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DU Québec

Part

2

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Laws and Regulations

Volume 145

Summary

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Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (chapter C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
- (4) decisions of the Conseil du trésor and ministers’ orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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Regulations and other Acts

Gouvernement du Québec

O.C. 372-2013, 10 avril 2013

Supplemental Pension Plans Act
(chapter R-15.1)

Measures to reduce the effects of the financial crisis on pension plans covered by the Act — Amendment

CONCERNING the Regulation to amend the Regulation respecting measures to reduce the effects of the financial crisis on pension plans covered by the Supplemental Pension Plans Act

WHEREAS, under the second paragraph of section 2 of the Supplemental Pension Plans Act (chapter R-15.1), the Government may, by regulation and on the conditions it determines, exempt any pension plan or category of pension plan it designates from the application of all or part of this Act, particularly by reason of the special characteristics of the plan or category, and may also prescribe special rules applicable to the plan or category;

WHEREAS, in accordance with the third paragraph of that section, such a regulation may, if it so provides, have retroactive effect from a date that is prior to the date of its coming into force but not prior to 31 December of the second year preceding the year in which it was published in the *Gazette officielle du Québec* under section 8 of the Regulations Act (chapter R-18.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act, a draft Regulation to amend the Regulation respecting measures to reduce the effects of the financial crisis on pension plans covered by the Supplemental Pension Plans Act was published, with a written notice that it could be made by the Government on the expiry of 45 days following its publication in part 2 of the *Gazette officielle du Québec* on 28 November 2012;

WHEREAS it is expedient to make the un-amended Regulation;

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

THAT the Regulation to amend the Regulation respecting measures to reduce the effects of the financial crisis on pension plans covered by the Supplemental Pension Plans Act, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting measures to reduce the effects of the financial crisis on pension plans covered by the Supplemental Pension Plans Act

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, para. 2 and 3)

1. Section 7 of the Regulation respecting measures to reduce the effects of the financial crisis on pension plans covered by the Supplemental Pension Plans Act, (chapter R-15.1, r. 4) is amended by replacing, in the second paragraph, the description of “C” by the following:

““C” represents the amount by which the greater of the amounts referred to in subparagraphs *i* and *ii* exceeds the employer contributions that would have been determined on the date of the last actuarial valuation if the amount referred to in subparagraph *b* of paragraph 2 of the first paragraph of section 39 of the Act mentioned in paragraph 3 of section 4 had been equal to the amount determined in accordance with paragraph 1 of section 21 increased by the value of the special amortization payments required since the date of the last actuarial valuation:

i. the total of the employer contributions paid since the date of the last actuarial valuation and the amount of any letter of credit provided since that date in relation with the employer contributions pursuant to section 42.1 of the Act referred to in paragraph 3 of section 4;

ii. the employer contributions determined on the date of the last actuarial valuation in accordance with section 21 and section 39 of the Act referred to in paragraph 3 of section 4.”.

2. Section 24 of the Regulation is amended by replacing, in the first paragraph, the description of “C” with the following:

““C” represents the amount by which the greater of the amounts referred to in subparagraphs *i* and *ii* exceeds the employer contributions that would have been determined on the date of the last actuarial valuation if the amount referred to in subparagraph *b* of paragraph 2 of the first paragraph of section 39 of the Act mentioned in paragraph 3 of section 4 had been equal to the amount determined in accordance with paragraph 1 of section 21 increased by the value of the special amortization payments required since the date of the last actuarial valuation:

i. the total of the employer contributions paid since the date of the last actuarial valuation and the amount of any letter of credit provided since that date in relation with the employer contributions pursuant to section 42.1 of the Act referred to in paragraph 3 of section 4;

ii. the employer contributions determined on the date of the last actuarial valuation in accordance with section 21 and section 39 of the Act referred to in paragraph 3 of section 4.”.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. However, it has effect from 31 December 2010.

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Gouvernement du Québec

O.C. 404-2013, 10 April 2013

An Act respecting collective agreement decrees
(chapter D-2)

Solid waste removal—Montréal —Modification

Decree to amend the Decree respecting solid waste removal in the Montréal region

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government made the Decree respecting solid waste removal in the Montréal region (chapter D-2, r. 5);

WHEREAS, under sections 4 and 6.1 of the Act, the contracting parties designated in the Decree have applied to the Minister of Labour for amendments to be made to the Decree;

WHEREAS sections 2 and 6.1 of the Act authorize the Government to amend a collective agreement decree;

WHEREAS, under section 7 of the Act, despite section 17 of the Regulations Act (chapter R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft amending decree was published in Part 2 of the *Gazette officielle du Québec* of 1 August 2012 and, on the same date, in a French language newspaper and in an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comments were received following that publication and it is expedient to make the draft Decree without amendment;

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

THAT the Decree to amend the Decree respecting solid waste removal in the Montréal region, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting solid waste removal in the Montréal region

An Act respecting collective agreement decrees
(chapter D-2, ss. 2 and 6.1)

1. The Decree respecting solid waste removal in the Montréal region (chapter D-2, r. 5) is amended by replacing “*Travailleurs éboueurs du Québec*” in the *part preceding Division 1.00* by “TUAC Local 501”.

2. Section 6.01 is replaced by the following:

“**6.01.** The minimum hourly wage is the following:

Class of employment	As of 2013 07 04	As of 2014 07 04	As of 2015 07 04
1. Full-time employee			
(A) driver:			
i. self-loading truck	\$20.50	\$21.00	\$21.60
ii. side-loading truck	\$21.39	\$21.89	\$22.49
iii. other vehicle	\$20.29	\$20.79	\$21.39
(B) helper:	\$19.97	\$20.47	\$21.07

Class of employment	As of 2013 07 04	As of 2014 07 04	As of 2015 07 04
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2. Part-time employee:

(A) truck driver any category:	\$19.71	\$20.21	\$20.81
(B) helper:	\$19.43	\$19.93	\$20.53.»

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

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Gouvernement du Québec

O.C. 405-2013, 10 April 2013

An Act respecting collective agreement decrees (chapter D-2)

**Installation of petroleum equipment
— Amendment**

Decree to amend the Decree respecting the installation of petroleum equipment

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government made the Decree respecting the installation of petroleum equipment (chapter D-2, r. 12);

WHEREAS under sections 4 and 6.1 of the Act, the contracting parties designated in the Decree have applied to the Minister of Labour for amendments to be made to the Decree;

WHEREAS sections 2 and 6.1 of the Act authorize the Government to amend a collective agreement decree;

WHEREAS, under section 7 of the Act, notwithstanding section 17 of the Regulations Act (chapter R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft amending decree was published in Part 2 of the *Gazette officielle du Québec* of 26 September 2012 and, on the same date, in a French language newspaper and in an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the draft Decree with amendments;

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

THAT the Decree to amend the Decree respecting the installation of petroleum equipment, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the installation of petroleum equipment

An Act respecting collective agreement decrees (chapter D-2, ss. 2 and 6.1)

1. The Decree respecting the installation of petroleum equipment (chapter D-2, r. 12) is amended by replacing “United Steelworkers of America, Local 9324” in the part preceding Division 1.00 by “United Steelworkers “.

2. Section 3.09 is replaced by the following:

“**3.09.** An employee may require a rest period of at least 10 hours per 24-hour period, except when public health or safety is threatened.”.

3. The following is added after section 4.05.1:

“**4.06.** The employer may not require an employee to work overtime, unless the employer is of the opinion that the emergency of the work warrants it.

No penalty may be imposed on an employee who refuses to work overtime, unless the employer demonstrates that the overtime was necessary to do urgent work.”.

4. The following paragraph is added at the end of section 6.03:

“(4) as of 24 April 2013, the annual leave indemnity of an employee who has 10 years of service, on 30 April, with the same employer is 7.56% of those wages.”.

5. Section 6.10 is replaced by the following:

“**6.10.** The employer may shut down for the 2 weeks of the construction workers’ summer vacation, as determined in the collective agreements applicable to the construction industry.

During that period, however, the employer may keep up to 50% of the employees on the job according to their seniority.”

6. Paragraphs 1 to 3 of section 9.01 are replaced by the following:

“**9.01.** (1) The minimum hourly rate payable to a service mechanic, an installation mechanic, a shop mechanic and a tank-truck mechanic is established as follows for each class of employment:

Class of employment	As of 24 04 2013	As of 01 01 2014	As of 01 01 2015	As of 01 01 2016
A	\$29.81	\$30.55	\$31.32	\$32.10
B	\$25.30	\$25.93	\$26.58	\$27.24
C	\$21.81	\$22.36	\$22.92	\$23.49;

(2) A labourer is paid according to the number of hours accumulated since the date of hiring. The minimum hourly rate payable is established as follows:

Labourer	As of 24 04 2013	As of 01 01 2014	As of 01 01 2015	As of 01 01 2016
Starting	\$18.76	\$19.23	\$19.71	\$20.21
after 2,000 hours	\$19.23	\$19.71	\$20.20	\$20.70
after 4,000 hours	\$19.73	\$20.22	\$20.73	\$21.25
after 6,000 hours	\$20.38	\$20.89	\$21.41	\$21.95;

(3) The minimum hourly rate payable to a student is established as follows:

Student	As of 24 04 2013	As of 01 01 2014	As of 01 01 2015	As of 01 01 2016
	\$14.46	\$14.82	\$15.18	\$15.57;”

7. Section 10.04 is replaced by the following:

“**10.04.** The following are deemed to be hours worked:

(1) the hours during which the employee is at the employer’s disposal and required to be present on the work premises or job site, as well as any trial period;

(2) the hours of training where they are required by the employer, as well as the hours spent by the employee travelling from the employer’s establishment to the place of training and back again.

All hours worked are paid at the base rate.”

8. Paragraphs a to d of subsection 1 of section 11.08 are replaced by the following:

“(a) \$1.50 for Class A mechanics;

(b) \$1.44, and \$1.50 as of 1 January 2014, for Class B mechanics;

(c) \$1.38 for Class C mechanics;

(d) \$1.34 for a labourer that has accumulated 4,000 hours or more since the date of hiring;

(e) \$1.32 for a labourer that has accumulated 3,999 hours or less since the date of hiring.”

9. Section 12.01 is amended by replacing the year “2011” wherever it appears by “2016”.

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

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Gouvernement du Québec

O.C. 414-2013, 17 April 2013

Public Contracts Act
(2012, chapter 25)

Certain contracts of Ville de Montréal

Certain contracts of Ville de Montréal

WHEREAS the Integrity in Public Contracts Act (2012, chapter 25) was assented to on 7 December 2012;

WHEREAS the Act amends in particular the Act respecting contracting by public bodies (chapter C-65.1) and other Acts respecting the municipal sector;

WHEREAS, under section 21.17 of the Act respecting contracting by public bodies, an enterprise that wishes to enter into a contract with a public body involving an expenditure equal to or greater than the amount determined by the Government or that wishes to enter into a subcontract that involves an expenditure equal to or greater than that amount and that is directly or indirectly related to the contract must obtain an authorization from the Autorité des marchés financiers;

WHEREAS, under section 573.3.3.3 of the Cities and Towns Act (chapter C-19), sections 21.17 to 21.20, 21.25, 21.34, 21.38, 21.39, 21.41, 27.6 to 27.9, 27.11, 27.13 and 27.14 of the Act respecting contracting by public bodies apply, with the necessary modifications, in respect of any municipal contract that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and pertains to the performance of work or the supply of insurance, equipment, materials or services and, for the purposes of those sections, any such contract is deemed to be a public contract, any subcontract that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and is directly or indirectly related to such a contract is deemed to be a public subcontract and every municipality is deemed to be a public body;

WHEREAS, under section 85 of the Integrity in Public Contracts Act, from 15 January 2013, for the purposes of section 21.17 of the Act respecting contracting by public bodies, the contracts and subcontracts to which that section applies are construction contracts and subcontracts and service contracts and subcontracts that involve an expenditure equal to or greater than \$40,000,000 and for which the award process is underway on or begins after that date;

WHEREAS, under section 86 of the Integrity in Public Contracts Act, despite the expenditure amount specified in section 85 of the Act or determined by the Government under section 21.17 of the Act respecting contracting by public bodies, the Government may, before 31 March 2016, determine that Chapter V.2 of that Act applies to groups of public contracts or subcontracts or to groups of contracts or subcontracts deemed to be public contracts or subcontracts under that Act, whether or not they are of the same category, even if they involve a lower expenditure amount and the Government may also determine special terms for the applications for authorization that enterprises must file with the Autorité des marchés financiers in respect of such contracts or subcontracts;

WHEREAS Ville de Montréal has cancelled, extended or postponed a number of calls for tenders since the fall of 2012 and it wishes, in addition, to initiate new calls for tenders;

WHEREAS Ville de Montréal applies to the Government to have the contracts concerning calls for tenders it wishes to pursue or initiate that involve an expenditure amount lower than \$40,000,000 governed by the new authorization regime introduced by Chapter V.2 of the Act respecting contracting by public bodies;

WHEREAS section 100 of the Integrity in Public Contracts Act provides that a decision of the Government made under section 86 of the Act comes into force on the date of its adoption or on any later date specified in it, must be published in the *Gazette officielle du Québec* as soon as possible and sections 4 to 8, 11 and 17 to 19 of the Regulations Act (chapter R-18.1) do not apply to that decision;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor and the Minister of Municipal Affairs, Regions and Land Occupancy:

THAT Chapter V.2 of the Act respecting contracting by public bodies (chapter C-65.1) apply, with the necessary modifications, to the group of contracts listed in the Schedule to this Order in Council;

THAT a preliminary application for authorization with respect to a contract be submitted by each tenderer to the Autorité des marchés financiers not later than the deadline for submitting bids;

THAT the preliminary application for authorization be considered completed for each of the two tenderers that are the highest ranked following the analysis of bids, by the transmission by Ville de Montréal of the ranking of the tenderers;

THAT, where the contract cannot be awarded to either tenderer, the other preliminary applications be considered completed for the subsequent tenderers on the basis of their ranking, until the contract can be awarded;

THAT the preliminary applications for authorization of tenderers that were not processed be returned to the tenderers free of charge;

THAT this Order in Council come into force on 17 April 2013.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

SCHEDULE

BID	TITLE OF PROJECT	BOROUGH	
1	1535-AE	Upgrading of the aluminum perforated screens of settling tanks 22 to 28 at the Jean-R.-Marcotte water treatment station.	RIVIÈRE-DES- PRAIRIES-POINTE- AUX-TREMBLES
2	214704	Reconstruction of collector sewer, main water main and secondary water main on rue William, from rue Dalhousie to rue Duke. Lots 17 and 18 – Projet Bonaventure.	VILLE-MARIE/ SUD-OUEST
3	252311	Various streets on L'Île Bizard / Construction of secondary water main, sanitary sewer and storm sewer / Phase II.	L'ÎLE-BIZARD- SAINTE-GENEVIÈVE
4	232001	Reconstruction of combined sewer and secondary water main, raising of roadway (50 mm), where required, on rue Saint-Patrick, within the limits described in the tender slip. (Road repair program (P.R.R.) 2013 – Downtown and arterial network).	SUD-OUEST/ LASALLE
5	233505	Construction of sidewalks, curbs, medians, roadways, bicycle path and lighting system, where required, on boulevard Maurice-Duplessis, from avenue Olivier-Lejeune to boulevard Saint-Jean-Baptiste. – (Realization of the eastern train).	RIVIÈRE-DES- PRAIRIES-POINTE- AUX-TREMBLES
6	279201	Reconstruction of sidewalks, curbs, islands, medians, planing and bituminous coating, where required, on Saint-Clément, Dickson and Sherbrooke streets, within the limits described in the tender slip. (P.R.R. 2013 – Arterial network).	MERCIER- HOCHELAGA- MAISONNEUVE
7	10092	Construction of regulation and measurement chambers in the secondary network in Côte-Saint-Luc and Pierrefonds-Roxboro.	PIERREFONDS- ROXBORO
8	10082	Pressure pumping station Marcel-Laurin – speed adjusters & engines (Project 2011-41) (subsidy TECQ (federal excise tax on gasoline and contribution of the Gouvernement du Québec)).	SAINT-LAURENT
9	10080	Atwater – Repair slab gallery 6 west and ceiling gallery 7 north (Project 2010-01) (Subsidy FCSI (Canada Strategic Infrastructure Fund)).	SUD-OUEST
10	1908-AE	Supply and replacement of rails and ties on the grit chambers of the Jean-R.-Marcotte water treatment station.	RIVIÈRE-DES- PRAIRIES-POINTE- AUX-TREMBLES
11	1833-AE	Performance of internally-controlled work on settling tanks 15 to 21 of the Jean-R.-Marcotte water treatment station.	RIVIÈRE-DES- PRAIRIES-POINTE- AUX-TREMBLES
12	1828-AE	Upgrade of 3 rotary ring presses at the Jean-R.-Marcotte water treatment station.	RIVIÈRE-DES- PRAIRIES-POINTE- AUX-TREMBLES
13	13-12814	Professional services – Scrubbing and TV inspection of mains and sewer manholes by conventional camera (3 years).	ALL
14	WP-13-006	Reconstruction of combined sewer and water main on rue Beaudry, from boulevard René-Levesque to rue Sainte-Catherine and water main on rue Fullum, between rue De Rouen and rue Sherbrooke.	VILLE-MARIE

	BID	TITLE OF PROJECT	BOROUGH
15	ST-13-08	Reconstruction and rehabilitation of underground and road infrastructures on Lalande, Saraguay, Deslauriers, Richer, Tessier, Paquette, Fortier, Chénier, Gagnier, Groulx, Ste-Croix, Colin, Logan, Hyman, Glenn, Deschamps, Tilly, Cardinal, Mario, de Régina, and Kuchiran streets.	PIERREFONDS-ROXBORO
16	RP-ING13-03	Reconstruction of combined sewer, secondary water main and pavement on 64 ^e Avenue, from 5 ^e Rue to rue Perras and on 58 ^e Avenue, from boulevard Maurice-Duplessis to rue Perras.	RIVIÈRE-DES-PRAIRIES-POINTE-AUX-TREMBLES
17	RPPV12-04033-OP –	Reconstruction of part of the combined sewer of rue Molson, between boulevard St-Joseph and rue Masson.	ROSEMONT-LA-PETITE-PATRIE
18	10088	Rosemont Reservoir: repair of reservoir's structure (Project R-2012-02).	ROSEMONT-LA-PETITE-PATRIE
19	214001	Reconstruction of roadways, sidewalks, medians, curbs, islands, lighting and traffic lights system, where required, at the intersection of Papineau and Lecocq avenues (Geometric redevelopment of arterial network-2013) and on avenue Dollard at the intersection of rue Elmslie (PRR- 2013) and on various streets of Ville de Montréal (Development of the bicycle network– 2012).	SEVERAL
20	07-08401	Repair of pont Claude-Brunet (formerly pont de l'asile) above canal de l'Aqueduc.	VERDUN
21	279601	Reconstruction of sidewalks, curbs, islands, medians, planing and bituminous coating and work to bring traffic lights up to standards, where required, on boulevard de l'Acadie, from rue De Salaberry to rue Victor-Doré. (P.R.R. 2013 – Arterial network).	AHUNTSIC-CARTIERVILLE
22	10093	Reservation of work team and equipment for the repair of the main water system if need be (for a 3-year period).	ALL
23	102-140	Road repair program 2013 – Saint-Léonard borough.	SAINT-LÉONARD
24	2013-004	Road repair work on part of chemin Cherrier and montée Wilson.	L'ÎLE-BIZARD-SAINTE-GENEVIÈVE
25	2013-135	Construction and reconstruction of projections, sidewalks and curbs on various streets of the Mercier-Hochelaga-Maisonneuve borough as part of PRR 2013 and reconstruction of sidewalks, where required, on various streets of the Mercier-Hochelaga-Maisonneuve borough for cutting car ramps required and paid by citizens.	MERCIER-HOCHELAGA-MAISONNEUVE

Draft Regulations

Draft Regulation

An Act respecting administrative justice
(chapter J-3)

Administrative Tribunal of Québec — Procedure of the Administrative Tribunal of Québec — Replacement

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the procedure of the Administrative Tribunal of Québec, appearing below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

The Regulation replaces the Rules of procedure of the Administrative Tribunal of Québec (chapter J-3, r. 3). It proposes a new structure that makes it easier to find its provisions.

The regulation creates a framework for the use of a technology-based document during proceedings. It provides minimum delays for producing documents before hearings, taking into consideration the nature of the document.

This regulation also introduces rules regarding the continuance of proceedings and representations before the Tribunal.

Its provisions have been adapted to various legislative modifications that have taken place since it came into force in 1999.

Further information on the Regulation may be obtained by contacting Julie Baril, Director of Legal Affairs, Administrative Tribunal of Québec, 500, boul. René-Lévesque Ouest, 21^e étage, Montréal (Québec) H2Z 1W7; telephone: 514-873-8030 extension 5010; e-mail: affaires.juridiques-mtl@taq.gouv.qc.ca

Should you wish to comment on the Regulation, please send your comments in writing, within the next 45 days, to: Hélène de Kovachich, President, Director General and Chief Administrative judge of the Administrative Tribunal of Québec, 575, rue Saint-Amable, Québec (Québec) G1R 5R4.

BERTRAND ST-ARNAUD,
Minister of Justice

Regulation respecting the procedure of the Administrative Tribunal of Québec

An Act respecting administrative justice
(chapter J-3, s. 109)

DIVISION I SCOPE

1. This Regulation applies to all proceedings brought before the Administrative Tribunal of Québec, except those within the jurisdiction of the social affairs division acting as a review board within the meaning of the Criminal Code (R.S.C. 1985, c. C-46).

DIVISION II BUSINESS HOURS AND JURIDICAL DAYS

2. The secretariat of the Tribunal is open to the public from Monday to Friday, on juridical days, from 8:30 a.m. to 4:30 p.m.

3. The following are non-juridical days:

- (1) Saturdays and Sundays;
- (2) 1 and 2 January;
- (3) Good Friday;
- (4) Easter Monday;
- (5) the Monday preceding 25 May;
- (6) 24 June;
- (7) 1 July;
- (8) the first Monday in September;
- (9) the second Monday in October;
- (10) 24, 25, 26 and 31 December;
- (11) any other holiday fixed by the Government.

4. If the date fixed for performing an act falls on a non-juridical day, the act may validly be done on the next following juridical day.

5. In computing any time period, the day that marks the start of the period is not counted and, except for periods counted in clear days, the terminal day is.

Non-judicial days are counted but a period that would normally expire on such a day must be extended to the next following judicial day.

DIVISION III TRANSMISSION OF APPLICATIONS AND FILING OF DOCUMENTS

6. The transmission of technology-based documents, within the meaning of the Act to establish a legal framework for information technology (chapter C-1.1), is possible if the means is accepted by the Tribunal.

7. The date of filing of a document is the date on which it is received at the secretariat of the Tribunal or at the office of the Court of Québec, as the case may be.

Subject to section 6, if a technology-based document is received on a non-judicial day, or after 4:30 p.m. on a judicial day, the document is presumed to have been received on the next following judicial day following the date of receipt.

8. If fees or other expenses are prescribed for the filing of a document, the document is validly filed only if the fees or expenses have been paid.

Despite the foregoing, in the case of the motion instituting proceedings, an applicant who has not paid all the prescribed fees or expenses in full may do so within 30 days after the date of receipt of the motion by the Tribunal.

9. A motion instituting proceedings may be filed on the form provided by the Tribunal, duly completed.

The motion may also be filed on another document that meets the requirements of section 111 of the Act respecting administrative justice (chapter J-3) and that states

- (1) the decision in respect of which proceedings are brought or the facts giving rise to the proceedings;
- (2) a short statement of the grounds invoked in support of the proceeding;
- (3) the conclusions sought;
- (4) the representative's name, address, telephone number and fax number if the applicant is represented. Where the representative is an advocate, the professional email address required under the Act respecting the Barreau du Québec (chapter B-1).

The motion indicates the applicant's name, address and any other contact information.

The contested decision or the documents relating to the facts giving rise to the proceedings must be sent to the Tribunal without delay at the time the motion is filed.

If the documents cannot be sent at the time the motion is filed, the motion must indicate

- (1) if the proceedings are to contest a decision:
 - (a) the authority that made the decision;
 - (b) the date of the decision; and
 - (c) the file number given by that authority; or
- (2) if no decision is contested, the facts giving rise to the proceedings.

10. Any other application to the Tribunal must be made in writing and sent to the secretariat of the Tribunal.

The application must indicate the name of the parties, the file number of the Tribunal, the grounds invoked in support of the application and the conclusions sought.

If the applicant is not one of the parties, the application must indicate the applicant's name, address and any other contact information. If the applicant is represented, the application must also contain the same information for the representative.

Despite the foregoing, an application may be presented otherwise if authorized by the Tribunal.

11. Any application submitted in paper form, including a motion instituting proceedings, must be signed by the applicant or the applicant's representative.

Any written application or communication addressed to the Tribunal must also be sent to the other parties.

DIVISION IV REPRESENTATION

12. In exceptional cases provided for by law where a person who is not an advocate is authorized to act as a representative before the Tribunal, the person must provide a mandate in paper form, signed by the person wishing to be represented.

In addition to stating the authorization for representation, the mandate indicates, if such is the case, that the representative is authorized to consult the file of the person represented or to obtain a copy thereof.

This provision does not apply to the representative of the Minister of Employment and Social Solidarity or the Minister's delegate.

13. A party who discharges or replaces his or her representative must give notice thereof to the Tribunal and the other parties without delay.

14. A person who agrees to represent a party after the motion is filed must give notice thereof to the Tribunal and the other parties without delay.

15. A person who ceases to represent a party must give notice thereof to the Tribunal and the other parties without delay.

If the Tribunal has already sent a notice of hearing, the representative may not cease to represent without the Tribunal's authorization.

16. Where a party is represented, the communications of the Tribunal, except the notice of hearing and the Tribunal's decision, must be addressed to the representative only.

DIVISION V CHANGE OF ADDRESS

17. Every party or representative must inform the secretariat of the Tribunal without delay of any change in address or other contact information.

DIVISION VI DOCUMENTS RELATING TO RECORDS

SUBDIVISION I EXPROPRIATION

18. Where a general plan of the immovables to be expropriated is filed with the Tribunal pursuant to section 39 of the Expropriation Act (chapter E-24), an appendix indicating the cadastre number of each immovable involved, the nature of the expropriated right and the name of the last known holder of the right must be attached to the plan.

Every related notice of expropriation filed after the general plan is filed must bear the file number of the plan.

SUBDIVISION II PROTECTION OF PERSONS WHOSE MENTAL STATE PRESENTS A DANGER TO THEMSELVES OR TO OTHERS

19. In matters of protection of persons whose mental state presents a danger to themselves or to others, the institution having custody of such a person must provide

the Tribunal with a copy of the order for custody in an institution, a copy of the psychiatric examination reports on the basis of which the order was issued and a copy of any periodical psychiatric examination report following the issue of the order.

The documents must be provided not later than 24 hours before the date of the hearing.

DIVISION VII INTERVENTION, IMPLEADING AND DEATH OR CHANGE OF STATUS OF A PARTY

20. Every person who has a sufficient interest may, with the authorization of the Tribunal and on the conditions it determines, make representations in a proceeding before the decision on the proceeding is rendered.

For a proceeding brought pursuant to the Environment Quality Act (chapter Q-2), any person making representations must file with the Tribunal a notice to that effect at least 30 days before the date of the hearing.

21. Every party to a proceeding may, with the authorization of the Tribunal and on the conditions it determines, implead a third party whose presence is necessary to fully resolve the dispute.

The Tribunal may, of its own motion, order the impleading of any person whose interests could be affected by its decision.

22. To continue the proceeding of a party, an heir, a successor, the liquidator of a succession or a person who has acquired the capacity or interest to do so must send the following documents to the Tribunal:

- (1) a notice of the person's intent;
- (2) the documents evidencing the person's interest or authorizing the person to continue the proceeding; and
- (3) in the case of a deceased party, proof of the death.

23. A respondent may notify a formal demand on the persons referred to in section 22 requiring that they inform the Tribunal of their intention. A copy of the formal demand must be sent to the Tribunal and the parties.

If those persons do not comply within 60 days of the notification of the formal demand, any party may request the Tribunal to proceed by default or to declare the proceeding null and void, depending on the circumstances.

DIVISION VIII SUMMONING

24. A notice of hearing, in order to be valid, must be sent to a party at the last address filed in the record.

The notice must also be sent to the party's representative at the representative's last address filed in the record.

DIVISION IX PRACTICE ROLL

25. In addition to the roll comprising the motions instituting proceedings, the Tribunal may also prepare a practice roll for the cases that may be heard prior to the hearing on the merits.

Except with the parties' consent, in a case of urgency or if the Tribunal decides otherwise, a case entered on the practice roll may not be heard unless the parties have been notified at least 10 days before the date of the hearing.

DIVISION X POSTPONEMENT

26. A party requesting postponement of the hearing must apply to the Tribunal as soon as the grounds invoked become known.

The postponement is granted only if it is based on serious grounds and the interests of justice will be better served as a result. No postponement may be granted solely on agreement of the parties.

DIVISION XI PRESENCE OF A WITNESS AT THE HEARING

27. A party who wishes to have a witness summoned to appear to testify, to produce a document or both, must complete a subpoena.

The party is responsible for having the subpoena issued by the party's advocate or, failing that, by a member of the Tribunal served at least 10 days before the hearing.

In a case of emergency, a member of the Tribunal may shorten the time limit for service, but it may not be less than 24 hours. The shortened time limit must be mentioned on the subpoena.

A person in prison may only be summoned on an order from a member of the Tribunal commanding the warden or goaler, as the case may be, to make the person appear according to the instructions in the order so that the person may testify.

28. A person heard as a witness or interpreter must do so under oath.

A person who does not understand the nature of the oath is exempted from taking it, but must be informed of the obligation to tell the truth.

DIVISION XII PRODUCTION OF DOCUMENTS AT THE HEARING

29. A party who intends to produce a document as evidence at the hearing must, not later than 15 days before the hearing, send a copy of the document to the other parties and to each member of the Tribunal composing the panel hearing the matter. An additional copy is produced in the case of proceedings before the immovable property division. The copies for the Tribunal must be filed with the secretariat of the Tribunal.

In the case of an expert's report or a technology-based document within the meaning of the Act to establish a legal framework for information technology, the report or document must be sent not later than 30 days before the date of the hearing.

No expert witness may be heard if the expert's report has not been filed within the time period, except with the leave of the Tribunal.

The provision does not restrict the power of the Tribunal to determine different time periods.

30. Where a party wishes to file a technology-based document within the meaning of the Act to establish a legal framework for information technology, the party makes sure, at the time of filing of the document, that the Tribunal has at its disposal the required material to allow the presentation at the hearing.

If the Tribunal does not have at its disposal the required material, the party must transfer the document to a medium adapted to the material the Tribunal could have at its disposal at the hearing or provide the material required for the presentation of the technology-based document.

The last provision does not restrict the power of the Tribunal to agree on different measures.

DIVISION XIII HEARING

31. Every person attending the hearing must be dressed appropriately and behave with dignity and in a manner that shows respect towards justice. The person must refrain from doing anything that could disrupt the hearing.

32. Representations made at the hearing must be recorded, unless a party has them recorded at its own expense by a stenographer or stenotypist or by any other means provided for in the Regulation respecting the taking of witnesses' depositions in civil matters (chapter C-25, r. 10).

A party who requests a transcription of the hearing must provide a copy to the Tribunal free of charge.

In the cases where the Tribunal may award costs, the recording and transcription expenses must be included in the costs.

33. The minutes of the hearing must be drawn up in the form established by the Tribunal and must contain in particular the following information:

- (1) the date and time of the beginning and end of the hearing, and where it takes place;
- (2) the names of the members of the Tribunal;
- (3) the names and addresses of the parties and, where applicable, those of their representatives and witnesses;
- (4) the name and address of the person responsible for the recording;
- (5) the name and address of the stenographer;
- (6) the name and address of the interpreter, with mention the interpreter was sworn;
- (7) the form of the hearing;
- (8) the various stages of the hearing;
- (9) the exhibits adduced;
- (10) incidental proceedings and objections;
- (11) the date on which an act or action must be carried out;
- (12) the Tribunal's decisions; and
- (13) the date on which the matter is taken under advisement.

DIVISION XIV DISCONTINUANCE

34. Unless otherwise provided for by law, the filing of a discontinuance declaration or of a notice from the parties indicating that the matter has been settled out of court or that the dispute no longer exists terminates the proceedings.

DIVISION XV DECISION

35. The Tribunal's decision must be sent to the parties and to their representatives.

DIVISION XVI TRANSITIONAL AND FINAL

36. Section 29 applies to proceedings for which a notice of hearing has not been sent by the Tribunal on the date of coming into force of this Regulation.

Sections 26 and 28 of the Rules of procedure of the Administrative Tribunal of Québec (chapter J-3, r. 3) continue to apply to the other pending proceedings.

37. This Regulation replaces the Rules of procedure of the Administrative Tribunal of Québec.

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

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Municipal Affairs

Gouvernement du Québec

O.C. 355-2013, 10 April 2013

An Act respecting land use planning and development (chapter A-19.1)

Amendment to the letters patent constituting Municipalité régionale de comté de D’Autray

WHEREAS Municipalité régionale de comté de D’Autray was constituted on 1 January 1982 by letters patent issued under the Act respecting land use planning and development (chapter A-19.1);

WHEREAS the letters patent of Municipalité régionale de comté de D’Autray were amended pursuant to Order in Council 1779-91 dated 18 December 1991;

WHEREAS, under section 3 of the Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature (chapter J-1.1), the letters patent and Order in Council 1779-91 dated 18 December 1991 were replaced respectively by Schedules 1 and 2 of the letters patent issued on 14 July 1993 in accordance with Order in Council 1036-93;

WHEREAS the council of Municipalité régionale de comté de D’Autray passed Resolution 2012-05-142 on 9 May 2012 requesting the Government to amend its letters patent with regard to the number of votes of the representatives of local municipalities;

WHEREAS section 210.39 of the Act respecting municipal territorial organization (chapter O-9), made applicable to that regional county municipality by section 109 of the Act to amend the Act respecting municipal territorial organization and other legislative provisions (1993, chapter 65), allows the Government to amend letters patent with regard to the number of votes of the representatives of local municipalities on the council of a regional county municipality;

WHEREAS section 210.40 of the Act respecting municipal territorial organization provides that the order comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated therein;

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

THAT the letters patent constituting Municipalité régionale de comté de D’Autray be amended by replacing the third and fourth paragraphs of the operative part by the following:

“The representative of a municipality on the council of Municipalité régionale de comté de D’Autray has the number of votes calculated according to the following formula:

— From 0 to 5,000 inhabitants: 1 vote;

— From 5,001 to 10,000 inhabitants: 2 votes;

Where the population of a municipality is greater than 10,000 inhabitants, the representative of that municipality has one additional vote per 5,000 inhabitants of his or her municipality, using the formula set out in the preceding paragraph;”.

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Notices

Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Lac-Notre-Dame Nature Reserve (Conservation de la nature – Québec) — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve a private property known and designated as being of a part of lot 9, the lot 9-4, a part of lot 9-16 and the lot 9-43 of range 8 upon Official plan and book of reference of Canton de Wentworth, a part of lot 8, the lot 8-175, a part of lot 8-215, a part of lot 8-209, four parts of lot 9A, the lots 9A-259 and 9A-291, five parts of lot 9B, the lots 9B-14, 9B-71, 9B-265, 9B-283, 9B-319, a part of lot 9B-326, four parts of lot 10, the lot 10-81 and two parts of lot 11 of range 9 upon Official plan and book of reference of Canton de Wentworth, eleven parts of lot 6, the lots 6-13, 6-16, 6-17, 6-20, 6-39, 6-40, 6-41, 6-54, 6-70, four parts of lot 7A, a part of lot 7A-5, the lot 7A-45, two parts of lot 8, the lot 9-67A, a part of lot 9-68A, a part of lot 9-75A and a part of lot 9-79A of range 10 upon Official plan and book of reference of Canton de Wentworth, Argenteuil Registration Division. This property, of the area of

212,6 hectares, was situated on the territory of the municipality of Wentworth-Nord, Regional County Municipality des Pays-d'en-Haut.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
Le directeur du patrimoine écologique et des parcs

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Notice

An Act respecting transport infrastructure partnerships
(chapter P-9.001)

P-15020 Bridge of Highway 25 that spans the Rivière des Prairies — Fee schedule

In compliance with Article 5 of the Regulations for toll roads operated under a public-private partnership agreement, Concession A25 S.E.C. publishes its Fee Schedule. The following tables constitute the Fee Schedule that will be effective on the P-15020 Bridge of Highway 25 that spans the Rivière des Prairies on June 1st 2013.

TOLL CHARGES																
PERIODS	WORKING DAYS								WEEK-ENDS & HOLIDAYS							
	PHAM		OPHD		PHPM		OPHN		PHAM		OPHD		PHPM		OPHN	
HOURS	From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	To
SOUTHBOUND	6:01 AM	9:00 AM	9:01 AM	3:00 PM	3:01 PM	6:00 PM	6:01 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
NORTHBOUND	6:01 AM	9:00 AM	9:01 AM	3:00 PM	3:01 PM	6:00 PM	6:01 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
Category A, rate per axle	\$ 82.35		\$ 82.35		\$ 82.35		\$ 82.35				\$ 82.35				\$ 82.35	
Category B, rate per axle	\$ 1.24		\$ 0.93		\$ 1.24		\$ 0.93				\$ 0.93				\$ 0.93	
Category C, rate per axle	\$ 2.48		\$ 1.86		\$ 2.48		\$ 1.86				\$ 1.86				\$ 1.86	

PHAM: Peak Hour - Morning
OPHD: Off Peak Hour - Daytime
PHPM: Peak Hour - Evening
OPHN: Off Peak Hour - Night

TYPE OF VEHICLE	DESCRIPTION
Category A	Any oversized vehicle according to Article 462 of the Highway Safety Code
Category B	Any road vehicle not covered by Category A with a height less than 230 cm
Category C	Any road vehicle not covered by Category A with a height equal to or greater than 230 cm

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
MONTHLY ADMINISTRATIVE FEES FOR EACH VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING AND EQUIPPED WITH A WORKING TRANSPONDER *				
●	Administrative fees for a customer account using the automatic replenishment method	\$ 1.03	\$ 1.03	\$ 1.03
●	Administrative fees for a customer account using the manual replenishment method	\$ 2.57	\$ 2.57	\$ 2.57
MONTHLY ADMINISTRATIVE FEES FOR EACH VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING BUT NOT EQUIPPED WITH A TRANSPONDER *				
●	Collection fees for every transit on the A25 Bridge in addition to all toll charges incurred for the vehicle transit	\$ 3.09	\$ 3.09	\$ 3.09
ADMINISTRATIVE FEES FOR ANY TRANSIT OF A VEHICLE UNREGISTERED TO A CUSTOMER ACCOUNT				
●	Administrative fees for the collection of toll charges (first payment request) for every transit on the A25 Bridge, in addition to all toll charges incurred for the vehicle transit	\$ 5.15	\$ 5.15	\$ 5.15
●	Administrative fees related to the collection of toll charges (second toll notice) for every transit on the A25 Bridge in addition to all toll charges and administrative fees incurred for the transit of a vehicle, pursuant to article 17 of the Act respecting transport infrastructure partnerships.	\$ 28.00	\$ 28.00	\$ 28.00

* Fees that apply to any transit of a vehicle registered to a customer account that is not in good standing are the same fees that apply to any transit of a vehicle that is not registered to a customer account

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
COLLECTION FEES FOR ANY TRANSIT OF A ROAD VEHICLE REGISTERED OUTSIDE THE PROVINCE OF QUEBEC				
●	Administrative fees related to the collection of toll charges (second toll notice) for every transit on the A25 Bridge in addition to all toll charges and administrative fees incurred for the transit of a vehicle, pursuant to article 17 of the Act respecting transport infrastructure partnerships.	\$ 36.03	\$ 36.03	\$ 36.03

INTEREST RATE				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
	Interest rate applied to all amounts that remain unpaid 30 days following the date they become due and payable	Interest rate of 2% per month, compounded monthly **, or 26.8% annually		

** This monthly interest rate cannot exceed the per diem rate for Canadian bankers' acceptance of a month quoted on CDOR page of Reuter's Monitor Service by 10 AM on the date on which the amount becomes payable bearing interest for the first time, which is increased by 4%, in which case the latter rate applies.

DANIEL TOUTANT, *eng., M. eng., FSCGC,*
The President and Chief Executive Officer of
Concession A25 S.E.C.

Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Piémont-du-Mont-Saint-Hilaire Nature Reserve (Ville de Mont-Saint-Hilaire)

— Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve a private property, of the area of 34,27 hectares, situated on the territory of the municipality of Ville de Mont-St-Hilaire, Regional County Municipality of Vallée-du-Richelieu, known and designated as of the lots 1 817 063, 1 817 192, 1 817 193, 1 817 196, 2 484 097, 3 894 160, 3 894 161, 4 472 557, 4 472 560, 3 282 918, 3 894 146, 3 282 864, 3 445 785, 2 349 247, 2 348 637, 2 349 075, 1 816 711, 2 484 071, 1 816 629 and 1 820 007 of the Québec Land Register, Rouville Registration Division.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
Le directeur du patrimoine écologique et des parcs

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

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