

# Gazette officielle du Québec

## Part 2 Laws and Regulations

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### Summary

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## Regulations and other acts

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Gouvernement du Québec

### **O.C. 332-96, 21 March 1996**

Financial Administration Act  
(R.S.Q., c. A-6)

#### **Construction contracts of government departments and public bodies — Amendments**

Regulation to amend the Regulation respecting construction contracts of government departments and public bodies

WHEREAS under section 49 of the Financial Administration Act (R.S.Q., c. A-6), the Government may, by regulation, upon the recommendation of the Conseil du trésor, determine the conditions of contracts made in the name of the Government by a department, a public body whose operating budget is voted wholly or in part by the National Assembly or any other public body;

WHEREAS by Order in Council 1168-93 dated 18 August 1993, the Government made the Regulation respecting construction contracts of government departments and public bodies, which was amended by the Regulations made by Orders in Council 181-94 dated 2 February 1994, 1106-94 dated 20 July 1994 and 235-96 dated 28 February 1996;

WHEREAS the present rule governing construction contracts pertaining both to the manufacturing and laying of bituminous compound, awarded without a call for tenders where the estimated amount of the work is less than \$500 000, will come to an end on 31 March 1996;

WHEREAS it is expedient to amend the Regulation respecting construction contracts of government departments and public bodies so that new rules governing that sector of activity will be in force as soon as possible;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made notwithstanding the publication requirement set out in section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

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

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of prior publication shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication:

— the present rule governing construction contracts pertaining both to the manufacturing and laying of bituminous compound, awarded without a call for tenders where the estimated amount of the work is less than \$500 000, will come to an end on 31 March 1996;

— the new rules governing that sector of activity must be in force as soon as possible, because on that date the Ministère des Transports must undertake the process to select contractors who operate mixing plants, in order to award the contracts required for the summer of 1996;

WHEREAS consultations have been held with the Ministère des Transports and the Association des constructeurs de routes et grands travaux du Québec;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting construction contracts of government departments and public bodies;

IT IS ORDERED, therefore, on the recommendation of the Minister for Administration and the Public Service and Chairman of the Conseil du trésor:

THAT the Regulation to amend the Regulation respecting construction contracts of government departments and public bodies, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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## Regulation to amend the Regulation respecting construction contracts of government departments and public bodies

Financial Administration Act  
(R.S.Q., c. A-6, s. 49)

**1.** The Regulation respecting construction contracts of government departments and public bodies, made by Order in Council 1168-93 dated 18 August 1993 and amended by the Regulations made by Orders in Council 181-94 dated 2 February 1994, 1106-94 dated 20 July 1994 and 235-96 dated 28 February 1996, is further amended, in section 4, by substituting the following for paragraph 4:

“(4) where the work is construction work intended for both the manufacturing and laying of bituminous compound, in the following cases:

(a) the estimated amount of the work is less than \$250 000; or

(b) the estimated amount of the work is equal to or greater than \$250 000 but less than \$500 000 and any of the following situations arises:

i. there are only 2 competing contractors who operate mixing plants located less than 50 kilometres from where the work is to be performed and the difference between the estimated amounts of the work determined for those 2 contractors is 5 % or more, calculated on the basis of the lowest of the 2 amounts;

ii. there is only one competing contractor who operates a mixing plant located less than 50 kilometres from where the work is to be performed and the difference between the estimated amounts of the work determined for that contractor and the second contractor with the lowest estimated amount from among the other competing contractors who operate mixing plants located 50 kilometres or more from where the work is to be performed is 5 % or more, calculated on the basis of the lowest of the 2 amounts; or

iii. there is no competing contractor who operates a mixing plant located less than 50 kilometres from where the work is to be performed and the difference between the estimated amounts of the work determined for the 2 competing contractors who operate mixing plants located 50 kilometres or more from where the work is to be performed and whose estimated amounts are the lowest is 5 % or more, calculated on the basis of the lowest of the 2 amounts.

The estimated amount of the work is determined according to the calculation method described in the document of the Ministère des Transports entitled “Étude des coûts - mélange bitumineux - granulats concassés”. The performance of the work shall be entrusted to the contractor who obtains the lowest estimated amount and the contract shall be awarded for that amount;”.

**2.** The following is substituted for section 7:

“7. Subject to section 4 and to paragraph 3 of section 28, a public call for tenders shall be issued in respect of a construction contract where the estimated amount of the work is equal to or greater than \$100 000.”.

**3.** Section 28 is amended

(1) by substituting the following for that part preceding paragraph 1:

“Subject to section 4, an invitation to tender shall be extended where”; and

(2) by inserting the following after paragraph 2:

“(3) the estimated amount of the construction work, intended for both the manufacturing and laying of bituminous compound, is equal to or greater than \$250 000 but less than \$500 000 and any of the following situations arises:

(a) there are at least 3 competing contractors who operate mixing plants located less than 50 kilometres from where the work is to be performed, in which case the owner shall invite all the contractors concerned to tender;

(b) there are only 2 competing contractors who operate mixing plants located less than 50 kilometres from where the work is to be performed and the difference between the estimated amounts of the work determined for those contractors is less than 5 %, calculated on the basis of the lowest of the 2 amounts, in which case the owner shall invite the contractors concerned to tender; or

(c) there is only one competing contractor who operates a mixing plant located less than 50 kilometres from where the work is to be performed and the difference between the estimated amounts of the work determined for that contractor and the second contractor with the lowest estimated amount from among the other competing contractors who operate mixing plants located 50 kilometres or more from where the work is to be performed is less than 5 %, calculated on the basis of the lowest of the 2 amounts, in which case the owner shall invite the contractors concerned to tender.”.

**4.** The following words are substituted for the word “Where” in section 29:

“Subject to subparagraph *a* of paragraph 4 of section 4, where”.

**5.** Section 104 is revoked.

**6.** This Regulation comes into force on the day of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

### O.C. 343-96, 21 March 1996

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

#### Duties and costs payable

Regulation respecting the duties and costs payable under the Act respecting the Société des alcools du Québec

WHEREAS under paragraph 9 of section 37 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13), the Government, upon the recommendation of the Minister of Industry, Trade, Science and Technology and the Minister of Public Security, may make regulations determining the amount of the costs and duties that are payable under the Act respecting the Société des alcools du Québec or standards permitting to establish such amount and prescribing the terms and conditions of payment;

WHEREAS the Regulation respecting the duties and costs payable under the Act respecting the Société des alcools du Québec was made by Order in Council 1204-86 dated 6 August 1986 and amended by Order in Council 1470-87 dated 23 September 1987;

WHEREAS it is expedient to replace the Regulation in order to determine new costs and duties payable under the Act respecting the Société des alcools du Québec and to establish and prescribe their terms and conditions of payment;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 20 December 1995 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation, with amendments, as it appears attached to this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Industry, Trade, Science and Technology and the Minister of Public Security:

THAT the Regulation respecting the duties and costs payable under the Act respecting the Société des alcools du Québec, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### Regulation respecting the duties and costs payable under the Act respecting the Société des alcools du Québec

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13, s. 30 and s. 37, pars. 9 and 10)

**1.** The duties payable for the issue of a permit and the duties payable annually thereafter for a permit are

- (1) for a distiller's permit: \$5 000;
- (2) for a wine maker's permit: \$1 000;
- (3) for a cider maker's permit: \$1 000;
- (4) for a warehouse permit: \$200;
- (5) for a home production permit: \$250;

(6) for a brewer's permit, \$2 500 for a first application for a permit or for the transfer of a permit and, subsequently, for the determination of the annual duties:

(a) \$2 500 where the holder's annual volume of world-wide sales is equal to or less than 200 000 hectolitres;

(b) \$5 000 where the holder's annual volume of world-wide sales is greater than 200 000 hectolitres; and

(7) for a beer distributor's permit, \$2 500 for a first application for a permit or for the transfer of a permit and, subsequently, for the determination of the annual duties:

(a) \$2 500 where the holder's annual volume of world-wide sales is equal to or less than 200 000 hectolitres;

(b) \$5 000 where the holder's annual volume of world-wide sales is greater than 200 000 hectolitres.

For the purposes of determining the duties prescribed by subparagraphs 6 and 7 of the first paragraph, the holder of a brewer's permit or a beer distributor's permit shall, not less than 90 days prior to the date on which the annual duties must be paid, send to the Régie des alcools, des courses et des jeux, a sworn declaration in which he indicates, in hectolitres, the annual volume of the worldwide sales of his products. The sending of the declaration is optional where a brewer or beer distributor agrees to pay the maximum duties.

**2.** The duties payable to obtain or renew the temporary authorization to operate under a permit or the authorization to change the location of the operation under a permit is \$100.

**3.** The costs payable for the examination of an application for a permit or for the transfer of a permit issued in accordance with the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13) are

(1) \$100 where the application does not have to be published;

or

(2) \$200 where the application must be published.

**4.** Where a permit is issued under the Act for a period of less than one year, the duties payable prescribed in section 1 shall be prorated according to the number of days in that period.

**5.** The duties prescribed in section 1 shall be indexed at 1 April of each year according to changes in the All-Items Consumer Price Index for Canada for the preceding year. Those changes shall be calculated on the basis of the ratio between the index for the preceding year and the index for the year preceding that year. The index for a given year is the average of the monthly indexes published by Statistics Canada.

The duties and costs indexed in the prescribed manner shall be reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50; they shall be increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

**6.** The duties and costs prescribed in sections 2 and 3 shall be indexed at 1 April 2000 and, subsequently, at 1 April every five years, according to changes in the All-Items Consumer Price Index for Canada during the five preceding years. Those changes shall be calculated on the basis of the ratio between the index for the preceding year and the index for the year five years prior to that preceding year. The index for a given year is the average of the monthly indexes published by Statistics Canada.

The duties and costs indexed in the prescribed manner shall be reduced to the nearest five dollars where they contain a fraction of five dollars less than \$2.50; they shall be increased to the nearest five dollars where they contain a fraction of five dollars equal to or greater than \$2.50.

**7.** For the purposes of this Regulation, the Régie shall, as soon as possible after the computation of the new duties and costs, publish a table thereof in Part I of the *Gazette officielle du Québec*.

**8.** The duty prescribed in section 1 apply to permits that are valid upon the coming into force of this Regulation only when payment of the annual duties for such permits becomes payable.

**9.** Sections 1 to 7 also apply to an application filed with the Régie prior to the date of coming into force of this Regulation, where the date of the Régie's decision concerning such application is rendered on the date on which this Regulation comes into force or on any later date.

**10.** This Regulation replaces the Regulation respecting the duties payable under the Act respecting the Société des alcools du Québec, made by Order in Council 1204-86 dated 6 August 1986.

**11.** 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. 351-96, 21 March 1996

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

### Garage employees

— Arthabaska, Thetford Mines, Granby et Sherbrooke

— Amendments

Decree to amend the Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions

WHEREAS the Government made the Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions (R.R.Q., 1981, c. D-2, r. 42);



WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government may amend a decree upon the recommendation of the Minister of Labour;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of an amending decree was published in Part 2 of the *Gazette officielle du Québec* of 10 August 1994, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS to that end, it is expedient to make the Decree with amendments;

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

THAT the Decree to amend the Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### **Decree to amend the Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions**

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 8)

**1.** The Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions (R.R.Q., 1981, c. D-2, r. 42), amended by Orders in Council 1106-82 dated 5 May 1982 (Suppl., p. 454), 1359-84 dated 6 June 1984, 1797-84 dated 8 August 1984 and 555-89 dated 12 April 1989, is further amended, in subsection 1 of section 2.01,

(1) by adding, after the words “motor vehicles” in paragraph *d*, “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *f* or *g* is also performed”;

(2) by adding, after the words “motor vehicles” in paragraph *e*, “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *f* or *g* is also performed”.

**2.** This Decree 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. 352-96, 21 March 1996**

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

#### **Garage employees — Drummond — Amendments**

Decree to amend the Decree respecting garage employees in the Drummond region

WHEREAS the Government made the Decree respecting garage employees in the Drummond region (R.R.Q., 1981, c. D-2, r. 43);

WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government may amend a decree upon the recommendation of the Minister of Labour;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of an amending decree was published in Part 2 of the *Gazette officielle du Québec* of 10 August 1994, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS to that end, it is expedient to make the Decree with amendments;

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

THAT the Decree to amend the Decree respecting garage employees in the Drummond region, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### **Decree to amend the Decree respecting garage employees in the Drummond region**

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 8)

**1.** The Decree respecting garage employees in the Drummond region (R.R.Q., 1981, c. D-2, r. 43), amended by Orders in Council 361-83 dated 2 March 1983, 1166-89 dated 12 July 1989, 1194-89 dated 19 July 1989 and 1067-91 dated 24 July 1991, is further amended, in subsection 1 of section 2.01,

(1) by adding, after the words “motor vehicles” in paragraph *d*, “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *f* or *g* is also performed”;

(2) by adding, after the words “motor vehicles” in paragraph *e*, “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *f* or *g* is also performed”.

**2.** This Decree 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. 353-96, 21 March 1996

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

#### Automotive services — Lanauidière-Laurentides — Amendments

Decree to amend the Decree respecting the automotive services industry in the Lanauidière-Laurentides region

WHEREAS the Government made the Decree respecting the automotive services industry in the Lanauidière-Laurentides region (R.R.Q., 1981, c. D-2, r. 44);

WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government may amend a decree upon the recommendation of the Minister of Labour;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of an amending decree was published in Part 2 of the *Gazette officielle du Québec* of 10 August 1994, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS to that end, it is expedient to make the Decree with amendments;

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

THAT the Decree to amend the Decree respecting the automotive services industry in the Lanauidière-Laurentides region, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### Decree to amend the Decree respecting the automotive services industry in the Lanauidière-Laurentides region

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 8)

**1.** The Decree respecting the automotive services industry in the Lanauidière-Laurentides region (R.R.Q., 1981, c. D-2, r. 44), amended by Orders in Council 2573-82 dated 10 November 1982, 1025-83 dated 18 May 1983, 556-89 dated 12 April 1989 and 762-89 dated 17 May 1989, extended by Orders in Council 1630-90 dated 21 November 1990 and 1559-91 dated 13 November 1991, amended by Order in Council 619-92 dated 15 April 1992 and extended by Orders in Council 649-93 dated 5 May 1993, 632-94 dated 4 May 1994 and 514-95 dated 12 April 1995, is further amended, in subsection 1 of section 2.01,

(1) by adding, after the words “motor vehicles” in paragraph *d*, “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *g* or *h* is also performed”;

(2) by adding, after the words “motor vehicles” in paragraph *e*, “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *g*, or *h* is also performed”.

**2.** This Decree 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. 354-96, 21 March 1996

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

#### Garage employees — Mauricie — Amendments

Decree to amend the Decree respecting garage employees in the Mauricie region

WHEREAS the Government made the Decree respecting garage employees in the Mauricie region (R.R.Q., 1981, c. D-2, r. 45);

WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government may amend a decree upon the recommendation of the Minister of Labour;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of an amending decree was published in Part 2 of the *Gazette officielle du Québec* of 10 August 1994, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS to that end, it is expedient to make the Decree with amendments;

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

THAT the Decree to amend the Decree respecting garage employees in the Mauricie region, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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### **Decree to amend the Decree respecting garage employees in the Mauricie region**

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 8)

**1.** The Decree respecting garage employees in the Mauricie region (R.R.Q., 1981, c. D-2, r. 45), amended by Orders in Council 2489-83 dated 30 November 1983, 491-89 dated 29 March 1989, 229-90 dated 21 February 1990, 148-91 dated 6 February 1991, 1124-92 dated 29 July 1992 and extended by Orders in Council 1367-93 dated 22 September 1993, 1495-94 dated 5 October 1994 and 1169-95 dated 30 August 1995, is further amended, in subsection 1 of section 2.01,

(1) by adding, after the words “motor vehicles” in paragraph *d*, “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *f* or *g* is also performed”;

(2) by adding, after the words “motor vehicles” in paragraph *e*, “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *f* or *g* is also performed”.

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

Gouvernement du Québec

### **O.C. 355-96, 21 March 1996**

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

**Automotive services**  
— **Montréal**  
— **Amendments**

Decree to amend the Decree respecting the automotive services industry in the Montréal region

WHEREAS the Government made the Decree respecting the automotive services industry in the Montréal region (R.R.Q., 1981, c. D-2, r. 46);

WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government may amend a decree upon the recommendation of the Minister of Labour;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of an amending decree was published in Part 2 of the *Gazette officielle du Québec* of 10 August 1994, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Decree with amendments;

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

THAT the Decree to amend the Decree respecting the automotive services industry in the Montréal region, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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### **Decree to amend the Decree respecting the automotive services industry in the Montréal region**

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 8 and 10)

**1.** The Decree respecting the automotive services industry in the Montréal region (R.R.Q., 1981, c. D-2, r. 46), amended by Orders in Council 1283-82 dated 26 May 1982 (Suppl., p. 455), 1693-82 dated 7 July 1982 (Suppl., p. 456), extended by Orders in Council 1501-90 dated 17 October 1990 and 1426-91 dated

16 October 1991, amended by Order in Council 296-92 dated 26 February 1992 and extended by Orders in Council 426-93 dated 24 March 1993 and 305-94 dated 2 March 1994, amended by Order in Council 1714-94 dated 7 December 1994 and extended by Orders in Council 235-95 dated 22 February 1995 and 272-96 dated 28 February 1996, is further amended, in subsection 1 of section 2.01,

(1) by adding, after the words “motor vehicles” in paragraph *d*, the words “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *g*, *h* or *i* is also performed”;

(2) by substituting the following for paragraph *e*:

“(e) washing, waxing or cleaning motor vehicles where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *g*, *h* or *i* is also performed.”;

(3) by adding the following after paragraph *h*:

“(i) storing motor vehicles on a parking lot.”.

**2.** This Decree 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. 356-96, 21 March 1996

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

### Garage employees

— Québec

— Amendments

Decree to amend the Decree respecting garage employees in the Québec region

WHEREAS the Government made the Decree respecting garage employees in the Québec region (R.R.Q., 1981, c. D-2, r. 48);

WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government may amend a decree upon the recommendation of the Minister of Labour;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of an

amending decree was published in Part 2 of the *Gazette officielle du Québec* of 10 August 1994, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS to that end, it is expedient to make the Decree with amendments;

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

THAT the Decree to amend the Decree respecting garage employees in the Québec region, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Decree to amend the Decree respecting garage employees in the Québec region

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 8)

**1.** The Decree respecting garage employees in the Québec region (R.R.Q., 1981, c. D-2, r. 48), amended by Orders in Council 88-82 dated 13 January 1982 (Suppl., p. 459), 805-82 dated 31 March 1982 (Suppl., p. 464), 1843-82 dated 12 August 1982, 2711-82 dated 24 November 1982, 1026-83 dated 18 May 1983, Part II of which was extended by Orders in Council 2574-83 dated 6 December 1983, 1099-84 dated 9 May 1984, 2589-84 dated 21 November 1984, 1034-85 dated 29 May 1985 and 2615-85 dated 4 December 1985, amended by Orders in Council 1309-89 dated 9 August 1989 and 619-90 dated 2 May 1990, Part II of which was extended by Orders in Council 1746-90 dated 12 December 1990, 1739-91 dated 11 December 1991, 877-92 dated 10 June 1992, 1563-92 dated 28 October 1992, 97-93 dated 27 January 1993, 957-93 dated 30 June 1993, 1078-94 dated 13 July 1994 and 945-95 dated 5 July 1995, is further amended, in section 1.01, by revoking paragraph 17.

**2.** Section 6.01 is amended

(1) by striking out, in the part preceding paragraph 1, the words “gasoline stations, car washes.”;

(2) by adding, after the words “motor vehicles” in paragraph 4, “where, in the establishment where such work is performed, work mentioned in paragraph 1, 2, 3, 6 or 7 is also performed”;

(3) by adding, after the words “motor vehicles” in paragraph 5, “where, in the establishment where such

work is performed, work mentioned in paragraph 1, 2, 3, 6 or 7 is also performed”.

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

9670

Gouvernement du Québec

### **O.C. 357-96, 21 March 1996**

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

#### **Garage employees — Rimouski — Amendments**

Decree to amend the Decree respecting garage employees in the Rimouski region

WHEREAS the Government made the Decree respecting garage employees in the Rimouski region (R.R.Q., 1981, c. D-2, r. 49);

WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government may amend a decree upon the recommendation of the Minister of Labour;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of an amending decree was published in Part 2 of the *Gazette officielle du Québec* of 10 August 1994, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS to that end, it is expedient to make the Decree with amendments;

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

THAT the Decree to amend the Decree respecting garage employees in the Rimouski region, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### **Decree to amend the Decree respecting garage employees in the Rimouski region**

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 8)

**1.** The Decree respecting garage employees in the Rimouski region (R.R.Q., 1981, c. D-2, r. 49), amended by Orders in Council 1844-82 dated 12 August 1982, 1104-83 dated 25 May 1983, 2780-84 dated 12 December 1984 and 1167-89 dated 12 July 1989, is further amended, in paragraph 1 of section 2.01,

(1) by substituting the following for subparagraph *c*:

“(c) selling automobile parts, accessories or tires;”;

(2) by adding, after the words “automobiles” in subparagraph *d*, “where, in the establishment where such work is performed, work mentioned in subparagraph *a*, *b*, *c* or *e* is also performed”;

(3) by adding the following after subparagraph *e*:

“(f) selling gasoline, lubricants or any other similar product related to automobiles where, in the establishment where such work is performed, work mentioned in subparagraph *a*, *b*, *c* or *e* is also performed.”.

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

9671

Gouvernement du Québec

### **O.C. 358-96, 21 March 1996**

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

#### **Garage employees — Saguenay – Lac Saint-Jean — Amendments**

Decree to amend the Decree respecting garage employees in the Saguenay – Lac Saint-Jean region

WHEREAS the Government made the Decree respecting garage employees in the Saguenay – Lac Saint-Jean region (R.R.Q., 1981, c. D-2, r. 50);

WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government may amend a decree upon the recommendation of the Minister of Labour;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of an amending decree was published in Part 2 of the *Gazette officielle du Québec* of 10 August 1994, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS to that end, it is expedient to make the Decree with amendments;

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

THAT the Decree to amend the Decree respecting garage employees in the Saguenay – Lac Saint-Jean region, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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## **Decree to amend the Decree respecting garage employees in the Saguenay – Lac Saint-Jean region**

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 8)

**1.** The Decree respecting garage employees in the Saguenay – Lac-Saint-Jean region (R.R.Q., 1981, c. D-2, r. 50), amended by Orders in Council 1216-82 dated 19 May 1982 (Suppl., p. 465), 751-83 dated 13 April 1983, 2548-84 dated 14 November 1984, 1558-86 dated 15 October 1986, 1168-89 dated 12 July 1989 and extended by Orders in Council 149-91 dated 6 February 1991, 73-92 dated 22 January 1992, 1100-92 dated 22 July 1992, 98-93 dated 27 January 1993, 1032-93 dated 14 July 1993, 1079-94 dated 13 July 1994 and 992-95 dated 19 July 1995, is further amended, in subsection 1 of section 2.01,

(1) by striking out, in the part preceding paragraph *a*, the words “gas stations, car-washes, waxing or cleaning stations,”;

(2) by adding, after the words “motor vehicles” in paragraph *d*, “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *f* or *g* is also performed”;

(3) by adding, after the words “motor vehicles” in paragraph *e*, “where, in the establishment where such work is performed, work mentioned in paragraph *a*, *b*, *c*, *f* or *g* is also performed”.

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

9672

## Draft Regulations

### Draft Regulation

Transport Act  
(R.S.Q., c. T-12)

**Commission des transports du Québec**  
— **Rules of practice and rules for the internal management**  
— **Amendments**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Rules of practice and rules for the internal management of the Commission des transports du Québec, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to ensure the issue and renewal of the permit for the transport of passengers by water through an accelerated procedure.

Further information may be obtained by contacting:

Mr. Jean Boulet, director of the Direction du transport multimodal, ministère des Transports, 700, boulevard René-Lévesque Est, 23<sup>e</sup> étage, Québec (Québec), G1R 5H1, tel.: 643-5362, fax: 646-6196.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Transport, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec), G1R 5H1.

JACQUES BRASSARD,  
*Minister of Transport*

### Regulation to amend the Rules of practice and rules for the internal management of the Commission des transports du Québec

Transport Act  
(R.S.Q., c. T-12, s. 5, par. k, and s. 48)

**1.** The Rules of practice and rules for the internal management of the Commission des transports du Québec, made by Order in Council 147-82 dated 20 January 1982

(Suppl., p. 1254) and amended by the Regulations made by Orders in Council 1394-83 dated 22 June 1983, 1801-83 dated 1 September 1983, 2347-83 dated 16 November 1983, 2722-83 dated 21 December 1983, 1153-84 dated 16 May 1984, 833-85 dated 1 May 1985, 1543-85 dated 24 July 1985, 2006-85 dated 25 September 1985, 2157-85 dated 16 October 1985, 1325-86 dated 27 August 1986, 48-88 dated 13 January 1988, 847-88 dated 1 June 1988, 140-89 dated 8 February 1989, 1295-90 dated 5 September 1990, 238-92 dated 19 February 1992, 294-92 dated 26 February 1992 and 1078-95 dated 9 August 1995, are further amended by inserting the following after section 40.7:

“L. Application for a permit for the transport of passengers by water

**40.8** An application for a permit for the transport of passengers by water, whether it concerns the obtaining of a permit or its renewal, may be introduced in the same manner as an application for a temporary permit.”.

**2.** Schedule 1 to the Regulation is amended by inserting the following after section 1:

“1.1 For any application respecting the obtaining or renewal of a permit for the transport of passengers by water: \$200.00.”.

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

9676

### Draft Regulation

An Act respecting municipal taxation  
(R.S.Q., c. F-2.1)

**Form or minimum content of various documents**  
— **Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the form or minimum content of various documents relative to municipal taxation, the text of which appears below, may be made by the Minister of Municipal Affairs upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to see to it that, from 1997, the notice of assessment sent to a farm producer provides him with the information necessary for him to make his application to the Minister of Agriculture, Fisheries and Food for reimbursement of part of the real estate taxes and compensations payable in respect of his agricultural operation.

To that end, it proposes to add the following information to the minimum content of the notice of assessment, where only a part of the unit of assessment covered by the notice constitutes an agricultural operation registered with the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation or where only a part of that operation is comprised in an agricultural zone:

(1) the value of the land forming part of the operation and comprised in the zone;

(2) the value of the single building or of the group of buildings forming part of the operation and comprised in the zone.

To date, study of the matter reveals no impact on the public and on businesses.

Further information may be obtained by contacting Mr. André Carrier, 20, avenue Chauveau, aile Chauveau, 3<sup>e</sup> étage, Québec (Québec), G1R 4J3, telephone: (418) 691-2030, fax: (418) 644-9863).

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Municipal Affairs, 20, avenue Chauveau, aile Chauveau, 3<sup>e</sup> étage, Québec (Québec), G1R 4J3.

RÉMY TRUDEL,  
*Minister of Municipal Affairs*

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## **Regulation to amend the Regulation respecting the form or minimum content of various documents relative to municipal taxation**

An Act respecting municipal taxation  
(R.S.Q., c. F-2.1, s. 263, par. 2)

**1.** The Regulation respecting the form or minimum content of various documents relative to municipal taxation, made by a Minister's Order dated 30 June 1992 and amended by the Regulations made by Minister's Orders dated 3 September 1993, 7 July 1994 and 18 August 1995, is further amended by inserting the following after paragraph 9 of section 5:

“(9.1) the value of the land forming part of an agricultural operation referred to in paragraph 6 and comprised in an agricultural zone referred to in paragraph 7, as well as the value of the single building or of the group of buildings forming part of the operation and comprised in the zone, where only a part of the unit is an agricultural operation or where only a part of the operation is comprised in such a zone;”.

**2.** This Regulation comes into force on 1 January 1997.

9678

## **Draft Regulation**

Transport Act  
(R.S.Q., c. T-12)

### **Tariffs, rates and costs — Amendments**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting tariffs, rates and costs, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the Draft Regulation is to completely deregulate transport by water with regard to tariff matters. The measure ensures coherence with the draft of the Regulation respecting the transport of passengers by water.

Further information may be obtained by contacting:

Mr. Jean Boulet, director of the Direction du transport multimodal, ministère des Transports, 700, boulevard René-Lévesque Est, 23<sup>e</sup> étage, Québec (Québec), G1R 5H1, tel.: 643-5362, fax: 646-6196.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Transport, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec), G1R 5H1.

JACQUES BRASSARD,  
*Minister of Transport*

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## Regulation to amend the Regulation respecting tariffs, rates and costs

Transport Act  
(R.S.Q., c. T-12, s. 5, par. i)

**1.** The Regulation respecting tariffs, rates and costs, made by Order in Council 148-82 dated 20 January 1982 and amended by the Regulations made by Orders in Council 1265-83 dated 15 June 1983 (Suppl., p. 1265), 969-85 dated 22 May 1985, 2005-85 dated 25 September 1985, 2155-85 dated 16 October 1985, 50-88 dated 13 January 1988, 139-89 dated 8 February 1989, 295-92 dated 26 February 1992 and 342-95 dated 15 March 1995, is further amended, in section 1, by substituting the following for paragraph *b*:

“(b) transport by water;”.

**2.** Section 4 is amended by striking out paragraph *a*.

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

9675

## Draft Regulation

Transport Act  
(R.S.Q., c. T-12)

### Transport of passengers by water

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the transport of passengers by water, the text of which appears below, may be made by the Government at the expiry of 45 days following this publication.

The purpose of the Draft Regulation is to

— replace the General Order respecting the transport of passengers and goods by water in order to deregulate the transport of goods and ferry services;

— impose on all marine passenger carriers and cruise and excursion operations the obligation to hold a transport permit. Such permits will be issued upon application provided that proof of insurance is submitted along with a notice confirming that the transport system is safe.

To date, study of this matter has revealed that

— these deregulation measures will ensure harmonization with the Canadian domestic trade agreement; and

— all marine transport operations will be relieved of certain regulatory and administrative obligations.

Further information may be obtained from

Monsieur Jean Boulet, director of the Direction du transport multimodal, ministère des transports, 700, boulevard René-Lévesque Est, 23<sup>e</sup> étage, Québec (Québec), G1R 5H1, tel.: 643-5362, fax: 646-6196.

Any interested person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Transport, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec), G1R 5H1.

JACQUES BRASSARD,  
*Minister of Transport*

## Regulation respecting the transport of passengers by water

Transport Act  
(R.S.Q., c. T-12, s. 5, pars. *c*, *d*, *e* and *f*)

**1.** To carry on the remunerated transport of passengers by water, a person shall hold a permit for the transport of passengers by water.

A person who rents out any means of transportation to be used to transport persons by water shall also hold a permit for the transport of passengers by water, except where the lessee or charterer holds such a permit.

**2.** No permit is required to provide the following services:

(1) the rental of a pleasure craft without crew; and

(2) white-water rafting in a non-motorized craft, or any other water sport.

For the purposes of subparagraph 2 of the first paragraph, “water sport” means any physical activity involving the use of a craft on various bodies of water under the supervision of a qualified instructor and entailing some form of training, observance of certain rules, and technical skills or a period of practice.

**3.** The Commission shall issue or transfer a permit for the transport of passengers by water to a person who

applies therefor on the form used by the Commission, where it feels that the person meets the following criteria:

(1) he attests that he has a crew possessing the knowledge and experience required for proficiency in the activity for which a permit is applied for;

(2) he submits to the Commission a certificate of insurance attesting that each of the ships for which he is applying for a permit is covered, for the period of validity of the permit, by a marine civil liability insurance policy (protection and indemnity coverage) with a minimum guarantee limit of \$5 000 000 for ships whose gross tonnage is greater than 5 tons or whose capacity is greater than 12 passengers or a minimum guarantee limit of \$1 000 000 in the case of other ships;

(3) he provides the Commission with a certified true copy of a rider to the insurance policies stipulating that the policies may not be cancelled and that the coverage may not be reduced except where 30 days' notice is officially given in writing to the secretariat of the Commission at its head office; and

(4) he establishes that each of the ships to be used in providing the service meets the requirements of the Canadian Steamship Inspection Service. He shall do so by providing a ship inspection certificate issued by Transport Canada in the case of a ship whose gross tonnage is greater than 5 tons or whose capacity is greater than 12 passengers or, in the case of any other ship, a letter of compliance issued by a Transport Canada shipping officer or by a marine expert recognized by Transport Canada, confirming compliance with the regulations respecting small craft and including a notice in respect of the ship's capacity and the crew's ability to carry on the commercial activity in the territory in question.

**4.** A permit for the transport of passengers by water authorizes the holder, in accordance with its content, to carry on the remunerated transport of passengers by water and to rent out any means of transportation to be used to transport persons by water.

**5.** A permit for the transport of passengers by water shall be issued for a maximum period of one year and shall expire on 31 May each year.

**6.** A permit for the transport of passengers by water may be renewed in accordance with section 37.3 of the Transport Act, in the manner in which it was issued and on the same conditions.

Where a permit has not been renewed by 15 June by reason of incomplete documentary evidence in the record, the applicant shall pay to the Commission an additional

fee of \$200 and shall complete the record within the time period indicated by the Commission.

Where the documentary evidence in the record is still incomplete at the expiry of the time period indicated, the Commission shall refuse the application for renewal.

**7.** Where the Commission issues, renews or transfers a permit for the transport of passengers by water, it shall indicate the name of each ship to be used for the transport, as well as any conditions or restrictions concerning operation under the permit.

Operation under the permit is conditional on maintaining the competence of the crew, the seaworthiness of the ship and the insurance policy. Those conditions need not be stipulated on the permit.

**8.** Where a change affects the ships used for the transport of passengers by water or the conditions or restrictions concerning operation under the permit, the holder shall have his permit corrected by the Commission prior to continuing with the authorized activities.

Where a change affects the competence of the crew or the insurance policy, the holder of the permit shall so inform the Commission and shall halt his activities until such time as the documentary evidence in the record makes it possible, in the opinion of the Commission, to maintain the permit's validity.

**9.** The holder of a permit for the transport of passengers by water shall at all times have a copy of his permit posted in the boarding area in full view of the public.

**10.** This Regulation replaces the General Order respecting the transport of passengers and goods by water (R.R.Q., 1981, c. T-12, r. 17).

**11.** The Commission may issue a permit authorizing an applicant to continue offering a service for transport by water in respect of which he has applied for a permit, and may do so without publication or formality pending its decision on the application, where

(1) the application for a permit pertains to a transport service for which no permit was prescribed before the coming into force of this Regulation;

(2) the applicant provided the service during the summer season preceding the coming into force of this Regulation; and

(3) the application was filed with the Commission within 90 days following (*enter the date of coming into force of this Regulation*).

**12.** The holder of a Class 1-A or 1-B permit referred to in the General Order respecting the transport of passengers and goods by water may

(1) continue, up to the anticipated date of renewal of the permit, to provide the authorized transport without being required to hold a permit for the transport of passengers by water; or

(2) obtain, upon proof of operation, a new permit for the transport of passengers by water at the time of renewal of the former permit on the conditions set forth in section 3.

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

9674



## Index Statutory Instruments

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

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