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Part

**2**

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**Laws and Regulations**

Volume 145

**Summary**

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## Coming into force of Acts

Gouvernement du Québec

### **O.C. 1115-2013, 30 October 2013**

#### **An Act to enact the Money-Services Businesses Act and to amend various legislative provisions (2010, chapter 40)**

##### **— Coming into force of certain provisions of the Act**

COMING INTO FORCE of certain provisions of the Act to enact the Money-Services Businesses Act and to amend various legislative provisions

WHEREAS the Act to enact the Money-Services Businesses Act and to amend various legislative provisions (2010, chapter 40) was assented to on 10 December 2010;

WHEREAS section 93 of the Act provides that the Act comes into force on 10 December 2010, except, in particular, paragraph 1 of section 25, section 28, paragraphs 2 to 4 of section 29 except where paragraphs 2 and 3 of that section cause “particularly” to be struck from subparagraphs 7 and 8 of the first paragraph of section 17 of the Act respecting the legal publicity of enterprises (chapter P-44.1), section 30, paragraph 2 of section 31, section 32, paragraph 5 of section 33, sections 35, 37 to 42, paragraphs 4 and 6 of section 44 and sections 47 to 49, 51, 52 and 58, which come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set 1 July 2014 as the date of coming into force of paragraph 1 of section 25, section 28, paragraphs 2 to 4 of section 29 except where paragraphs 2 and 3 of that section cause “particularly” to be struck from subparagraphs 7 and 8 of the first paragraph of section 17 of the Act respecting the legal publicity of enterprises, section 30, paragraph 2 of section 31, section 32, paragraph 5 of section 33, sections 35, 37 to 42, paragraphs 4 and 6 of section 44 and sections 47 to 49, 51, 52 and 58 of the Act to enact the Money-Services Businesses Act and to amend various legislative provisions;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance and the Economy:

THAT 1 July 2014 be set as the date of coming into force of paragraph 1 of section 25, section 28, paragraphs 2 to 4 of section 29 except where paragraphs 2 and 3 of that section cause “particularly” to be struck from subparagraphs 7 and 8 of the first paragraph of section 17 of the Act respecting the legal publicity of enterprises (chapter P-44.1), section 30, paragraph 2 of section 31, section 32, paragraph 5 of section 33, sections 35, 37 to 42, paragraphs 4 and 6 of section 44 and sections 47 to 49, 51, 52 and 58 of the Act to enact the Money-Services Businesses Act and to amend various legislative provisions (2010, chapter 40).

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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## Regulations and other Acts

Gouvernement du Québec

### O.C. 1104-2013, 30 October 2013

An Act respecting the Government and Public Employees Retirement Plan  
(chapter R-10)

#### Regulation — Amendment

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under the first paragraph of section 177 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the rate of contribution applicable to the Government and Public Employees Retirement Plan each year is determined according to the rules, terms and conditions prescribed by regulation and the rate is based on the result of the actuarial valuation referred to in the first paragraph of section 174 of the Act and is adjusted from 1 January following the receipt by the Minister of the report of the independent actuary and, for the two subsequent years, from 1 January of each year;

WHEREAS, under the first paragraph of section 177 of the Act, the regulation may also prescribe a factor based on the actuarial valuation and adjusted in the same manner and the factor is to be used for the contribution formula described in section 29 of the Act so that the contributions withheld during the year by employers or insurers with respect to a pensionable salary which does not exceed the maximum pensionable earnings of the year will be comparable to the contributions that would have been withheld if the contribution formula described in that section, as it read on 31 December 2010, had been maintained;

WHEREAS, under subparagraph 18 of the first paragraph of section 134 of the Act, the Government may, by regulation, establish, for the purposes of section 177 of the Act, the rate of contribution applicable to the Government and Public Employees Retirement Plan each year, according to the rules, terms and conditions prescribed by the regulation, and prescribe the factor used each year for the contribution formula;

WHEREAS the Minister received the report of the independent actuary on 23 October 2013;

WHEREAS the most recent actuarial valuation of the retirement plan indicates that the applicable rates of contribution and the factors used for the years 2014, 2015 and 2016 should be adjusted;

WHEREAS, under the first paragraph of section 134 of the Act, the Government makes the Regulation after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 163 of the Act;

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) by Order in Council 1845-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the pension committee has been consulted;

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

THAT the Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

An Act respecting the Government and Public Employees Retirement Plan  
(chapter R-10, s. 134, 1st par., subpar. 18, and s. 177)

**1.** The Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) is amended in Schedule IV.4 by adding the following at the end under the headings “Year”, “Rate of contribution” and “Factor”:

“2014	9.84%	0.0099
2015	10.50%	0.0143
2016	11.12%	0.0189.”.

**2.** This Regulation comes into force on 1 January 2014.

Gouvernement du Québec

**O.C. 1110-2013, 30 October 2013**

Supplemental Pension Plans Act  
(chapter R-15.1)

**Kruger Inc.**  
— **Funding of certain pension plans**

CONCERNING the Regulation respecting the funding of certain Kruger Inc. pension plans

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 it designates from the application of all or part of the Act, particularly by reason of the special characteristics of the plan or by reason of the complexity of the Act in relation to the number of members in the plan and prescribe special rules applicable to the plan;

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 respecting the funding of certain Kruger Inc. pension plans 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 5 December 2012;

WHEREAS it is expedient to make the amended Regulation;

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

THAT the Regulation respecting the funding of certain Kruger Inc. pension plans, attached hereto, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

**Regulation respecting the funding of certain Kruger Inc. pension plans**

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

**DIVISION I**  
**APPLICATION**

**1.** This Regulation applies to the pension plans referred to in the appendix as well as every pension plan to which the Supplemental Pension Plans Act (chapter c. R-15.1) applies and whose liabilities include obligations arising from a pension plan referred to in the appendix for service completed prior to 1 January 2010.

**2.** As of 31 December 2012, a pension plan whose liabilities include obligations other than those arising from a pension plan referred to in the appendix for service completed prior to 1 January 2010 is comprised of two components.

The liabilities of the first component, called the “affected component”, correspond to the portion of the liabilities of the plan related to obligations arising from a pension plan referred to in the appendix for service completed prior to 1 January 2010.

The liabilities of the other component correspond to the remaining liabilities of the plan.

The assets of the plan allocated to each of the components at 31 December 2012 are determined in accordance with the provisions of Division II. As of that date, the pension fund of the plan is therefore distributed between two separate accounts.

**3.** For the purposes of Chapters X (Solvency and funding), X.1 (Appropriation of surplus assets), XII (Division and merger) and XIII (Rights of members and beneficiaries on winding-up) of the Act, the liabilities of the affected component and the corresponding account of the pension fund are considered to be separate from the liabilities and the account of the other component.

**4.** The affected component of a pension plan shall be exempt from the application of sections 42.1 and 132 of the Act as well as any other provision of that Act to the extent that it is incompatible with the provisions of this Regulation.

**5.** Notwithstanding section 39 of the Act, the employer contribution that an employer must pay into the account of the affected component of a pension plan for a fiscal year ending between 30 December 2013 and the date determined pursuant to section 36 is determined according to the provisions of Division III.



If applicable, to that contribution is added the additional contribution provided for under section 1.3.4 of the Entente concernant les exploitations de pâtes et papiers au Québec de Papiers de Publication Kruger inc. et Kruger Wayagamack inc., signed on 28 February 2012.

## **DIVISION II** DETERMINATION OF THE ASSETS OF THE COMPONENTS

**6.** At 31 December 2012, for the purpose of determining the solvency and funding of the affected component and the other component of a pension plan:

(1) the assets of the affected component correspond to the amount by which the assets of the plan at that date exceed the assets of the other component of the plan at that same date;

(2) the assets of the other component correspond to the value that those assets would have had, had the component been established on 1 January 2010 with regard to service completed thereafter by the active members of the plan and had the contributions provided for under the Act for that service been paid into the account of the component. Such value must be adjusted to take into account the return on the investment of the plan assets, calculated according to the change in the market value of the assets between 1 January 2010 and 31 December 2012, as well as the benefits and other sums paid during that period in relation to obligations arising from the plan for service completed after 31 December 2009.

For the purposes of paragraph 2 of the first paragraph, the determination of the assets of the other component as at 31 December 2010 and 31 December 2011 are based on the same actuarial assumptions and methods used for the actuarial valuations of the plan at those dates.

**7.** The contributions referred to in paragraph 2 of the first paragraph of section 6 are determined without reference to Division III.2 of the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 8).

However, where instructions were given to the pension committee to apply to the pension plan one or more measures provided for under section 2 of the Regulation providing temporary relief measures for the funding of solvency deficiencies (chapter R-15.1, r. 3.1), the contributions are determined in accordance with the provisions of that Regulation.

## **DIVISION III** EMPLOYER CONTRIBUTION TO AFFECTED COMPONENT

**8.** The employer contribution that an employer must pay into the account of the affected component of a pension plan during the fiscal year following the date of an actuarial valuation corresponds to the total of the amortization payment determined in respect of the discounted projected actuarial deficiencies for the affected component, as determined on the date of the actuarial valuation, and the special amortization payments payable during the fiscal year.

**9.** At the date of an actuarial valuation of a pension plan, the discounted projected actuarial deficiency of the affected component of the pension plan corresponds to the value of the projected actuarial deficiency of the affected component as at 31 December 2024, discounted at a rate of 6,5% on the date of the actuarial valuation.

**10.** At the date of an actuarial valuation of a pension plan, the projected liabilities of the affected component of the pension plan as at 31 December 2024 are obtained by assuming that, between the date of the valuation and 31 December 2024, with regard to solvency liabilities for the affected component as at the date of the valuation, contingencies based on actuarial assumptions as to survival, morbidity, mortality, employee turnover, eligibility for benefits or other factors will occur and by assuming that termination of the plan will occur on 31 December 2024. The actuarial assumptions and methods used shall be consistent with generally accepted actuarial principles and must be suited, in particular, to the type of plan concerned, its obligations and the position of the account of the affected component of the pension fund.

Moreover, the projected liabilities of the affected component as at 31 December 2024, with regard to the benefits of the members and beneficiaries whose pension would be in payment in on that date, are determined using the assumptions for hypothetical wind-up and solvency valuations established by the Canadian Institute of Actuaries as they apply on the date of the actuarial valuation. For the benefits of the other members and beneficiaries, these projected liabilities are determined in accordance with the assumptions and rules referred to in section 67.4 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6), as they apply on the date of the actuarial valuation.

At the date of the actuarial valuation, the projected assets of the affected component as at 31 December 2024 are obtained by assuming that no contributions are made between the date of the valuation and 31 December 2024,

and by assuming an annual interest rate of 6,5%. That value is adjusted to take into consideration the benefits and other amounts to be paid during that period, assuming the contingencies in the first paragraph will occur.

At the date of the actuarial valuation, a projected actuarial deficiency of the affected component as at 31 December 2024 is determined if the projected liabilities exceed the projected assets. The deficiency corresponds to the amount by which the liabilities exceed the assets.

**11.** The monthly amortization payments relating to the discounted projected actuarial deficiency are determined assuming a 6,5% interest rate.

**12.** Notwithstanding section 142 of the Act, the amortization period for the discounted projected actuarial deficiency of the affected component of the pension plan begins on the date of the actuarial valuation on which it is determined and ends on 31 December 2024.

**13.** Where, further to an amendment to a pension plan made before the date determined in accordance with section 36 with regard to the plan, an actuarial valuation determines the value of additional obligations of the affected component of the pension plan, a special amortization payment is determined.

That payment corresponds to the higher of the value of the additional obligations determined on a solvency basis or their value determined on a funding basis.

The special amortization payment must be paid as soon as the report on the first actuarial valuation considering the amendment is sent to the Régie des rentes du Québec. To such sum shall be added accrued interest, if any, from the date of the valuation, calculated at the rate referred to in section 48 of the Act.

For the purposes of the Act, the special amortization payment is considered the special amortization payment provided for in section 132 of the Act.

#### **DIVISION IV** SPECIAL MEASURES FOR THE OTHER COMPONENT

**14.** At the date of an actuarial valuation, for the purposes of applying the Act to the other component of a pension plan with regard to its funding:

(1) a solvency deficiency for the component, determined at 31 December 2010 or 31 December 2011 for the purposes of paragraph 2 of the first paragraph of section 6, is deemed a solvency deficiency determined in a prior actuarial valuation of the component;

(2) the amortization payments determined for a deficiency referred to in paragraph 1, other than those that are deemed made prior to 31 December 2012 for the purposes of section 6 and those already made, are deemed to be amortization payments required to amortize a solvency deficiency determined in a prior actuarial valuation.

**15.** For the purposes of section 42.1 of the Act with regard to the other component of a pension plan, only the amortization payments determined in respect of actuarial deficiencies of that component and the special amortization payments for that component are taken into consideration.

#### **DIVISION V** GUARANTEES

**16.** Kruger Inc. is solidarily liable with Papiers de Publication Kruger Inc. for obligations arising from the pension plans registered with the Régie des rentes du Québec under numbers 7300, 20637 and 25451 in respect of service completed prior to 1 January 2010.

In addition to the information required under section 14 of the Act, the text of each plan shall mention that solidary liability as well as that which is provided for under section 17 below. The plan text shall also mention that Kruger Inc. is discharged from solidary liability for a pension plan should the affected component of the plan become solvent.

**17.** Kruger Inc. is discharged from solidary liability in respect of a pension plan referred to in the first paragraph of section 16 provided an external expert designated and mandated by the Régie whose fees are assumed by Kruger Inc., shows that the employer is able to assume the obligations related to the affected component where, as the case may be,

(1) Papiers de Publication Kruger Inc. merges with a corporation that is not held, whether directly or indirectly, by Kruger Inc.;

(2) shares in Papiers de Publication Kruger Inc. are transferred to a corporation that is not held, whether directly or indirectly, by Kruger Inc.;

(3) a plan is transferred to a corporation that is not held, whether directly or indirectly, by Kruger Inc.

In the case provided for in paragraph 3 of the first paragraph, Kruger Inc. shall be discharged from solidary liability in respect of a pension plan referred to in the first paragraph of section 16 provided Kruger Inc. pays to the plan an amount corresponding to the difference between the amortization payments that should have been made in accordance with the Act and those made under the

provisions of Division III.2 of the Regulation respecting the exemption of certain pension plans from the application of provisions of the Supplemental Pension Plans Act (chapter R-15.1, r. 8) and the provisions of this Regulation. That amount shall not exceed the amount required for the affected component of the plan to be solvent.

**18.** No dividend shall be paid from the sale or assignation of any Kruger Inc. assets, whether those assets are sold or assigned in whole or in part, during such time that the weighted average of the degrees of solvency of the affected components of the pension plans to which section 2 applies remains below 90%, and, unless Kruger Inc. provides another acceptable guarantee, Kruger Inc. shall not proceed to distribute any revenue thus procured in any manner whatsoever, including by

(1) declaring or paying any other dividends, or buying back stock shares or other securities;

(2) repaying any advance or loan to Kruger Inc. shareholders;

(3) declaring any bonus or other type of payment to the shareholders.

Kruger Inc. or any corporation held directly or indirectly by Kruger Inc. may buy back any capital stock and pay any dividends on any type of share held by a Crown corporation, in particular,

(1) further to the conversion of loans granted by a Crown corporation to any corporation held directly or indirectly by Kruger Inc. into shares of any type in Kruger Inc.;

(2) further to the conversion of shares of any type in any corporation held directly or indirectly by Kruger Inc. into shares of any type in Kruger Inc.

## DIVISION VI ACTUARIAL VALUATIONS AND REPORTS

### *§1. Determining the assets and liabilities of the components*

**19.** The actuarial valuation report for a pension plan as at 31 December 2012 shall contain information on how the assets and liabilities of the affected component and other component were determined at that date, in particular:

(1) the liabilities of the other component as at 31 December 2010 and 31 December 2011, determined on a solvency basis, and those liabilities determined on a funding basis;

(2) the assets of the other component as at 31 December 2010 and 31 December 2011, determined on a solvency basis, and the those liabilities determined on a funding basis, in accordance with section 6;

(3) where applicable, for any solvency deficiency or funding deficiency of the other component determined as at 31 December 2010 and 31 December 2011 in accordance with section 6, the type, the date on which it is determined and the date on which its amortization period ends, as well as the monthly payments related to amortization payments until the end of that period;

(4) amortization payments considered paid prior to 31 December 2012 in accordance with section 6 with regard to the deficiencies referred to in paragraph 3.

### *§2. Contents of the report on the actuarial valuation while section 5 applies*

**20.** The actuarial valuation report for a pension plan shall present separately the information related to the affected component, provided for in sections 21 to 23, and the information related to the other component.

**21.** With respect to the affected component of a pension plan, the actuarial valuation report shall contain the information and statements of the actuary provided for in the Section of the Canadian Institute of Actuaries' Standards of Practice to which section 4 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6) refers, as well as the information required by paragraphs 1 to 5 of section 4 and sections 4.1 to 4.4 of that regulation.

For such purposes, it is understood that these provisions and standards apply only to the affected component of the pension plan.

**22.** With respect to the actuarial deficiencies of the affected component determined at the date of the valuation, the report must contain the following information:

(1) the amount of the funding deficiency;

(2) the amount of the discounted projected actuarial deficiency, the calculations pertaining to its determination and the monthly payments related to amortization payments to be made until 31 December 2024.

**23.** The report must also contain the following information:

(1) a description of the adjustments to the contributions to the affected component arising from the application of the third paragraph of section 41 of the Act;

(2) the total amount of the letters of credit deemed, under section 33, to be part of the assets of the affected component and the amount taken into consideration as part of the assets of the affected component for the purpose of determining solvency.

**§3.** *Contents of the report on the actuarial valuation after the application period for section 5*

**24.** The actuarial valuation report for a pension plan shall present separately the information related to the affected component and the information related to the other component.

**25.** The actuarial valuation report for a pension plan whose date corresponds to the one determined in accordance with section 36 shall mention that the special funding rules for the affected component provided for in this Regulation cease to apply to the pension plan as of that date.

**26.** The actuarial valuation report for a pension plan whose date corresponds to the one determined in accordance with section 37 shall mention that the provisions of this Regulation that provide for two separate components within the plan, as well as those that provide for the guarantees by Kruger Inc. cease to apply to the pension plan as of that date.

**DIVISION VII**  
**COMMUNICATIONS**

**27.** The second part of the statement provided for in section 108 of the Act shall mention that, for as long as the plan is comprised of two components, the liabilities of the affected component and the corresponding account in the pension fund are considered to be separate from the liabilities and the account of the other component for the purposes of the payment of the share that goes to the spouse.

**28.** The information that the statements provided for under sections 112 and 113 of the Act must contain is determined for the affected component and the other component of the plan as though they were separate plans. The information relating to each component shall be presented separately on the statements.

The section of the statements in relation to the affected component of the pension plan shall also mention that the period for applying the special funding rules for the component ends no later than 31 December 2019 and that the funding rules provided for under the Act apply thereafter, so that the solvency deficiency established at that time can be amortized over the maximum period allowable under the Act.

The statements shall also mention that for the purposes of the payment of the benefits of the members and beneficiaries of the plan – including a payment following the withdrawal of an employer from a multi-employer pension plan or due to plan termination – for as long as the plan is comprised of two components, the liabilities of the affected component and the corresponding account in the pension fund are considered separately from the liabilities and the account of the other component.

**29.** An employer that is a party to a pension plan shall, as soon as possible, notify the Régie des rentes du Québec in writing that a compensatory amount is required under section 1.3.4 of the Entente concernant les exploitations de pâtes et papiers au Québec de Papiers de Publication Kruger inc. et Kruger Wayagamack inc.

The notice shall contain all information required for determining the additional contribution provided for under that agreement.

**30.** The Régie may require from a pension committee, an employer party to a pension plan or from Kruger Inc., on the conditions and within the time limits established by the Régie, any document, information or report

(1) that it deems necessary for ascertaining that the requirements imposed by this Regulation are met, particularly concerning the contents of an actuarial valuation report provided for under Division VI;

(2) relating to a compensatory amount or an additional contribution provided for under section 1.3.4 of the Entente concernant les exploitations de pâtes et papiers au Québec de Papiers de Publication Kruger inc. et Kruger Wayagamack inc.

**DIVISION VIII**  
**MISCELLANEOUS PROVISIONS**

**31.** The fiscal year of a pension plan corresponds to the calendar year.

**32.** Notwithstanding the second paragraph of section 118 of the Act, any actuarial valuation provided for under the first paragraph of that section shall be complete.

**33.** For the purposes of determining the solvency of the affected component and the other component of a pension plan, any letter of credit provided by the employer prior to 22 December 2011 under the provisions of section 42.1 of the Act with respect to an amortization payment relating to an actuarial deficiency of a pension plan referred to in the appendix or with respect to a special amortization payment for such a plan is deemed part of the assets of the affected component of the plan.

**34.** Notwithstanding section 130 of the Act, no improvement unfunded actuarial liability is determined for an amendment to the affected component of a pension plan made prior to the date determined in accordance with section 36 for that plan.

**35.** This Regulation is not a regulation referred to in the third paragraph of section 230.0.0.9 of the Act.

## DIVISION IX

### END OF THE APPLICATION OF THE MEASURES

**36.** Section 4, section 5, the provisions of Division III and section 34 cease to apply to a pension plan as of the first of the following dates:

(1) the date of the first actuarial valuation showing that the affected component of the plan is solvent;

(2) the date that corresponds to the end of a fiscal year of a plan that is fixed in a writing giving instructions to that effect and sent to the pension committee and the Régie des rentes du Québec by the employer party to the plan before that date, or, in the case of a multi-employer pension plan, even not considered as such under section 11 of the Act, by the person or body empowered to amend the plan;

(3) the date fixed by the Régie as a condition for authorizing an amendment to the plan to substitute a new employer for the former employer as of that date, where the new employer is neither Kruger Inc., Papiers de Publication Kruger Inc. or Kruger Wayagamack Inc.

(4) 31 December 2019.

**37.** Section 2, section 3, the provisions of Divisions II and V, the provisions of subdivision 3 of Division VI, the provisions of Division VII and sections 31 to 33 cease to apply to a pension plan as of the first of the following dates:

(1) the date of the first actuarial valuation showing that the affected component of the plan is solvent;

(2) five years from the first of the dates determined under the provisions of paragraphs 2, 3 and 4 of section 36 with regard to the pension plan.

**38.** This Regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*. However, it has effect from 31 December 2012.

## Appendix

(sec. 1)

### Pension plans subject to this regulation

Number under which the plan is registered with the Régie des rentes du Québec	Plan name on 31 December 2009
7300	Régime de retraite des employés cadres et non syndiqués de Kruger inc.
20637	Régime de retraite des employés syndiqués de Kruger inc. Bromptonville
25451	Régime de retraite des employés syndiqués de Kruger inc. – Trois-Rivières
31885	Régime de retraite des employés syndiqués de Kruger Wayagamack inc.
31889	Régime de retraite des employés cadres et non-syndiqués de Kruger Wayagamack inc.

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Gouvernement du Québec

## O.C. 1127-2013, 30 October 2013

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

### Security guards

— Decree respecting  
— Amendment

Decree to amend the Decree respecting security guards

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government made the Decree respecting security guards (chapter D-2, r. 1);

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, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and sections 5 and 8 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting security guards was published in Part 2 of the *Gazette officielle du Québec* of 24 July 2013 and 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, under section 7 of the Act, despite the provisions of 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 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 security guards, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## Decree to amend the Decree respecting security guards

An Act respecting collective agreement decrees (chapter D-2, ss. 2 and 6)

**1.** The Decree respecting security guards (chapter D-2, r. 1) is amended by striking out the part preceding DIVISION 1.00.

**2.** The Decree is amended by inserting the following Division before DIVISION 1.00:

### “DIVISION 0.00 CONTRACTING PARTIES

**0.01.** The contracting parties to this Decree are the following:

(1) for the employer party: Association provinciale des agences de sécurité (A.P.A.S.);

(2) for the union party: Union des agents de sécurité du Québec, Métallos local 8922.”

**3.** Section 1.01 is amended

(1) by adding the following after subparagraph 2.1 of the first paragraph:

“(2.2) “office of the employer”: address of the place of business of the employer as listed in the register of enterprises;”;

(2) by adding the following in subparagraph 6 of the first paragraph and after paragraph *c*:

“(d) benefit paid to a guard who is assigned to a health care institution and who, at the request of the customer of the employer, is required to intervene physically with persons in the normal and customary performance of his duties;”;

(3) by inserting “or employer” in subparagraph 7 of the first paragraph after “customer”;

(4) by striking out subparagraph 10.1 of the first paragraph;

(5) by replacing “P-9” in subparagraph 10.2 of the first paragraph by “P-8”;

(6) by replacing “P-10” in subparagraph 10.3 of the first paragraph by “P-9”;

(7) by adding the following after subparagraph 10.3 of the first paragraph:

“(10.4) “P-10 premium”: benefit paid to a guard whose customer or employer requires a certificate from the Joint Sector-Based Construction Association on Occupational Health and Safety;”;

(8) by striking out “, on horseback” in paragraph *f* of subparagraph 20 of the first paragraph.

**4.** Section 3.12 is amended by adding the following paragraph at the end:

“An employee who is assigned to guard privately a patient in a hospital environment is replaced during his lunch break, except in case of emergency.”

**5.** Section 4.07 is amended by replacing the table by the following:

“

	As of 2013 11 13	As of 2014 06 29	As of 2015 06 28	As of 2016 07 03	As of 2017 07 02
Class A employee	\$15.66	\$16.14	\$16.59	\$17.04	\$17.49
Class B employee	\$15.91	\$16.39	\$16.84	\$17.29	\$17.74
Premiums					
P-1 premium*	\$0.35	\$0.35	\$0.35	\$0.35	\$0.35
P-2 premium*	\$0.55	\$0.55	\$0.55	\$0.55	\$0.55
P-3 premium*	\$1.25	\$1.25	\$1.25	\$1.25	\$1.25
P-4 (a) premium*	\$0.40	\$0.40	\$0.40	\$0.40	\$0.40
P-4 (b) premium*	\$0.20	\$0.20	\$0.20	\$0.20	\$0.20
P-5 premium*	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50
P-6 premium*	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50
P-7 premium*	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
P-8 premium*	\$0.55	\$0.55	\$0.55	\$0.55	\$0.55
P-9 premium*	\$0.15	\$0.15	\$0.15	\$0.15	\$0.15
P-10 premium*	\$0.10	\$0.10	\$0.10	\$0.10	\$0.10

\* More than one premium at the same time may be applicable.

”.

**6.** Section 5.01 is amended by replacing “30 June 2009” in the third paragraph by “13 November 2013”.

**7.** Section 5.02 is amended by adding the following paragraph at the end:

“Subject to section 5.06, the annual vacation can be divided into periods of 1 week.”.

**8.** Section 5.06 is amended by replacing “2 periods” by “2 or 3 periods of 1 week”.

**9.** Section 8.01 is amended by replacing “\$0.45” wherever it appears by “\$0.50”.

**10.** Section 8.02 is amended

(1) by replacing “au vêtement féminin” in the third paragraph by “en vêtement féminin” in the French text;

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

“For regular A-01 employees, the annual renewal of the uniform is made with new clothes.”.

**11.** Section 9.01 is amended by replacing “1 July 2012” and “year 2012” by “2 July 2017” and “year 2017”, respectively.

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

Gouvernement du Québec

**O.C. 1137-2013**, 6 November 2013

Environment Quality Act  
(chapter Q-2)

**Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances**

— **Amendment**

Regulation to amend the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances

WHEREAS, under subparagraphs *b, c, d, e.1, h* and *h.1* of the first paragraph of section 31 and sections 46.1, 46.5, 46.6, 46.8 to 46.16, 115.27 and 115.34 of the Environment Quality Act (chapter Q-2), the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances by Order in Council 1184-2012 dated 12 December 2012;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft Regulation to amend the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances was published in Part 2 of the *Gazette officielle du Québec* of 3 July 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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**Regulation to amend the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances**

Environment Quality Act  
(chapter Q-2, s. 31, 1st par., subpars. *b, c, d, e.1, h* and *h.1*, ss. 46.1, 46.5, 46.6, 46.8 to 46.16, 115.27 and 115.34)

**1.** The Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (Order in Council 1184-2012, *G.O.* 2, 3485) is amended in section 54 by inserting “the later of 1 January 2014 and” after “comes into force on”.

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

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Gouvernement du Québec

**O.C. 1138-2013**, 6 November 2013

Environment Quality Act  
(chapter Q-2)

**Cap-and-trade system for greenhouse gas emission allowances**

— **Amendment**

Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances

WHEREAS, under subparagraphs *b, c, d, e.1, h* and *h.1* of the first paragraph of section 31 and sections 46.1, 46.5, 46.6, 46.8 to 46.16, 115.27 and 115.34 of the Environment Quality Act (chapter Q-2), the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances was published in Part 2 of the *Gazette officielle du Québec* of 3 July 2013 with a notice that it could be made by the Government on the expiry of 60 days following that publication;



WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances

Environment Quality Act  
(chapter Q-2, s. 31, 1st par., subpars. *b, c, d, e.1, h* and *h.1*, ss. 46.1, 46.5, 46.6, 46.8 to 46.16, 115.27 and 115.34)

**1.** The Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1) is amended in section 2 by replacing subparagraph 2 of the second paragraph by the following:

“(2) distributes fuel within the meaning of protocol QC.30 of Schedule A.2 of the Regulation respecting mandatory reporting of certain emissions of contaminants into the atmosphere if the greenhouse gas emissions attributable to the combustion or use of the fuel distributed, calculated in accordance with that protocol, are equal to or exceed 25,000 metric tonnes CO<sub>2</sub> equivalent.”

**2.** Section 7 is amended by replacing “the identification number assigned under the National Pollutant Release Inventory of the Government of Canada” in subparagraph 3 of the first paragraph by “establishment number assigned under the Inventaire québécois des émissions atmosphériques kept by the Ministère du Développement durable, de l’Environnement, de la Faune et des Parcs”.

**3.** Section 8.1 is amended by replacing “registered as a” by “registered as an emitter pursuant to this Regulation or as an emitter or”.

**4.** Section 19 is amended

(1) by adding “or, where applicable, following the permanent closure of the establishment” at the end of the first paragraph;

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

“Notwithstanding subparagraphs 1 and 2 of the second paragraph, an emitter that ceases its activities permanently in the year preceding the year in which the compliance period referred to in those subparagraphs begins is not required to cover the emitter’s GHG emissions, provided it notifies the Minister in writing not later than 6 months following the start date of the period.”

**5.** Section 21 is amended

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

“(1.1) emissions units from the Minister’s reserve account;”;

(2) by adding “other than units referred to in subparagraph 1” at the end of subparagraph 3 of the second paragraph.

**6.** Section 25 is amended by striking out “and serial number” in subparagraph 3 of the first paragraph.

**7.** Section 27 is replaced by the following:

“**27.** Every emitter or participant who wishes to carry out a transaction to transfer emission allowances from the emitter’s or participant’s general account to the emitter’s or participant’s compliance account or to retire from the system certain emission allowances recorded in the emitter’s or participant’s general account must send to the Minister a request including the following information:

(1) the emitter’s or participant’s general and, where applicable, compliance account number;

(2) the quantity, type and, where applicable, vintage of the emission allowances to be transferred or retired.”

**8.** Section 27.1 is amended

(1) by replacing “retirement request” wherever it occurs by “transfer or retirement request”;

(2) by replacing “or participant’s general account to the” in the fourth paragraph by “general account to the emitter’s compliance account, or from the emitter’s or participant’s general account to the”;

(3) by inserting “transfer or” after “concerning” in the fifth paragraph.

**9.** Section 27.2 is amended by striking out both occurrences of “or retirement”.

**10.** Section 32 is amended by replacing “sell the excess emission allowances or pay into its compliance account the emissions units or early reduction credits needed to cover its emissions for the current year or preceding years” in the last paragraph by “divest itself of the excess emission allowances, pay into its compliance account the emissions units or early reduction credits needed to cover its emissions for the current year or preceding years or, in the case of related entities, amend the distribution of the overall holding limit determined in accordance with section 33 in order to become compliant”.

**11.** Section 40 is amended by replacing “6-8 and 6-9” in the second paragraph by “6-8, 6-9, 6-12 and 6-13”.

**12.** Section 48 is amended

(1) by replacing “a transfer, bank draft or money order, postal money order” in subparagraph 1 of the second paragraph by “a transfer or draft issued by a bank constituted under the Bank Act (S.C., 1991, chapter 46) or by a financial services cooperative constituted under the Act respecting financial services cooperatives (chapter C-67.3)”;

(2) by replacing subparagraphs 1.1 and 2 of the second paragraph by the following:

“(1.1) an irrevocable letter of credit issued by a bank constituted under the Bank Act or by a financial services cooperative constituted under the Act respecting financial services cooperatives;

(2) a letter of guarantee issued by a bank constituted under the Bank Act or by a financial services cooperative constituted under the Act respecting financial services cooperatives;”;

(3) by replacing “orders or bonds” in the third paragraph by “letters of credit or letters of guarantee”;

(4) by inserting the following after the third paragraph:

“The guarantee must be submitted in Canadian dollars. However, in the case of an auction for which the required guarantee is held jointly with a partner entity in the United States, the guarantee may also be submitted in US dollars.”.

**13.** Section 49 is amended by striking out “, in proportion to the quantities respectively made available” in subparagraph 1 of the fourth paragraph.

**14.** Section 50 is amended

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

“If more than one subparagraph from subparagraphs 1 to 3 of the third paragraph apply to an emitter, the emitter’s purchase limit for emission units corresponds to the highest percentage provided for in those subparagraphs.”;

(2) by replacing “may be submitted in Canadian or US dollars” in the last paragraph by “must be submitted in the same currency as the financial guarantee submitted in accordance with section 48”;

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

“Despite subparagraph 3 of the third paragraph, in the case of an emitter referred to in subparagraph 2 of the second paragraph of section 2 registered for the system before 1 January 2015, the emitter’s purchase limit is 15% until that date.”.

**15.** Section 52 is amended

(1) by striking out “or exceed that bidder’s financial guarantee submitted in accordance with section 48” in the second paragraph;

(2) by inserting the following paragraphs after the second paragraph:

“Notwithstanding the second paragraph, when an emitter’s total bid exceeds its holding limit but the number of emission units and early reduction credits in its compliance account is below the quantity referred to in the third paragraph of section 32, the emitter’s bids are accepted up to that quantity.

When a bid submitted by a bidder takes the maximum value of the bidder’s bids to beyond the amount of its financial guarantee submitted in accordance with section 48, the Minister removes the excess lots from the bid.

The lots removed pursuant to the fourth paragraph are then re-evaluated based on the prices offered in the bids submitted by all the bidders, by descending value, beginning with the price immediately below the price in the bid that exceeded the bidder’s guarantee. The lots are considered by the Minister to be new bids submitted by the bidder when, at a given price, the re-evaluation means that their maximum value does not exceed the amount of the financial guarantee submitted.”;

(3) by striking out the fourth, eighth, ninth and tenth paragraphs.

**16.** Section 53 is replaced by the following:

“**53.** Within 7 days after the results of the auction are sent to the bidders, every winning bidder must pay in full, by transfer, for the emission units awarded in accordance

with section 52. If the financial guarantee has been submitted in the form provided for in subparagraph 1 of the second paragraph of section 48, the payment is withheld from the guarantee.

If the emission units are not paid for in full in the time prescribed under the first paragraph, the Minister withholds the amount owed from the financial guarantee provided in accordance with section 48. When more than one type of guarantee has been provided, the Minister uses the guarantees in the order set out in the second paragraph of that section.

Upon receiving payment from a winning bidder, made out to the Minister of Finance, or after applying all or part of a winning bidder's guarantee used, the Minister records the emission units awarded in the bidder's general account and, in the case referred to in the third paragraph of section 52, in the winning bidder's compliance account.

All or part of a guarantee provided in accordance with section 48 that has not been used for the purposes of an auction is returned to the bidder.

The amounts collected during the auction are paid into the Green Fund in accordance with section 46.16 of the Environment Quality Act (chapter Q-2)."

**17.** Section 59 is amended by inserting "in Canadian dollars," after "guarantee" in subparagraph 3 of the first paragraph.

**18.** Section 60.1 is amended by inserting "in Canadian dollars and" after "more than 1 offer," in the third paragraph.

**19.** Section 62 is amended by replacing the first paragraph by the following:

**“62.** Within 7 days after the results of the sale are sent to the purchasers, every purchaser must pay in full, by transfer, for the emission units awarded in accordance with section 61. If the financial guarantee submitted in accordance with subparagraph 3 of the first paragraph of section 59 was in the form provided for in subparagraph 1 of the second paragraph of section 48, the payment is withheld from the guarantee.

If the emission units are not paid for in full in the time prescribed under the first paragraph, the Minister withholds the amount owed from the financial guarantee provided in accordance with subparagraph 3 of the first paragraph of section 59. When more than one type

of guarantee has been provided, the Minister uses the guarantees in the order set out in the second paragraph of section 48.”.

**20.** The following is inserted after section 64:

**“64.1.** The Minister publishes a summary of the sale by mutual agreement within 45 days on the website of the Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, including the following information:

- (1) the names of the persons registered as purchasers;
- (2) the settlement price of the emission units;
- (3) the total quantity and distribution of the units sold, in non-nominative form.”.

**21.** Section 70.1 is replaced by the following:

**“70.1.** The Minister keeps and publishes, on the website of the Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, a public register of registered offset credit projects that contains the names and professional contact information of promoters, project plans, project reports, validation and verification reports submitted in accordance with this Chapter, and information on project status.”.

**22.** Section 70.5 is amended

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

**“70.5.** A promoter wishing to be issued offset credits for a project must, before the project begins, apply to the Minister for the project to be registered in the register of offset credit projects by submitting the promoter's name, professional contact information and account numbers, along with a project plan that includes the following information and documents:

- (1) where applicable, the name and contact information of the person responsible for the promoter's activities;”;
- (2) by replacing “a copy of the assessment and a summary of the findings” in subparagraph 7 of the first paragraph by “a copy of the assessment and its conclusions”.

**23.** Section 70.11 is amended by replacing ““individual project submitted”” and ““individual project for renewal”” in the first paragraph by ““single project submitted”” and ““single project for renewal””, respectively.

**24.** Section 70.15 is amended by replacing the last paragraph by the following:

“Despite the first paragraph, if, for a single project or for each project in an aggregation of projects, GHG emission reductions of less than 25,000 metric tonnes CO<sub>2</sub> equivalent have been achieved during the period covered by a project report, the promoter may postpone the verification of the period to the following year. A verification report may not, however, cover more than 2 project reporting periods.”.

**25.** Section 70.20 is amended by replacing ““individual active project”” and ““individual renewed active project”” in the third paragraph by ““single active project”” and ““single renewed active project””, respectively.

**26.** Section 71 is amended by inserting “53, 62,” after “or 51, section” in subparagraph 1.

**27.** Section 74 is amended

(1) by inserting “53, 62,” after “or 51, section” in the part of the first paragraph preceding subparagraph 1;

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

“A person who contravenes any other requirement of this Regulation is guilty of an offence and liable, in cases where no penalty is otherwise provided for in this Chapter or in the Environment Quality Act (chapter Q-2), in the case of a natural person, to a fine of \$3,000 to \$100,000 and, in other cases, to a fine of \$10,000 to \$600,000.”.

**28.** Table B in Part I of Appendix C is amended

(1) by replacing “baked cathodes” and “baked anodes” in the first and third rows of the “Reference unit” column, corresponding to the “Aluminum” sector, by “baked cathodes removed from furnace” and “baked anodes removed from furnace”, respectively;

(2) by replacing “measured” in the fourth row of the “Reference unit” column, corresponding to the “Aluminum” sector, by “calculated”;

(3) by inserting the following row after the fourteenth row corresponding to the “Other<sup>2</sup>” sector:

“

Other <sup>2</sup>	Soya and canola oil production	Metric tonne of soya and canola
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(4) by inserting the following row after the twenty-sixth row corresponding to the “Chemical” sector:

“

Chemical	Polyethylene terephthalate (PET) production	Metric tonne of polyethylene terephthalate (PET)
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(5) by replacing “iron ore concentrate” in the 35th row of the “Reference unit” column, corresponding to the “Metallurgy” sector, by “reduced iron”;

(6) by replacing “metal powder” in the 39th row of the “Reference unit” column, corresponding to the “Metallurgy” sector, by “iron powder and steel powder at bagging time, after additives”;

(7) by adding “cast at the reduction furnaces” after “Ti O<sub>2</sub> slag” in the 40th row of the “Reference unit” column, corresponding to the “Metallurgy” sector.

**29.** Appendix D is amended

(1) in Part I of Protocol 1:

(a) by replacing the first, second and third paragraphs of Part I by the following:

“This offset credit protocol covers any project designed to reduce GHG emissions by destroying the CH<sub>4</sub> attributable to the manure of an agricultural operation in Québec raising one of the species of livestock listed in the tables in Part II.

The project involves the installation of a manure storage facility cover and a CH<sub>4</sub> destruction device.

The project must enable to capture and destroy CH<sub>4</sub> that, before the project, was emitted to the atmosphere. The CH<sub>4</sub> must be destroyed on the site of the manure storage facility where the CH<sub>4</sub> was captured, using a flare or any other device.”;

(b) by replacing “reporting period” in the definition of the factors “ER”, “GHG<sub>project</sub>” and “ΔGHG<sub>fossil</sub>” in equation 1 in section 4, and in the definition of the factor “GHG project” in equation 2 in sub-section 4.1, and in the definition of the factor “C<sub>project</sub>” in equation 9 in sub-section 4.2, by “project reporting period”;

(2) in Part I of Protocol 2:

(a) in the French text of Part I of Protocol 2, by inserting “de projet” after “période de rapport” in the definition of the factors “RÉ” and “ÉP” in equation 1 in section 6 and in the definition of the factor “ÉP” in equation 7 in sub-section 6.2”;

(b) by replacing the definitions of factors “21”, “12/16” and “44/12” of equation 10 of sub-section 6.2 by the following:

“21 = Global Warming Potential factor of CH<sub>4</sub>, in kilograms CO<sub>2</sub> equivalent per kilogram of CH<sub>4</sub>;

12/16 = Molecular mass ratio, carbon to CH<sub>4</sub>;

44/12 = Molecular mass ratio, CO<sub>2</sub> to carbon.”;

(3) in Part I of Protocol 3:

(a) in the French text, by inserting “de projet” after “période de rapport” in the definition of the factors “RÉ” and “ÉP” in equation 1 in section 7 and in the definition of the factor “EP” in equation 4 in sub-section 7.2”;

(b) by replacing subparagraph 2 of the second paragraph of sub-section 9.1.2 by the following:

“(2) the samples must be taken by a person who is independent of the promoter and the destruction facility and has the necessary training to carry out the task;”.

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

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Gouvernement du Québec

## Agreement

An Act respecting elections and referendums in municipalities  
(chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE DOMICILE OF ELECTORS UNABLE TO MOVE ABOUT

Agreement entered into

BETWEEN

The MUNICIPALITY OF BELOEIL, a legal person established in the public interest having its head office at 777, Laurier St, Beloeil, Province of Québec, here represented by the mayor, Mrs Diane Lavoie, and the clerk, Mrs Véronique Landry, both authorized to sign this agreement under resolution n° 2013-08-337 passed by the council of the Municipality of Beloeil hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow voting at the domicile of electors who are unable to move about for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the domicile of electors who are unable to move about, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

## 1. PREAMBLE

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

## 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the domicile of electors who are unable to move about during the general election of November 3, 2013.

The objective of domiciliary voting is to enable electors who are unable to move about for health reasons to exercise their right to vote at their domicile. However, domiciliary voting shall not apply to electors who are lodged or domiciled in a private seniors' residence or a residential or health care facility where mobile voting is offered or to electors whose name is entered on the list of electors in a capacity other than that of domiciled person.

## 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° Section 81.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by adding "and any domiciliary polling station" at the end of the first paragraph.

2° Section 90.5 of that Act is amended by inserting "or in an agreement entered into under section 659.2" in the first paragraph, after "90.1".

3° Section 134.1 of that Act is amended by inserting "domiciled in the territory of the municipality who is unable to move about for health reasons or" in the first paragraph, after "person".

4° Section 174 of that Act is amended by inserting "or a domiciliary polling station" in the third paragraph, after "station".

5° That Act is amended by inserting the following after section 175:

**"175.1.** Any elector who is unable to move about for health reasons may vote at a domiciliary polling station determined under section 177 if

(1) the elector applies therefor in writing to the returning officer not later than the last day fixed for making applications to the board of revisors for entry on, striking off or correction to the list of electors, or, if there is no revision of the list under section 277, not later than 12 days before polling day;

(2) the elector's name is entered on the list of electors as a domiciled person;

(3) the elector sends the returning officer a declaration that the elector is unable to move about for health reasons, by mail, by fax or by an electronic means that can reproduce the elector's signature. The declaration must be signed by the elector or, if the elector is unable to sign, by the elector's spouse or a relative within the meaning of section 131 or by a person living with the elector, and by a witness.

An elector who act as informal caregivers of an elector having the right to vote at their domicile may vote at that domicile. They must apply therefor to the returning officer within the time prescribed in subparagraph 1 of the first paragraph, and their name must be entered on the part of the list of electors for the polling subdivision in which the domicile is located.

The returning officer shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to each authorized party or recognized ticket and to each independent candidate concerned. Where an election for the office of warden is also held in the territory of the municipality, the returning officer of the regional county municipality shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to the returning officer of the municipality and to each candidate for the office of warden."

6° Section 177 of that Act is amended by adding "or a domiciliary polling station" at the end of the first paragraph.

7° Section 177.1 of that Act is amended by inserting "or a domiciliary polling station" after "mobile polling station".

8° Section 179 of that Act is amended by inserting "or a domiciliary polling station" in the second paragraph, after "station".

9° Section 180 of that Act is amended by inserting "or a domiciliary polling station" in the first paragraph, after "station".

10° Section 631 of that Act is amended by inserting "or a domiciliary polling station" in paragraph 3, after "station".

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

— election preparations related to this agreement;

— the conduct of voting at the domicile of electors who are unable to move about;

— the advantages and disadvantages of using this new method of voting;

— recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Beloeil, this 29 day of the month of August 2013

#### THE MUNICIPALITY OF BELOEIL

By: \_\_\_\_\_  
DIANE LAVOIE, *mayor*

\_\_\_\_\_  
VÉRONIQUE LANDRY, *clerk*

At Québec, this 18 day of the month of July 2013

#### THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

#### THE MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

Gouvernement du Québec

## Agreement

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE DOMICILE OF ELECTORS UNABLE TO MOVE ABOUT

Agreement entered into

BETWEEN

The MUNICIPALITY OF BLAINVILLE, a legal person established in the public interest having its head office at 1000, du Plan-Bouchard rd, Blainville, Province of Québec, here represented by the mayor, Mr François Cantin, and the clerk Mr Patrick St-Amour, both authorized to sign this agreement under resolution n° 2013-08-805 passed by the council of the Municipality of Blainville, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow voting at the domicile of electors who are unable to move about for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the domicile of electors who are unable to move about, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the domicile of electors who are unable to move about during the general election of November 3, 2013.



The objective of domiciliary voting is to enable electors who are unable to move about for health reasons to exercise their right to vote at their domicile. However, domiciliary voting shall not apply to electors who are lodged or domiciled in a private seniors' residence or a residential or health care facility where mobile voting is offered or to electors whose name is entered on the list of electors in a capacity other than that of domiciled person.

### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° Section 81.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by adding "and any domiciliary polling station" at the end of the first paragraph.

2° Section 90.5 of that Act is amended by inserting "or in an agreement entered into under section 659.2" in the first paragraph, after "90.1".

3° Section 134.1 of that Act is amended by inserting "domiciled in the territory of the municipality who is unable to move about for health reasons or" in the first paragraph, after "person".

4° Section 174 of that Act is amended by inserting "or a domiciliary polling station" in the third paragraph, after "station".

5° That Act is amended by inserting the following after section 175:

**"175.1.** Any elector who is unable to move about for health reasons may vote at a domiciliary polling station determined under section 177 if

(1) the elector applies therefor in writing to the returning officer not later than the last day fixed for making applications to the board of revisors for entry on, striking off or correction to the list of electors, or, if there is no revision of the list under section 277, not later than 12 days before polling day;

(2) the elector's name is entered on the list of electors as a domiciled person;

(3) the elector sends the returning officer a declaration that the elector is unable to move about for health reasons, by mail, by fax or by an electronic means that can reproduce the elector's signature. The declaration must be signed by the elector or, if the elector is unable to sign, by the elector's spouse or a relative within the meaning of section 131 or by a person living with the elector, and by a witness.

An elector who act as informal caregivers of an elector having the right to vote at their domicile may vote at that domicile. They must apply therefor to the returning officer within the time prescribed in subparagraph 1 of the first paragraph, and their name must be entered on the part of the list of electors for the polling subdivision in which the domicile is located.

The returning officer shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to each authorized party or recognized ticket and to each independent candidate concerned. Where an election for the office of warden is also held in the territory of the municipality, the returning officer of the regional county municipality shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to the returning officer of the municipality and to each candidate for the office of warden."

6° Section 177 of that Act is amended by adding "or a domiciliary polling station" at the end of the first paragraph.

7° Section 177.1 of that Act is amended by inserting "or a domiciliary polling station" after "mobile polling station".

8° Section 179 of that Act is amended by inserting "or a domiciliary polling station" in the second paragraph, after "station".

9° Section 180 of that Act is amended by inserting "or a domiciliary polling station" in the first paragraph, after "station".

10° Section 631 of that Act is amended by inserting "or a domiciliary polling station" in paragraph 3, after "station".

### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

## 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the domicile of electors who are unable to move about;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

## 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

## AGREEMENT SIGNED IN THREE COPIES:

At Blainville, this 22 day of the month of August 2013

THE MUNICIPALITY OF BLAINVILLE

By: \_\_\_\_\_  
FRANÇOIS CANTIN, *mayor*

\_\_\_\_\_  
PATRICK ST-AMOUR, *clerk*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

Gouvernement du Québec

**Agreement**

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

AGREEMENT CONCERNING THE TESTING  
OF A NEW METHOD OF VOTING FOR VOTING  
AT THE DOMICILE OF ELECTORS UNABLE  
TO MOVE ABOUT

Agreement entered into

BETWEEN

The MUNICIPALITY OF MONTRÉAL, a legal person established in the public interest having its head office at 275, Notre-Dame E St, office R.134, Montréal, Province of Québec, here represented by the mayor, Mr Laurent Blanchard, and the clerk Mr Yves Saindon, both authorized to sign this agreement under resolution n° CM13 0585 passed by the council of the Municipality of Montréal, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow voting at the domicile of electors who are unable to move about for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the domicile of electors who are unable to move about, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

## 1. PREAMBLE

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

## 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the domicile of electors who are unable to move about during the general election of November 3, 2013.

The objective of domiciliary voting is to enable electors who are unable to move about for health reasons to exercise their right to vote at their domicile. However, domiciliary voting shall not apply to electors who are lodged or domiciled in a private seniors' residence or a residential or health care facility where mobile voting is offered or to electors whose name is entered on the list of electors in a capacity other than that of domiciled person.

## 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° Section 81.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by adding "and any domiciliary polling station" at the end of the first paragraph.

2° Section 90.5 of that Act is amended by inserting "or in an agreement entered into under section 659.2" in the first paragraph, after "90.1".

3° Section 134.1 of that Act is amended by inserting "domiciled in the territory of the municipality who is unable to move about for health reasons or" in the first paragraph, after "person".

4° Section 174 of that Act is amended by inserting "or a domiciliary polling station" in the third paragraph, after "station".

5° That Act is amended by inserting the following after section 175:

**"175.1.** Any elector who is unable to move about for health reasons may vote at a domiciliary polling station determined under section 177 if

(1) the elector applies therefor in writing to the returning officer not later than the last day fixed for making applications to the board of revisors for entry on, striking off or correction to the list of electors, or, if there is no revision of the list under section 277, not later than 12 days before polling day;

(2) the elector's name is entered on the list of electors as a domiciled person;

(3) the elector sends the returning officer a declaration that the elector is unable to move about for health reasons, by mail, by fax or by an electronic means that can reproduce the elector's signature. The declaration must be signed by the elector or, if the elector is unable to sign, by the elector's spouse or a relative within the meaning of section 131 or by a person living with the elector, and by a witness.

An elector who act as informal caregivers of an elector having the right to vote at their domicile may vote at that domicile. They must apply therefor to the returning officer within the time prescribed in subparagraph 1 of the first paragraph, and their name must be entered on the part of the list of electors for the polling subdivision in which the domicile is located.

The returning officer shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to each authorized party or recognized ticket and to each independent candidate concerned. Where an election for the office of warden is also held in the territory of the municipality, the returning officer of the regional county municipality shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to the returning officer of the municipality and to each candidate for the office of warden."

6° Section 177 of that Act is amended by adding "or a domiciliary polling station" at the end of the first paragraph.

7° Section 177.1 of that Act is amended by inserting "or a domiciliary polling station" after "mobile polling station".

8° Section 179 of that Act is amended by inserting "or a domiciliary polling station" in the second paragraph, after "station".

9° Section 180 of that Act is amended by inserting "or a domiciliary polling station" in the first paragraph, after "station".

10° Section 631 of that Act is amended by inserting "or a domiciliary polling station" in paragraph 3, after "station".

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

— election preparations related to this agreement;

— the conduct of voting at the domicile of electors who are unable to move about;

— the advantages and disadvantages of using this new method of voting;

— recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Montréal, this 31 day of the month of July 2013

THE MUNICIPALITY OF MONTRÉAL

By: \_\_\_\_\_  
LAURENT BLANCHARD, *mayor*

\_\_\_\_\_  
YVES SAINDON, *clerk*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

Gouvernement du Québec

## Agreement

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE DOMICILE OF ELECTORS UNABLE TO MOVE ABOUT

Agreement entered into

BETWEEN

The MUNICIPALITY OF RIVIÈRE-DU-LOUP, a legal person established in the public interest having its head office at 65, de l'Hôtel-de-Ville St, Rivière-du-Loup, Province of Québec, here represented by the mayor, Mr Michel Morin, and the clerk, Mr Georges Deschênes, both authorized to sign this agreement under resolution n° 435-2013 passed by the council of the Municipality of Rivière-du-Loup, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow voting at the domicile of electors who are unable to move about for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the domicile of electors who are unable to move about, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the domicile of electors who are unable to move about during the general election of November 3, 2013.

The objective of domiciliary voting is to enable electors who are unable to move about for health reasons to exercise their right to vote at their domicile. However, domiciliary voting shall not apply to electors who are lodged or domiciled in a private seniors' residence or a residential or health care facility where mobile voting is offered or to electors whose name is entered on the list of electors in a capacity other than that of domiciled person.

### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° Section 81.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by adding "and any domiciliary polling station" at the end of the first paragraph.

2° Section 90.5 of that Act is amended by inserting "or in an agreement entered into under section 659.2" in the first paragraph, after "90.1".

3° Section 134.1 of that Act is amended by inserting "domiciled in the territory of the municipality who is unable to move about for health reasons or" in the first paragraph, after "person".

4° Section 174 of that Act is amended by inserting "or a domiciliary polling station" in the third paragraph, after "station".

5° That Act is amended by inserting the following after section 175:

**"175.1.** Any elector who is unable to move about for health reasons may vote at a domiciliary polling station determined under section 177 if

(1) the elector applies therefor in writing to the returning officer not later than the last day fixed for making applications to the board of revisors for entry on, striking off or correction to the list of electors, or, if there is no revision of the list under section 277, not later than 12 days before polling day;

(2) the elector's name is entered on the list of electors as a domiciled person;

(3) the elector sends the returning officer a declaration that the elector is unable to move about for health reasons, by mail, by fax or by an electronic means that can reproduce the elector's signature. The declaration must be signed by the elector or, if the elector is unable to sign, by the elector's spouse or a relative within the meaning of section 131 or by a person living with the elector, and by a witness.

An elector who act as informal caregivers of an elector having the right to vote at their domicile may vote at that domicile. They must apply therefor to the returning officer within the time prescribed in subparagraph 1 of the first paragraph, and their name must be entered on the part of the list of electors for the polling subdivision in which the domicile is located.

The returning officer shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to each authorized party or recognized ticket and to each independent candidate concerned. Where an election for the office of warden is also held in the territory of the municipality, the returning officer of the regional county municipality shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to the returning officer of the municipality and to each candidate for the office of warden."

6° Section 177 of that Act is amended by adding "or a domiciliary polling station" at the end of the first paragraph.

7° Section 177.1 of that Act is amended by inserting "or a domiciliary polling station" after "mobile polling station".

8° Section 179 of that Act is amended by inserting "or a domiciliary polling station" in the second paragraph, after "station".

9° Section 180 of that Act is amended by inserting "or a domiciliary polling station" in the first paragraph, after "station".

10° Section 631 of that Act is amended by inserting "or a domiciliary polling station" in paragraph 3, after "station".

### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

## 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the domicile of electors who are unable to move about;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

## 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

## AGREEMENT SIGNED IN THREE COPIES:

At Rivière-du-Loup, this 19 day of the month of August 2013

THE MUNICIPALITY OF RIVIÈRE-DU-LOUP

By: \_\_\_\_\_  
MICHEL MORIN, *mayor*

\_\_\_\_\_  
GEORGES DESCHÊNES, *clerk*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREULT

Gouvernement du Québec

**Agreement**

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

AGREEMENT CONCERNING THE TESTING  
OF A NEW METHOD OF VOTING FOR VOTING  
AT THE DOMICILE OF ELECTORS UNABLE  
TO MOVE ABOUT

Agreement entered into

BETWEEN

The MUNICIPALITY OF SAINTE-FLORENCE, a legal person established in the public interest having its head office at 29, des Loisirs St, Sainte-Florence, Province of Québec, here represented by the mayor, Mr Gaston Martin, and the secretary-treasurer Mrs Rafaele Di Stasio, both authorized to sign this agreement under resolution n° 176-2013 passed by the council of the Municipality of Sainte-Florence, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow voting at the domicile of electors who are unable to move about for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the domicile of electors who are unable to move about, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

## 1. PREAMBLE

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

## 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the domicile of electors who are unable to move about during the general election of November 3, 2013.

The objective of domiciliary voting is to enable electors who are unable to move about for health reasons to exercise their right to vote at their domicile. However, domiciliary voting shall not apply to electors who are lodged or domiciled in a private seniors' residence or a residential or health care facility where mobile voting is offered or to electors whose name is entered on the list of electors in a capacity other than that of domiciled person.

## 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° Section 81.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by adding "and any domiciliary polling station" at the end of the first paragraph.

2° Section 90.5 of that Act is amended by inserting "or in an agreement entered into under section 659.2" in the first paragraph, after "90.1".

3° Section 134.1 of that Act is amended by inserting "domiciled in the territory of the municipality who is unable to move about for health reasons or" in the first paragraph, after "person".

4° Section 174 of that Act is amended by inserting "or a domiciliary polling station" in the third paragraph, after "station".

5° That Act is amended by inserting the following after section 175:

"175.1. Any elector who is unable to move about for health reasons may vote at a domiciliary polling station determined under section 177 if

(1) the elector applies therefor in writing to the returning officer not later than the last day fixed for making applications to the board of revisors for entry on, striking off or correction to the list of electors, or, if there is no revision of the list under section 277, not later than 12 days before polling day;

(2) the elector's name is entered on the list of electors as a domiciled person;



(3) the elector sends the returning officer a declaration that the elector is unable to move about for health reasons, by mail, by fax or by an electronic means that can reproduce the elector's signature. The declaration must be signed by the elector or, if the elector is unable to sign, by the elector's spouse or a relative within the meaning of section 131 or by a person living with the elector, and by a witness.

An elector who act as informal caregivers of an elector having the right to vote at their domicile may vote at that domicile. They must apply therefor to the returning officer within the time prescribed in subparagraph 1 of the first paragraph, and their name must be entered on the part of the list of electors for the polling subdivision in which the domicile is located.

The returning officer shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to each authorized party or recognized ticket and to each independent candidate concerned. Where an election for the office of warden is also held in the territory of the municipality, the returning officer of the regional county municipality shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to the returning officer of the municipality and to each candidate for the office of warden."

6° Section 177 of that Act is amended by adding "or a domiciliary polling station" at the end of the first paragraph.

7° Section 177.1 of that Act is amended by inserting "or a domiciliary polling station" after "mobile polling station".

8° Section 179 of that Act is amended by inserting "or a domiciliary polling station" in the second paragraph, after "station".

9° Section 180 of that Act is amended by inserting "or a domiciliary polling station" in the first paragraph, after "station".

10° Section 631 of that Act is amended by inserting "or a domiciliary polling station" in paragraph 3, after "station".

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

— election preparations related to this agreement;

— the conduct of voting at the domicile of electors who are unable to move about;

— the advantages and disadvantages of using this new method of voting;

— recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Sainte-Florence, this 5 day of the month of August 2013

THE MUNICIPALITY OF SAINTE-FLORENCE

By: \_\_\_\_\_  
GASTON MARTIN, *mayor*

\_\_\_\_\_  
RAFAELLE DI STASIO, *secretary-treasurer*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

Gouvernement du Québec

## Agreement

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE DOMICILE OF ELECTORS UNABLE TO MOVE ABOUT

Agreement entered into

BETWEEN

The MUNICIPALITY OF SAINT-LAZARE, a legal person established in the public interest having its head office at 1960, Sainte-Angélique rd, Saint-Lazare, Province of Québec, here represented by the mayor, Mr Robert Grimaudo, and the clerk Mrs Nathaly Rayneault, both authorized to sign this agreement under resolution n° 05-197-13 et 07-274-13 passed by the council of the Municipality of Saint-Lazare, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow voting at the domicile of electors who are unable to move about for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the domicile of electors who are unable to move about, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the domicile of electors who are unable to move about during the general election of November 3, 2013.

The objective of domiciliary voting is to enable electors who are unable to move about for health reasons to exercise their right to vote at their domicile. However, domiciliary voting shall not apply to electors who are lodged or domiciled in a private seniors' residence or a residential or health care facility where mobile voting is offered or to electors whose name is entered on the list of electors in a capacity other than that of domiciled person.

### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° Section 81.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by adding "and any domiciliary polling station" at the end of the first paragraph.

2° Section 90.5 of that Act is amended by inserting "or in an agreement entered into under section 659.2" in the first paragraph, after "90.1".

3° Section 134.1 of that Act is amended by inserting "domiciled in the territory of the municipality who is unable to move about for health reasons or" in the first paragraph, after "person".

4° Section 174 of that Act is amended by inserting "or a domiciliary polling station" in the third paragraph, after "station".

5° That Act is amended by inserting the following after section 175:

"175.1. Any elector who is unable to move about for health reasons may vote at a domiciliary polling station determined under section 177 if

(1) the elector applies therefor in writing to the returning officer not later than the last day fixed for making applications to the board of revisors for entry on, striking off or correction to the list of electors, or, if there is no revision of the list under section 277, not later than 12 days before polling day;

(2) the elector's name is entered on the list of electors as a domiciled person;

(3) the elector sends the returning officer a declaration that the elector is unable to move about for health reasons, by mail, by fax or by an electronic means that can reproduce the elector's signature. The declaration must be signed by the elector or, if the elector is unable to sign, by the elector's spouse or a relative within the meaning of section 131 or by a person living with the elector, and by a witness.

An elector who act as informal caregivers of an elector having the right to vote at their domicile may vote at that domicile. They must apply therefor to the returning officer within the time prescribed in subparagraph 1 of the first paragraph, and their name must be entered on the part of the list of electors for the polling subdivision in which the domicile is located.

The returning officer shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to each authorized party or recognized ticket and to each independent candidate concerned. Where an election for the office of warden is also held in the territory of the municipality, the returning officer of the regional county municipality shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to the returning officer of the municipality and to each candidate for the office of warden."

6° Section 177 of that Act is amended by adding "or a domiciliary polling station" at the end of the first paragraph.

7° Section 177.1 of that Act is amended by inserting "or a domiciliary polling station" after "mobile polling station".

8° Section 179 of that Act is amended by inserting "or a domiciliary polling station" in the second paragraph, after "station".

9° Section 180 of that Act is amended by inserting "or a domiciliary polling station" in the first paragraph, after "station".

10° Section 631 of that Act is amended by inserting "or a domiciliary polling station" in paragraph 3, after "station".

### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

## 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the domicile of electors who are unable to move about;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

## 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

## AGREEMENT SIGNED IN THREE COPIES:

At Saint-Lazare, this 26 day of the month of July 2013

THE MUNICIPALITY OF SAINT-LAZARE

By: \_\_\_\_\_  
ROBERT GRIMAUDO, *mayor*

\_\_\_\_\_  
NATHALY RAYNEAULT, *clerk*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAULT

Gouvernement du Québec

**Agreement**

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

AGREEMENT CONCERNING THE TESTING  
OF A NEW METHOD OF VOTING FOR VOTING  
AT THE DOMICILE OF ELECTORS UNABLE  
TO MOVE ABOUT

Agreement entered into

BETWEEN

The MUNICIPALITY OF THETFORD MINES, a legal person established in the public interest having its head office at 144, Notre-Dame W St, Thetford Mines, Province of Québec, here represented by the mayor, Mr Luc Berthold, and the clerk Mrs Édith Girard, both authorized to sign this agreement under resolution n° 2013-332TM passed by the council of the Municipality of Thetford Mines, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow voting at the domicile of electors who are unable to move about for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the domicile of electors who are unable to move about, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

## 1. PREAMBLE

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

## 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the domicile of electors who are unable to move about during the general election of November 3, 2013.

The objective of domiciliary voting is to enable electors who are unable to move about for health reasons to exercise their right to vote at their domicile. However, domiciliary voting shall not apply to electors who are lodged or domiciled in a private seniors' residence or a residential or health care facility where mobile voting is offered or to electors whose name is entered on the list of electors in a capacity other than that of domiciled person.

## 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° Section 81.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by adding "and any domiciliary polling station" at the end of the first paragraph.

2° Section 90.5 of that Act is amended by inserting "or in an agreement entered into under section 659.2" in the first paragraph, after "90.1".

3° Section 134.1 of that Act is amended by inserting "domiciled in the territory of the municipality who is unable to move about for health reasons or" in the first paragraph, after "person".

4° Section 174 of that Act is amended by inserting "or a domiciliary polling station" in the third paragraph, after "station".

5° That Act is amended by inserting the following after section 175:

"175.1. Any elector who is unable to move about for health reasons may vote at a domiciliary polling station determined under section 177 if

(1) the elector applies therefor in writing to the returning officer not later than the last day fixed for making applications to the board of revisors for entry on, striking off or correction to the list of electors, or, if there is no revision of the list under section 277, not later than 12 days before polling day;

(2) the elector's name is entered on the list of electors as a domiciled person;

(3) the elector sends the returning officer a declaration that the elector is unable to move about for health reasons, by mail, by fax or by an electronic means that can reproduce the elector's signature. The declaration must be signed by the elector or, if the elector is unable to sign, by the elector's spouse or a relative within the meaning of section 131 or by a person living with the elector, and by a witness.

An elector who act as informal caregivers of an elector having the right to vote at their domicile may vote at that domicile. They must apply therefor to the returning officer within the time prescribed in subparagraph 1 of the first paragraph, and their name must be entered on the part of the list of electors for the polling subdivision in which the domicile is located.

The returning officer shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to each authorized party or recognized ticket and to each independent candidate concerned. Where an election for the office of warden is also held in the territory of the municipality, the returning officer of the regional county municipality shall draw up a list of the persons who have made an application under subparagraph 1 of the first paragraph and under the second paragraph and shall send a copy of the list to the returning officer of the municipality and to each candidate for the office of warden."

6° Section 177 of that Act is amended by adding "or a domiciliary polling station" at the end of the first paragraph.

7° Section 177.1 of that Act is amended by inserting "or a domiciliary polling station" after "mobile polling station".

8° Section 179 of that Act is amended by inserting "or a domiciliary polling station" in the second paragraph, after "station".

9° Section 180 of that Act is amended by inserting "or a domiciliary polling station" in the first paragraph, after "station".

10° Section 631 of that Act is amended by inserting "or a domiciliary polling station" in paragraph 3, after "station".

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the domicile of electors who are unable to move about;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Thetford-Mines, this 21 day of the month of August 2013

#### THE MUNICIPALITY OF THETFORD MINES

By: \_\_\_\_\_  
LUC BERTHOLD, *mayor*

\_\_\_\_\_  
ÉDITH GIRARD, *clerk*

At Québec, this 18 day of the month of July 2013

#### THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

#### THE MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

Gouvernement du Québec

## Agreement

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE RETURNING OFFICER'S OFFICE

Agreement entered into

BETWEEN

The MUNICIPALITY OF BELOEIL, a legal person established in the public interest having its head office at 777, Laurier St, Beloeil, Province of Québec, here represented by the mayor, Mrs Diane Lavoie, and the clerk, Mrs Véronique Landry, both authorized to sign this agreement under resolution n° 2013-08-338 passed by the council of the Municipality of Beloeil, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of voting at the returning officer's office for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the returning officer's office, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the returning officer's office during the general election of November 3, 2013.

#### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° The Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting the following after section 79:

“79.1. Sections 77 to 79 do not apply to the appointment of the deputy returning officer and poll clerk for the returning officer’s polling station.”

2° Section 81.2 of that Act is amended by adding “or for voting at the returning officer’s office” at the end of the first paragraph.

3° Section 90.5 of that Act is amended by inserting “or in an agreement entered into under section 659.2” in the first paragraph, after “90.1”.

4° Section 174 of that Act is amended by adding the following sentences at the end of the second paragraph: “An elector may vote at the returning officer’s office, or at the office of the assistant designated by the returning officer for that purpose, on the ninth, sixth, fifth and fourth days before polling day. However, the returning officer may not decide that any such office will be open on the sixth day before polling day if the returning officer has decided that the advance poll will be held that day.”

5° Section 177.1 of that Act is amended by adding the following sentence at the end: “The same applies for voting at the returning officer’s office.”

6° Section 179 of that Act is amended by adding the following sentence at the end of the first paragraph: “The polling station at the returning officer’s office must be open from 9:00 a.m. to 9:00 p.m. except on the fourth day, when it must close at 2:00 p.m.”

7° Section 283 of that Act is amended by adding the following after the third paragraph:

“The first three paragraphs do not apply to an office used by a candidate for election purposes that is situated near the returning officer’s office.”

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY identified in the agreement shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the returning officer’s office;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Beloeil, this 29 day of the month of August 2013

THE MUNICIPALITY OF BELOEIL

By: \_\_\_\_\_  
DIANE LAVOIE, *mayor*

\_\_\_\_\_  
VÉRONIQUE LANDRY, *clerk*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU



Gouvernement du Québec

## Agreement

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE RETURNING OFFICER'S OFFICE

Agreement entered into

BETWEEN

The MUNICIPALITY OF GATINEAU, a legal person established in the public interest having its head office at 25, Laurier St, Gatineau, Province of Québec, here represented by the mayor, Mr Marc Bureau, and the clerk, Mrs Suzanne Ouellet, both authorized to sign this agreement under resolution n° CM 2013-693 passed by the council of the Municipality of Gatineau, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of voting at the returning officer's office for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the returning officer's office, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the returning officer's office during the general election of November 3, 2013.

#### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° The Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting the following after section 79:

“79.1. Sections 77 to 79 do not apply to the appointment of the deputy returning officer and poll clerk for the returning officer’s polling station.”

2° Section 81.2 of that Act is amended by adding “or for voting at the returning officer’s office” at the end of the first paragraph.

3° Section 90.5 of that Act is amended by inserting “or in an agreement entered into under section 659.2” in the first paragraph, after “90.1”.

4° Section 174 of that Act is amended by adding the following sentences at the end of the second paragraph: “An elector may vote at the returning officer’s office, or at the office of the assistant designated by the returning officer for that purpose, on the ninth, sixth, fifth and fourth days before polling day. However, the returning officer may not decide that any such office will be open on the sixth day before polling day if the returning officer has decided that the advance poll will be held that day.”

5° Section 177.1 of that Act is amended by adding the following sentence at the end: “The same applies for voting at the returning officer’s office.”

6° Section 179 of that Act is amended by adding the following sentence at the end of the first paragraph: “The polling station at the returning officer’s office must be open from 9:00 a.m. to 9:00 p.m. except on the fourth day, when it must close at 2:00 p.m.”

7° Section 283 of that Act is amended by adding the following after the third paragraph:

“The first three paragraphs do not apply to an office used by a candidate for election purposes that is situated near the returning officer’s office.”

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY identified in the agreement shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the returning officer’s office;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Gatineau, this 4 day of the month of September 2013

THE MUNICIPALITY OF GATINEAU

By: \_\_\_\_\_  
MARC BUREAU, *mayor*

\_\_\_\_\_  
SUZANNE OUELLET, *clerk*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

Gouvernement du Québec

## Agreement

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE RETURNING OFFICER'S OFFICE

Agreement entered into

BETWEEN

The MUNICIPALITY OF LACOLLE, a legal person established in the public interest having its head office at 1, de l'Église S St, Lacolle, Province of Québec, here represented by the mayor, Mr Yves Duteau, and the secretary-treasurer, Mr Jacques Mireault, both authorized to sign this agreement under resolution n° 2013-05-252 passed by the council of the Municipality of Lacolle, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of voting at the returning officer's office for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the returning officer's office, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the returning officer's office during the general election of November 3, 2013.

#### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° The Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting the following after section 79:

“79.1. Sections 77 to 79 do not apply to the appointment of the deputy returning officer and poll clerk for the returning officer’s polling station.”

2° Section 81.2 of that Act is amended by adding “or for voting at the returning officer’s office” at the end of the first paragraph.

3° Section 90.5 of that Act is amended by inserting “or in an agreement entered into under section 659.2” in the first paragraph, after “90.1”.

4° Section 174 of that Act is amended by adding the following sentences at the end of the second paragraph: “An elector may vote at the returning officer’s office, or at the office of the assistant designated by the returning officer for that purpose, on the ninth, sixth, fifth and fourth days before polling day. However, the returning officer may not decide that any such office will be open on the sixth day before polling day if the returning officer has decided that the advance poll will be held that day.”

5° Section 177.1 of that Act is amended by adding the following sentence at the end: “The same applies for voting at the returning officer’s office.”

6° Section 179 of that Act is amended by adding the following sentence at the end of the first paragraph: “The polling station at the returning officer’s office must be open from 9:00 a.m. to 9:00 p.m. except on the fourth day, when it must close at 2:00 p.m.”

7° Section 283 of that Act is amended by adding the following after the third paragraph:

“The first three paragraphs do not apply to an office used by a candidate for election purposes that is situated near the returning officer’s office.”

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY identified in the agreement shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the returning officer’s office;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Lacolle, this 7 day of the month of August 2013

THE MUNICIPALITY OF LACOLLE

By: \_\_\_\_\_  
YVES DUTEAU, *mayor*

\_\_\_\_\_  
JACQUES MIREAULT, *secretary-treasurer*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

Gouvernement du Québec

## Agreement

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE RETURNING OFFICER'S OFFICE

Agreement entered into

BETWEEN

The MUNICIPALITY OF MONTMAGNY, a legal person established in the public interest having its head office at 143, Saint-Jean-Baptiste E St, Montmagny, Province of Québec, here represented by the mayor, Mr Jean-Guy Desrosiers, and the clerk, Mr Félix Michaud, both authorized to sign this agreement under resolution n° 2013-170 passed by the council of the Municipality of Montmagny, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of voting at the returning officer's office for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the returning officer's office, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the returning officer's office during the general election of November 3, 2013.

#### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° The Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting the following after section 79:

“79.1. Sections 77 to 79 do not apply to the appointment of the deputy returning officer and poll clerk for the returning officer’s polling station.”

2° Section 81.2 of that Act is amended by adding “or for voting at the returning officer’s office” at the end of the first paragraph.

3° Section 90.5 of that Act is amended by inserting “or in an agreement entered into under section 659.2” in the first paragraph, after “90.1”.

4° Section 174 of that Act is amended by adding the following sentences at the end of the second paragraph: “An elector may vote at the returning officer’s office, or at the office of the assistant designated by the returning officer for that purpose, on the ninth, sixth, fifth and fourth days before polling day. However, the returning officer may not decide that any such office will be open on the sixth day before polling day if the returning officer has decided that the advance poll will be held that day.”

5° Section 177.1 of that Act is amended by adding the following sentence at the end: “The same applies for voting at the returning officer’s office.”

6° Section 179 of that Act is amended by adding the following sentence at the end of the first paragraph: “The polling station at the returning officer’s office must be open from 9:00 a.m. to 9:00 p.m. except on the fourth day, when it must close at 2:00 p.m.”

7° Section 283 of that Act is amended by adding the following after the third paragraph:

“The first three paragraphs do not apply to an office used by a candidate for election purposes that is situated near the returning officer’s office.”

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY identified in the agreement shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the returning officer’s office;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Montmagny, this 12 day of the month of August 2013

THE MUNICIPALITY OF MONTMAGNY

By: \_\_\_\_\_  
JEAN-GUY DESROSIERS, *mayor*

\_\_\_\_\_  
FÉLIX MICHAUD, *clerk*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

Gouvernement du Québec

## Agreement

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE RETURNING OFFICER'S OFFICE

Agreement entered into

BETWEEN

The MUNICIPALITY OF MONTRÉAL, a legal person established in the public interest having its head office at 275, Notre-Dame E St, office R.134, Montréal, Province of Québec, here represented by the mayor, Mr Laurent Blanchard, and the clerk, Mr Yves Saindon, both authorized to sign this agreement under resolution n° CM13 0585 passed by the council of the Municipality of Montréal, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of voting at the returning officer's office for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the returning officer's office, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the returning officer's office during the general election of November 3, 2013.

#### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° The Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting the following after section 79:

“79.1. Sections 77 to 79 do not apply to the appointment of the deputy returning officer and poll clerk for the returning officer’s polling station.”

2° Section 81.2 of that Act is amended by adding “or for voting at the returning officer’s office” at the end of the first paragraph.

3° Section 90.5 of that Act is amended by inserting “or in an agreement entered into under section 659.2” in the first paragraph, after “90.1”.

4° Section 174 of that Act is amended by adding the following sentences at the end of the second paragraph: “An elector may vote at the returning officer’s office, or at the office of the assistant designated by the returning officer for that purpose, on the ninth, sixth, fifth and fourth days before polling day. However, the returning officer may not decide that any such office will be open on the sixth day before polling day if the returning officer has decided that the advance poll will be held that day.”

5° Section 177.1 of that Act is amended by adding the following sentence at the end: “The same applies for voting at the returning officer’s office.”

6° Section 179 of that Act is amended by adding the following sentence at the end of the first paragraph: “The polling station at the returning officer’s office must be open from 9:00 a.m. to 9:00 p.m. except on the fourth day, when it must close at 2:00 p.m.”

7° Section 283 of that Act is amended by adding the following after the third paragraph:

“The first three paragraphs do not apply to an office used by a candidate for election purposes that is situated near the returning officer’s office.”

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY identified in the agreement shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the returning officer’s office;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Montréal, this 31 day of the month of July 2013

THE MUNICIPALITY OF MONTRÉAL

By: \_\_\_\_\_  
LAURENT BLANCHARD, *mayor*

\_\_\_\_\_  
YVES SAINDON, *clerk*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU



Gouvernement du Québec

## Agreement

An Act respecting elections and referendums  
in municipalities  
(chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE RETURNING OFFICER'S OFFICE

Agreement entered into

BETWEEN

The MUNICIPALITY OF RIVIÈRE-DU-LOUP, a legal person established in the public interest having its head office at 65, de l'Hôtel-de-Ville St, Rivière-du-Loup, Province of Québec, here represented by the mayor, Mr Michel Morin, and the clerk, Mr Georges Deschênes, both authorized to sign this agreement under resolution n° 435-2013 passed by the council of the Municipality of Rivière-du-Loup, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of voting at the returning officer's office for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the returning officer's office, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the returning officer's office during the general election of November 3, 2013.

#### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° The Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting the following after section 79:

“79.1. Sections 77 to 79 do not apply to the appointment of the deputy returning officer and poll clerk for the returning officer’s polling station.”

2° Section 81.2 of that Act is amended by adding “or for voting at the returning officer’s office” at the end of the first paragraph.

3° Section 90.5 of that Act is amended by inserting “or in an agreement entered into under section 659.2” in the first paragraph, after “90.1”.

4° Section 174 of that Act is amended by adding the following sentences at the end of the second paragraph: “An elector may vote at the returning officer’s office, or at the office of the assistant designated by the returning officer for that purpose, on the ninth, sixth, fifth and fourth days before polling day. However, the returning officer may not decide that any such office will be open on the sixth day before polling day if the returning officer has decided that the advance poll will be held that day.”

5° Section 177.1 of that Act is amended by adding the following sentence at the end: “The same applies for voting at the returning officer’s office.”

6° Section 179 of that Act is amended by adding the following sentence at the end of the first paragraph: “The polling station at the returning officer’s office must be open from 9:00 a.m. to 9:00 p.m. except on the fourth day, when it must close at 2:00 p.m.”

7° Section 283 of that Act is amended by adding the following after the third paragraph:

“The first three paragraphs do not apply to an office used by a candidate for election purposes that is situated near the returning officer’s office.”

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY identified in the agreement shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the returning officer’s office;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Rivière-du-Loup, this 19 day of the month of August 2013

THE MUNICIPALITY OF RIVIÈRE-DU-LOUP

By: \_\_\_\_\_  
MICHEL MORIN, *mayor*

\_\_\_\_\_  
GEORGES DESCHÊNES, *clerk*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

Gouvernement du Québec

## Agreement

An Act respecting elections and referendums in municipalities (chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE RETURNING OFFICER'S OFFICE

Agreement entered into

BETWEEN

The MUNICIPALITY OF SAINTE-AGATHE-DES-MONTS, a legal person established in the public interest having its head office at 50, Saint-Joseph St, Sainte-Agathe-des-Monts, Province de Québec, here represented by the mayor, Mr Denis Chalifoux, and the clerk, Mr Benoît Fugère, both authorized to sign this agreement under resolution n° 2013-04-178 passed by the council of the Municipality of Sainte-Agathe-des-Monts, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of voting at the returning officer's office for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the returning officer's office, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the returning officer's office during the general election of November 3, 2013.

#### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° The Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting the following after section 79:

“79.1. Sections 77 to 79 do not apply to the appointment of the deputy returning officer and poll clerk for the returning officer’s polling station.”

2° Section 81.2 of that Act is amended by adding “or for voting at the returning officer’s office” at the end of the first paragraph.

3° Section 90.5 of that Act is amended by inserting “or in an agreement entered into under section 659.2” in the first paragraph, after “90.1”.

4° Section 174 of that Act is amended by adding the following sentences at the end of the second paragraph: “An elector may vote at the returning officer’s office, or at the office of the assistant designated by the returning officer for that purpose, on the ninth, sixth, fifth and fourth days before polling day. However, the returning officer may not decide that any such office will be open on the sixth day before polling day if the returning officer has decided that the advance poll will be held that day.”

5° Section 177.1 of that Act is amended by adding the following sentence at the end: “The same applies for voting at the returning officer’s office.”

6° Section 179 of that Act is amended by adding the following sentence at the end of the first paragraph: “The polling station at the returning officer’s office must be open from 9:00 a.m. to 9:00 p.m. except on the fourth day, when it must close at 2:00 p.m.”

7° Section 283 of that Act is amended by adding the following after the third paragraph:

“The first three paragraphs do not apply to an office used by a candidate for election purposes that is situated near the returning officer’s office.”

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY identified in the agreement shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the returning officer’s office;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Sainte-Agathe-des-Monts, this 20 day of the month of August 2013

#### THE MUNICIPALITY OF SAINTE-AGATHE-DES-MONTS

By: \_\_\_\_\_  
DENIS CHALIFOUX, *mayor*

\_\_\_\_\_  
BENOÎT FUGÈRE, *clerk*

At Québec, this 18 day of the month of July 2013

#### THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

#### THE MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

Gouvernement du Québec

## Agreement

An Act respecting elections and referendums in municipalities (chapter E-2.2)

### AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE RETURNING OFFICER'S OFFICE

Agreement entered into

BETWEEN

The MUNICIPALITY OF SAINT-GEORGES, a legal person established in the public interest having its head office at 11700, Lacroix Blvd, Saint-Georges, Province of Québec, here represented by the mayor, Mr François Fecteau, and the clerk, Mr Jean McCollough, both authorized to sign this agreement under resolution n° 13-8262 passed by the council of the Municipality of Saint-Georges, hereinafter called

THE MUNICIPALITY

AND

Mr Jacques Drouin, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (chapter E-3.3), acting herein in that capacity and having his main office at 3460, de La Pérade St, Québec, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

Mr Sylvain Gaudreault, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, REGIONS AND LAND OCCUPANCY, having his main office at 10, Pierre-Olivier-Chauveau St, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of voting at the returning officer's office for the general election of November 3, 2013 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2) provide as follows:

**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.

WHEREAS, for the purpose of allowing voting at the returning officer's office, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 3, 2013;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

CONSEQUENTLY, the parties agree as follows:

#### 1. PREAMBLE

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

#### 2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test voting at the returning officer's office during the general election of November 3, 2013.

#### 3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (chapter E-2.2) shall apply to the general election of November 3, 2013 in the MUNICIPALITY subject to the following provisions of that Act amended by this agreement:

1° The Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting the following after section 79:

“79.1. Sections 77 to 79 do not apply to the appointment of the deputy returning officer and poll clerk for the returning officer’s polling station.”

2° Section 81.2 of that Act is amended by adding “or for voting at the returning officer’s office” at the end of the first paragraph.

3° Section 90.5 of that Act is amended by inserting “or in an agreement entered into under section 659.2” in the first paragraph, after “90.1”.

4° Section 174 of that Act is amended by adding the following sentences at the end of the second paragraph: “An elector may vote at the returning officer’s office, or at the office of the assistant designated by the returning officer for that purpose, on the ninth, sixth, fifth and fourth days before polling day. However, the returning officer may not decide that any such office will be open on the sixth day before polling day if the returning officer has decided that the advance poll will be held that day.”

5° Section 177.1 of that Act is amended by adding the following sentence at the end: “The same applies for voting at the returning officer’s office.”

6° Section 179 of that Act is amended by adding the following sentence at the end of the first paragraph: “The polling station at the returning officer’s office must be open from 9:00 a.m. to 9:00 p.m. except on the fourth day, when it must close at 2:00 p.m.”

7° Section 283 of that Act is amended by adding the following after the third paragraph:

“The first three paragraphs do not apply to an office used by a candidate for election purposes that is situated near the returning officer’s office.”

#### 4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 3, 2013.

#### 5. ASSESSMENT REPORT

Within 90 days following the general election of November 3, 2013, the returning officer of the MUNICIPALITY identified in the agreement shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (chapter E-2.2), send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for example:

- election preparations related to this agreement;
- the conduct of voting at the returning officer’s office;
- the advantages and disadvantages of using this new method of voting;
- recommended amendments to the provisions of the Act respecting elections and referendums in municipalities, if any.

#### 6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

#### AGREEMENT SIGNED IN THREE COPIES:

At Saint-Georges, this 13 day of the month of August 2013

THE MUNICIPALITY OF SAINT-GEORGES

By: \_\_\_\_\_  
FRANÇOIS FECTEAU, *mayor*

\_\_\_\_\_  
JEAN MCCOLLOUGH, *clerk*

At Québec, this 18 day of the month of July 2013

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
JACQUES DROUIN

At Québec, this 17 day of the month of July 2013

THE MINISTER OF MUNICIPAL AFFAIRS,  
REGIONS AND LAND OCCUPANCY

\_\_\_\_\_  
SYLVAIN GAUDREAU

**M.O., 2013****Order number 2013-15 of the Minister of Transport dated 29 October 2013**

An Act respecting off-highway vehicles  
(chapter V-1.2)

Regulation to authorize the operation of off-highway vehicles on a portion of rue Principale under the management of the Minister of Transport

THE MINISTER OF TRANSPORT,

CONSIDERING section 47 of the Act respecting off-highway vehicles (chapter V-1.2) which provides that the Minister of Transport may, by regulation, allow certain types of off-highway vehicles to be operated on all or part of a public highway maintained by the Minister, on the conditions and for the period of time the Minister indicates;

CONSIDERING, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that a draft of the Regulation to authorize the operation of off-highway vehicles on a portion of rue Principale under the management of the Minister of Transport was published in Part 2 of the *Gazette officielle du Québec* of 19 June 2013 with a notice that it could be made by the Minister of Transport on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDERS AS FOLLOWS:

The Regulation to authorize the operation of off-highway vehicles on a portion of rue Principale under the management of the Minister of Transport, attached to this Order, is hereby made.

SYLVAIN GAUDREAU,  
*Minister of Transport*

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**Regulation to authorize the operation of off-highway vehicles on a portion of rue Principale under the management of the Minister of Transport**

An Act respecting off-highway vehicles  
(chapter V-1.2, s. 11, 2nd par., subpar. 6, and s. 47)

**1.** The operation of off-highway vehicles referred to in subparagraphs 1 and 2 of the first paragraph of section 1 of the Act respecting off-highway vehicles (chapter V-1.2) and in the Ministerial Order concerning the Pilot project concerning side-by-side vehicles (chapter V-1.2, r. 4) is authorized on a portion of rue Principale (39313-02-000), situated in the territory of Municipalité de Lac-Édouard (90027) and over a distance of 2.2 km, from chaining 25 + 552 to chaining 27 + 292.

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* and ceases to have effect on the fifteenth day following the day of the fifth anniversary of that publication.

3066





## Draft Regulations

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### Draft Regulation

An Act to promote access to justice in family matters (2012, chapter 20)

#### Regulation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the application of the Act to promote access to justice in family matters, appearing below, may be made by the Government on the expiry of 45 days from this publication.

The draft Regulation follows the Act to promote access to justice in family matters (2012, chapter 2), which was assented to on 15 June 2012. It is intended to provide for the application of the provisions of the Act relating to SARPA, the child support recalculation service established within the Commission des services juridiques pursuant to the Act.

More specifically, the draft Regulation sets out the case in which an application may be made to SARPA, the application procedure, the information and documents needed for the recalculation that must be provided in support of the application, and the information and documents that may be required from the other parent by SARPA when the application is made by only one of the child's parents. It also specifies the procedure for withdrawing a recalculation application.

The draft Regulation sets out the rules to be used to determine the annual income of a parent who fails to provide SARPA with the necessary information and documents.

In addition, the draft Regulation determines the persons, departments and organizations that SARPA may consult to verify the accuracy of the information or documents provided by a parent for the purposes of the child support recalculation.

The draft Regulation specifies the cases and circumstances in which SARPA cannot recalculate child support, unless there is an agreement between the parents. It also sets out the terms of recalculation, the form of the recalculation notice and the documents that must be attached to the notice.

Lastly, the draft Regulation fixes the fees payable by the parents, in the proportion and according to the terms prescribed, for a child support recalculation. It determines the cases in which a parent may be dispensed from payment and the cases in which and the extent to which the Commission des services juridiques may reimburse a fee paid by a parent.

To date, study of the matter has shown no financial impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Pierre Tanguay, Direction des orientations et politiques, Ministère de la Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1, telephone: 418-646-5580, extension 20197; fax: 418-646-4894.

Any person wishing to comment on the draft Regulation is requested to submit written comments, before the expiry of the 45-day period, to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

BERTRAND ST-ARNAUD,  
*Minister of Justice*

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### Regulation respecting the application of the Act to promote access to justice in family matters

An Act to promote access to justice in family matters (2012, chapter 20, ss. 2, 4, 5, 8 to 11, 16 and 19)

#### CHAPTER I PRELIMINARY PROVISIONS

**1.** In this Regulation, "SARPA" refers to the child support recalculation service established within the Commission des services juridiques pursuant to the Act to promote access to justice in family matters (2012, chapter 20).

**2.** For the purposes of this Regulation, "child care expenses", "post-secondary education expenses", "special expenses", "annual income", "disposable income" and "custody time" have the meaning given in the Regulation respecting the determination of child support payments (chapter C-25, r. 6).

In addition, the child support determination form referred to in this Regulation is the form in Schedule I to the Regulation respecting the determination of child support payments.

## **CHAPTER II** **APPLICATION FOR RECALCULATION**

### **DIVISION 1** **ELIGIBILITY**

**3.** An application for the recalculation of child support may be made to SARPA provided that

- (1) the child support is payable for a minor child;
- (2) the child support was granted by way of a judgment;
- (3) the child support was determined pursuant to the guidelines applicable in Québec under the Order Designating the Province of Quebec for the Purposes of the Definition “applicable guidelines” in Subsection 2(1) of the Divorce Act (SOR/97-237);
- (4) the child support has not been increased or reduced by a court pursuant to article 587.2 of the Civil Code to take account of the value of either parent’s assets or the extent of the resources available to the child, or to take account of the hardship that the payment of support would entail for either parent;
- (5) the child’s parents ordinarily reside in Québec;
- (6) the disposable income of the child’s parents does not exceed \$200,000;
- (7) the income of either of the child’s parents has not been established by the court pursuant to article 825.12 of the Code of Civil Procedure (chapter C-25);
- (8) the annual income of either of the child’s parents is not below the annual income taken into account to determine the child support to be recalculated because of maternity or paternity leave, adoption leave, sabbatical leave, leave without pay, leave with deferred pay, an alternative work schedule, a resumption of studies, retirement, a change of career, or a voluntary relinquishment of employment occurring since the last judgment determining child support or, if more recent, since the last recalculation;

(9) an agreement has been reached or, when the application is made by only one of the child’s parents, will be reached between the parents in the cases and in accordance with the procedure set out in this Regulation;

(10) no pending case between the parties could have an impact on the child support; and

(11) no judgment has suspended the payment of child support.

**4.** An application for recalculation may be made by only one of the child’s parents, subject to the information and documents obtained from the other parent by SARPA.

### **DIVISION II** **PROCEDURE FOR MAKING AN APPLICATION**

**5.** An application for recalculation is made to SARPA on the date or dates determined by the court. In the absence of such a date, the application may be made, each year, on the anniversary date of the last judgment determining child support or, if more recent, on the anniversary date of the last recalculation. An application may also be made, within one year, in response to a recalculation notice containing a clerical error or calculation error, or in response to a change in the situation of the parents or of their child.

**6.** The application for recalculation must be made in writing and sent to SARPA via its website or filed with a legal aid office, by both of the child’s parents or by the parent making the application.

The application is deemed to be made on the date on which SARPA receives the application and all the information and documents that must be provided in support of the application.

### **DIVISION III** **INFORMATION AND DOCUMENTS REQUIRED FOR RECALCULATION**

**7.** The information that must be provided in support of an application for recalculation and the information that may be required from the other parent by SARPA, when the application is made by only one parent, is

- (1) the name and address of the child’s parents;
- (2) the name and date of birth of the child; and
- (3) the information needed to complete the child support determination form for the year during which the application for recalculation is made and for the preceding year if the income of either of the child’s parents increased during that year.

The documents that must be provided and the documents that may be required, except if they are already in SARPA’s possession, are

(1) the documents that must be provided with the child support determination form for the year during which the application for recalculation is made and for the preceding year if the income of either of the child's parents increased during that year;

(2) the statement in respect of applications relating to an obligation of support that each party is required to provide pursuant to article 827.5 of the Code of Civil Procedure;

(3) the last judgment determining child support and the child support determination form used by the court to determine child support, unless the judgment was made before 1 December 2012 and the form is not available; and

(4) the agreement between the parents, if such an agreement is required pursuant to this Regulation.

**8.** The information and documents needed for the recalculation is sent to SARPA using any means of communication.

**9.** SARPA may verify, with a parent's employer, the Ministère de l'Emploi et de la Solidarité sociale, the Agence du revenu du Québec, the Société de l'assurance automobile du Québec, the Régie de l'assurance maladie du Québec or the Commission de la santé et de la sécurité du travail, as the case may be, the accuracy of the information or documents provided by a parent for the recalculation.

#### **DIVISION IV**

##### **ANNUAL INCOME OF A PARENT WHO FAILS TO PROVIDE INFORMATION OR DOCUMENTS**

**10.** For the purposes of the recalculation, the annual income of a parent who fails to provide SARPA with the information or documents needed to determine annual income is the higher of the amounts obtained

(1) by increasing by 15% the annual income of the parent taken into account to determine the child support for which the recalculation is requested or, if more recent, the annual income reported to the other parent during an exchange of information under article 596.1 of the Civil Code; or

(2) by indexing annually the most recent of the incomes referred to in paragraph 1 by twice the rate of increase in the Pension Index determined under the Act respecting the Québec Pension Plan (chapter R-9), from 1 January of the year following the year to which the income relates to 1 January of the year during which the application for recalculation is made.

#### **DIVISION V**

##### **RECALCULATION BY AGREEMENT**

**11.** SARPA may not recalculate child support if the income of either of the child's parents is below the income taken into account to determine the child support for which the recalculation is requested by reason of a strike or lock-out occurring since the last judgment determining the child support or, if more recent, since the last recalculation, except if the parents agree on the income resulting from the decrease.

**12.** SARPA may not recalculate child support if the income of either of the child's parents includes benefits granted under a statutory pension plan that have decreased since the last judgment determining child support or, if more recent, since the last recalculation, except if the parents agree on the amount of the benefits.

**13.** SARPA may not recalculate child support if the income of either of the child's parents includes a salary from an enterprise, partnership, association or trust of which the parent is a director, senior officer, partner, trustee or majority shareholder, except if the parents agree on the amount of the salary.

The same applies if the parent's spouse, or a person who is a relative or allied of the parent or spouse, including a de facto union, up to the degree of cousin-german inclusively, is a director, senior officer, partner, trustee or the majority shareholder.

**14.** SARPA may not recalculate child support if the income of either of the child's parents includes income other than a salary, support paid by a third party and received for one's own needs, employment insurance benefits, parental insurance benefits or other benefits granted under a statutory pension or compensation plan, except if the parents agree on the amount of the income.

**15.** SARPA may not recalculate child support if, at the time of the judgment determining support, the parents agreed on a level of child support that departs from the level which would be required to be provided under the rules provided for in the Regulation respecting the determination of child support payments, except if the parents agree to allow SARPA to recalculate the child support on the basis of those rules.

#### **DIVISION VI**

##### **APPLICATION FOR WITHDRAWAL**

**16.** An application for withdrawal must be made in writing and sent to SARPA via its website or filed with a legal aid office, by both of a child's parents or by the parent making the application.

## CHAPTER III RECALCULATION

### DIVISION I RECALCULATION TERMS

**17.** SARPA recalculates child support taking into account the expenses granted by the court for the child or, if more recent, the expenses taken into account by SARPA at the last recalculation. However, if there is an agreement between the parents to change the amount of the expenses or if the amount of the expenses must be changed because of the withdrawal, addition or modification of an advantage, subsidy, deduction or tax credit having an impact on the expenses, SARPA adjusts the child support taking into account the amount of the expenses as agreed on by the parents or as changed.

SARPA also recalculates the child support for a child taking into account the custody time granted by the court to each parent or, if more recent, the custody time taken into account by SARPA at the last recalculation. However, if there is an agreement between the parents to change the custody time, SARPA recalculates the child support taking into account the custody time agreed on by the parents, provided that the agreement between the parents does not change the type of custody and that the determination or last change of custody time is based on an agreement between the parents that was the subject of a judgment or that was taken into account by SARPA at the last recalculation following such a judgment.

### DIVISION II RECALCULATION NOTICE

**18.** The recalculation notice from SARPA contains the following information:

- (1) the name of the child's parents;
- (2) the number allocated by SARPA to the application for recalculation;
- (3) the number of the court record;
- (4) the date of the notice;
- (5) the amount of child support following the recalculation, including, where applicable, the expenses for the child taken into account by SARPA in making the recalculation; and
- (6) the date on which the recalculation takes effect.

The child support determination form used by SARPA to recalculate child support must be attached to the notice.

## CHAPTER IV FEES PAYABLE, EXEMPTIONS AND REIMBURSEMENTS

**19.** Subject to the exemptions provided for in section 16 of the Act and section 20 of this Regulation, the fees payable for the recalculation of child support are \$275. The fees are charged by SARPA in equal shares to both parents of the child when both parents apply for recalculation.

The fees are payable as of the day on which the parents are notified by SARPA that it can proceed with the recalculation of child support, or, when the application is made by only one parent, as of the day the parent is notified by SARPA that it can proceed with the recalculation subject to the information and documents obtained from the other parent. The fees must be paid within 20 days of the notice, failing which a new application must be made to SARPA, according to the procedure prescribed by this Regulation.

**20.** No fee is payable under this Regulation when the application for recalculation is made in response to a recalculation notice containing a clerical error or calculation error that is not rectified within 30 days of the date of the notice, provided that the application is made within 90 days of the date of the notice.

**21.** The Commission des services juridiques reimburses half of the fees paid by a parent when the application is made by only one parent and SARPA notes, after examining the information and documents obtained from the other parent, that it cannot recalculate the child support because the recalculation applied for requires a judicial assessment.

The Commission also reimburses half of the fees paid by a parent when SARPA notes, following a change in the situation of the parents or of their child, that it cannot recalculate the child support because the recalculation applied for requires a judicial assessment.

## CHAPTER V FINAL PROVISION

**22.** This Regulation comes into force on the date of coming into force of sections 1 to 28, 42, 45, 51, 53 and 56 of the Act to promote access to justice in family matters (2012, chapter 20) or, if they come into force on different dates, on the last such date. However, it may only apply to child support payable following a divorce from a date that cannot be earlier than the date on which the agreement provided for in section 25.1 of the Divorce Act (R.S.C. 1985, c. 3 (2nd Supp.)) is entered into.

## Draft Regulation

An Act respecting the conservation and development of wildlife  
(chapter C-61.1)

### Trapping activities and fur trade — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Regulation respecting trapping activities and the fur trade, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation to amend the Regulation respecting trapping activities and the fur trade amends an aspect of the standard governing the exportation of undressed pelts outside Québec, so as to lighten the administrative burden for the persons concerned. In addition, it adjusts certain erroneous regulatory references.

Study of the matter has shown no negative impact on the clients and enterprises dealing with undressed pelts.

Further information on the draft Regulation may be obtained by contacting Gaétan Roy, Direction de la réglementation, de la tarification et des permis, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 880, chemin Sainte-Foy, 2<sup>e</sup> étage, Québec (Québec) G1S 4X4; telephone: 418 5213888, extension 7394; fax: 418 646-5179; email: gaetan.roy@mrn.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Nathalie Camden, Assistant Deputy Minister for Wildlife, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 675, boulevard René-Lévesque Est, 30<sup>e</sup> étage, Québec (Québec) G1R 5V7; telephone: 418 521-3860; fax: 418 6439990; email: nathalie.camden@mdefp.gouv.qc.ca

YVES-FRANÇOIS BLANCHET,  
*Minister of Sustainable Development,  
Environment, Wildlife and Parks*

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## Regulation to amend the Regulation respecting trapping activities and the fur trade

An Act respecting the conservation and development of wildlife  
(chapter C-61.1, s. 55, 2nd par., and s. 162,  
pars. 16 and 23)

**1.** Section 2 of the Regulation respecting trapping activities and the fur trade (chapter C-61.1, r. 3) is amended by replacing “Schedule I.1” by “Schedule 0.1”.

**2.** Sections 5, 6 and 7 are amended by replacing “chapter C-61.1, r. 3” in the first paragraphs by “chapter C-61.1, r. 21”.

**3.** Section 11 is amended by replacing “section 10” in the second paragraph by “section 10.2 of the Regulation respecting trapping and the fur trade (chapter C-61.1, r. 21)”.

**4.** Section 29 is amended by replacing the first paragraph by the following:

“To export outside Québec undressed pelts from an animal that was hunted or trapped, where required by the authority of the territory of destination, a person must obtain the export form issued by the Minister.”.

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

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## Draft Regulation

Courts of Justice Act  
(chapter T-16)

### Tariff of Court Costs in Civil Matters and Court Office Fees — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Tariff of Court Costs in Civil Matters and Court Office Fees, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation follows up on the Act to promote access to justice in family matters (2012, chapter 20), which was assented to on 15 June 2012. It amends the tariff to provide that, when the registration or filing of a recalculation notice is required for the purposes of that Act, no court office fees are to be charged for that notice.

To date, study of the matter has revealed no financial impact on enterprises.

Further information on the draft Regulation may be obtained by contacting Pierre Tanguay, Direction des orientations et politiques, Ministère de la Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1; telephone: 418 646-5580, extension 20197; fax: 418 646-4894.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

BERTRAND ST-ARNAUD,  
*Minister of Justice*

## Regulation to amend the Tariff of Court Costs in Civil Matters and Court Office Fees

Courts of Justice Act  
(chapter T-16, s. 224)

**1.** The Tariff of Court Costs in Civil Matters and Court Office Fees (chapter T-16, r. 9) is amended in section 23 by adding “Subparagraph 1 of the first paragraph does not apply either where the registration or filing of a recalculation notice is required for the purposes of the Act to promote access to justice in family matters (2012, chapter 20)” at the end of the second paragraph.

**2.** This Regulation comes into force on the date of coming into force of sections 1 to 28, 42, 45, 51, 53 and 56 of the Act to promote access to justice in family matters (2012, chapter 20) or, if they come into force on different dates, on the latter of those dates.

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## Draft Regulation

Code of Civil Procedure  
(chapter C-25)

An Act to promote access to justice in family matters  
(2012, chapter 20)

### Determination of child support payments — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the determination of child support payments, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation specifies, to ensure a uniform application, the expenses and income to be used to determine the support payable by a parent for his or her child. It also adjusts the child support determination form (Schedule I to the Regulation).

In particular, the draft Regulation specifies that the amount of each expense (child care expenses, post-secondary education expenses and special expenses), if it is reduced by any related advantage, subsidy, deduction or tax credit, is deemed to be equal to zero when the amount is negative. It also specifies the Universal Child Care Benefit (UCCB) with regard to child care expenses.

The draft Regulation also specifies the dividends and the non-taxable income that must be used to determine the income of a parent. It also includes, in the definition of annual income, the income established in accordance with the rules prescribed by government regulation, under section 5 of the Act to promote access to justice in family matter (2012, chapter 20).

Lastly, the draft Regulation gives priority to the use of the provincial income tax return and the provincial assessment notice in the child support determination form. In addition, it makes technical adjustments to that form.

To date, study of the matter has revealed that the amendments will have no financial impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Pierre Tanguay, Direction des orientations et politiques, Ministère de la Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1; telephone: 418 6465580, extension 20197; fax: 418 646-4894.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

BERTRAND ST-ARNAUD,  
*Minister of Justice*

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## **Regulation to amend the Regulation respecting the determination of child support payments**

Code of Civil Procedure  
(chapter C-25, art. 825.8)

An Act to promote access to justice in family matters  
(2012, chapter 20, s. 5)

**1.** The Regulation respecting the determination of child support payments (chapter C-25, r. 6) is amended by replacing section 9 by the following:

“**9.** For the purposes of these Rules, including the related form and table,

(1) “expenses” means

— child care expenses, in addition to the annual child care expenses required to fulfil the child’s needs, the child care expenses that the custodial parent must incur in particular to hold employment or to receive training or by reason of the parent’s health condition;

— post-secondary education expenses, that is, the annual expenses incurred so that a child may pursue post-secondary studies, including in particular, in addition to tuition fees and expenses for required pedagogical materials, transportation or accommodation expenses incurred for that purpose;

— special expenses, that is, annual expenses other than child care expenses and post-secondary educational expenses, such as medical expenses, expenses for primary or secondary studies or for any other educational program and expenses related to extracurricular activities, where those expenses are linked to the needs required by the particular situation experienced by the child.

The child care expenses, post-secondary education expenses and special expenses are reduced, where applicable, by any related advantage, subsidy, deduction or tax credit, including any sum granted by the Minister of Education, Recreation and Sports and received by the

child under a financial assistance program for education expenses and the annual amount received as a benefit under section 4 of the Universal Child Care Benefit Act, made by section 168 of the Budget Implementation Act, 2006 (S.C. 2006, c. 4), less the related tax burden, where applicable. The amount of each of the expenses thus reduced is deemed to be equal to zero when the amount is negative;

(2) “annual income” means income from any source, in particular wages, salaries and other remuneration, support paid by a third party and received for one’s own needs, employment insurance benefits, parental insurance benefits and other benefits granted under a statutory pension or compensation plan, taxable amounts of dividends, interest and other investment income, net income from rental activities and net income from the operation of a business or from self-employment; despite the foregoing, this definition excludes government family transfers, last-resort financial assistance and any sums granted by the Minister of Education, Recreation and Sports and received under a financial assistance program for education expenses.

Non-taxable income is converted into a taxable equivalent.

The income considered is that of the current year, unless the use of that reference period is not advisable given the circumstances, in which case the income is the income foreseeable for 12 months following the filing of the application.

If a parent, under section 5 of the Act to promote access to justice in family matters (2012, chapter 20), fails to provide to the child support recalculation service (SARPA) information or the documents that would allow his or her annual income to be determined, that income is then determined, under that section, in accordance with the rules prescribed by government regulation;

(3) “disposable income” means the annual income, less the amounts mentioned in Part 3 of the form as the basic deduction and deductions for union and professional dues;

(4) “custody time” means the time during which a parent has the custody of a child or exercises visiting and outing rights in respect of a child, whether or not the child is in the care of a third person during that time.

**2.** Schedule I is amended

(1) by replacing the text before Part 1 by the following:

**“SCHEDULE I**  
(s. 3)

CANADA  
Province of Québec  
District of \_\_\_\_\_

File No. \_\_\_\_\_

CHILD SUPPORT  
DETERMINATION FORM

FORM: father   
mother   
produced jointly   
established by the court   
prepared on \_\_\_\_\_  
Year Month Day

Please complete in block letters

The parents may complete the form together and must provide all required documents. If they do not complete the form together, the parent who completes the form must provide all information and documents in respect of himself or herself. That parent may also indicate any known information about the other parent.

**DO NOT STAPLE DOCUMENTS TO THE FORM”;**

(2) by replacing the instructions under the heading of Part 2 and before line 200 by the following:

“Indicate income for the current year or foreseeable income for the next 12 months, as the case may be. Provide a copy of the provincial income tax return filed in accordance with the Taxation Act (chapter I-3) and the provincial assessment notice of the Minister of Revenue for the last fiscal year \_\_\_\_\_ or, if the income tax return has not been filed or the notice has not been sent, provide a copy of the federal income tax return filed in accordance with the Income Tax Act (R.S.C., 1985, c. 1 (5th Supp.)) and the federal assessment notice of the Minister of National Revenue for the last fiscal year \_\_\_\_\_. Also provide the requested documents and any other document used to establish income.”;

(3) by replacing “Attach pay slip” at line 200 under “Gross salary” by “Provide the last three pay slips”;

(4) by replacing “Attach” at line 202 under “(Gross income less expenses relating to the business or self-employment)” by “(Provide”;

(5) by adding “(Write taxable amount of dividends filed in the provincial income tax return or, where applicable, in the federal income tax return)” at line 206 under “Interest, dividends, and other investment income”;

(6) by replacing “Attach” at line 207 under “(Gross rental income less expenses associated with the rental of immovables)” by “Provide”;

(7) by replacing “pour fin” in the title of Part 3 by “aux fins” in the French text;

(8) by adding “verified by the Court” at the end of the heading of Part 7;

(9) by adding “, in accordance with article 587.3 of the Civil Code,” after “if the parents agree” in Part 7;

(10) by replacing “attach” in Part 9 under “FATHER’S ASSETS” by “provide”;

(11) by replacing “attach” in Part 9 under “FATHER’S LIABILITIES” by “provide”;

(12) by replacing “attach” in Part 9 under “MOTHER’S ASSETS” by “provide”;

(13) by replacing “attach” in Part 9 under “MOTHER’S LIABILITIES” by “provide”.

**3.** The child support determination form filed during the hearing before the coming into force of this Regulation must contain, where applicable, information to establish child support in accordance with the rules prescribed in section 1 and paragraph 2 of section 2 of this Regulation.

**4.** This Regulation comes into force on the date of coming into force of sections 1 to 28, 42, 45, 51, 53 and 56 of the Act to promote access to justice in family matters (2012, chapter 20) or, if the sections come into force on different dates, on the last of those dates. However, the last paragraph of paragraph 2 of section 9, introduced by section 1 of this Regulation, applies to child care payments payable following a divorce only from a date which cannot be prior to the date of the agreement provided for in section 25.1 of the Divorce Act (R.S.C. 1985, c. 3 (2nd Supp.)).

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## Notices

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### Notice

Natural Heritage Conservation Act  
(chapter C-61.01)

**Rivière-Fouquette Nature Reserve  
(Municipalité de Saint-André)  
— 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 5,4 hectares, situated on the territory of the Municipality of Saint-André, Regional County Municipality of Kamouraska, known and designated as the lots number 4 788 222 and 4 788 239 of the Quebec Land Register, Kamouraska Registry division.

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

PATRICK BEAUCHESNE,  
*Director of Ecological Heritage and Parks*

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

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Elections and referendums in municipalities, An Act respecting... — Agreement concerning the testing of a new method of voting for voting at the returning officer's office — Municipality of Montréal . . . . .	3231	N
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