has custody of it.

Despite the first paragraph, the inspector may designate a different custodian or remove the seized property to other premises for safekeeping.

Custody of the seized property is maintained until it is disposed of in accordance with sections 17 to 20 or, if proceedings are instituted, until a judge decides otherwise.

17. If the seized property is perishable or likely to depreciate rapidly, or if its custody would entail costs disproportionate to its value, a judge may authorize its sale or disposal on the application of the seizer, the person from whom the property was seized or any person who claims to have a right in the property if the sale or disposal can be carried out without the risk of spreading a harmful organism to a commercial crop.

A person intending to make an application must give at least one clear day's notice to the seisor or, where applicable, to the person from whom the property was seized and any person who claims to have a right in the property. However, the judge may exempt a person from giving notice if deterioration of the property is imminent.

The conditions of the sale or disposal are determined by the judge. The proceeds of the sale are deposited with the Minister of Finance in accordance with the Deposit Act (R.S.Q., chapter D-5).

18. Seized property or the proceeds of its sale must be returned to its owner or custodian if

(1) a period of 90 days has elapsed from the date of the seizure and no proceedings have been instituted; or

(2) the inspector is of the opinion, after verification during that period, that no offence under this Act or its regulations has been committed or that the owner or custodian of the seized property has complied with this Act since the seizure.

19. The owner or custodian of the seized property may apply to a judge to obtain the return of the property or the proceeds of its sale.

The application must be served on the seisor or, if proceedings are instituted, on the prosecutor.

The judge grants the application if the judge is of the opinion that the applicant will suffer serious or irreparable injury if the property is held any longer, that returning the property will not hinder the course of justice and that there is no high or imminent risk that a harmful organism or an invasive exotic species will be spread to commercial crops through the property.

20. If the owner or custodian of seized property is unknown or untraceable, the property, or the proceeds of its sale, is turned over to the Minister of Revenue 90 days after the date of seizure. A statement describing the property and giving the name and last known address of the interested party must be sent to the Minister of Revenue at that time.

Despite the first paragraph, if the property is liable to spread a harmful organism to a commercial crop, the Minister determines the procedure for disposing of it.

21. On application of the seisor, a judge may order that the holding period be prolonged for a maximum of 90 days.

Before deciding on the merit of the application, the judge may order that it be served on the person the judge designates.

22. On application of the prosecutor, a judge may, upon conviction for an offence under this Act or its regulations, issue an order prohibiting the person convicted of the offence from growing or keeping plants, limiting the number of plants the person may grow or keep or prescribing any other condition pertaining to the growing or keeping of plants the judge considers necessary for a period not exceeding two years.

The judge may also order the confiscation of property seized under section 15, or the proceeds of its sale, and property kept in contravention of an order referred to in the first paragraph.

Prior notice of the application for confiscation must be given by the prosecutor to the person from whom the property was seized, to the defendant and to any person who claims to have a right in the property, unless they are in the presence of the judge.

If property confiscated under this chapter is liable to spread a harmful organism to a commercial crop, the Minister determines the procedure for disposing of it.

23. No judicial proceedings may be instituted against the inspector for acts performed in good faith while carrying out an inspection.

CHAPTER V

POWERS OF THE MINISTER

24. If a harmful organism or invasive exotic species constitutes a threat to commercial crops in a zone the Minister determines, the Minister may, on the ground of urgency, order the owners or custodians of plants, substrates or any other property located in that zone and liable to spread the organism or species to implement and pay for the phytosanitary measures the Minister specifies.

The order must be issued in writing, set out the Minister's reasons and refer to any document the Minister took into consideration. The order takes effect on the date of notification or on any later date specified in the order.

The second paragraph does not apply if, in the opinion of the Minister, urgent action is required or there is a danger of irreparable damage being caused. In that case, a person notified of an order may, within the time specified in the order, submit observations with a view to having the Minister reconsider it.

If the person to whom the order applies refuses or neglects to comply with it, the Minister may have the order carried out at the expense of that person. The sums involved bear interest at the legal rate from the time as of which they were payable.

The carrying out of measures prescribed by the Minister does not give rise to claims for damages, except in cases of bad faith.

25. The Minister may, for scientific or experimental purposes, authorize a person to derogate from a regulation made under section 4, 8 or 27, on the conditions the Minister determines.

Before issuing an authorization, the Minister takes into account, in particular but not exclusively, the objectives pursued by the applicant, the competence and experience of the applicant, the nature of the proposed activities and their impact on commercial crops, and the measures necessary to ensure their protection.

The holder of such an authorization must satisfy the conditions and comply with the restrictions and prohibitions determined by the Minister and set out in the authorization. The holder of the authorization must also pay to the Government the costs incurred to open and examine the file and all the other costs incurred by the Minister in relation to the authorization.

26. The Minister may withdraw the authorization granted under section 25 if the holder fails to satisfy the conditions or comply with the restrictions and prohibitions set out in the authorization.

27. In addition to the regulatory powers under this Act, the Minister may make regulations to establish standards for crop health protection and the transfer or transportation of plants. The standards may, in particular, pertain to the surveillance of the health status and traceability of plants, their labelling or packaging, the registration of their owner or custodian, the introduction into Québec of plants originating elsewhere and the fees payable for the purposes of this Act.

28. No judicial proceedings may be instituted against the Minister for acts performed in good faith for the purposes of this Act.

CHAPTER VI

PENAL PROVISIONS

29. A person is guilty of an offence and liable to a fine of \$600 to \$6,600 who

- (1) refuses or neglects to comply with the order provided for in section 14;
- (2) uses or removes seized property or allows seized property to be used or removed, without the authorization of an inspector or judge; or
- (3) contravenes section 5, 6, 12 or 25 or a regulation made under section 4 or 27.

If the offence results in a high or imminent risk of spreading a harmful organism, the fine is \$1,000 to \$14,000.

30. A person who contravenes section 13 is guilty of an offence and liable to a fine of \$500 to \$5,000.

31. A person who hinders or attempts to hinder an inspection in any way is guilty of an offence and liable to a fine of \$600 to \$6,600.

32. A person who refuses to provide an inspector with information or a document the inspector is entitled to require, or conceals or destroys a document or property relevant to an inspection is guilty of an offence and liable to a fine of \$700 to \$8,400.

33. A person who knowingly gives false information to an inspector is guilty of an offence and liable to a fine of \$800 to \$10,400.

34. A person is guilty of an offence and liable to a fine of \$1,000 to \$14,000 who

- (1) refuses or neglects to comply with the order provided for in section 24; or
- (2) contravenes a regulation made under section 8.

35. For subsequent convictions, the fines provided for in sections 29 to 34 are doubled.

36. In determining the amount of the fine, the judge takes into account such factors as the revenues and other benefits the offender derived from the offence and its social and economic consequences.

37. If a legal person, partnership, association or body commits an offence under this Act or its regulations, any director, officer, employee, partner or mandatary of the legal person, partnership, association or body who directed, authorized, advised, consented to, acquiesced in or participated in the offence is a party to it and liable to the penalty prescribed for it, whether or not the legal person, partnership, association or body has been prosecuted or convicted.

38. A person who, by act or omission, assists another in committing an offence under this Act or its regulations or who advises, encourages or incites another person to commit it is a party to the offence and liable to the penalty prescribed for it.

39. Penal proceedings for an offence under this Act or its regulations are prescribed one year after the date on which the prosecutor became aware of the commission of the offence. However, no proceedings may be brought if more than five years have elapsed since the commission of the offence.

40. In proceedings instituted for an offence under this Act or its regulations, the inspection, analysis or sampling report and the minutes of the seizure or confiscation, signed by an inspector or an analyst designated by the Minister, are proof of their contents, unless there is evidence to the contrary, and no proof of the signature or of the quality of the signatory is required if the inspector or analyst certifies in the inspection, analysis or sampling report that the inspector personally observed the facts stated in the report.

The cost of inspection or analysis is included in the costs of the proceedings and may be claimed in the statement of offence.

CHAPTER VIII

REPEALING, TRANSITIONAL AND FINAL PROVISIONS

41. Division IV of the Agricultural Abuses Act (R.S.Q., chapter A-2) and the Plant Protection Act (R.S.Q., chapter P-39.01) are repealed.

42. The Act respecting prevention of disease in potatoes (R.S.Q., chapter P-23.1) is repealed, except sections 16 and 17 of that Act which remain in force until replaced or repealed in accordance with the second paragraph of section 44 of this Act.

43. The provisions of the Regulation respecting prevention of disease in potatoes, made by Order in Council 1304-88 (1988, G.O. 2, 3404), remain in force, to the extent they are compatible with this Act, until replaced or repealed by a regulation made under this Act.

44. The territories protected to prevent disease in potatoes and designated by Order in Council 860-88 (1988, G.O. 2, 3423, in French) are deemed to be protected crop zones designated under section 7 of this Act.

In addition, sections 16 and 17 of the Act respecting prevention of disease in potatoes and the provisions of the Regulation respecting prevention of disease in potatoes that apply to the protected territories are deemed to be phytosanitary measures determined under section 8 of this Act until a regulation is made under that section.

45. The diseases referred to in section 3 of the Act respecting prevention of disease in potatoes and the diseases and destructive insects designated by the Plant Protection Regulation, made by Order in Council 1366-96 (1996, G.O. 2, 4703), are deemed to be harmful organisms determined under section 4 of this Act until a regulation is made under that section.

46. Unless the context indicates otherwise and subject to the necessary modifications, a reference in any Act, regulation, order in council or statutory instrument to a provision of Division IV of the Agricultural Abuses Act, the Act respecting prevention of disease in potatoes or the Plant Protection Act is a reference to the corresponding provision of this Act.

47. Judicial proceedings brought under Division IV of the Agricultural Abuses Act, the Act respecting prevention of disease in potatoes or the Plant Protection Act before 12 June 2008 are continued under those Acts.

48. The Minister of Agriculture, Fisheries and Food is responsible for the administration of this Act.

49. This Act comes into force on 12 June 2008.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 81
(2008, chapter 17)

An Act to modernize the governance of La Financière agricole du Québec

Introduced 14 May 2008
Passed in principle 27 May 2008
Passed 11 June 2008
Assented to 12 June 2008

**Québec Official Publisher
2008**

EXPLANATORY NOTES

The purpose of this Act is to make La Financière agricole du Québec subject to the Act respecting the governance of state-owned enterprises and to introduce new specially adapted governance rules into its constituting act.

The new governance rules determine the composition of the board of directors, the majority of whose members must qualify as independent members in the opinion of the Government. In addition, this Act prescribes rules for appointing board members and vice-presidents. It also provides for the constitution of two board committees, namely, a governance, ethics and human resources committee and an audit committee.

New rules will also apply to the operation of the board of directors and the disclosure and publication of information.

Finally, this Act contains transitional provisions and consequential amendments.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting farm-loan insurance and forestry-loan insurance (R.S.Q., chapter A-29.1);
- Act respecting the governance of state-owned enterprises (R.S.Q., chapter G-1.02);
- Act respecting La Financière agricole du Québec (R.S.Q., chapter L-0.1).

Bill 81

AN ACT TO MODERNIZE THE GOVERNANCE OF LA FINANCIÈRE AGRICOLE DU QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING LA FINANCIÈRE AGRICOLE DU QUÉBEC

1. Section 5 of the Act respecting La Financière agricole du Québec (R.S.Q., chapter L-0.1) is repealed.

2. Section 6 of the Act is replaced by the following sections:

“6. The agency is administered by a board of directors consisting of 15 members, including the chair, the president and chief executive officer and the Deputy Minister of Agriculture, Fisheries and Food. At least eight of the members, including the chair, must qualify as independent directors in the opinion of the Government.

The Government shall appoint the members of the board other than the chair, the president and chief executive officer and the Deputy Minister of Agriculture, Fisheries and Food, taking into consideration the expertise and experience profiles approved by the board. The members, five of whom are chosen from among the persons designated by the association certified under the Farm Producers Act (chapter P-28), are appointed for a term of up to four years.

“6.1. The functions of the board of directors include setting priorities in relation to the products and services to be offered to enterprises in the agricultural and agrifood sector and framing policies in that regard.

“6.2. The board of directors must strike a governance, ethics and human resources committee and an audit committee. The provisions of the Act respecting the governance of state-owned enterprises (chapter G-1.02) that concern the governance and ethics committee and the human resources committee apply to the governance, ethics and human resources committee.

“6.3. On the expiry of their term, the members of the board of directors remain in office until they are replaced or reappointed.

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

“6.5. On the recommendation of the board of directors, the Government shall appoint the president and chief executive officer, taking into consideration the expertise and experience profile approved by the board.

The president and chief executive officer is appointed for a term of up to five years. The office of president and chief executive officer is a full-time position.

“6.6. If the board of directors does not recommend a candidate for the position of president and chief executive officer in accordance with section 6.5 within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

“6.7. If the president and chief executive officer is absent or unable to act, the board of directors may designate an officer under the authority of the president and chief executive officer to exercise the functions of that position.

“6.8. A vacancy on the board of directors is filled in accordance with the rules of appointment to the board.”

3. Sections 7 and 8 of the Act are repealed.

4. Section 9 of the Act is amended by replacing “chief executive officer” in the second line of the first paragraph by “president and chief executive officer”.

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

“10. The agency shall determine by by-law the rules relating to the quorum at meetings of the board of directors.”

6. Section 11 of the Act is replaced by the following sections:

“11. The Government, on the recommendation of the board of directors, shall appoint one or more vice-presidents. The vice-presidents are appointed on a full-time basis and exercise their functions under the authority of the president and chief executive officer.

The vice-presidents are appointed for a term of up to five years.

On the expiry of their term, the vice-presidents remain in office until they are replaced or reappointed.

“11.1. The Government shall determine the remuneration, the employment benefits and the other conditions of employment of the vice-presidents.”

7. Section 13 of the Act is amended

(1) by replacing “chief executive officer” in the third line of the first paragraph by “president and chief executive officer”;

(2) by striking out the second paragraph.

8. Section 14 of the Act is repealed.

9. Section 15 of the Act is amended by replacing “chief executive officer” in the second and the fourth line of the first paragraph by “president and chief executive officer”.

10. Section 46 of the Act is amended by replacing “a business plan” in the second line of the first paragraph by “an operating plan” and “The business plan” in the first line of the second paragraph by “The operating plan”.

11. Section 47 of the Act is amended by replacing “development plan” in the second line by “strategic plan”.

ACT RESPECTING FARM-LOAN INSURANCE AND FORESTRY-
LOAN INSURANCE

12. Section 8 of the Act respecting farm-loan insurance and forestry-loan insurance (R.S.Q., chapter A-29.1) is replaced by the following section:

“**8.** The chair and the secretary of the board of directors of the agency are respectively the chair and the secretary of the board of directors of the Fonds.

If the chair is absent or unable to act, the board of directors shall designate a board member to replace the chair.”

13. Section 9 of the Act is amended by replacing the third paragraph by the following paragraph:

“The Fonds shall determine by by-law the rules relating to the quorum at meetings of the board of directors.”

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED
ENTERPRISES

14. Schedule I to the Act respecting the governance of state-owned enterprises (R.S.Q., chapter G-1.02) is amended by inserting “La Financière agricole du Québec” in alphabetical order.

TRANSITIONAL AND FINAL PROVISIONS

15. The requirements relating to the number of independent members of the board of directors of La Financière agricole du Québec and to the independence of the chair of the board of directors provided in the first paragraph of section 6 of the Act respecting La Financière agricole du Québec (R.S.Q., chapter L-0.1), enacted by section 2 of this Act, and the requirement provided in the second paragraph of section 19 of the Act respecting the governance of state-owned enterprises (R.S.Q., chapter G-1.02) apply as of the date set by the Government. That date must be set as soon as possible and the sections will apply not later than 31 December 2008.

The same applies to the requirement that the audit committee include a member of a professional order of accountants as set out in the second paragraph of section 23 of the Act respecting the governance of state-owned enterprises.

16. The Government may, in accordance with the Act respecting the governance of state-owned enterprises, determine that a member of the board of directors of La Financière agricole du Québec in office on 11 June 2008 has the status of independent director.

17. A member of the board of directors of La Financière agricole du Québec in office on 11 June 2008 who has not obtained the status of independent director under section 16 of this Act may, despite section 19 of the Act respecting the governance of state-owned enterprises, be a member of a committee referred to in section 6.2 of the Act respecting La Financière agricole du Québec, enacted by section 2 of this Act, until the number of independent directors on the board of the agency corresponds to the number set in the first paragraph of section 6 of the Act respecting La Financière agricole du Québec, enacted by section 2 of this Act.

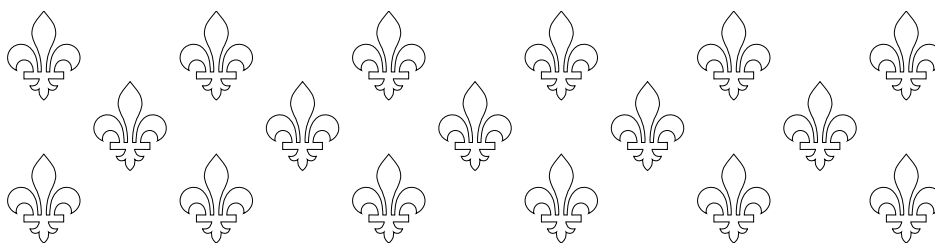
18. The members of the board of directors of La Financière agricole du Québec in office on 11 June 2008, including the president and chief executive officer, continue in office for the unexpired portion of their term on the same terms until they are replaced or reappointed. The chair, however, remains in office until the date on which the requirement relating to the chair's independence becomes applicable under the first paragraph of section 15.

19. The vice-presidents of La Financière agricole du Québec, appointed by it and in office on 11 June 2008, continue in office for the unexpired portion of their term on the same terms until they are replaced or reappointed by the Government.

20. The vice-chair of the board of directors of La Financière agricole du Québec designated under section 6 of the Act respecting La Financière agricole du Québec, as it read before 12 June 2008, continues in office until the number of independent directors on the board of the agency corresponds to the number set in the first paragraph of section 6 of that Act, enacted by section 2 of this Act.

21. Sections 36, 38 and 39 of the Act respecting the governance of state-owned enterprises apply to La Financière agricole du Québec as of the fiscal year beginning on 1 April 2009.

22. This Act comes into force on 12 June 2008.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 82
(2008, chapter 18)

An Act to amend various legislative provisions respecting municipal affairs

Introduced 13 May 2008
Passed in principle 22 May 2008
Passed 11 June 2008
Assented to 12 June 2008

Québec Official Publisher
2008

EXPLANATORY NOTES

This Act amends the Cities and Towns Act and the Municipal Code of Québec especially as concerns the powers of local municipalities relating to their general fund and their working-fund, and grants similar powers to regional county municipalities and intermunicipal boards. It harmonizes provisions relating to deadlines for sending in the financial reports of municipalities and various bodies, the time limit for redeeming an immovable sold for non-payment of municipal taxes, and the scheduling of council sittings. Furthermore, with respect to municipalities whose territory is divided into boroughs, it extends the application of the provision under which it is possible to post or publish a municipal notice only in the borough when it relates to a matter within the jurisdiction of a borough council.

This Act amends the Municipal Powers Act by granting regional county municipalities the same tools for lake management as already exist for watercourse management. It facilitates the collection of amounts due to the person designated by a municipality to settle disagreements between owners over common fences or ditches, drainage ditches and clearances, and allows municipalities to order traffic signs or signals by resolution. It also obliges municipalities whose territory includes the site of a quarry or sand pit to establish a fund for the repair and maintenance of municipal public roads, financed by duties paid by the quarry or sandpit operator.

This Act amends the Act respecting elections and referendums in municipalities in order to provide, from the fiscal year 2010, for a mechanism for the annual indexation of the tariff of the remuneration payable to municipal election or referendum officers. It also grants non-domiciled voters the right to vote by mail.

This Act amends the Act respecting municipal taxation to oblige municipalities to impose a tax to finance 9-1-1 emergency centres. It also makes concordance amendments to the provisions of the Act that allow the implementation of an equalization scheme.

This Act amends the Act respecting the Pension Plan of Elected Municipal Officers to harmonize it with public sector pension plans as concerns the spouse's waiver. It also makes certain amendments to such elements as the right of redemption and the administration of the plan.

It amends the Civil Protection Act to oblige the municipalities to ensure the provision of services by a 9-1-1 emergency centre that has obtained a certificate of compliance. This Act also sets the conditions for obtaining such a certificate.

This Act amends the Transport Act to maintain the municipalities' power to negotiate public transit and paratransit contracts without calling for tenders.

This Act amends the Act respecting Northern villages and the Kativik Regional Government as concerns the signing of collective agreements and simplifies the rules governing the swearing-in of members and special constables of the Kativik regional police force.

Lastly, this Act contains various provisions of a more local nature, as well as technical amendments.

LEGISLATION AMENDED BY THIS ACT:

- 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 intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1);

- Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);
- 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);
- Act respecting certain public utility installations (R.S.Q., chapter I-13);
- Act respecting administrative justice (R.S.Q., chapter J-3);
- Act respecting municipal territorial organization (R.S.Q., chapter O-9);
- Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3);
- Civil Protection Act (R.S.Q., chapter S-2.3);
- Act respecting public transit authorities (R.S.Q., chapter S-30.01);
- Transport Act (R.S.Q., chapter T-12);
- Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1).

Bill 82

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS RESPECTING MUNICIPAL AFFAIRS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

1. Section 188 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) is amended by adding the following subparagraph after subparagraph 5 of the fourth paragraph:

“(5.1) any matter relating to the fund provided for in section 110.1 of the Municipal Powers Act (chapter C-47.1);”.

CHARTER OF VILLE DE LÉVIS

2. Section 88 of the Charter of Ville de Lévis (R.S.Q., chapter C-11.2) is amended by striking out the second sentence of the second paragraph.

CHARTER OF VILLE DE LONGUEUIL

3. Section 71 of the Charter of Ville de Longueuil (R.S.Q., chapter C-11.3) is amended by replacing “regulation” in the second line of the third paragraph by “by-law”.

4. Section 72 of the Charter is amended by replacing the second paragraph by the following paragraph:

“Among the modifications to the Act respecting land use planning and development required by the application of the first paragraph, the following are applicable: section 110.10.1 of that Act does not apply, the notice required by section 126 of that Act must state that a copy of the draft by-law may be consulted at the borough office and the summary provided for in section 129 of that Act may be obtained at that office.”

5. Section 4 of Schedule C to the Charter is amended by replacing “council” in the second line of the third paragraph by “councillor”.

CHARTER OF VILLE DE MONTRÉAL

6. Section 89.1 of the Charter of Ville de Montréal (R.S.Q., chapter C-11.4) is amended

(1) by inserting “, subject to the fourth paragraph, where applicable,” after “except” in the fourth line of the first paragraph;

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

“For the purposes of sections 130 to 137 of the Act respecting land use planning and development enabling a project referred to in subparagraph 5 of the first paragraph of section 89 to be carried out, if that project is situated in the historic district of Old Montréal,

(1) applications to take part in a referendum following the second draft by-law may originate in the whole borough in which the project is planned or from all the boroughs affected by the project;

(2) the public notice provided for in section 132 need not mention or contain a description of the zones or sectors of a zone in which an application may originate;

(3) the application provided for in section 133 need not clearly state in which zone or sector of a zone it originates;

(4) despite section 136.1 of that Act, a by-law adopted under section 136 of that Act must be approved by the qualified voters of either the borough or all the boroughs affected by the project.

However,

(1) the fourth paragraph does not apply to a by-law adopted to enable the carrying out of a project, referred to in subparagraph 5 of the first paragraph of section 89, planned by the Government or one of its ministers, mandataries or bodies;

(2) the second paragraph and sections 125 to 127 of the Act respecting land use planning and development do not apply to a draft by-law adopted solely to enable the carrying out of a project referred to in subparagraph 4 of the first paragraph of section 89.”

7. Section 130.3 of the Charter is amended by replacing subparagraphs 2 and 3 of the first paragraph by the following subparagraph:

“(2) the expressions “office of the municipality” and “in the territory of the municipality” in section 109.3 are replaced respectively by the expressions “borough office” and “in the borough”.

8. Section 131 of the Charter is amended by replacing the second paragraph by the following paragraph:

“Among the modifications to the Act respecting land use planning and development required by the application of the first paragraph, the following are applicable: section 110.10.1 of that Act does not apply, the notice required by section 126 of that Act must state that a copy of the draft by-law may be consulted at the borough office and the summary provided for in section 129 of that Act may be obtained at that office.”

9. Section 144.8 of the Charter is amended by replacing the second sentence by the following sentence: “Sections 569 to 569.0.5 of the Cities and Towns Act (chapter C-19) apply to the fund, with the necessary modifications.”

10. Section 102.2 of Schedule C to the Charter is amended by replacing the third paragraph by the following paragraph:

“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.”

11. Section 256 of Schedule C to the Charter is amended by replacing “delay” in the fourth line of the second paragraph by “time”.

CHARTER OF VILLE DE QUÉBEC

12. Section 115 of the Charter of Ville de Québec (R.S.Q., chapter C-11.5) is amended by replacing the second paragraph by the following paragraph:

“Among the modifications to the Act respecting land use planning and development required by the application of the first paragraph, the following are applicable: section 110.10.1 of that Act does not apply, the notice required by section 126 of that Act must state that a copy of the draft by-law may be consulted at the borough office and the summary provided for in section 129 of that Act may be obtained at that office.”

CITIES AND TOWNS ACT

13. Section 6 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended by replacing “indifferently an ordinary or general sitting, or a special sitting” in the first and second lines of subparagraph 5 of the first paragraph by “either a regular sitting or a special sitting”.

14. Section 105.2 of the Act is amended by replacing “15” in the first line of the first paragraph by “30”.

15. Section 318 of the Act is amended by adding the following paragraph at the end:

“The clerk shall give public notice of any change in the location of sittings.”

16. Sections 319 and 320 of the Act are replaced by the following sections:

“319. The council shall hold regular sittings at least once a month.

The council shall determine the schedule of its regular sittings, setting the date and time of each sitting, before the beginning of the calendar year.

However, the council may decide that a regular sitting is to begin on a date and at a time other than those specified in the schedule.

“320. The clerk shall give public notice of the sitting schedule.

The clerk shall also give public notice of any regular sitting to be held on a day or at a time other than that specified in the schedule.”

17. Section 323 of the Act is amended by replacing “spéciale” in the first line of the first paragraph in the French text by “extraordinaire”.

18. Section 324 of the Act is amended by replacing “spéciale” in the first line of the first paragraph in the French text by “extraordinaire”.

19. Section 325 of the Act is amended in the French text

(1) by replacing “spéciales” in the first line of the first paragraph by “extraordinaires”;

(2) by replacing “spéciale” in the first line of the second paragraph by “extraordinaire”.

20. Section 326 of the Act is amended

(1) by striking out “special or general” in the first line;

(2) by replacing “spéciale” in the sixth line in the French text by “extraordinaire”.

21. Section 342 of the Act is amended by replacing “spéciale” in the third line in the French text by “extraordinaire”.

22. Section 345 of the Act is amended

(1) by replacing “may be posted” in the second line of the second paragraph by “is posted”;

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

“If an Act or a charter stipulates that a notice is to be posted in the office of the municipality and published in a newspaper circulated in the territory of the municipality, the second paragraph also applies for the purpose of substituting “borough” for “municipality”.”

23. The Act is amended by inserting the following sections after section 468.14:

“468.14.1. If the management board decides to use moneys from the general fund to pay a capital expenditure incurred for the benefit of only some of the municipalities in whose territory the board has jurisdiction, it may decide to reimburse the fund by means of an aliquot share payable by the municipalities concerned.

In such a case, the management board shall authorize the use of the moneys by a by-law that specifies the amount of the moneys used and contains a detailed description of the expenditure. The by-law must also specify the term of repayment, which is not to exceed the useful life of the property that the moneys enable the board to acquire, repair, restore or build, and must require an aliquot share from the municipalities for whose benefit the expenditure is incurred.

“468.14.2. The aliquot share payable by the municipalities is determined using the mode of apportionment of capital expenditures contained in the agreement providing for the establishment of the management board. The aliquot share must provide for the repayment of the moneys used and the payment of a compensatory amount that may be determined by resolution and must be equal to the interest that would be payable if the board, at the date on which it authorizes the payment of the expenditure, contracted a loan on the capital market to finance that expenditure for an identical term. The Minister of Finance must inform the board, at its request, of the interest rate in effect at the time of the request.

“468.14.3. The by-law is subject to the approval of all the municipalities for whose benefit the expenditure is incurred.

A municipality whose council has not made a decision with respect to the by-law at or before the second regular sitting following receipt of an authenticated copy of the by-law is deemed to have approved it.

“468.14.4. The Minister of Municipal Affairs and Regions may also require that the by-law be submitted for approval to the qualified voters in the territory of each of the municipalities for whose benefit the expenditure is incurred.

To that end, the management board shall send an authenticated copy of the by-law to the Minister and give public notice of the adoption of the by-law to the municipal ratepayers concerned. The notice must be published in a newspaper in the territory of the municipalities and contain

- (1) the number, title, object and date of adoption of the by-law;
- (2) the amount of the moneys to be used and the projected expenditure;
and
- (3) the right of the ratepayers concerned to send the Minister of Municipal Affairs and Regions, within 30 days after the notice is published, a request that the by-law be submitted for approval to the qualified voters of each of the municipalities for whose benefit the expenditure is incurred.

“468.14.5. The Minister shall inform the management board if no request is received within the time prescribed in subparagraph 3 of the second paragraph of section 468.14.4.

If a request is received, the Minister may require that the by-law be approved by the qualified voters in the territory of each of the municipalities for whose benefit the expenditure is incurred.

The Minister shall inform the management board of the decision. If the Minister decides to require the approval of the qualified voters, the Minister shall also inform each of the municipalities for whose benefit the expenditure is incurred.”

24. The Act is amended by inserting the following sections after section 468.45.6:

“468.45.7. The management board may, with a view to having at its disposal the moneys it needs for the purposes within its jurisdiction, constitute a fund known as the “working-fund” or increase the amount of the fund. To that effect, it shall pass a by-law

- (1) to appropriate for that purpose all or part of the accumulated surplus of its general fund;
- (2) to order a loan; or
- (3) to carry out both of the above operations.

The by-law ordering a loan to constitute the working-fund or increase the amount of the fund must specify the term of the loan, which is not to exceed 10 years, and must stipulate that the repayment of the loan is to be charged to all the municipalities in whose territory the board has jurisdiction, according to the operating cost apportionment method set out in the agreement.

The amount of the fund may not exceed 20% of the appropriations provided for in the board’s budget for the current fiscal year. However, if the amount of the fund exceeds the prescribed percentage because the budget of a subsequent fiscal year provides for fewer appropriations than the budget used to determine the amount of the fund, the amount may remain unchanged.

Section 99 applies, with the necessary modifications, to the investment of the available moneys of the fund.

The interest on the working-fund and the compensatory sum provided for in section 468.45.12 are appropriated as ordinary revenue for the fiscal year in which the interest is earned and the sum collected.

If the working-fund is abolished, the moneys available in it must be used to repay a loan contracted to constitute the fund or increase the amount of the fund before they may be paid into the general fund.

“468.45.8. A member of the board of directors who, knowingly, by a vote or otherwise, authorizes

(1) the constitution of a working-fund or its capital endowment for an amount exceeding the percentage prescribed in the third paragraph of section 468.45.7;

(2) the investment of the moneys in the fund otherwise than in the manner prescribed in the fourth paragraph of section 468.45.7; or

(3) the use of the available moneys, if the working-fund is abolished, otherwise than in the manner prescribed in the sixth paragraph of section 468.45.7

may be declared disqualified to hold municipal office for two years and may be held personally liable towards the management board for any loss or damage suffered by it.

The liability mentioned in the first paragraph is joint and several and it applies to every officer or employee of the management board who knowingly is a party to the unlawful act.

Proceedings for the declaration of disqualification are taken in accordance with articles 838 to 843 of the Code of Civil Procedure (chapter C-25); an ordinary action is taken to obtain compensation for loss or damage. Any ratepayer may exercise such recourses.

Disqualification may also be declared by means of an action for declaration of disqualification under the Act respecting elections and referendums in municipalities (chapter E-2.2).

“468.45.9. The management board may borrow from the working-fund pending the collection of revenues, or in order to pay all or part of an expense resulting from the implementation of a departure incentive program for the officers and employees of the management board or to pay a capital expenditure. The resolution authorizing the loan must specify the term of repayment, which may not exceed one year, five years or ten years, depending on the purpose of the loan.

“**468.45.10.** Every year, the management board shall provide out of its general fund a sum sufficient to repay a loan from the working-fund.

“**468.45.11.** If the loan is used to pay a capital expenditure incurred for the benefit of only some of the municipalities in whose territory the management board has jurisdiction, the board may decide that the loan is to be repaid by means of an aliquot share payable by the municipalities concerned.

In such a case, the management board shall authorize the loan from the working-fund by a by-law that specifies the amount of the loan and contains a detailed description of the expenditure. The by-law must also specify the term of repayment, which is not to exceed 10 years, and must require an aliquot share from the municipalities for whose benefit the expenditure is incurred.

“**468.45.12.** The aliquot share payable by the municipalities is determined using the mode of apportionment of capital expenditures contained in the agreement providing for the establishment of the management board. The aliquot share must provide for the repayment of the loan and the payment of a compensatory amount that may be determined by resolution and must be equal to the interest that would be payable if the board, at the date on which it authorizes the payment of the expenditure, contracted a loan on the capital market to finance that expenditure for an identical term. The Minister of Finance must inform the board, at its request, of the interest rate in effect at the time of the request.

“**468.45.13.** The by-law is subject to the approval of all the municipalities for whose benefit the expenditure is incurred.

A municipality whose council has not made a decision with respect to the by-law at or before the second regular sitting following receipt of an authenticated copy of the by-law is deemed to have approved it.

“**468.45.14.** The Minister of Municipal Affairs and Regions may require that the by-law be submitted for approval to the qualified voters in the territory of each of the municipalities for whose benefit the expenditure is incurred.

To that end, the management board shall send an authenticated copy of the by-law to the Minister and give public notice of the adoption of the by-law to the municipal ratepayers concerned. The notice must be published in a newspaper in the territory of the municipalities and contain

- (1) the number, title, object and date of adoption of the by-law;
- (2) the amount of the projected loan and the use to be made of the sums borrowed from the fund; and

(3) the right of the ratepayers concerned to send the Minister of Municipal Affairs and Regions, within 30 days after the notice is published, a request that the by-law be submitted for approval to the qualified voters of each of the municipalities for whose benefit the expenditure is incurred.

“468.45.15. The Minister shall inform the management board if no request is received within the time prescribed in subparagraph 3 of the second paragraph of section 468.45.14.

If a request is received, the Minister may require that the by-law be approved by the qualified voters in the territory of each of the municipalities for whose benefit the expenditure is incurred.

The Minister shall inform the management board of the decision. If the Minister decides to require the approval of the qualified voters, the Minister shall also inform each of the municipalities for whose benefit the expenditure is incurred.”

25. Section 468.51 of the Act is amended

- (1) by striking out “section 569,” in the fourth line of the first paragraph;
- (2) by inserting the following paragraph after the first paragraph:

“For the purposes of section 105.2, the reports must be sent not later than 15 April. They must also be sent to each municipality in whose territory the board has jurisdiction.”;

- (3) by striking out the second paragraph.

26. The Act is amended by inserting the following sections after section 476:

“476.1. If the council decides to use moneys from the general fund to pay a capital expenditure incurred for the benefit of a specific sector of the territory of the municipality, it may decide to reimburse the fund by means of either a special tax imposed on all the taxable immovables situated in the sector or compensation payable by the owners or occupants of those immovables.

In such a case, the council shall authorize the use of the moneys by a by-law that specifies the amount of the moneys used and contains a detailed description of the expenditure. The by-law must also specify the term of repayment, which is not to exceed the useful life of the property that the moneys enable the municipality to acquire, repair, restore or build, and must impose a special tax on all the taxable immovables situated in the sector or require compensation from the owners or occupants of those immovables.

“476.2. The tax imposed or compensation required must provide for the repayment of the moneys used and the payment of a compensatory amount that may be determined by resolution and must be equal to the interest that would be payable if the municipality, at the date on which it authorizes the payment of the expenditure, contracted a loan on the capital market to finance that expenditure for an identical term. The Minister of Finance must inform the municipality, at its request, of the interest rate in effect at the time of the request.

“476.3. If the by-law imposes a special tax that is not based on the value of the immovable, the by-law may provide that the ratepayer on whose immovable the tax is imposed may, on the conditions set out in the by-law, exempt the immovable from the tax by paying in one instalment the portion of the principal that, upon maturity of the loan, would have been provided by the tax imposed on that immovable. If the by-law requires compensation, it may provide that the owner or occupant from whom compensation is required may obtain an exemption in the same manner, with the necessary modifications.

The share payable is calculated, in the case of a property tax, according to the assessment roll in force at the time the ratepayer makes the payment, taking into account any taxes paid under the by-law before the payment. In the case of compensation, the share is calculated according to the apportionment provided for in the by-law, as it applies at the time of the payment.

The amount of the moneys to be provided by the tax or compensation is reduced by the amount of any sum paid under this section.

The payment exempts the immovable from the special tax or the owner or occupant from the compensation for the remainder of the term of repayment specified in the by-law.

“476.4. The by-law is subject to the approval of the qualified voters of the sector.

However, a by-law adopted by the council of a municipality of 100,000 or more inhabitants is not subject to such approval when it authorizes the use of moneys for an expenditure and a loan by-law for that type of expenditure would have been exempted from such approval.”

27. Section 544 of the Act is amended by replacing “imposes, for repayment of the loan, a” in the first line of subparagraph 2 of the second paragraph by “prescribes, for the repayment of the loan, the annual appropriation of a portion of the general revenues of the municipality or the imposition of a”.

28. Section 569 of the Act is amended

(1) by inserting “the annual appropriation of a portion of the general revenues of the municipality or” after “prescribe” in the second line of the third paragraph of subsection 1;

(2) by replacing subsections 2 and 2.1 by the following subsection:

“(2) The council may borrow from the working-fund pending the collection of revenues, or in order to pay all or part of an expense resulting from the implementation of a departure incentive program for the officers and employees of the municipality or to pay a capital expenditure. The resolution authorizing the loan must specify the term of repayment, which may not exceed one year, five years or ten years, depending on the purpose of the loan.”;

(3) by replacing subsection 4 by the following subsection:

“(4) The interest on the working-fund and the compensatory sum provided for in section 569.0.3 are appropriated as ordinary revenue for the fiscal year in which the interest is earned and the sum collected.”;

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

“(a) the constitution of a working-fund or its capital endowment for an amount exceeding the percentage prescribed in subsection 1.1;”.

29. The Act is amended by inserting the following sections after section 569:

“**569.0.1.** Every year, the council shall provide out of its general revenue a sum sufficient to repay a loan from the working-fund.

“**569.0.2.** If the loan is used to pay a capital expenditure incurred for the benefit of a specific sector of the territory of the municipality, the council may decide to reimburse the fund by means of either a special tax imposed on all the taxable immovables situated in the sector or compensation payable by the owners or occupants of those immovables.

In such a case, the council shall authorize the loan from the working-fund by a by-law that specifies the amount of the loan and contains a detailed description of the expenditure. The by-law must also specify the term of repayment, which is not to exceed 10 years, and must impose a special tax on all the taxable immovables situated in the sector or require compensation from the owners or occupants of those immovables.

“**569.0.3.** The tax imposed or compensation required must provide for the repayment of the loan and the payment of a compensatory amount that may be determined by resolution and must be equal to the interest that would be payable if the municipality, at the date on which it authorizes the payment

of the expenditure, contracted a loan on the capital market to finance that expenditure for an identical term. The Minister of Finance must inform the municipality, at its request, of the interest rate in effect at the time of the request.

“569.0.4. If the by-law imposes a special tax that is not based on the value of the immovable, the by-law may provide that the ratepayer on whose immovable the tax is imposed may, on the conditions set out in the by-law, exempt the immovable from the tax by paying in one instalment the portion of the principal that, upon maturity of the loan, would have been provided by the tax imposed on that immovable. If the by-law requires compensation, it may provide that the owner or occupant from whom compensation is required may obtain an exemption in the same manner, with the necessary modifications.

The share payable is calculated, in the case of a property tax, according to the assessment roll in force at the time the ratepayer makes the payment, taking into account any taxes paid under the by-law before the payment. In the case of compensation, the share is calculated according to the apportionment provided for in the by-law, as it applies at the time of the payment.

The amount of the moneys to be provided by the tax or compensation is reduced by the amount of any sum paid under this section.

The payment exempts the immovable from the special tax or the owner or occupant from the compensation for the remainder of the term of repayment specified in the by-law.

“569.0.5. The by-law is subject to the approval of the qualified voters of the sector.

However, a by-law adopted by the council of a municipality of 100,000 or more inhabitants is not subject to such approval when it authorizes a loan from the working-fund for an expenditure and a loan by-law for that type of expenditure would have been exempted from such approval.”

MUNICIPAL CODE OF QUÉBEC

30. Article 25 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by replacing paragraph 14 by the following paragraph:

“(14) the word “sitting” used alone means either a regular sitting or a special sitting;”.

31. Article 82 of the Code is amended by replacing “session régulière” in the fifth and sixth lines of the second paragraph in the French text by “séance ordinaire”.

32. Article 135 of the Code is amended by replacing “session spéciale” in the first and second lines of the second paragraph in the French text by “séance extraordinaire”.

33. Article 142 of the Code is amended by replacing “next general sitting, or, after notice, at a special sitting” in the third line of subarticle 3 by “next regular sitting or, after notice, at a special sitting”.

34. The Code is amended by inserting the following article after article 145:

“**145.1.** The secretary-treasurer shall give public notice of any change in the location of sittings.”

35. Article 148 of the Code is replaced by the following articles:

“**148.** The council of a regional county municipality shall hold regular sittings at least once every two months, including one on the fourth Wednesday in November. The council of a local municipality shall hold regular sittings at least once a month.

The council shall determine the schedule of its regular sittings, setting the date and time of each sitting, before the beginning of the calendar year.

However, the council may decide that a regular sitting is to begin on a date and at a time other than that specified in the schedule.

“**148.0.1.** The secretary-treasurer shall give public notice of the schedule.

The secretary-treasurer shall also give notice of any regular sitting to be held on a day or at a time other than those specified in the schedule.

“**148.0.2.** At the November sitting, the council of the regional county municipality must, among other things, adopt the budget of the municipality for the next fiscal year.

The Minister of Municipal Affairs and Regions may, on the Minister’s initiative, allow the councils of the regional county municipalities or a category of them to adopt the budget after the regular sitting in November, at a sitting to be held not later than the date set by the Minister.

On sufficient proof that the council of the regional county municipality is unable to adopt the budget at the regular sitting in November or within the time determined by the Minister under the second paragraph, the Minister may grant any additional time the Minister determines for that purpose.”

36. Article 149 of the Code is replaced by the following article:

“**149.** The sittings are public, and the proceedings must be audible and intelligible.”

37. Article 151 of the Code is repealed.

38. Article 152 of the Code is amended by replacing “session spéciale” in the first line in the French text by “séance extraordinaire”.

39. Article 153 of the Code is amended in the French text

(1) by replacing “session spéciale” in the first line of the first paragraph by “séance extraordinaire”;

(2) by replacing “session” in the first line of the second paragraph by “séance”;

(3) by replacing “session” in the second line of the third paragraph by “séance”.

40. Article 154 of the Code is amended by replacing “ordinary or special sitting” in the first line by “sitting”.

41. Article 155 of the Code is amended in the French text

(1) by replacing “session” in the second line of the first paragraph by “séance”;

(2) by replacing “session” in the fourth line of the second paragraph by “séance”;

(3) by replacing “session spéciale” in the fifth line of the second paragraph by “séance extraordinaire”;

(4) by replacing “session” in the sixth line of the second paragraph by “séance”.

42. Article 156 of the Code is amended by replacing “spéciales” in the first line of the first paragraph in the French text by “extraordinaires”.

43. Article 164.1 of the Code is amended

(1) by inserting “or of Municipalité régionale de comté de Minganie” after “Caniapiscau” in the second line of the first paragraph;

(2) by replacing “régulière” in the third line of the third paragraph in the French text by “ordinaire”.

44. Article 176.2 of the Code is amended by replacing “15” in the first line of the first paragraph by “30”.

45. The Code is amended by inserting the following articles after article 583:

“583.1. If the management board decides to use moneys from the general fund to pay a capital expenditure incurred for the benefit of only some of the municipalities in whose territory the board has jurisdiction, it may decide to reimburse the fund by means of an aliquot share payable by the municipalities concerned.

In such a case, the board shall authorize the use of the moneys by a by-law that specifies the amount of the moneys used and contains a detailed description of the expenditure. The by-law must also specify the term of repayment, which is not to exceed the useful life of the property that the moneys enable the board to acquire, repair, restore or build, and must require an aliquot share from the municipalities for whose benefit the expenditure is incurred.

“583.2. The aliquot share payable by the municipalities is determined using the mode of apportionment of capital expenditures contained in the agreement providing for the establishment of the management board. The aliquot share must provide for the repayment of the moneys used and the payment of a compensatory amount that may be determined by resolution and must be equal to the interest that would be payable if the board, at the date on which it authorizes the payment of the expenditure, contracted a loan on the capital market to finance that expenditure for an identical term. The Minister of Finance must inform the board, at its request, of the interest rate in effect at the time of the request.

“583.3. The by-law is subject to the approval of all the municipalities for whose benefit the expenditure is incurred.

A municipality whose council has not made a decision with respect to the by-law at or before the second regular sitting following receipt of an authenticated copy of the by-law is deemed to have approved it.

“583.4. The Minister of Municipal Affairs and Regions may also require that the by-law be submitted for approval to the qualified voters in the territory of each of the municipalities for whose benefit the expenditure is incurred.

To that end, the management board shall send an authenticated copy of the by-law to the Minister and give public notice of the adoption of the by-law to the municipal ratepayers concerned. The notice must be published in a newspaper in the territory of the municipalities and contain

- (1) the number, title, object and date of adoption of the by-law;
- (2) the amount of the moneys to be used and the projected expenditure;
and
- (3) the right of the ratepayers concerned to send the Minister of Municipal Affairs and Regions, within 30 days after the notice is published, a request

that the by-law be submitted for approval to the qualified voters of each of the municipalities for whose benefit the expenditure is incurred.

“583.5. The Minister shall inform the management board if no request is received within the time prescribed in subparagraph 3 of the second paragraph of article 583.4.

If a request is received, the Minister may require that the by-law be approved by the qualified voters in the territory of each of the municipalities for whose benefit the expenditure is incurred.

The Minister shall inform the management board of the decision. If the Minister decides to require the approval of the qualified voters, the Minister shall also inform each of the municipalities for whose benefit the expenditure is incurred.”

46. The Code is amended by inserting the following articles after article 614.6:

“614.7. The management board may, with a view to having at its disposal the moneys it needs for the purposes within its jurisdiction, constitute a fund known as the “working-fund” or increase the amount of the fund. To that effect, it shall adopt a by-law

(1) to appropriate for that purpose all or part of the accumulated surplus of its general fund;

(2) to order a loan; or

(3) to carry out both of the above operations.

The by-law ordering a loan to constitute the working-fund or increase the amount of the fund must specify the term of the loan, which is not to exceed 10 years, and must stipulate that the repayment of the loan is to be charged to all the municipalities in whose territory the board has jurisdiction, according to the operating cost apportionment method set out in the agreement.

The amount of the fund may not exceed 20% of the appropriations provided for in the board’s budget for the current fiscal year. However, if the amount of the fund exceeds the prescribed percentage because the budget of a subsequent fiscal year provides for fewer appropriations than the budget used to determine the amount of the fund, the amount may remain unchanged.

Article 203 applies, with the necessary modifications, to the investment of the available moneys of the fund.

The interest on the working-fund and the compensatory sum provided for in article 614.12 are appropriated as ordinary revenue for the fiscal year in which the interest is earned and the sum collected.

If the working-fund is abolished, the moneys available in it must be used to repay a loan contracted to constitute the fund or increase the amount of the fund before they may be paid into the general fund.

“614.8. A member of the board of directors who, knowingly, by a vote or otherwise, authorizes

(1) the constitution of a working-fund or its capital endowment for an amount exceeding the percentage prescribed in the third paragraph of article 614.7;

(2) the investment of the moneys in the fund otherwise than in the manner prescribed in the fourth paragraph of article 614.7; or

(3) the use of the available moneys, if the working-fund is abolished, otherwise than in the manner prescribed in the sixth paragraph of article 614.7

may be declared disqualified to hold municipal office for two years and may be held personally liable towards the management board for any loss or damage suffered by it.

The liability mentioned in the first paragraph is joint and several and it applies to every officer or employee of the management board who knowingly is a party to the unlawful act.

Proceedings for the declaration of disqualification are taken in accordance with articles 838 to 843 of the Code of Civil Procedure (chapter C-25); an ordinary action is taken to obtain compensation for loss or damage. Any ratepayer may exercise such recourses.

Disqualification may also be declared by means of an action for declaration of disqualification under the Act respecting elections and referendums in municipalities (chapter E-2.2).

“614.9. The management board may borrow from the working-fund pending the collection of revenues, or in order to pay all or part of an expense resulting from the implementation of a departure incentive program for the officers and employees of the board or to pay a capital expenditure. The resolution authorizing the loan must specify the term of repayment, which may not exceed one year, five years or ten years, depending on the purpose of the loan.

“614.10. Every year, the management board shall provide out of its general fund a sum sufficient to repay a loan from the working-fund.

“614.11. If the loan is used to pay a capital expenditure incurred for the benefit of only some of the municipalities in whose territory the

management board has jurisdiction, the board may decide that the loan is to be repaid by means of an aliquot share payable by the municipalities concerned.

In such a case, the management board shall authorize the loan from the working-fund by a by-law that specifies the amount of the loan and contains a detailed description of the expenditure. The by-law must also specify the term of repayment, which is not to exceed 10 years, and must require an aliquot share from the municipalities for whose benefit the expenditure is incurred.

“614.12. The aliquot share payable by the municipalities is determined using the mode of apportionment of capital expenditures contained in the agreement providing for the establishment of the management board. The aliquot share must provide for the repayment of the loan and the payment of a compensatory amount which may be determined by resolution and must be equal to the interest that would be payable if the board, at the date on which it authorizes the payment of the expenditure, contracted a loan on the capital market to finance that expenditure for an identical term. The Minister of Finance must inform the board, at its request, of the interest rate in effect at the time of the request.

“614.13. The by-law is subject to the approval of all the municipalities for whose benefit the expenditure is incurred.

A municipality whose council has not made a decision with respect to the by-law at or before the second regular sitting following receipt of an authenticated copy of the by-law is deemed to have approved it.

“614.14. The Minister of Municipal Affairs and Regions may require that the by-law be submitted for approval to the qualified voters in the territory of each of the municipalities for whose benefit the expenditure is incurred.

To that end, the management board shall send an authenticated copy of the by-law to the Minister and give public notice of the adoption of the by-law to the municipal ratepayers concerned. The notice must be published in a newspaper in the territory of the municipalities and contain

- (1) the number, title, object and date of adoption of the by-law;
- (2) the amount of the projected loan and the use to be made of the sums borrowed from the fund; and
- (3) the right of the ratepayers concerned to send the Minister of Municipal Affairs and Regions, within 30 days after the notice is published, a request that the by-law be submitted for approval to the qualified voters of each of the municipalities for whose benefit the expenditure is incurred.

“614.15. The Minister shall inform the management board if no request is received within the time prescribed in subparagraph 3 of the second paragraph of article 614.14.

If a request is received, the Minister may require that the by-law be approved by the qualified voters in the territory of each of the municipalities for whose benefit the expenditure is incurred.

The Minister shall inform the management board of the decision. If the Minister decides to require the approval of the qualified voters, the Minister shall also inform each of the municipalities for whose benefit the expenditure is incurred.”

47. Article 620 of the Code is amended

(1) by striking out “section 569,” in the fourth line of the first paragraph;

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

“For the purposes of section 105.2 of the Cities and Towns Act, the reports must be sent not later than 15 April. They must also be sent to each municipality in whose territory the board has jurisdiction.”;

(3) by striking out the second paragraph.

48. The Code is amended by inserting the following articles after article 960:

“960.0.1. If the council of a local municipality decides to use moneys from the general fund to pay a capital expenditure incurred for the benefit of a specific sector of the territory of the municipality, it may decide to reimburse the fund by means of either a special tax imposed on all the taxable immovables situated in the sector or compensation payable by the owners or occupants of those immovables.

In such a case, the council shall authorize the use of the moneys by a by-law that specifies the amount of the moneys used and contains a detailed description of the expenditure. The by-law must also specify the term of repayment, which is not to exceed the useful life of the property that the moneys enable the municipality to acquire, repair, restore or build, and must impose a special tax on all the taxable immovables situated in the sector or require compensation from the owners or occupants of those immovables.

“960.0.2. The tax imposed or compensation required must provide for the repayment of the moneys used and the payment of a compensatory amount that may be determined by resolution and must be equal to the interest that would be payable if the municipality, at the date on which it authorizes the payment of the expenditure, contracted a loan on the capital market to finance that expenditure for an identical term. The Minister of

Finance must inform the municipality, at its request, of the interest rate in effect at the time of the request.

“960.0.3. If the by-law imposes a special tax that is not based on the value of the immovable, the by-law may provide that the ratepayer on whose immovable the tax is imposed may, on the conditions set out in the by-law, exempt the immovable from the tax by paying in one instalment the portion of the principal that, upon maturity of the loan, would have been provided by the tax imposed on that immovable. If the by-law requires compensation, it may provide that the owner or occupant from whom compensation is required may obtain an exemption in the same manner, with the necessary modifications.

The share payable is calculated, in the case of a property tax, according to the assessment roll in force at the time the ratepayer makes the payment, taking into account any taxes paid under the by-law before the payment. In the case of compensation, the share is calculated according to the apportionment provided for in the by-law, as it applies at the time of the payment.

The amount of the moneys to be provided by the tax or compensation is reduced by the amount of any sum paid under this article.

The payment exempts the immovable from the special tax or the owner or occupant from the compensation for the remainder of the term of repayment specified in the by-law.

“960.0.4. The by-law is subject to the approval of the qualified voters of the sector.

“960.0.5. If the council of a regional county municipality decides to use moneys from the general fund to pay a capital expenditure incurred for the benefit of only some of the local municipalities whose territory is situated in the territory of the regional county municipality, it may decide to reimburse the fund by means of an aliquot share payable by the local municipalities concerned.

In such a case, the council shall authorize the use of the moneys by a by-law that specifies the amount of the moneys used and contains a detailed description of the expenditure. The by-law must also specify the term of repayment, which is not to exceed the useful life of the property that the moneys enable the regional county municipality to acquire, repair, restore or build, and must require an aliquot share from the local municipalities for whose benefit the expenditure is incurred.

“960.0.6. The aliquot share payable by the municipalities must provide for the repayment of the moneys used and the payment of a compensatory amount that may be determined by resolution and must be equal to the interest that would be payable if the regional county municipality, at the date on which it authorizes the payment of the expenditure, contracted a loan on

the capital market to finance that expenditure for an identical term. The Minister of Finance must inform the regional county municipality, at its request, of the interest rate in effect at the time of the request.

“960.0.7. For an affirmative decision to be made under article 960.0.5 or 960.0.6, in addition to the majority required under section 201 of the Act respecting land use planning and development (chapter A-19.1), a majority of the votes cast by the representatives of the local municipalities for whose benefit the expenditure is incurred must also be cast in the affirmative, and the total population awarded to those representatives who cast affirmative votes must be equal to more than half of the total population awarded to all the representatives of the local municipalities concerned.”

49. Article 968 of the Code is amended by replacing “The council, at a regular or special meeting,” in the fifth line of the first paragraph by “The council”.

50. Article 975 of the Code is amended by replacing “second, third or fourth paragraph of article 148” in the first and second lines of the first paragraph by “first, second or third paragraph of article 148.0.2”.

51. Article 1036 of the Code is amended

(1) by replacing “the two years next following” in the second and third lines of the second paragraph by “the year”;

(2) by replacing “the first two years he is in possession thereof” in the second line of the third paragraph by “the first year he is in possession of it”.

52. Article 1043 of the Code is amended by replacing “within two years from” in the first line by “within one year after”.

53. Article 1044 of the Code is amended

(1) by replacing “two years’ time” in the third line of the first paragraph by “one year”;

(2) by replacing “delay” in the second line of the second paragraph by “time”.

54. Article 1050 of the Code is amended by replacing “by two years from” in the second and third lines by “one year after”.

55. Article 1057 of the Code is amended

(1) by replacing “two years after” in the second line by “the year following”;

(2) by replacing “every fraction of a year being reckoned as a year” in the last line by “a fraction of the year being counted as a year”.

56. Article 1060 of the Code is amended by replacing “every fraction of a year being reckoned as a year” in the fifth line of the first paragraph by “a fraction of the year being counted as a year”.

57. Article 1063 of the Code is amended

(1) by inserting “adopted by the council of a local municipality and” after “by-law” in the first line of the second paragraph;

(2) by replacing “imposes, for repayment of the loan, a” in the first line of subparagraph 1 of the second paragraph by “prescribes, for repayment of the loan, the annual appropriation of a portion of the general revenues of the municipality or the imposition of a”.

58. Article 1094 of the Code is amended

(1) by inserting “the annual appropriation of a portion of the general revenues of the municipality or” after “prescribe” in the second line of the third paragraph of subarticle 1;

(2) by inserting “the annual appropriation of a portion of the general revenues of the municipality or” after “prescribing” in the sixth line of the third paragraph of subarticle 1;

(3) by replacing subarticles 2 and 2.1 by the following subarticle:

“(2) The municipality may borrow from the working-fund pending the collection of revenues, or in order to pay all or part of an expense resulting from the implementation of a departure incentive program for the officers and employees of the municipality or to pay a capital expenditure. The resolution authorizing the loan must specify the term of repayment, which may not exceed one year, five years or ten years, depending on the purpose of the loan.”;

(4) by replacing subarticle 4 by the following subarticle:

“(4) The interest on the working-fund and the compensatory sum provided for in article 1094.0.3 or 1094.0.7 are appropriated as ordinary revenue for the fiscal year in which the interest is earned and the sum collected.”;

(5) by replacing subparagraph *a* of the first paragraph of subarticle 5 by the following subparagraph:

“(a) the constitution of a working-fund or its capital endowment for an amount exceeding the percentage prescribed in subarticle 1.1.”;

59. The Code is amended by inserting the following articles after article 1094:

“1094.0.1. Subject to articles 1094.0.2 and 1094.0.6, every year, a municipality shall provide out of its general fund a sum sufficient to repay a loan from the working-fund.

“1094.0.2. If the loan from the working-fund of a local municipality is used to pay a capital expenditure incurred for the benefit of a specific sector of the territory of the municipality, the local municipality may decide to reimburse the fund by means of either a special tax imposed on all the taxable immovables situated in the sector or compensation payable by the owners or occupants of those immovables.

In such a case, the council shall authorize the loan from the working-fund by a by-law that specifies the amount of the loan and contains a detailed description of the expenditure. The by-law must also specify the term of repayment, which is not to exceed 10 years, and must impose a special tax on all the taxable immovables situated in the sector or require compensation from the owners or occupants of those immovables.

“1094.0.3. The tax imposed or compensation required must provide for the repayment of the loan and the payment of a compensatory amount that may be determined by resolution and must be equal to the interest that would be payable if the municipality, at the date on which it authorizes the payment of the expenditure, contracted a loan on the capital market to finance that expenditure for an identical term. The Minister of Finance must inform the municipality, at its request, of the interest rate in effect at the time of the request.

“1094.0.4. If the by-law imposes a special tax that is not based on the value of the immovable, the by-law may provide that the ratepayer on whose immovable the tax is imposed may, on the conditions set out in the by-law, exempt the immovable from the tax by paying in one instalment the portion of the principal that, upon maturity of the loan, would have been provided by the tax imposed on that immovable. If the by-law requires compensation, it may provide that the owner or occupant from whom compensation is required may obtain an exemption in the same manner, with the necessary modifications.

The share payable is calculated, in the case of a property tax, according to the assessment roll in force at the time the ratepayer makes the payment, taking into account any taxes paid under the by-law before the payment. In the case of compensation, the share is calculated according to the apportionment provided for in the by-law, as it applies at the time of the payment.

The amount of the moneys to be provided by the tax or compensation is reduced by the amount of any sum paid under this article.

The payment exempts the immovable from the special tax or the owner or occupant from the compensation for the remainder of the term of repayment specified in the by-law.

“1094.0.5. The by-law is subject to the approval of the qualified voters of the sector.

“1094.0.6. If a loan from the working-fund of a regional county municipality is used to pay a capital expenditure incurred for the benefit of only some of the local municipalities whose territory is situated in the territory of the regional county municipality, the regional county municipality may decide to reimburse the fund by means of an aliquot share payable by the local municipalities concerned.

In such a case, the council shall authorize the loan from the working-fund by a by-law that specifies the amount of the loan and contains a detailed description of the expenditure. The by-law must also specify the term of repayment, which is not to exceed 10 years, and must require an aliquot share from the local municipalities for whose benefit the expenditure is incurred.

“1094.0.7. The aliquot share payable by the municipalities must provide for the repayment of the loan and the payment of a compensatory amount that may be determined by resolution and must be equal to the interest that would be payable if the regional county municipality, at the date on which it authorizes the payment of the expenditure, contracted a loan on the capital market to finance that expenditure for an identical term. The Minister of Finance must inform the regional county municipality, at its request, of the interest rate in effect at the time of the request.

“1094.0.8. For an affirmative decision to be made under article 1094.0.6 or 1094.0.7, in addition to the majority required under section 201 of the Act respecting land use planning and development (chapter A-19.1), a majority of the votes cast by the representatives of the local municipalities for whose benefit the expenditure is incurred must be cast in the affirmative, and the total population awarded to those representatives who cast affirmative votes must be equal to more than half of the total population awarded to all the representatives of the local municipalities concerned.”

60. Article 1121 of the Code is amended by replacing “two years” in the third line of the second paragraph by “one year”.

61. The Code is amended by replacing “session” and “sessions” wherever they appear in the French text, except article 691, by “séance” and “séances”, respectively.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

62. Section 4 of the Act respecting the Communauté métropolitaine de Montréal (R.S.Q., chapter C-37.01) is amended by replacing “agglomeration” wherever it appears by “urban agglomeration”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE
QUÉBEC

63. Section 4 of the Act respecting the Communauté métropolitaine de Québec (R.S.Q., chapter C-37.02) is amended by replacing “agglomeration” wherever it appears by “urban agglomeration”.

MUNICIPAL POWERS ACT

64. The Municipal Powers Act (R.S.Q., chapter C-47.1) is amended by inserting the following section after section 41:

“**41.1.** Any amount owed to the designated person is considered a claim and a tax other than a property tax of the municipality where the work is requested under section 36.”

65. Section 67 of the Act is amended by striking out “regulatory” in the first line of paragraph 1.

66. The Act is amended by inserting the following division after section 78:

“**DIVISION I.1**

“LOCAL FUND FOR THE REPAIR AND MAINTENANCE OF CERTAIN
PUBLIC ROADS

“§ 1.— *Establishment and purpose of the fund*

“**78.1.** A local municipality whose territory includes the site of a quarry or sand pit must, subject to section 110.1, establish a fund for the repair and maintenance of certain public roads.

The sums paid into the fund, other than those reserved for the administrative costs of the scheme set up under this division, must be used for

(1) the repair and maintenance of all or part of the public roads on which substances on which duties are payable under section 78.2 are or could be transported from a site situated in the territory of the municipality;

(2) work to compensate for inconveniences related to the transportation of those substances.

“§ 2. — *Duties to be charged*

“**78.2.** The fund is to be made up of duties payable by each operator of a site referred to in section 78.1, situated in the territory of the municipality, the operation of which is likely to entail the transportation on municipal public roads of the substances referred to in the second paragraph.

The duties payable by an operator are calculated on the basis of the quantity of substances, expressed in metric tons or cubic metres, whether or not they have been processed, that are transported from the operator's site and that are surface mineral substances defined in section 1 of the Mining Act (chapter M-13.1) or substances from the recycling of debris created by the demolition of buildings, bridges, highways or other structures.

However, no duties are payable on peat or substances processed in an immovable that is part of a unit of assessment that includes the site and is listed under the heading "2-3—INDUSTRIES MANUFACTURIÈRES", but not the headings "3650 Industrie du béton préparé" and "3791 Industrie de la fabrication de béton bitumineux", provided in the manual referred to in the regulation made under paragraph 1 of section 263 of the Act respecting municipal taxation (chapter F-2.1). The exclusion also applies to an immovable that is part of a unit of assessment listed as described above if the unit is adjacent to the unit that includes the site.

“78.3. The duties payable per metric ton for a municipal fiscal year, referred to as the “fiscal year concerned”, are 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 first two decimal places are considered, and if the third decimal is greater than 4, the second decimal is rounded up.

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.

Not later than 30 June before the beginning of the fiscal year concerned, the Minister of Municipal Affairs and Regions shall publish a notice in the *Gazette officielle du Québec*

(1) giving the percentage used to establish any amount applicable for that fiscal year or stating that an increase is impossible for that fiscal year; and

(2) stating any amount applicable for that fiscal year.

“**78.4.** The duties payable per cubic metre for a municipal fiscal year are obtained by multiplying the amount payable per metric ton for that fiscal year, determined in accordance with section 78.3, by the conversion factor of 1.9, or 2.7 in the case of dimension stone.

If the product obtained is a mixed number, only the first two decimal places are considered and if the third decimal is greater than 4, the second decimal is rounded up.

The notice provided for in the sixth paragraph of section 78.3 must also state any amount applicable under this section.

“§ 3. — *Declarations by site operators*

“**78.5.** The operator of a site referred to in section 78.1 and situated in the territory of the municipality must declare to the municipality, at the intervals and in the manner prescribed by municipal by-law,

(1) whether the substances on which duties are payable under section 78.2 are likely to be transported on municipal public roads from the operator’s site during the period covered by the declaration;

(2) the quantity of any such substances, expressed in metric tons or cubic metres, transported from the operator’s site during the period covered by the declaration.

If the declaration referred to in subparagraph 1 of the first paragraph establishes that, during the period it covers, none of those substances is likely to be transported on municipal public roads from the operator’s site, the declaration must be made under oath and include reasons. The person making the declaration is then exempted from any duties for the period covered by the declaration.

“§ 4. — *Collection of duties and procedure*

“**78.6.** The municipality may, by by-law, establish a mechanism to assess the accuracy of any declaration made under section 78.5 and prescribe rules applicable to the administration of the scheme set up under this division.

“**78.7.** Subject to the third paragraph, duties payable by an operator are due from the thirtieth day after an account is sent by the municipal officer in charge of collecting the duty. Interest accrues from that day at the rate then in force for interest on arrears of municipal taxes.

The account must inform the debtor of the rules set out in the first paragraph.

However, the duties payable by an operator on substances transported from the operator's site during a municipal fiscal year are not due before

(1) 1 August of that fiscal year for substances transported from 1 January to 31 May of that fiscal year;

(2) 1 December of that fiscal year for substances transported from 1 June to 30 September of that fiscal year;

(3) 1 March of the following fiscal year for substances transported from 1 October to 31 December of the fiscal year for which the duties are payable.

“78.8. The duties payable constitute a prior claim on the movable property of the debtor, of the same nature and with the same rank as the claims described in paragraph 5 of article 2651 of the Civil Code of Québec, and are secured by a legal hypothec on the movable property.

“78.9. A claim resulting from the duties is prescribed three years after the municipality receives a declaration made under subparagraph 2 of the first paragraph of section 78.5, except any unpaid amount on that claim resulting from a fraudulent declaration or a declaration equivalent to fraud.

“78.10. If the municipal officer in charge of collecting the duty is of the opinion, based on information obtained by means of a mechanism established under section 78.6, that an operator has been exempted on false grounds from the duties payable in respect of a site, following a declaration made under section 78.5, or that the quantity of substances transported from the site is different from that mentioned in a declaration made under subparagraph 2 of the first paragraph of that section, the officer must mention in the account any change that the officer deems it necessary to make to the information contained in the declaration.

The duties are payable on the basis of the amended information contained in the account, subject to any judgment resulting from an action instituted under section 78.11 that has become *res judicata*.

“78.11. Sections 505 to 510 of the Cities and Towns Act (chapter C-19) or articles 1013 to 1020 of the Municipal Code of Québec (chapter C-27.1) apply with the necessary modifications to the recovery of the duties due. Movable property may be seized and sold 30 days after the date the duties become due, while proceedings for recovery may be instituted from the day on which the duties become due.

“78.12. All information obtained under section 78.5 is confidential except information that is already public according to law. No person may communicate such information or allow it to be communicated to a person not legally entitled to it or allow such a person to examine a document containing such information or to have access to it.

However, on the written authorization of the interested person or the interested person's authorized representative, such information may be communicated to a person designated in the authorization.

This section applies despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

Whoever contravenes this section is liable to a fine of \$500 to \$2,500.

“§ 5. — *Agreements*

“**78.13.** A municipality that has jurisdiction over public roads and by whose public roads substances on which duties are payable under section 78.2 are or could be transported from a site situated in the territory of another municipality may request that municipality to enter into an agreement with respect to the allocation of the sums paid into the fund established in accordance with this division.

If the municipality that established the fund refuses to enter into an agreement, the municipality making the request may submit the dispute to the Commission municipale du Québec, whose decision is final, provided its territory meets at least one of the following conditions:

(1) it is contiguous to the territory of the municipality that established the fund;

(2) it is contiguous to the territory of the regional county municipality that includes the territory of the municipality that established the fund; and

(3) if the municipality making the request is a local municipality, it is included in the territory of a regional county municipality that meets one of the conditions set out in subparagraphs 1 and 2 or is included in the territory of the regional county municipality that includes the territory of the municipality that established the fund.

The decision of the Commission must take into account, among other things, the extent to which the public roads of each municipality are used for the transportation of the substances and, if applicable, determine criteria for the allocation of the sums paid into the fund. The decision of the Commission applies to the sums collected from the date on which the dispute is submitted to it.”

67. Section 92.1 of the Act is amended by striking out the first sentence of the fifth paragraph.

68. Section 92.7 of the Act is repealed.

69. Section 110 of the Act is amended by replacing “and 108” in the second paragraph by “to 109”.

70. The Act is amended by inserting the following division after section 110:

“DIVISION I.1

“REGIONAL FUND FOR THE REPAIR AND MAINTENANCE OF CERTAIN PUBLIC ROADS

“110.1. A regional county municipality may establish a regional fund for the repair and maintenance of certain public roads. Once established, it stands in lieu of any local fund established under section 78.1 in the territory of the regional county municipality; sections 78.1 to 78.13 apply, with the necessary modifications, to the regional fund.

From the establishment of the regional fund, only the regional county municipality may collect the duties provided for in section 78.2 in its territory.

The sums paid into a local fund before the regional fund is established remain the property of the local municipality that established the local fund and must be used in accordance with the purpose of the fund.

“110.2. A regional county municipality that establishes a regional fund must do so by means of a by-law an authenticated copy of which must be sent to each local municipality in its territory not later than 1 October before the fiscal year for which the fund is established.

The by-law must determine the terms for the use of the fund, which may require, among other things, that all or part of the sums be used by the regional county municipality, if it has jurisdiction over public roads, or by the local municipalities in its territory according to the allocation criteria set out in the by-law.

The regional county municipality may, in the by-law, delegate all or part of the administration of the scheme set up under this division to a local municipality in its territory; the delegation is only valid if the local municipality consents to it.

“110.3. A local municipality whose territory forms part of that of the regional county municipality may request the Commission municipale du Québec to review the allocation criteria set out in the by-law.

The decision of the Commission is final.”

ACT RESPECTING INTERMUNICIPAL BOARDS OF TRANSPORT IN THE AREA OF MONTRÉAL

71. Section 10 of the Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1) is amended

(1) by replacing “adapted as required, apply to the board.” at the end of the first paragraph by “apply to the board with the necessary modifications. More specifically,

“(1) for the purposes of section 105.2 of the Cities and Towns Act, the reports must be sent not later than 15 April and they must also be sent to each municipality that is a party to the agreement constituting the board;

“(2) for the purposes of section 468.34 of the Act, the budget must be sent not later than 1 November and it must also be sent to the Agence métropolitaine de transport; and

“(3) for the purposes of section 468.36 of the Act, the supplementary budget must also be sent to the Agence métropolitaine de transport.”;

(2) by striking out the second paragraph.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

72. Section 66 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is amended

(1) by inserting “468.45.8,” after “sections” in the second line of the second paragraph;

(2) by inserting “614.8,” after “articles” in the third line of the second paragraph.

73. Section 408 of the Act is amended by replacing “it has already been filed with the authorization” in the second and third lines of subparagraph 2 of the second paragraph by “they have already been filed with the application”.

74. The Act is amended by inserting the following sections after section 580:

“580.1. An amount established in the regulation made under section 580 is indexed in accordance with sections 580.2 to 580.4.

“580.2. Subject to section 580.3, the amount applicable for a given fiscal year, referred to as “the fiscal year concerned”, is the result obtained by indexing upward the amount applicable for the preceding fiscal year.

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 indexation results in a mixed number,

(1) for an amount under \$1, only the first three decimal places are considered;

(2) for any other amount, only the integer is used and the number is rounded up if the first decimal is greater than 4.

“580.3. If an increase is not possible for the fiscal year concerned, the amount applicable for that fiscal year is equal to the amount applicable for the preceding fiscal year.

“580.4. Before the beginning of the fiscal year concerned, the Minister of Municipal Affairs and Regions shall publish a notice in the *Gazette officielle du Québec*

(1) either stating the rate of increase used to establish any amount applicable for that fiscal year or stating that an increase is not possible for that fiscal year; and

(2) stating the amount applicable for that fiscal year.”

75. The Act is amended by inserting the following section after section 582:

“582.1. The Minister may, by regulation, determine the manner in which a person entered as an elector or a qualified voter on the list of electors or referendum list in a capacity other than that of a domiciled person may exercise the right to vote by mail.

The chief electoral officer must be consulted on the draft regulation before it is published in accordance with section 8 of the Regulations Act (chapter R-18.1).”

76. The Act is amended by inserting the following section after section 659.3:

“659.4. If a regulation made under section 582.1 is in force, a municipality may provide that a person entered as an elector or a qualified voter on the list of electors or referendum list in a capacity other than that of a domiciled person may, on request, exercise the right to vote by mail in accordance with the regulation.

The resolution of the municipality must be passed not later than 1 July of the calendar year in which a general election is to be held or, in the case of a by-election, not later than the fifteenth day after the day on which the council is informed of the polling date. In the case of a referendum poll, the resolution must be made during the sitting of the council during which the polling date is to be set. The same rules apply to a resolution passed to annul a previous resolution.

The clerk or secretary-treasurer shall send an authenticated copy of a resolution referred to in the second paragraph to the Minister of Municipal Affairs and Regions and to the chief electoral officer as soon as possible after the resolution is passed.

Until the resolution of the municipality is rescinded, it is valid for the purposes of any subsequent poll.

Voting by mail applies for the purposes of a poll to elect a warden in the territory of the municipality if the territory is comprised in that of the regional county municipality whose warden is elected in accordance with section 210.29.2 of the Act respecting municipal territorial organization (chapter O-9).

Section 659.2 does not apply to voting by mail.”

ACT RESPECTING THE EXERCISE OF CERTAIN MUNICIPAL POWERS IN CERTAIN URBAN AGGLOMERATIONS

77. Section 118.2 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (R.S.Q., chapter E-20.001), enacted by section 19 of chapter 10 of the statutes of 2007, is amended by adding the following paragraph after the second paragraph:

“This section applies subject to Division III.6 of Chapter XVIII of the Act respecting municipal taxation (chapter F-2.1).”

78. Section 118.27 of the Act, enacted by section 9 of chapter 33 of the statutes of 2007, is amended by adding the following paragraph after the second paragraph:

“This section applies subject to Division III.6 of Chapter XVIII of the Act respecting municipal taxation (chapter F-2.1).”

ACT RESPECTING MUNICIPAL TAXATION

79. Section 57.1.1 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended

(1) by replacing “categories” in the third line of the first paragraph by “classes”;

(2) by replacing “category” in the fifth line of the first paragraph by “class”.

80. Section 244.8 of the Act is amended by striking out the third and fourth paragraphs.

81. Section 244.59 of the Act is amended by striking out “from” in the third line of the second paragraph.

82. The Act is amended by inserting the following after section 244.67:

“DIVISION III.6

“TAX TO FINANCE 9-1-1 EMERGENCY CENTRES

“**244.68.** For the purpose of financing 9-1-1 emergency centres, a local municipality must, before the expiry of the time limit determined by the Government, put into force a by-law to impose a tax on a telephone service, payable by the client of that service.

The by-law must specify, in accordance with the regulation made by the Government under paragraph 13 of section 262,

(1) the definition of “telephone service” and “client” for the purposes of the by-law;

(2) the amount of the tax for each telephone service, or the rules allowing the amount to be established;

(3) the date from which the tax is to be imposed.

“**244.69.** A notice of motion is not required to pass the by-law.

The by-law is subject to approval by the Minister and, to that end, an authenticated copy must be sent to the Minister as soon as possible after the by-law is passed.

If, before giving approval, the Minister requires that the by-law be amended, it may be amended by resolution.

The municipality shall send the Minister a copy of the notice of publication as soon as possible after the by-law comes into force.

If the municipality does not comply with the obligation to put the by-law into force before the expiry of the time limit determined by the Government, the Minister may do so in its place. The putting into force of the by-law by the Minister has the same effect as if the municipality had acted. However, nothing prevents the municipality from acting after the expiry of the time limit determined by the Government and before the Minister acts in its place.

“244.70. If the Government amends the regulation made under paragraph 13 of section 262 after the by-law comes into force, the local municipality must put into force the amendments required to bring the by-law into conformity with the government regulation before the expiry of the time limit determined by the Government.

Section 244.69 applies, with the necessary modifications, to the amending by-law.

“244.71. As a mandatary of the municipality, a telephone service provider to which the by-law applies is bound to collect the tax and, after subtracting the sum it keeps for administrative costs, remit the proceeds to the Minister of Revenue, all on the terms and conditions prescribed in a regulation made under paragraph 14 of section 262.

“244.72. The Minister of Revenue, after subtracting the sum the Minister of Revenue keeps for administrative costs, shall remit the proceeds of the tax to the body designated by the Minister of Municipal Affairs and Regions under section 244.73, all on the terms and conditions prescribed in a regulation made under paragraph 15 of section 262.

“244.73. The Minister shall designate a body to be responsible for receiving the proceeds of the tax and managing them in accordance with section 244.74.

The body must

(1) be a non-profit body constituted under Part III of the Companies Act (chapter C-38);

(2) be managed by a board of directors that makes decisions relating to the management of the proceeds of the tax by unanimous vote and is composed of an equal number of representatives from the Union des municipalités du Québec, the Fédération québécoise des municipalités locales et régionales (FQM) and Ville de Montréal.

The body must also allow a representative designated by the Minister to attend meetings of the board of directors at any time as an observer.

“244.74. The body must deposit the proceeds of the tax it receives in an account opened for that purpose at a financial institution.

Subject to the third paragraph, the body must, under the rules it sets, apportion the sums contained in the account among the local municipalities for the purpose of financing 9-1-1 emergency centres.

The body must pay, out of those sums, the costs related to the verification provided for in section 52.8 of the Civil Protection Act (chapter S-2.3). It may also use up to 3% of those sums annually to pay its administrative costs and other miscellaneous expenses related to the services rendered by the 9-1-1 emergency centres.

Within three months after the end of each fiscal year, the body must submit to the Minister, in the manner determined by the Minister, an activity report that sets out how the sums were apportioned among the municipalities.”

83. Section 250.1 of the Act is amended by replacing the second paragraph by the following paragraph:

“The penalty shall not exceed 0.5% of the outstanding principal for every whole month of tardiness, up to 5% per year. For the purposes of this paragraph, tardiness begins on the day on which the tax becomes payable or on which the order is made, whichever occurs later.”

84. Section 252.1 of the Act is amended

(1) by replacing “from whom payment of” in the second line by “required to pay”;

(2) by striking out the second “of” in the third line.

85. Section 261 of the Act is replaced by the following section:

“**261.** The Government must, by regulation, establish an equalization scheme, the object of which is the payment of a sum to a local municipality where the standardized property value per inhabitant, the average value of the dwellings or any other measure of value is, in all or some respects, lower than the median of those values for the local municipalities subject to this Act.

The regulation sets, among other things, the eligibility rules for the scheme, the rules for determining the sum to which a municipality is entitled, which may vary from one municipality or category of municipality mentioned or defined in the regulation to another, and the rules governing how the sums are to be paid.”

86. Section 262 of the Act is amended

(1) by replacing paragraph 7 by the following paragraph:

“(7) establish the equalization scheme provided for in section 261 and set the rules provided for in the second paragraph of that section;”;

(2) by adding the following after paragraph 12:

“(13) define, for the purposes of section 244.68, “telephone service” and “client”, determine, for each telephone service, the amount of the tax referred to in that section or the rules to establish the tax, determine the date from which the tax is imposed and determine the date from which any amendment to the by-law is to take effect;

“(14) determine the terms and conditions for the collection and the remittance provided for in section 244.71, in particular the sum the telephone service provider keeps for administrative costs;

“(15) determine the terms and conditions for the remittance provided for in section 244.72, in particular the sum the Minister of Revenue keeps for administrative costs.

The making of a regulation under paragraph 14 or 15 must be recommended jointly by the Minister of Municipal Affairs and Regions and the Minister of Revenue.

A regulation concerning a matter referred to in paragraph 13 or determining the sum the telephone service provider keeps for administrative costs may only be adopted by the Government after consultation by the Minister of Municipal Affairs and Regions with the Union des municipalités du Québec, the Fédération québécoise des municipalités locales et régionales (FQM), Ville de Montréal and various persons or bodies the Minister considers representative of telephone service providers and 9-1-1 emergency centre operators.”

ACT RESPECTING CERTAIN PUBLIC UTILITY INSTALLATIONS

87. Section 3 of the Act respecting certain public utility installations (R.S.Q., chapter I-13) is amended by replacing “Régie” in the first line and in the last line by “Commission municipale du Québec”.

ACT RESPECTING ADMINISTRATIVE JUSTICE

88. Schedule IV to the Act respecting administrative justice (R.S.Q., chapter J-3) is amended by inserting the following paragraph after paragraph 20.2:

“(20.3) section 52.13 of the Civil Protection Act (chapter S-2.3);”.

ACT RESPECTING MUNICIPAL TERRITORIAL ORGANIZATION

89. Section 210.29.2 of the Act respecting municipal territorial organization (R.S.Q., chapter O-9) is amended by inserting “, among other things,” after “is” in the first line of the third paragraph.

90. Schedule I to the Act is amended by inserting the following section after section 30:

“30.1. Section 659.4 is replaced by the following section:

“659.4. If a regulation made under section 582.1 is in force, the regional county municipality may provide that a person entered as an elector, in a capacity other than that of a domiciled person, on the list of electors for the unorganized territory may, on request, exercise the right to vote by mail in accordance with the regulation.

The resolution of the regional county municipality must be passed not later than 1 July of the calendar year in which a general election is to be held or, in the case of a by-election, not later than the fifteenth day after the day on which the council is informed of the polling date. The same rules apply to a resolution passed to annul a previous resolution.

The secretary-treasurer shall send an authenticated copy of any resolution referred to in the second paragraph to the Minister of Municipal Affairs and Regions and to the chief electoral officer as soon as possible after the resolution is passed.

Until the resolution of the regional county municipality is rescinded, it is valid for the purposes of any subsequent poll.””

ACT RESPECTING THE PENSION PLAN OF ELECTED MUNICIPAL OFFICERS

91. Section 41 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3) is replaced by the following section:

“41. A pension is payable to a pensioner until the first day of the month following the pensioner’s death or, in the case of a person who ceased to participate in the plan while entitled to a pension, from the date on which the person would have been entitled to receive a pension without actuarial reduction until the first day of the month following the person’s death.”

92. The Act is amended by inserting the following division after section 54.1:

“DIVISION IV

“WAIVER

“54.2. The spouse may waive the spousal benefits granted under this plan before the date of the death of the person who participates in the plan, of the person who ceased to participate in the plan or of the pensioner. The spouse may also revoke the waiver before that date.

The spouse’s waiver does not entail a waiver of the rights arising from sections 78 and 79.

To be valid, the waiver or revocation must bear on all spousal benefits and be served on the Commission by means of a notice that must be received on a date that is prior to the date of death and contain the information determined by government regulation.

The spouse's waiver is cancelled if, on the date of the pensioner's death, no refund of the contributions is payable under this plan to the pensioner's successors. The computation is calculated at the date of death and based on the data known to the Commission on the date of its decision; that data is deemed to be accurate. When the spouse's waiver is cancelled, the spouse may receive the benefits the spouse is entitled to under the plan.

Despite the spouse's waiver, the plan is deemed to grant the spouse a right to death benefits for the purposes of article 415 of the Civil Code of Québec."

93. The heading of Chapter VI.0.1 of the Act is amended by striking out "PRIOR TO 2002".

94. Section 63.0.1 of the Act is amended by striking out "and prior to 1 January 2002" in the third line of the third paragraph.

95. Section 63.0.5 of the Act is amended by striking out "and prior to 1 January 2002" in the third line of the first paragraph.

96. Section 64 of the Act is amended by replacing "reporting to the Minister" in the second line of the second paragraph by "reporting to it and to the Minister".

97. Section 69 of the Act is repealed.

98. Section 70.1 of the Act, amended by section 81 of chapter 49 of the statutes of 2006, is again amended by replacing "Despite the fourth paragraph of section 11 of the Act respecting the Commission administrative des régimes de retraite et d'assurances (2006, chapter 49), the Committee is composed of the president and chief executive officer of the Commission" in the second paragraph by "The committee is composed of a chair".

99. Section 70.2 of the Act, amended by section 82 of chapter 49 of the statutes of 2006, is again amended

(1) by adding "for examination" after "receiving" in paragraph 1;

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

"(2) approving the financial statements of the plan within 30 days after receiving the recommendation of the audit committee of the Commission's board of directors;

“(2.1) receiving for examination the Commission’s plan of action for the plan, and reporting on it to the Commission;”;

(3) by striking out paragraph 6;

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

“For the purposes of subparagraph 2 of the first paragraph, the financial statements of the plan must be signed by two members of the pension committee, one of whom represents the participants and beneficiaries and the other, the Government. If the financial statements are not approved by the committee within the time prescribed in that subparagraph, the Commission’s board of directors must approve them.”

100. The Act is amended by inserting the following section after section 70.2:

“70.2.1. The committee may request that the Commission carry out studies on the administration of the plan as long as the administrative expenses related to the plan are not affected.

The committee may also request that the Commission provide additional services to participants and beneficiaries under the plan.”

101. Section 70.4 of the Act, amended by section 83 of chapter 49 of the statutes of 2006, is again amended

(1) by inserting “, other than the chair,” after “committee” in the first paragraph;

(2) by striking out “, except the president and chief executive officer and any vice-president of the Commission,” in the first and second lines of the second paragraph;

(3) by adding the following sentence at the end of the second paragraph: “The Government shall determine the remuneration of the chair.”

102. Section 70.6 of the Act, replaced by section 84 of chapter 49 of the statutes of 2006, is again replaced by the following sections:

“70.6. The chair of the committee is appointed by the Government, for a term not exceeding three years, after consultation with the committee members. The chair must be independent. Sections 12 to 18 of the Act respecting the Commission administrative des régimes de retraite et d’assurances (2006, chapter 49) apply to the chair of the committee, with the necessary modifications.

“70.6.1. If the chair of the committee is absent or unable to act, the chair of the pension committee established under section 196.2 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) shall replace the chair of the committee temporarily. If the chair of that pension committee is also absent or unable to act, the chair of the pension committee established under section 163 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) shall replace the chair of the committee.

“70.6.2. Each member of the committee is entitled to one vote. The chair is not entitled to vote unless there is a tie vote. The chair may not vote at all on a resolution concerning

(1) additional services requested by the committee under the second paragraph of section 70.2.1;

(2) a mandate to be given to a consultant hired to advise the committee;

(3) the approval of the financial statements of the plan; or

(4) any matter entailing an increase in the cost of the plan or a budget overrun for the Commission.”

103. Section 70.10 of the Act, amended by section 85 of chapter 49 of the statutes of 2006, is replaced by the following section:

“70.10. The president and chief executive officer, the vice-presidents and the employees of the Commission may not be members of the committee.”

104. The Act is amended by inserting the following section after section 70.10:

“70.10.1. No proceedings may be brought against the committee or its members for an act or omission in good faith in the exercise of their functions.”

105. Section 72 of the Act is amended by striking out “the Government who are designated by” in the first and second lines of the second paragraph.

106. Section 75 of the Act is amended by inserting the following subparagraph after subparagraph 2 of the first paragraph:

“(2.1) determine, for the purposes of section 54.2, the information that the notice of waiver or revocation must contain;”.

107. Section 81 of the Act is replaced by the following section:

“**31.** The sums required to pay the administrative costs related to this plan are taken out of the plan’s fund at the Caisse de dépôt et placement du Québec.”

CIVIL PROTECTION ACT

108. The Civil Protection Act (R.S.Q., chapter S-2.3) is amended by inserting the following after section 52:

“DIVISION II.1

“9-1-1 EMERGENCY CENTRES

“§1. — *Obligations of the municipalities*

“**52.1.** In order to respond to emergency calls in its territory, every local municipality must ensure the provision of services by a 9-1-1 emergency centre that has obtained a certificate of compliance in accordance with this division.

A 9-1-1 emergency centre receives calls requiring one or more emergency interventions, determines the nature of each emergency and transmits the call and the caller’s contact information to the appropriate secondary emergency call centre.

A secondary emergency call centre is the dispatch centre for a fire safety service or a police force, or a health communication centre within the meaning of the Act respecting pre-hospital emergency services (chapter S-6.2).

“**52.2.** To ensure emergency call response in its territory, a local municipality may take one or more of the following measures:

- (1) set up its own 9-1-1 emergency centre;
- (2) enter into an agreement with another local municipality to use the services of the latter’s 9-1-1 emergency centre; and
- (3) contract with a private enterprise or a non-profit body that operates a 9-1-1 emergency centre.

The local municipality must inform the Minister of the contact information of the 9-1-1 emergency centre that responds to emergency calls in its territory.

“**52.3.** To ensure the effective operation of their 9-1-1 emergency centres, local municipalities must draw up and keep up to date a directory of geographical data, municipal addresses and street names in their territory and send it to the Minister or to the government service designated by the Minister. The Minister or the government service must make the information

accessible to the 9-1-1 emergency centres and secondary emergency call centres.

“§2. — *Standards, specifications, quality criteria and guidelines*

“**52.4.** The Government shall determine, by regulation, the standards, specifications and quality criteria 9-1-1 emergency centres must comply with to obtain a certificate of compliance.

The regulation may also prescribe standards, specifications and quality criteria applicable to secondary emergency call centres other than health communication centres.

“**52.5.** The Minister may issue guidelines for local municipalities, 9-1-1 emergency centres and secondary emergency call centres other than health communication centres concerning any matter related to this division. The guidelines are binding on the entities for which they have been issued.

“§3. — *Certificate of compliance for 9-1-1 emergency centres*

“**52.6.** To obtain a certificate of compliance, an operator of a 9-1-1 emergency centre must apply in writing to the Minister; the application must include the information and the documents required by the Minister.

“**52.7.** To obtain a certificate of compliance, a 9-1-1 emergency centre must meet the following conditions:

(1) it must comply with the standards, specifications and quality criteria and any guidelines applicable to it; or,

(2) if it is operated by a private enterprise or a non-profit body,

(a) it must be solvent;

(b) it must have at least one establishment in Québec;

(c) the owner of the enterprise or non-profit body, every partner or shareholder having a major interest in it and every director must be of good moral character and never have been convicted anywhere of an offence for an act or omission that is an offence under the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) or an offence referred to in section 183 of that Code under one of the Acts listed in that section and related to the operation of a 9-1-1 emergency centre, unless the person has obtained a pardon.

A partner holding at least 10% of the shares or a shareholder directly or indirectly holding at least 10% of the voting shares is considered to have a major interest in the enterprise.

“52.8. The Minister may designate and mandate a body to verify whether a 9-1-1 emergency centre is complying with the standards, specifications and quality criteria and any guidelines applicable to it.

“52.9. The verification costs are assumed by the body designated by the Minister of Municipal Affairs and Regions under section 244.73 of the Act respecting municipal taxation (chapter F-2.1).

“52.10. The Minister shall issue a certificate of compliance, valid for two years, to a 9-1-1 emergency centre if the conditions prescribed by this division are met.

“52.11. The Minister shall renew the certificate of compliance of a 9-1-1 emergency centre for the same period if the operator applies for a renewal and the conditions prescribed by this division are met.

To ensure that the certificate of compliance is renewed on its expiry, the operator must apply for renewal at least 90 days before the date of expiry.

“52.12. The Minister may suspend or cancel a 9-1-1 emergency centre’s certificate of compliance if it no longer meets the conditions prescribed by this division.

Before suspending, cancelling or refusing to renew a certificate of compliance, the Minister may order the operator of a certified 9-1-1 emergency centre to take the necessary corrective measures within a specified period of time.

If the operator fails to comply with the order, the Minister may then suspend, cancel or refuse to renew the operator’s certificate of compliance.

“52.13. Before refusing to issue a certificate of compliance or suspending, cancelling or refusing to renew it, the Minister must notify the operator of the 9-1-1 emergency centre of the fact in writing as prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and allow the operator at least 10 days to submit observations. The Minister must send a copy of the notice to the local municipalities served by the 9-1-1 emergency centre.

The Minister must notify the operator of the 9-1-1 emergency centre in writing of the decision and the reasons for it within 30 days after the decision is made.

The decision may be contested before the Administrative Tribunal of Québec within 30 days of notification.

The decision to suspend, cancel or refuse to renew the certificate of compliance takes effect 60 days after the date of notification. The Minister must send a copy of the decision to the municipalities served by the 9-1-1

emergency centre concerned, specifying the date on which the decision takes effect.

“52.14. The operator of a certified 9-1-1 emergency centre planning to cease operations must notify the Minister and the municipalities it serves in writing at least 60 days before the date on which it plans to cease operations. The centre’s certificate of compliance is cancelled on the date specified in the notice or, if circumstances warrant, on any other date specified by the Minister.

“§4. — *Inspection*

“52.15. The Minister may authorize a person to act as an inspector to ensure that a certified 9-1-1 emergency centre meets the conditions prescribed by this division or that a secondary emergency call centre other than a health communication centre complies with the standards, specifications and quality criteria established under the second paragraph of section 52.4 and any guidelines established under section 52.5.

“52.16. Inspectors must, on request, identify themselves and produce a document attesting their capacity.

In the exercise of their duties, inspectors may

(1) enter, at any time, a certified 9-1-1 emergency centre or a secondary emergency call centre to which the standards, specifications and quality criteria established under the second paragraph of section 52.4 or any guidelines established under section 52.5 apply;

(2) demand any information relating to the activities of the centre and the production of any related document;

(3) take the measures necessary to verify whether a certified 9-1-1 emergency centre meets the conditions prescribed by this division or whether a secondary emergency call centre complies with the standards, specifications and quality criteria established under the second paragraph of section 52.4 and any guidelines established under section 52.5.

“52.17. Inspectors cannot be prosecuted for acts performed in good faith in the exercise of their duties.

“52.18. If a secondary emergency call centre fails to comply with the standards, specifications, quality criteria or guidelines issued by the Minister, the Minister may order the centre to take the necessary corrective measures within a specified period of time.

“§5. — *Miscellaneous*

“**52.19.** Certified 9-1-1 emergency centres and the persons at their service are not liable for any injury that may result from their interventions, unless the injury is due to an intentional or gross fault.

The same applies to secondary emergency call centres other than health communication centres.

“**52.20.** Each certified 9-1-1 emergency centre must send the Minister a report on its activities not later than 31 March each year.

The report must also contain any information the Minister may require.”

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

109. Section 139 of the Act respecting public transit authorities (R.S.Q., chapter S-30.01) is amended by replacing “30” in the second line of the first paragraph by “15”.

110. Section 154 of the Act is amended by striking out “together” in the fourth line of the first paragraph.

TRANSPORT ACT

111. Section 48.19 of the Transport Act (R.S.Q., chapter T-12), enacted by section 237 of chapter 6 of the statutes of 2005, is amended by inserting the following paragraph after the first paragraph:

“The contract may be made without calling for tenders.”

112. Section 48.30 of the Act, enacted by section 237 of chapter 6 of the statutes of 2005, is amended by inserting “and without calling for tenders” after “resolution” in the second line.

113. Section 48.39 of the Act, enacted by section 237 of chapter 6 of the statutes of 2005, is amended by adding the following paragraph after the second paragraph:

“A contract referred to in the first or the second paragraph may be made without calling for tenders.”

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

114. Section 18.1 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1) is amended by replacing “an individual” in the last line by “a”.

115. Section 173 of the Act is amended

- (1) by replacing “delays” in the sixth line of the second paragraph by “time”;
- (2) by replacing “delay” in the seventh line of the second paragraph by “time”.

116. Section 204 of the Act is amended by replacing “delay” in subsection 2 by “period”.

117. Section 358 of the Act is amended by replacing “delay” in subsection 2 by “period”.

118. Section 361.1 of the Act is amended by replacing “an individual” in the last line by “a”.

119. Section 374 of the Act is amended

- (1) by inserting “, before a regional councillor” after “regional police force” in the third line of the second paragraph;
- (2) by inserting “, before a regional councillor” after “regional police force” in the second line of the third paragraph.

OTHER AMENDING PROVISIONS

120. Section 71 of Order in Council 841-2001 dated 27 June 2001 concerning Ville de Saguenay is amended by striking out the second sentence of the second paragraph.

121. Section 66 of Order in Council 850-2001 dated 4 July 2001 concerning Ville de Sherbrooke is amended by striking out the second sentence of the second paragraph.

122. Section 38 of Order in Council 1214-2005 dated 7 December 2005 concerning the urban agglomeration of Longueuil, amended by section 68 of Order in Council 1003-2006 dated 2 November 2006 and by section 33 of chapter 33 of the statutes of 2007, is again amended

- (1) by replacing “and” in the fourth line of the first paragraph by a comma;
- (2) by inserting “and by Resolution 080318-57 passed by the council of Ville de Boucherville on 18 March 2008” after “Regions” in the fifth line of the first paragraph.

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

123. Sections 16, 35 and 37 have effect for the purposes of every calendar year from the calendar year 2009.

124. Articles 1036, 1043, 1044, 1050, 1057, 1060 and 1121 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), as they read on 11 June 2008, continue to apply with respect to any sale of immovables on or before that date.

125. Sections 78.1, 78.2, 78.5 to 78.13 and 110.1 to 110.3 of the Municipal Powers Act (R.S.Q., chapter C-47.1), enacted by sections 66 and 70, have effect from the municipal fiscal year 2009, and sections 78.3 and 78.4 of that Act, enacted by section 66, have effect from the municipal fiscal year 2010.

For the municipal fiscal year 2009, the duties payable under section 78.2 of that Act are determined on the basis of the following amounts:

(1) \$0.50 per metric ton for every substance concerned; or

(2) \$0.95 per cubic metre for every substance concerned, except dimension stone, in which case the amount is \$1.35 per cubic metre.

For every subsequent fiscal year, the duties payable are determined in accordance with sections 78.3 and 78.4 of that Act.

126. A regional county municipality that intends to establish a regional fund under section 110.1 of the Municipal Powers Act for the municipal fiscal year 2009 may, despite the first paragraph of section 110.2 of that Act, send a copy of the by-law, as required under the first paragraph of that section, not later than 15 October 2008.

127. A body may reach an agreement with a supplier to amend a contract the body entered into with the supplier before 12 June 2008 following a call for tenders for the supply of substances on which duties are payable under section 78.2 of the Municipal Powers Act in order to raise, from the year 2009, the price established in the contract by an amount equal to the duties that must be paid on those substances under that section.

The power provided for in the first paragraph may only be exercised by the body to the extent that all tenderers are treated equally.

128. For the municipal fiscal year 2009, an operator who is required to pay duties under section 78.2 of the Municipal Powers Act is exempted from the portion of the duties payable on substances that are transported to carry out a contract with a municipal body and of which the price has not been raised under section 127, provided the operator sends the municipality that must collect the duties a copy of each of the contracts and a declaration of total quantity of substances covered by the exemption.

129. Sections 580.1 to 580.4 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2), enacted by section 74, apply from the fiscal year 2010.

130. An agreement entered into under the third paragraph of section 244.8 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) in force on the date preceding the date of coming into force of section 80 ceases to apply except for the purpose of collecting and paying any amount due before that date.

131. The first regulations made under paragraphs 13 to 15 of section 262 of the Act respecting municipal taxation, enacted by section 86, are not subject to Division III of the Regulations Act (R.S.Q., chapter R-18.1).

132. The president and chief executive officer of the Commission administrative des régimes de retraite et d'assurances remains the chair of the pension committee of the Pension Plan of Elected Municipal Officers established under section 70.1 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3), amended by section 98, until a chair is appointed in accordance with section 70.6 of that Act, enacted by section 102.

133. A regulation made under the second paragraph of section 2 of the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1) with respect to the Régime de retraite des employés de la Ville de Lévis, registered with the Régie des rentes du Québec under number 21190, may be retroactive to the date specified in the regulation.

134. Section 60 of the Supplemental Pension Plans Act does not apply to benefits resulting from a transfer of assets into the Régime complémentaire de retraite des employés de la Ville de Lévis, registered with the Régie des rentes du Québec under number 31986, from a group registered retirement savings plan concerning the employees of Ville de Lévis who were members of such a plan while employed by the Municipalité régionale de comté de Desjardins, the Régie intermunicipale de police et direction incendie de Charny, Saint-Jean-Chrysostome et Saint-Romuald or a municipality whose territory was amalgamated with the territory of Ville de Lévis on 1 January 2002.

135. The 9-1-1 emergency centres in operation on the date of coming into force of the first regulation made under section 52.4 of the Civil Protection Act (R.S.Q., chapter S-2.3) have two years from that date to obtain a certificate of compliance. The secondary emergency call centres have the same time limit to comply with the standards, specifications and quality criteria enacted by government regulation under section 52.4 of the Civil Protection Act and any guidelines established under section 52.5 of that Act.

A natural or legal person or a group of natural or legal persons authorized to continue receiving calls from persons requesting ambulance services under section 169 of the Act respecting pre-hospital emergency services (R.S.Q., chapter S-6.1) is, for the purposes of Division II.1 of Chapter IV of the Civil Protection Act, a health communication centre until the person or group of persons ceases activities.

136. In order to complete the sharing of liabilities under Order in Council 1229-2005 dated 8 December 2005 concerning the urban agglomeration of Montréal, amended by Order in Council 10-2006 dated 17 January 2006, Order in Council 299-2006 dated 5 April 2006, Order in Council 549-2006 dated 14 June 2006, Order in Council 1003-2006 dated 2 November 2006, chapter 60 of the statutes of 2006 and chapter 33 of the statutes of 2007, Ville de Hampstead is authorized to contract a loan for the long-term financing of the payment to Ville de Côte-Saint-Luc of an amount as compensation for an amount that Ville de Côte-Saint-Luc paid to Ville de Montréal in the place of Ville de Hampstead for the installation of traffic lights on Rue Fleet in the territory of Ville de Hampstead in 2003. The amount payable is \$204,137, plus interest accrued at an annual rate of 4,6312% from 21 June 2006 until the date of payment.

The council of Ville de Hampstead must determine by resolution the source of the revenues to be used to repay the loan. The resolution may prescribe for that purpose the use of any source of revenue that the municipality is authorized to use for any other purpose. A provision contained in the resolution that, under any applicable provision, must normally be adopted by by-law may only be amended in the manner prescribed by law for such a by-law. An authenticated copy of the resolution must be sent to the Minister of Municipal Affairs and Regions as soon as possible after the resolution is passed.

137. The territory of Ville de Beaconsfield is divided into electoral districts for the purposes of the general election of 2009 and any by-election held before the general election of 2013. The division is the same as that which applied for the purposes of the general election of 2005.

138. Despite section 251 of the Municipal Powers Act (2005, chapter 6), amended by section 125 of chapter 50 of the statutes of 2005,

(1) sections 467 to 467.8 and 467.10.1 to 467.14 of the Cities and Towns Act (R.S.Q., chapter C-19) are repealed;

(2) articles 525 to 533 and 535.1 to 539 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) are repealed;

(3) sections 217 to 220, 236 and 237 of the Act come into force on 12 June 2008.

139. The regional conference of elected officers established for the territory of Municipalité de Baie-James, Ville de Chapais, Ville de Chibougamau, Ville de Lebel-sur-Quévillon and Ville de Matagami may enter into and implement an agreement described in section 282 of the Act to amend various legislative provisions concerning municipal affairs (2002, chapter 37) on behalf of those municipalities.

In such a case, the regional conference of elected officers is considered a municipal body.

140. Section 67 has effect from 15 June 2008.

141. Section 122 has effect from 1 January 2006.

142. Section 139 has effect from 1 May 2008.

143. This Act comes into force on 12 June 2008, except sections 77, 78, 80, 82, paragraph 2 of section 86, sections 88, 91 to 95 and 106, Division II.1 of Chapter IV of the Civil Protection Act, enacted by section 108 and sections 130, 131 and 135, which come into force on the date or dates to be set by the Government.

Regulations and other acts

Gouvernement du Québec

O.C. 773-2008, 23 July 2008

An Act to protect persons with regard to activities involving firearms and amending the Act respecting safety in sports
(2007, c. 30)

Exclusion of certain premises and certain means of transportation and exemption of certain persons

Regulation respecting the exclusion of certain premises and certain means of transportation and respecting the exemption of certain persons

WHEREAS sections 1 and 3 of the Act to protect persons with regard to activities involving firearms and amending the Act respecting safety in sports (S.Q., 2007, c. 30) provide that the Government may, by regulation, in the cases and under the conditions determined by the Government, exempt from the application of the Act certain premises of the designated institutions, certain means of public transportation and certain persons by reason of the responsibilities they assume or the activities they exercise ;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the exclusion of certain premises and certain means of transportation and respecting the exemption of certain persons was published in Part 2 of the *Gazette officielle du Québec* of 14 May 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication and that any person could submit comments before the expiry of the 45-day period ;

WHEREAS the 45-day period has expired ;

WHEREAS it is expedient to make the Regulation attached to this Order in Council, with amendments that take into account the comments received following its publication in the *Gazette officielle du Québec* ;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security :

THAT the Regulation respecting the exclusion of certain premises and certain means of transportation and respecting the exemption of certain persons, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the exclusion of certain premises and certain means of transportation and respecting the exemption of certain persons

An Act to protect persons with regard to activities involving firearms and amending the Act respecting safety in sports
(2007, c. 30, ss. 1 and 3)

DIVISION I HOME CHILDCARE

1. A residence in which home childcare is provided and in which a firearm, within the meaning of the Firearms Act (Statutes of Canada, 1995, c. 39) and its regulations, is kept is excluded from the application of section 2 of the Act to protect persons with regard to activities involving firearms and amending the Act respecting safety in sports (2007, c. 30) in respect of the person responsible for the childcare, whether the person is recognized or not as a home childcare provider under the Educational Childcare Act (R.S.Q., c. S-4.1.1), and the persons living in the residence, provided that,

(1) in the case of the person recognized as a childcare provider, the person complies with the provisions of the regulation made under that Act ; and

(2) in the case of a person who is not recognized under that Act,

(a) the person gives a written notice to the parents to whom the childcare is offered that a firearm is kept in the residence in which the childcare is provided ;

(b) the person sends a copy of the notice to the Minister of Public Security or the person designated by the Minister, along with a copy of the registration certificate for the firearm. The copy of the notice must be signed by the parents to attest that they have been made aware of it ; and

(c) the firearm is stored out of sight and reach of the children.

2. The residence where home childcare is provided is also excluded from the application of section 2 of the Act, in respect of guests who are staying in the residence temporarily, when such accommodation is necessary to allow the guests to get to the premises where the sport activities involving the use of firearms are to be carried on. The exclusion is valid only to the extent that the person responsible for the childcare ensures that the firearms are stored out of sight and reach of the children.

DIVISION II TRAINING PROVIDED BY INSTITUTIONS DESIGNATED IN SECTION 1 OF THE ACT

3. Instructors who provide training involving the handling of firearms and students who receive such training are exempt from the application of section 2 of the Act if, for the training, they use certain premises of the institutions designated in section 1 of the Act, insofar as the institutions hold a business licence issued under the Firearms Act.

4. The premises of the institutions referred to in section 3 used for the storage of firearms belonging to the institution or brought to the institution by the instructor or the enrolled students are also excluded from the application of section 2 of the Act.

5. Firearms transported to or from the training premises of an institution referred to in section 3 or transported to the storage location must be unloaded, be rendered inoperable by means of a secure locking device or by the removal of the bolt or bolt-carrier, and be placed in a securely locked opaque container designed in a manner that it cannot readily be broken open or into.

Ammunition must be placed in a separate container.

6. The institutions referred to in section 3 must issue a photo identification card to the students attesting to their enrolment in the training program and specifying their student number and the duration of the training program. They must also issue such a card to the instructor who provides the training.

The instructors and the students must carry the card on them and may move about the premises of the institution with firearms only to access and leave the training premises or to access the storage location.

DIVISION III TRAINING PROVIDED BY SÉCURITÉ NATURE AND THE FÉDÉRATION QUÉBÉCOISE DE TIR

7. Instructors certified by Sécurité nature and the Fédération québécoise de tir who provide training in the safe handling of firearms on premises reserved for that purpose at institutions designated in section 1 of the Act and students attending such training are exempt from the application of section 2 of the Act, for the duration of the training only.

Firearms used during the training must be deactivated and real ammunition may not be used.

8. Instructors certified by Sécurité nature and the Fédération québécoise de tir are also exempt from the application of section 2 of the Act in respect of the use of buses, shuttles, trains, aircraft or ferry boats if no other means of transportation can be used to get to the premises where training in the safe handling of firearms is provided, whether the premises are those of a designated institution or not.

Firearms transported to or from the training premises must be placed in a securely locked opaque container designed in a manner that it cannot readily be broken open or into.

DIVISION IV FOREST PREMISES AT THE DISPOSAL OF AN INSTITUTION DESIGNATED IN SECTION 1 OF THE ACT

9. Forest premises at the disposal of an institution designated in section 1 of the Act and where hunting or trapping is permitted are excluded from the application of section 2 of the Act during hunting and trapping seasons for the sole purposes of those activities.

DIVISION V BIATHLON ACTIVITIES

10. Instructors certified by the Association des clubs de biathlon du Québec who hold biathlon activities and athletes who participate in those activities are exempt from the application of section 2 of the Act if, for those activities, they use certain premises of the institutions designated in section 1 of the Act, for the duration of those activities only.

Any person who assists the instructors in the course of those activities benefits from the same exemption.

DIVISION VI STORAGE LOCATIONS AND SHOOTING RANGE

11. The premises of a designated institution that holds a business licence, other than the institutions referred to in section 3, are excluded from the application of section 2 of the Act if they are used solely for the storage of firearms.

Persons authorized to access such locations are exempt from the application of that provision.

12. The premises of an institution designated in section 1 of the Act used to store firearms used by cadet organizations under the control and supervision of the Canadian Forces are excluded from the application of section 2 of the Act.

Projectiles must be stored in premises other than the institution's premises.

13. The premises of the shooting ranges at École Saint-Dominique-Savio in Chapais and Cité étudiante Polyno in La Sarre are excluded from the application of section 2 of the Act if they are used solely at times when the students who normally attend the school are not present.

Persons who use the shooting range are exempt from the application of that provision.

DIVISION VII USE OF CERTAIN MEANS OF PUBLIC TRANSPORTATION

14. Holders of a licence authorizing the possession of firearms issued under the Firearms Act are exempt from the application of section 2 of the Act, in respect of the use of buses, shuttles, trains, aircraft and ferry boats, to carry on any activity permitted by the law and, without restricting the generality of the foregoing, to participate in hunting or trapping activities, a target shooting practice or competition or a gun show, to acquire or transfer a firearm, or to see to the repair or maintenance of a firearm.

That exemption applies only to the extent that the licence holders must use one of those means of transportation on account of their personal situation or the activity in which they want to participate.

15. Firearms transported in that manner must be unloaded, be rendered inoperable by means of a secure locking device or by the removal of the bolt or bolt-carrier, and be placed in a securely locked opaque container designed in a manner that it cannot readily be broken open or into.

Ammunition must be placed in a separate container.

DIVISION VIII USE OF CHARTERED MEANS OF TRANSPORTATION

16. Holders of a licence authorizing the possession of firearms issued under the Firearms Act are exempt from the application of section 2 of the Act, in respect of the use of chartered transportation, if that means of transportation is reserved exclusively for a group, to carry on any activity permitted by the law, in particular to participate in hunting or trapping activities or a target shooting practice or competition.

17. Firearms transported in that manner must be unloaded, be rendered inoperable by means of a secure locking device or by the removal of the bolt or bolt-carrier, and be placed in a securely locked opaque container designed in a manner that it cannot readily be broken open or into.

Ammunition must be placed in a separate container.

DIVISION IX COMING INTO FORCE

18. This Regulation comes into force on 1 September 2008. However, if a firearm is kept on that date in a residence in which home childcare is provided by a person referred to in paragraph 2 of section 1, that person has until 30 November 2008 to comply with the conditions prescribed by that paragraph.

8893

Gouvernement du Québec

O.C. 774-2008, 23 July 2008

An Act respecting safety in sports
(R.S.Q., c. S-3.1)

Licences to operate target shooting clubs and ranges

Regulation respecting licences to operate target shooting clubs and ranges

WHEREAS section 46.25 of the Act respecting safety in sports (R.S.Q., c. S-3.1), enacted by section 14 of chapter 30 of the Statutes of 2007, provides that the Government may, by regulation, determine the conditions to be met for the issue of a shooting club licence, covering the shooting ranges that the club is authorized to operate, or of a shooting range licence;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting licences to operate shooting clubs and ranges was published in Part 2 of the *Gazette officielle du Québec* of 14 May 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication and that any person could submit comments before the expiry of the 45-day period;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation attached to this Order in Council, with amendments that take into account the comments received following its publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation respecting licences to operate shooting clubs and ranges, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting licences to operate target shooting clubs and ranges

An Act respecting safety in sports
(R.S.Q., c. S-3.1, s. 46.25; 2007, c. 30, s. 14)

DIVISION I TARGET SHOOTING CLUB

1. A target shooting club licence authorizes the operation of a target shooting club for the practice of target shooting or participation in target shooting competitions with restricted or prohibited firearms in the shooting ranges indicated on the licence.

2. Only a non-profit sports body constituted as a legal person may apply for a licence to operate a target shooting club.

3. The application must be made in writing and submitted to the Minister of Public Security by the person designated as responsible for the operation of the shooting club by a resolution of the board of directors of the sports body.

The application must contain

(1) the name and address of each officer of the shooting club and of the person designated as responsible for its operation;

(2) the number of each person's respective licence authorizing them to possess restricted firearms or prohibited firearms, issued under the Firearms Act (Statutes of Canada, 1995, c. 39); and

(3) the name and address of each shooting range operated by the shooting club.

In addition, the following documents must be submitted:

(1) the act constituting the sports body;

(2) the safety regulations adopted by the sports body; and

(3) the resolution designating the person as responsible for the operation of the shooting club.

4. The person responsible for the operation of the shooting club must

(1) be resident in Québec;

(2) hold a licence authorizing the person to possess restricted firearms or prohibited firearms; and

(3) have at least 2 years of experience in the practice of the sport of target shooting or in target shooting competitions with such a firearm.

DIVISION II TARGET SHOOTING RANGE

5. A target shooting range licence authorizes the operation of a target shooting range for the practice of target shooting or participation in target shooting competitions with restricted or prohibited firearms. A licence is not required for a shooting range operated by the holder of a shooting club licence on which the shooting range is indicated in accordance with section 1.

6. The application must be made in writing and submitted to the Minister by the person responsible for the operation of the shooting range.

The application must contain

(1) the name and address of the operator of the shooting range and of the person responsible for its operation; and

(2) the number of the licences authorizing those persons to possess restricted firearms or prohibited firearms, issued under the Firearms Act.

7. The person responsible for the operation of the shooting range must

(1) be resident in Québec;

(2) hold a licence authorizing that person to possess restricted firearms or prohibited firearms; and

(3) have at least 2 years of experience in the practice of the sport of target shooting or in target shooting competitions with such a firearm.

DIVISION III FEES

8. Every initial application for a licence must be accompanied by the amount of \$50 to cover file opening and processing costs.

The fee for a renewal application is also \$50.

The fees are not refundable.

9. The fee for the issue of a target shooting club licence is \$20 for every shooting range operated by the club.

The fee must be paid before the licence is issued.

DIVISION IV COMING INTO FORCE

10. This Regulation comes into force on 1 September 2008.

8894

Gouvernement du Québec

O.C. 775-2008, 23 July 2008

An Act respecting safety in sports
(R.S.Q., c. S-3.1)

Register of use of shooting ranges

Regulation respecting the register of use of shooting ranges

WHEREAS section 46.28 of the Act respecting safety in sports (R.S.Q., c. S-3.1), enacted by section 14 of chapter 30 of the Statutes of 2007, provides that the Government may, by regulation, prescribe any information that a register of use of a shooting range must contain in addition to the information specified in that section;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the register of use of shooting ranges was published in Part 2 of the *Gazette officielle du Québec* of 14 May 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication and that any person could submit comments before the expiry of the 45-day period;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation attached to this Order in Council, with amendments that take into account the comments received following its publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation respecting the register of use of shooting ranges, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the register of use of shooting ranges

An Act respecting safety in sports
(R.S.Q., c. S-3.1, s. 46.28; 2007, c. 30, s. 14)

DIVISION I INFORMATION IN THE REGISTER

1. In addition to the information required by section 46.28 of the Act respecting safety in sports (R.S.Q., c. S-3.1), the register of use of shooting ranges contains

(1) in the case of shooting ranges operated by holders of a shooting club licence, the legibly written names of the members of the shooting club and of the users of the shooting range, their signature, their member number and, as applicable, the serial number of the firearm to be used or the number appearing on the registration certificate issued under the Firearms Act (Statutes of Canada, 1995, chapter 39), designation of the shooting range at which target shooting is to be practised and the name of the shooting official on duty;

(2) in the case of holders of a shooting range licence, the legibly written names of the users of the shooting range, their signature, the club of which they are members and their member number and, as applicable, the serial number of the firearm to be used or the number appearing on the registration certificate issued under the Firearms Act and the name of the shooting official on duty.

If a user is the guest of a club member, the name of the member must also be indicated in the register.

DIVISION II COMING INTO FORCE

2. This Regulation comes into force on 1 September 2008.

8895

Gouvernement du Québec

O.C. 777-2008, 23 July 2008

Environment Quality Act
(R.S.Q., c. Q-2)

Waste water disposal systems for isolated dwellings — Amendments

Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings

WHEREAS subparagraphs *c*, *e* and *k* of the first paragraph of section 31, paragraphs *g*, *i* and *p* of section 46, section 86 and paragraph *c* of section 87 of the Environment Quality Act (R.S.Q., c. Q-2) empower the Government to make regulations on the matters set forth therein;

WHEREAS the Regulation respecting waste water disposal systems for isolated dwellings (R.R.Q., 1981, c. Q-2, r.8) provides for waste water disposal and treatment systems that mostly rely on the use of natural land to treat and dispose of waste water and the effluents from treatment systems without soil if the layer of natural land complies with the regulatory installation standards;

WHEREAS, in the case of the Basse-Côte-Nord municipalities, restraints due to the layer of natural land, the absence of a permanent road link and the availability of the base materials necessary to build a treatment system make the provisions of the Regulation hardly applicable and render those systems considerably more expensive than elsewhere in the Québec territory;

WHEREAS the Direction de la santé publique de la Côte-Nord issued recommendations to address the health hazard due to the presence of waste water in the ditches and surface water of those communities as a transitional measure until the depollution of the waters of Basse-Côte-Nord communities;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as prescribed in section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

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

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

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication and the coming into force on the date of its publication of the Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings, attached to this Order in Council:

— the necessity to stop as soon as possible, in the municipalities to which the Regulation applies, the threat to public health caused by the contamination of water intended for human consumption by waste water from isolated dwellings resulting from the absence of adequate disposal and treatment systems, as observed by the Direction de la santé publique de la Côte-Nord;

— the necessity to proceed as soon as possible with the various works to be done on site and with the transportation by means other than ground transportation of the equipment and materials required to implement the measures to protect public health and the environment, considering the constraints due to the layer of natural land specific to the territories concerned, the difficult climate conditions of the region and the absence of permanent road links;

— the fact that, given the foregoing, a prior publication of the draft Regulation would delay the implementation of the measures in the attached Regulation by several months, even one year;

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

THAT the Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting waste water disposal systems for isolated dwellings *

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *c*, *e* and *k*,
s. 46, pars. *g*, *i* and *p*, s. 86 and s. 87, par. *c*)

1. Section 3 of the Regulation respecting waste water disposal systems for isolated dwellings is amended by replacing “or XV.2 to XV.5” in the third paragraph by “, XV.2 to XV.5 or section 90.1”.

* The Regulation respecting waste water disposal systems for isolated dwellings (R.R.Q., 1981, c. Q-2, r.8) was last amended by the regulations made by Orders in Council 12-2008 dated 15 January 2008 (2008, *G.O.* 2, 461) and 567-2008 dated 3 June 2008 (2008, *G.O.* 2, 2451). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

2. Paragraph *d* of section 31.1 is replaced by the following:

“(d) the bottom of the non-watertight secondary treatment system or the layer of gravel or crushed stone referred to in paragraph *c* of section 31.1 must be at least 60 centimetres above bedrock, impermeable soil, low permeability soil or underground water.”.

3. Paragraph *a* of section 39.2 is replaced by the following:

“(a) the bottom of the non-watertight secondary treatment system, the layer of gravel or crushed stone referred to in paragraph *e* of section 39.2 or the sand layer referred to in subparagraphs *a* and *b* of the first paragraph of section 37 must be at least 60 centimetres above bedrock, impermeable soil or underground water.”.

4. The heading of Division XVI is amended by replacing “FINAL” by “MISCELLANEOUS”.

5. The following is inserted after section 90:

“**90.1.** Special provisions applicable to Basse-Côte-Nord: This section applies to the municipalities of Blanc-Sablon, Bonne-Espérance, Côte-Nord-du-Golfe-du-Saint-Laurent, Gros-Mécatina and Saint-Augustin, as well as any other municipality constituted under the Act respecting the municipal reorganization of the territory of Municipalité de la Côte-Nord-du-Golfe-du-Saint-Laurent (1988, c. 55; 1996, c. 2).

In addition to the modes of treatment and discharge into the environment referred to in the third paragraph of section 3, the grey water and toilet effluents of an isolated dwelling may also be carried towards a waste water disposal and treatment installation referred to in the waste water depollution plan of the municipality or part of the municipality.

The waste water depollution plan must

(1) indicate the territory to which it applies;

(2) indicate existing subdivisions and dwellings;

(3) indicate the presence and location, on the territory to which it applies, of any public or private work for the catchment or treatment of drinking water and any public or private work for the collection, treatment or disposal of waste water;

(4) include a characterization study of the natural land conducted in accordance with subparagraph 4 of the first paragraph of section 4.1;

(5) delimit the sectors where it is possible to install treatment systems complying with Divisions III to X;

(6) delimit the sectors where it is possible to install waste water disposal and treatment installations grouping more than one residence and indicate the installations intended for each group;

(7) for sectors where subparagraph 5 or 6 may not be applied, indicate for each residence the systems for the disposal, collection and treatment of waste water and the layout related to such equipment so that the discharged water is not harmful to the health and safety of persons and the environment;

(8) indicate the measures for installing, using and maintaining the systems provided for in the depollution plan.

The waste water depollution plan is prepared and signed by an engineer who is a member of the Ordre des ingénieurs du Québec.

The waste water depollution plan must be accompanied by a resolution of the municipality whereby the municipality, under section 25.1 of the Municipal Powers Act, takes charge of the maintenance of the treatment systems provided for in subparagraphs 5 and 7 of the third paragraph.

The waste water depollution plan is submitted to the Minister to be approved. It is valid for 5 years from its approval. In order to renew it, a municipality must apply to the Minister 180 days before the end of the 5-year period. If information or documents have already been provided to the Minister upon a previous application, it is not necessary to provide them again if the municipality certifies that they are still accurate.

Section 32 of the Act does not apply to the waste water disposal, collection or treatment systems provided for in subparagraphs 6 and 7 of the third paragraph if they are part of a depollution plan approved by the Minister.”

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

8896

Gouvernement du Québec

O.C. 781-2008, 23 July 2008

University Investments Act
(R.S.Q., c. I-17)

University investments

Regulation respecting university investments

WHEREAS, under section 8 of the University Investments Act (R.S.Q., c. I-17), the Government may make any regulations for the carrying out of the Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting university investments was published in Part 2 of the *Gazette officielle du Québec* of 21 May 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting university investments, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting university investments

University Investments Act
(R.S.Q., c. I-17, s. 8)

1. A university establishment that sends its quinquennial investment plans to the Minister of Education, Recreation and Sports in accordance with section 3 of the University Investments Act (R.S.Q., c. I-17) must

(1) declare all the investment projects it proposes to carry out throughout the duration of the investment plan, even projects for which it does not plan to apply for a subsidy for the purposes of investments pursuant to section 6.1 of the Act;

(2) specify, for each project, the year in the investment plan during which it intends to carry out the project; and

(3) specify, for each project, the proportion of public funds and private funds that will contribute to the carrying out of the project and the source of the funds.

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

8897

M.O., 2008

Order number AM 0051-2008 of the Minister of Public Security dated 21 July 2008

An Act respecting safety in sports
(R.S.Q., c. S-3.1)

CONCERNING the Regulation respecting the competency test in the safe practice of the sport of target shooting with firearms

THE MINISTER OF PUBLIC SECURITY,

CONSIDERING section 46.42 of the Act respecting safety in sports (R.S.Q., c. S-3.1), enacted by section 14 of chapter 30 of the Statutes of 2007, which provides that the subjects covered by the competency test are determined by regulation of the Minister;

CONSIDERING that a draft of the Regulation respecting the competency test in the safe practice of the sport of target shooting with firearms was published in Part 2 of the *Gazette officielle du Québec* of 14 May 2008, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) with a notice that it could be made by the Minister on the expiry of 45 days following that publication and that any person could submit comments before the expiry of the 45-day period;

CONSIDERING that the 45-day period has expired;

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation respecting the competency test in the safe practice of the sport of target shooting with firearms, attached to this Order, is hereby made and comes into force on 1 September 2008.

Québec, 21 July 2008

BENOÎT PELLETIER,
Minister of Public Security

Regulation respecting the competency test in the safe practice of the sport of target shooting with firearms

An Act respecting safety in sports
(R.S.Q., c. S-3.1, s. 46.42; 2007, c. 30, s. 14)

DIVISION I COMPETENCY TEST

1. The competency test in the safe practice of the sport of target shooting with restricted firearms or prohibited firearms consists of a theoretical component and a practical component.

2. The theoretical component deals with relevant knowledge of Québec legislation and regulations, that is,

— in respect of legislation,

(1) the Act to protect persons with regard to activities involving firearms (2007, c. 30); and

(2) the Act respecting safety in sports; and

— in respect of regulations,

(1) the Regulation respecting the exclusion of certain premises and certain means of transportation and respecting the exemption of certain persons, made by Order in Council 773-2008 dated 23 July 2008;

(2) the Regulation respecting the register of use of shooting ranges, made by Order in Council 775-2008 dated 23 July 2008;

(3) this Regulation; and

(4) the safety regulations of the shooting club of which a person is a member or the federation with which the club is affiliated, adopted under section 26 of the Act respecting safety in sports.

3. The practical component involves the handling of firearms to evaluate the shooter in respect of

- (1) the shooter's conduct at the firing line;
- (2) the shooter's respect for the safety officer's authority;
- (3) the use of required equipment;
- (4) the loading and unloading of firearms; and
- (5) the manner in which the shooter cleans firearms.

That component also includes a firing exercise of at least 20 shots using real ammunition.

DIVISION II
COMING INTO FORCE

4. This Regulation comes into force on 1 September 2008.

8903

M.O., 2008

Order number AM 2008-032 of the Minister of Natural Resources and Wildlife dated 21 July 2008

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

CONCERNING the replacement of Schedule 111 to Order in Council 573-87 dated 8 April, 1987 concerning the designation and delimitation of land in the domain of the State

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE,

CONSIDERING that the Government, by Order in Council 573-87 dated 8 April 1987, amended by Orders in Council 497-91 dated 10 April 1991, 534-93 dated 7 April 1993, 904-95 dated 28 June 1995, 25-96 dated 10 January 1996, 952-97 dated 30 July 1997, 98-98 dated 28 January 1998, 245-98 dated 4 March 1998 and 739-98 dated 3 June 1998, designated and delimited the areas on land in the domain of the State described in Schedules 1 to 201 to that Order in Council in view to increasing utilization of wildlife resources;

CONSIDERING that under section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Minister may delimit areas on lands in the domain of the State in view of increased utilization of wildlife resources and the carrying on of recreational activities incidental there to;

CONSIDERING section 33 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29) which provides that orders made by the Government under section 85 of the Act respecting the conservation and development of wildlife before 17 June 1998 remain in force until they are replaced or repealed by an order of the Minister;

CONSIDERING that it is expedient to replace schedule 111 of Order in Council 573-87 dated 8 April 1987;

ORDER THAT:

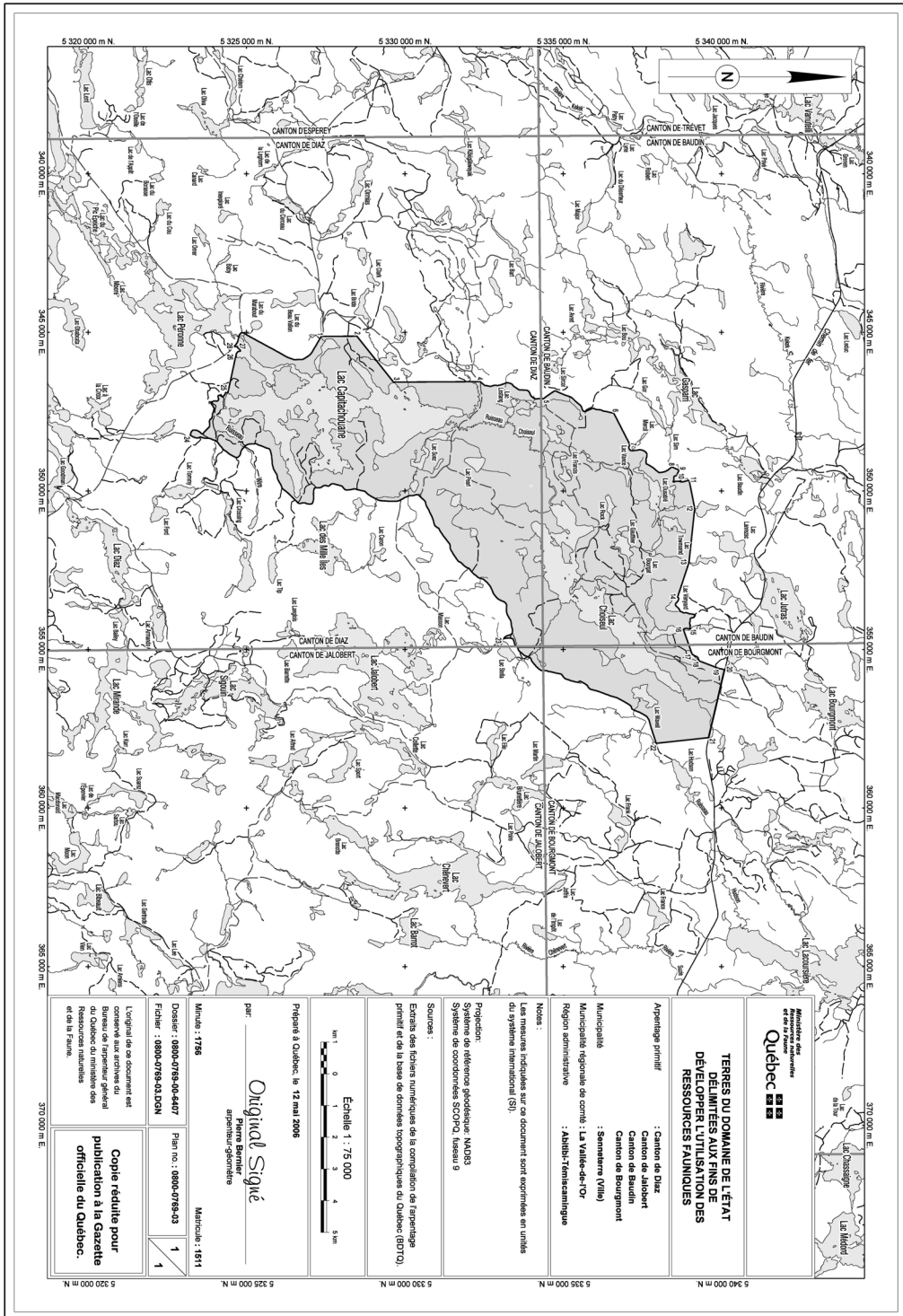
Schedule 111 attached hereto be substituted for Schedule 111 to Order in Council 573-87 dated 8 April 1987;

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

Québec, 21 July 2008

JULIE BOULET,
*Minister of Natural Resources
and Wildlife*

SCHEDULE



**TERRES DU DOMAINE DE L'ÉTAT
DÉLIMITÉES AUX FINS DE
DÉVELOPPEMENT ET D'UTILISATION DES
RESSOURCES FAUNDIQUES**

Appartenance prioritaire : Canton de Duiz
Canton de Jalobert
Canton de Baudin
Canton de Bourmont

Municipalité : Semeterra (Ville)

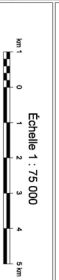
Municipalité régionale de comté : La Vallée-de-l'Or

Région administrative : Abitibi-Témiscamingue

Notes :
Les mesures indiquées sur ce document sont exprimées en unités du système international (SI).

Projection :
Système de référence géodésique : NAD83
Système de coordonnées : SC92, Niveau 9

Source :
Extrait des fichiers numériques de la compilation de l'appartenance prioritaire et de la base de données topographiques du Québec (BDTO).



Préparé à Québec, le 12 mai 2006

Original Signé
Pierre Boudre
administrateur-général

Mandat : 7798
Dossier : 0800-0789-00-04-07
Fichier : 0800-0789-03.DGN
Plan no. : 0800-0789-03
Município : 1811

L'original de ce document est conservé aux archives du Bureau de l'arpenteur général du Québec et des ministères des Ressources naturelles et de la Faune.

Copie réduite pour publication à la Gazette officielle du Québec.

Draft Regulations

Draft Regulation

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

Commission de la construction du Québec — Levy

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Levy Regulation of the Commission de la construction du Québec, the text of which appears below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to levy upon the employer alone or upon both the employer and the employee or upon the employee alone or, where applicable, upon the independent contractor, the amounts required for the administration of the Commission and to fix a minimum amount which an employer is bound to pay per monthly period. Such levy, similar to that of the year 2008, constitutes the main source of financing of the Commission.

Further information may be obtained by contacting André Ménard, Chair and Chief Executive Officer, Commission de la construction du Québec, 3530, Jean-Talon Ouest, Montréal, H3R 2G3; tél. 514 341-7740, poste 6296.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to André Ménard, Chair and Chief Executive Officer, Commission de la construction du Québec, 3530, Jean-Talon Ouest, Montréal, H3R 2G3, tél. 514 341-7740, poste 6296.

Minister of Labour,
DAVID WHISSELL

Levy Regulation of the Commission de la construction du Québec

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

1. The levy imposed by the Commission de la construction du Québec for the year 2009 is:

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

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

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

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

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

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

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

5. This Regulation comes into force on 1 January 2009.

8899

Draft Regulation

Environment Quality Act
(R.S.Q., c. Q2)

Landfilling and incineration of residual materials — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, that the Regulation to amend the Regulation respecting the landfilling and incineration of residual materials, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The purpose of the draft Regulation is to exempt dry materials disposal sites that were in operation on 1 May 2000 from the application of the new general siting conditions in terms of siting standards if the siting complies with the new provisions that apply to containment and the collection of leachate in engineered landfills.

The proposed regulatory amendment would allow dry materials disposal sites existing on 1 May 2000 affected by the siting standards to continue operating beyond the transitional period of the Regulation ending on 19 January 2009 if the siting complies with the new provisions that apply to containment and the collection of leachate in engineered landfills, which ensures the same level of protection for persons and the environment as for engineered landfills.

Further information may be obtained by contacting René Binette, Direction des politiques en milieu terrestre, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 9^e étage, boîte 71, Québec (Québec) G1R 5V7; telephone: 418 521-3950, extension 4883; fax: 418 644-3386 or e-mail: rene.binette@mddep.gouv.qc.ca

Any person wishing to comment on the draft Regulation may do so in writing to René Binette at the above address, within the 60-day period.

LINE BEAUCHAMP,
*Minister of Sustainable Development,
Environment and Parks*

Regulation to amend the Regulation respecting the landfilling and incineration of residual materials*

Environment Quality Act
(R.S.Q., c. Q2, s. 70, par. 5; 1999, c. 75, s. 48)

1. The Regulation respecting the landfilling and incineration of residual materials is amended by adding the following at the end of the third paragraph of section 161:

“The siting standards do not apply to disposal areas if their siting complies with the provisions of this Regulation that apply to containment and the collection of leachate in engineered landfills.”.

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

8898

* The Regulation respecting the landfilling and incineration of residual materials, made by Order in Council 451-2005 dated 11 May 2005 (*G.O.* 2, 1182), was last amended by the regulation made by Order in Council 441-2008 dated 7 May 2008 (2008, *G.O.* 2, 1331). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

Treasury Board

Gouvernement du Québec

T.B. 206746, 22 July 2008

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

Amendments to Schedules VI and VII

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

Amendments to Schedules VII and VIII

Amendments to Schedules VI and VII to the Act respecting the Government and Public Employees Retirement Plan and to Schedules VII and VIII to the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 220 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1, VI and VII to the Act and any such order may have effect 12 months or less before it is made;

WHEREAS, under the first paragraph of section 217 of the Act, the rates of interest in Schedule VI to the Act are determined, for each period indicated, according to the rules and procedures determined by regulation and the rates of return on certain categories of amounts referred to in section 127 and designated by that regulation;

WHEREAS Schedule VI to the Act was amended by Conseil du Trésor Decision 205269 dated 31 July 2007 to provide for the rate of interest based on the rates of return of certain funds payable under the Act as of 1 June 2007;

WHEREAS it is expedient to further amend Schedule VI to the Act to provide for the interest payable under the first paragraph of section 217 of the Act as of 1 June 2008;

WHEREAS, under the second paragraph of section 217 of the Act, the rates of interest in Schedule VII to the Act are determined, for each period indicated, according to the rules and procedures determined by regulation and an external index designated by that regulation;

WHEREAS Schedule VII to the Act was amended by Conseil du trésor Decision 205269 dated 31 July 2007 to provide for the rate of interest based on an external index payable under the Act as of 1 June 2007;

WHEREAS it is expedient to further amend Schedule VII to the Act to provide for the interest payable under the second paragraph of section 217 of the Act as of 1 June 2008;

WHEREAS, under the first paragraph of section 207 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may, by order, amend Schedules I and III to VIII to that Act and any such order may have effect 12 months or less before it is made;

WHEREAS, under the first paragraph of section 204 of that Act, the rates of interest in Schedule VII to that Act are determined, for each period indicated, according to the rules and procedures determined by regulation and the rates of return on certain classes of amounts referred to in section 177 of that Act and designated by that regulation;

WHEREAS Schedule VII to that Act was amended by Conseil du trésor Decision 205269 dated 31 July 2007 to provide for the rate of interest based on the rates of return of certain funds payable under that Act as of 1 June 2007;

WHEREAS it is expedient to further amend Schedule VII to that Act to provide for the interest payable under the first paragraph of section 204 of that Act as of 1 June 2008;

WHEREAS, under the second paragraph of section 204 of that Act, the rates of interest in Schedule VIII are determined, for each period indicated, according to the rules and procedures established by regulation and an external index designated by that regulation;

WHEREAS Schedule VIII to that Act was amended by Conseil du trésor Decision 205269 dated 31 July 2007 to provide for the rate of interest based on an external index payable under that Act as of 1 June 2007;

WHEREAS it is expedient to further amend Schedule VIII to that Act to provide for the interest payable under the second paragraph of section 204 of that Act as of 1 June 2008;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), amended by section 72 of chapter 49 of the Statutes of 2006, the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers mentioned in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Amendments to Schedules VI and VII to the Act respecting the Government and Public Employees Retirement Plan and to Schedules VII and VIII to the Act respecting the Pension Plan of Management Personnel, attached to this Decision, are hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Amendments to Schedules VI and VII to the Act respecting the Government and Public Employees Retirement Plan* and to Schedules VII and VIII to the Act respecting the Pension Plan of Management Personnel**

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 220, 1st par.)

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 207, 1st par.)

1. Schedule VI to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended

(1) by replacing “as of 1 June 2007” by “1 June 2007 to 31 May 2008”;

* Schedules VI and VII to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) have been amended since the last updating of the Revised Statutes of Québec to 1 January 2007 by T.B. 205269 dated 31 July 2007 (2007, *G.O.* 2, 2387).

** Schedules VII and VIII to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) have been amended since the last updating of the Revised Statutes of Québec to 1 January 2007 by T.B. 205269 dated 31 July 2007 (2007, *G.O.* 2, 2387).

(2) by adding “10.72% as of 1 June 2008” at the end.

2. Schedule VII is amended

(1) by replacing “as of 1 June 2007” by “1 June 2007 to 31 May 2008”;

(2) by adding “4.21% as of 1 June 2008” at the end.

3. Schedule VII to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) is amended

(1) by replacing “as of 1 June 2007” by “1 June 2007 to 31 May 2008”;

(2) by adding “11.00 % as of 1 June 2008” at the end.

4. Schedule VIII is amended

(1) by replacing “as of 1 June 2007” by “1 June 2007 to 31 May 2008”;

(2) by adding “4.21% as of 1 June 2008” at the end.

5. These Amendments have effect from 1 June 2008.

8900

Gouvernement du Québec

T.B. 206747, 22 July 2008

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

Amendment to Schedule II.1

Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under paragraph 3 of section 2 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the plan also applies to an employee who is released without pay by his or her employer for union activities and who is in the employ of a body designated in Schedule II.1 of the Act if the employee belongs to the class of employees mentioned in that schedule in respect of that body;

WHEREAS, under section 16.1 of the Act, the pensionable salary of an employee who is released with pay for union activities is the salary paid to the employee by the employer and the salary, if any, paid to the employee by a body designated in Schedule II.1, and the body concerned must pay its employer's contributory amount and deduct the contributions from the pensionable salary it pays to such an employee;

WHEREAS, under the first paragraph of section 220 of the Act, the Government may, by order, amend Schedule II.1 to the Act and any such order may have effect 12 months or less before it is made;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988, determines, in accordance with subparagraph 25 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan, the conditions which permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1 to the Act;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), amended by section 72 of chapter 49 of the Statutes of 2006, the Conseil du trésor, after consulting the Minister of Finance, exercises the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

WHEREAS the Syndicat de professionnelles et professionnels du gouvernement du Québec meets the requirements set out in the Regulation under the Act respecting the Government and Public Employees Retirement Plan in order to be designated in Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan, attached to this Decision, is hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan*

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 220, 1st par.)

1. Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended by inserting "the Syndicat de professionnelles et professionnels du gouvernement du Québec" in alphabetical order.

2. The amendment in section 1 has effect from 3 December 2007.

8901

Gouvernement du Québec

T.B. 206748, 22 July 2008

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

Amendments to Schedules I and II.1

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

Amendments to Schedule II

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedule II to the Act respecting the Pension Plan of Management Personnel

WHEREAS, under section 1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the retirement plan applies to employees and persons designated in Schedule I, and employees and persons designated in Schedule II who were not members of a retirement plan on 30 June 1973 or who were appointed or engaged after 30 June 1973;

* Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan has been amended since the last updating of the Revised Statutes of Québec to 1 January 2007 by T.B. 204926 dated 8 May 2007 (2007, *G.O.* 2, 1433), by section 110 of chapter 49 of the Statutes of 2006, by T.B. 205842 dated 18 December 2007 (2008, *G.O.* 2, 149), by T.B. 206341 dated 29 April 2008 (2008, *G.O.* 2, 1363) and by T.B. 206593 dated 17 June 2008 (2008, *G.O.* 2, 2870).

WHEREAS, under paragraph 3 of section 2 of the Act, amended by section 42 of chapter 43 of the Statutes of 2007, the plan applies to an employee who is released without pay by his or her employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that schedule in respect of that body;

WHEREAS, under section 16.1 of the Act, the pensionable salary of an employee who is released with pay for union activities is the salary paid to the employee by the employer and the salary, if any, paid to the employee by a body designated in Schedule II.1, and the body concerned must pay its employer's contributory amount and deduct the contributions from the pensionable salary it pays to such an employee;

WHEREAS, under the first paragraph of section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1, VI and VII and, where the Government amends Schedule I or II, it must also amend to the same effect Schedule II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), and any such order may have effect 12 months or less before it is made;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988, determines pursuant to subparagraph 25 of the first paragraph of section 134 of the Act the conditions that permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1 to the Act;

WHEREAS, under the first paragraph of section 1 of the Act respecting the Pension Plan of Management Personnel, the Pension Plan of Management Personnel applies, to the extent provided for in Chapter I of that Act, to employees and persons appointed or engaged on or after 1 January 2001 to hold, with the corresponding classification, non-unionizable employment designated in Schedule I and referred to in Schedule II;

WHEREAS, under the first paragraph of section 207 of the Act, the Government may, by order, amend Schedule II, but only to the extent provided for in section 220 of the Act respecting the Government and Public Employees Retirement Plan and any such order may have effect 12 months or less before it is made;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), amended by section 72 of chapter 49 of the Statutes of 2006, the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

THEREFORE, THE CONSEIL DU TRÉSOR DECIDES:

THAT the Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan and to Schedule II to the Act respecting the Pension Plan of Management Personnel, attached to this Decision, are hereby made.

SERGE MARTINEAU,
Clerk of the Conseil du trésor

Amendments to Schedules I and II.1 to the Act respecting the Government and Public Employees Retirement Plan* and to Schedule II to the Act respecting the Pension Plan of Management Personnel**

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 220, 1st par.)

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 207, 1st par.)

1. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended by striking out “the Syndicat du personnel technique et administratif de la Commission scolaire de la Région-de-Sherbrooke-CSQ” in paragraph 1.

2. Schedule II.1 to the Act is amended by striking out

(1) “the Association des juristes de l’État”;

(2) “the SEECR Syndicat des enseignantes et enseignants du CÉGEP de Rimouski”;

(3) “the Syndicat des professeures et des professeurs du Collège Édouard-Montpetit (SPPCEM)”;

(4) “the Syndicat des professeurs du Collège Dawson”;

(5) “the Syndicat des professeurs du Collège d’enseignement général et professionnel de Rosemont”.

3. Schedule II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) is amended by striking out “the Syndicat du personnel technique et administratif de la Commission scolaire de la Région-de-Sherbrooke-CSQ” in paragraph 1.

4. The amendments in sections 1 to 3 have effect 12 months before the date on which this Decision is made.

8902

* Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) has been amended since the last updating of the Revised Statutes of Québec to 1 January 2007 by section 204 of chapter 24 of the Statutes of 2002, by T.B. 204926 dated 8 May 2007 (2007, *G.O.* 2, 1433), by section 110 of chapter 49 of the Statutes of 2006, by T.B. 205842 dated 18 December 2007 (2008, *G.O.* 2, 149), by section 93 of chapter 43 of the Statutes of 2007, by section 41 of chapter 57 of the Statutes of 2006, by T.B. 206592 dated 17 June 2008 (2008, *G.O.* 2, 2869) and by T.B. 206593 dated 17 June 2008 (2008, *G.O.* 2, 2870).

Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan has been amended since the last updating of the Revised Statutes of Québec to 1 January 2007 by T.B. 204926 dated 8 May 2007 (2007, *G.O.* 2, 1433), by section 110 of chapter 49 of the Statutes of 2006, by T.B. 205842 dated 18 December 2007 (2008, *G.O.* 2, 149), by T.B. 206341 dated 29 April 2008 (2008, *G.O.* 2, 1363) and by T.B. 206593 dated 17 June 2008 (2008, *G.O.* 2, 2870).

** Schedule II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1) has been amended since the last updating of the Revised Statutes of Québec to 1 January 2007 by section 209 of chapter 24 of the Statutes of 2002, by T.B. 204926 dated 8 May 2007 (2007, *G.O.* 2, 1433), by section 124 of chapter 49 of the Statutes of 2006, by T.B. 205842 dated 18 December 2007 (2008, *G.O.* 2, 149), by section 164 of chapter 43 of the Statutes of 2007, by section 42 of chapter 57 of the Statutes of 2006, by T.B. 206592 dated 17 June 2008 (2008, *G.O.* 2, 2869) and by T.B. 206593 dated 17 June 2008 (2008, *G.O.* 2, 2870).

Index

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

	Page	Comments
Administrative justice, An Act respecting..., amended (2008, Bill 82)	3147	
Agricultural Abuses Act, amended (2008, Bill 72)	3127	
Charter of Ville de Lévis, amended (2008, Bill 82)	3147	
Charter of Ville de Longueuil, amended (2008, Bill 82)	3147	
Charter of Ville de Montréal, amended (2008, Bill 82)	3147	
Charter of Ville de Québec, amended (2008, Bill 82)	3147	
Cities and Towns Act, amended (2008, Bill 82)	3147	
Civil Protection Act, amended (2008, Bill 82)	3147	
Commission de la construction du Québec — Levy (An Act respecting labour relations, vocational training and manpower management in the construction industry, R.S.Q., c. R-20)	3215	Draft
Communauté métropolitaine de Montréal, An Act respecting the..., amended (2008, Bill 82)	3147	
Communauté métropolitaine de Québec, An Act respecting the..., amended (2008, Bill 82)	3147	
Competency test in the safe practice of the sport of target shooting with firearms (An Act respecting safety in sports, R.S.Q., c. S-3.1)	3211	N
Conservation and development of wildlife, An Act respecting the... — Designation and delimitation of land in the domain of the State — Replacement of Schedule 111 to Order in Council 573-87 dated 8 April, 1987 (R.S.Q., c. C-61.1)	3212	N
Crop Health Protection Act (2008, Bill 72)	3127	
Designation and delimitation of land in the domain of the State — Replacement of Schedule 111 to Order in Council 573-87 dated 8 April, 1987 (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	3212	N

Elections and referendums in municipalities, An Act respecting..., amended ... (2008, Bill 82)	3147	
Environment Quality Act — Landfilling and incineration of residual materials (R.S.Q., c. Q-2)	3215	Draft
Environment Quality Act — Waste water disposal systems for isolated dwellings (R.S.Q., c. Q-2)	3208	M
Exclusion of certain premises and certain means of transportation and exemption of certain persons (An Act to protect persons with regard to activities involving firearms and amending the Act respecting safety in sports, 2007, c. 30)	3203	N
Exercise of certain municipal powers in certain urban agglomerations, An Act respecting the..., amended (2008, Bill 82)	3147	
Farm-loan insurance and forestry-loan insurance, An Act respecting..., amended (2008, Bill 81)	3139	
Governance of state-owned enterprises, An Act respecting the..., amended (2008, Bill 81)	3139	
Government and Public Employees Retirement Plan, Act respecting the... — Amendments to Schedules I and II.1 (R.S.Q., c. R-10)	3219	M
Government and Public Employees Retirement Plan, Act respecting the... — Amendments to Schedules VI and VII (R.S.Q., c. R-10)	3217	M
Government and Public Employees Retirement Plan, An Act respecting the... — Amendment to Schedule II.1 (R.S.Q., c. R-10)	3218	M
Intermunicipal boards of transport in the area of Montréal, An Act respecting..., amended (2008, Bill 82)	3147	
La Financière agricole du Québec, An Act respecting..., amended (2008, Bill 81)	3139	
La Financière agricole du Québec, An Act to modernize the governance of (2008, Bill 81)	3139	
Labour relations, vocational training and manpower management in the construction industry, An Act respecting... — Commission de la construction du Québec — Levy (R.S.Q., c. R-20)	3215	Draft
Land use planning and development, An Act respecting..., amended (2008, Bill 82)	3147	

Landfilling and incineration of residual materials (Environment Quality Act, R.S.Q., c. Q-2)	3215	Draft
Licences to operate target shooting clubs and ranges (An Act respecting safety in sports, R.S.Q., c. S-3.1)	3205	N
Municipal affairs, An Act to amend various legislative provisions respecting... (2008, Bill 82)	3147	
Municipal Code of Québec, amended (2008, Bill 82)	3147	
Municipal Powers Act, amended (2008, Bill 82)	3147	
Municipal taxation, An Act respecting..., amended (2008, Bill 82)	3147	
Municipal territorial organization, An Act respecting..., amended (2008, Bill 82)	3147	
Northern villages and the Kativik Regional Government, An Act respecting..., amended (2008, Bill 82)	3147	
Pension Plan of Elected Municipal Officers, An Act respecting the..., amended (2008, Bill 82)	3147	
Pension Plan of Management Personnel, Act respecting the... — Amendments to Schedule II (R.S.Q., c. R-12.1)	3219	M
Pension Plan of Management Personnel, Act respecting the... — Amendments to Schedules VII and VIII (R.S.Q., c. R-12.1)	3217	M
Plant Protection Act, repealed (2008, Bill 72)	3127	
Prevention of disease in potatoes, An Act respecting..., repealed (2008, Bill 72)	3127	
Public transit authorities, An Act respecting..., amended (2008, Bill 82)	3147	
Public utility installations, An Act respecting certain..., amended (2008, Bill 82)	3147	
Register of use of shooting ranges (An Act respecting safety in sports, R.S.Q., c. S-3.1)	3207	N
Safety in sports, An Act to protect persons with regard to activities involving firearms and amending the Act respecting... — Exclusion of certain premises and certain means of transportation and exemption of certain persons (2007, c. 30)	3203	N
Safety in sports, An Act respecting... — Competency test in the safe practice of the sport of target shooting with firearms (R.S.Q., c. S-3.1)	3211	N

Safety in sports, An Act respecting... — Licences to operate target shooting clubs and ranges (R.S.Q., c. S-3.1)	3205	N
Safety in sports, An Act respecting... — Register of use of shooting ranges (R.S.Q., c. S-3.1)	3207	N
Transport Act, amended (2008, Bill 82)	3147	
University Investments Act — University investments (R.S.Q., c. I-17)	3210	N
University investments (University Investments Act, R.S.Q., c. I-17)	3210	N
Waste water disposal systems for isolated dwellings (Environment Quality Act, R.S.Q., c. Q-2)	3208	M