

# Gazette officielle du Québec

## Part 2 Laws and Regulations

Volume 129  
28 May 1997  
No. 21

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**PROVINCE OF QUÉBEC**

2nd SESSION

35th LEGISLATURE

QUÉBEC, 16 APRIL 1997

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**OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 16 April 1997*

This day, at thirty-five minutes past three o'clock in the afternoon, the Honourable the Administrator of Québec was pleased to sanction the following bills:

- 15 An Act respecting the implementation of the Agreement on Internal Trade
- 88 An Act to amend the Act respecting labour standards as regards annual and parental leave

To these bills the Royal assent was affixed by the Honourable the Administrator of Québec.



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**PROVINCE OF QUÉBEC**

2nd SESSION

35th LEGISLATURE

QUÉBEC, 8 MAY 1997

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**OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 8 May 1997*

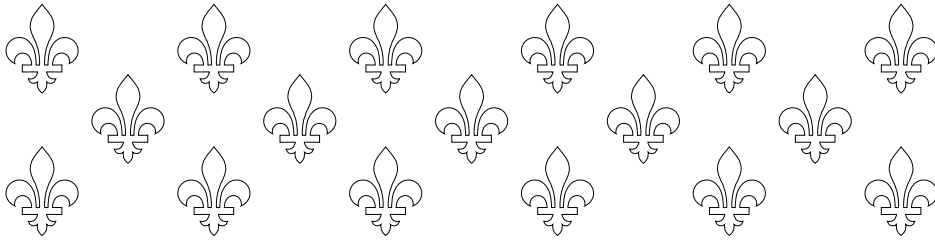
This day, at forty-five minutes past ten o'clock in the morning, His Excellency the Lieutenant-Governor was pleased to sanction the following bills:

- 56 An Act to amend the Act respecting threatened or vulnerable species
- 101 Appropriation Act No. 3, 1997-98
- 127 An Act to amend the Act respecting the National Assembly

To these bills the Royal assent was affixed by His Excellency the Lieutenant-Governor.







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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 15  
(1997, chapter 9)

**An Act respecting the  
implementation of the Agreement  
on Internal Trade**

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**Introduced 9 May 1996  
Passage in principle 16 October 1996  
Passage 10 April 1997  
Assented to 16 April 1997**

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**Québec Official Publisher  
1997**

## EXPLANATORY NOTES

*This bill provides for the approval of the Agreement on Internal Trade by the Parliament of Québec.*

*It also amends certain provisions of the Travel Agents Act to make them consistent with the Agreement.*

**LEGISLATION AMENDED BY THIS BILL:**

– Travel Agents Act (R.S.Q., chapter A-10).

## Bill 15

### **An Act respecting the implementation of the Agreement on Internal Trade**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** The Agreement on Internal Trade dated 18 July 1994, signed by the First Ministers of Canada and published in Part 1 of the *Gazette officielle du Québec* of (*insert here the date of publication*), of the provinces and of the territories is hereby approved.

**2.** The Government may appoint a Minister to be a representative on the Committee on Internal Trade established pursuant to Article 1600 of the Agreement.

**3.** The Government may appoint any person to be on the roster of panellists required by Article 1705 of the Agreement.

**4.** The Government may appoint any person to act as a screener under Article 1713 of the Agreement.

**5.** The Minister may appoint any person to be a representative on any committee referred to in the Agreement or to fill the positions which, in the Minister's view, are necessary for the implementation of the Agreement.

**6.** For the purpose of suspending benefits or imposing retaliatory measures of equivalent effect against a Party pursuant to Article 1710 of the Agreement, the Government may, by order, do any one or more of the following:

(1) suspend rights or privileges granted to the Party by the Government under the Agreement;

(2) modify or suspend the application of any measure with respect to the Party; and

(3) extend the application of any measure to the Party.

In this section, “measure” means any law, regulation, directive, requirement, prescription, guideline, program, policy, administrative practice or other procedure.

**7.** An award of costs made by a Panel pursuant to Article 1718 (3) of the Agreement may be filed at the office of the Superior Court.

Upon such filing, the Panel’s award has all the effects of a final judgment of that Court.

**8.** No judicial proceedings may be brought against persons appointed under sections 2, 3, 4 and 5 for acts performed in good faith in the discharge of their duties.

**9.** The Minister designated by the Government is responsible for the administration of this Act.

#### TRAVEL AGENTS ACT

**10.** Section 1 of the Travel Agents Act (R.S.Q., chapter A-10) is amended by adding, at the end, the following paragraphs:

“(f) “establishment”: business premises separate from any other, equipped with self-contained installations, situated in Québec, and physically accessible to the clientele corresponding to a class of licence;

“(g) “principal establishment”: the establishment in which the functions of the licensee are principally exercised.”

**11.** Section 5 of the said Act is amended by replacing the words “the establishment” in the first line of the second paragraph by the words “an establishment”.

**12.** Section 6 of the said Act is amended by replacing the second paragraph by the following paragraph:

“Such person must be of full age. If the licence is applied for on his own account, the person must also establish and maintain a principal establishment. In other cases, the association, partnership or legal person on whose behalf the licence is applied for must establish and maintain a principal establishment.”

**13.** Section 8 of the said Act is amended

(1) by replacing the word “within” in the fourth line by the words “at the principal establishment of”;

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

“Every natural person applying for a licence on his own account must exercise, as his principal activity, the functions of a travel agent at the principal establishment corresponding to the licence.”

**14.** Section 13.1 of the said Act is amended by adding, at the end, the following paragraph:

“(e) the travel agent or licensee recognizes the permanent closing of his or its principal establishment.”

**15.** Section 17 of the said Act is amended by replacing the words “residence, or corporate seat as the case may be,” in the third and fourth lines by the words “or its principal establishment,”.

**16.** Section 18 of the said Act is amended by replacing the words “is domiciled” in the third line by the words “has his principal establishment”.

**17.** Section 31 of the said Act is amended by replacing the words “his establishment” in the first and second lines by the words “each of his establishments”.

**18.** Section 32 of the said Act is amended by inserting the words “in each of his establishments” after the word “keep” in the first line.

**19.** Section 33 of the said Act is amended by inserting the words “opened in Québec and maintain therein” after the word “account” in the first line.

**20.** Section 35 of the said Act is amended by replacing the words “the establishment” in the second line of the first paragraph by the words “any establishment”.

**21.** Section 36 of the said Act is amended by adding the following subparagraphs at the end of the first paragraph:

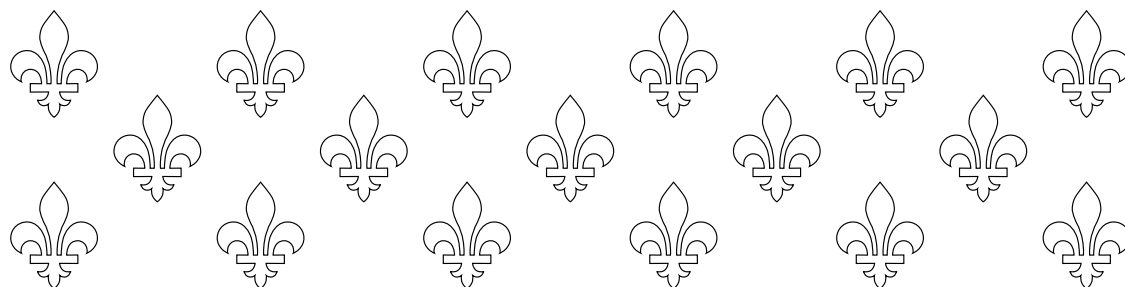
“(j) to prescribe standards for the exercise of the management duties provided for in section 8;

“(k) to prescribe standards for the maintenance of a principal establishment or any other establishment.”

FINAL PROVISIONS

**22.** Travel agents’ licences valid on 16 April 1997 shall continue to be governed, until they are renewed, by the provisions replaced by this Act.

**23.** This Act comes into force on 16 April 1997.



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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 56  
(1997, chapter 11)

## **An Act to amend the Act respecting threatened or vulnerable species**

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**Introduced 5 November 1996**  
**Passage in principle 17 December 1996**  
**Passage 1 May 1997**  
**Assented to 8 May 1997**

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**Québec Official Publisher**  
**1997**

## EXPLANATORY NOTES

*This bill amends the Act respecting threatened or vulnerable species to enable inspectors of plant life to dispose of seized items that are perishable or likely to depreciate rapidly. Under the bill, the Government will have the power to prescribe, by regulation, the manner in which an inspector of plant life may, when such a case arises, dispose of a thing seized. An indemnity will be paid if, after disposal by the inspector of plant life, it appears that there was, in fact, no cause for confiscation. The amount of the indemnity to be paid will be determined by government regulation.*

*The bill also extends the retention period from 90 to 120 days.*

*Lastly, the bill provides that a conviction for an offence against any of the provisions of the Act or the regulations under it will entail the confiscation of any specimen of a threatened or vulnerable plant species, or part thereof, that has been seized by an inspector of plant life.*



## Bill 56

### AN ACT TO AMEND THE ACT RESPECTING THREATENED OR VULNERABLE SPECIES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** Section 34 of the Act respecting threatened or vulnerable species (R.S.Q., chapter E-12.01) is amended by replacing the words “a judge declares it confiscated” in the second line of the first paragraph by the words “it is confiscated or until a judge”.

**2.** The said Act is amended by inserting, after section 34, the following section :

**“34.1.** Where the thing seized is perishable or likely to depreciate rapidly, the inspector of plant life may dispose of it in the manner prescribed by regulation.

If the inspector of plant life has disposed of such a thing and it subsequently appears that there is no cause for confiscation, he shall, at the request of the person entitled thereto, pay to him the indemnity determined in accordance with the regulation, as replacement for the property.”

**3.** Section 35 of the said Act is amended by replacing the figure “90” in the third line of the first paragraph by the figure “120”.

**4.** The said Act is amended by inserting, after section 38, the following section :

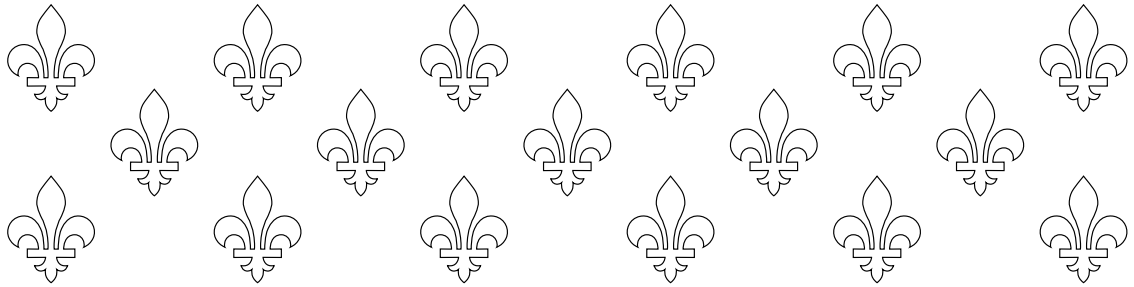
**“38.1.** A conviction for an offence against any of the provisions of this Act or the regulations entails the confiscation of any specimen of a threatened or vulnerable plant species, or part thereof, that has been seized by an inspector of plant life.”

**5.** Section 39 of the said Act is amended by inserting, after subparagraph 6 of the first paragraph, the following subparagraph :

“(6.1) prescribe the manner in which an inspector of plant life may dispose of a thing seized that is perishable or likely to depreciate rapidly and, according to the category or species of the thing seized, determine the amount or the method to be used for determining the amount of the indemnity payable to the person entitled to it when the inspector has disposed of it;”.

**6.** This Act comes into force on 8 May 1997.





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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 88  
(1997, chapter 10)

**An Act to amend the Act respecting labour standards as regards annual and parental leave**

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**Introduced 17 December 1996**  
**Passage in principle 18 March 1997**  
**Passage 10 April 1997**  
**Assented to 16 April 1997**

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**Québec Official Publisher**  
**1997**

**EXPLANATORY NOTES**

*This bill amends the Act respecting labour standards in order to increase the parental leave from 34 to 52 weeks.*

*In addition, the bill enables an employee having one to five years of uninterrupted service to apply for the number of days of leave without pay required to increase his annual leave to three weeks.*

## Bill 88

### AN ACT TO AMEND THE ACT RESPECTING LABOUR STANDARDS AS REGARDS ANNUAL AND PARENTAL LEAVE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The Act respecting labour standards (R.S.Q., chapter N-1.1) is amended by inserting, after section 68, the following section:

**“68.1.** An employee to whom section 68 applies is also entitled, if he applies therefor, to an additional annual leave without pay equal to the number of days required to increase his annual leave to three weeks.

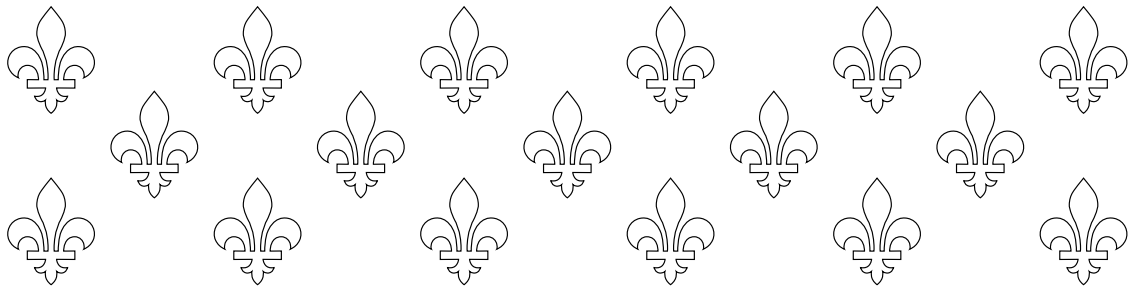
Such additional leave need not follow immediately a leave under section 68 and, notwithstanding sections 71 and 73, it may not be divided, or be replaced by a compensatory indemnity.”

**2.** Section 81.10 of the said Act is amended by replacing the figure “34” in the third line of the first paragraph by the figure “52”.

**3.** Section 81.11 of the said Act is amended by replacing the words “one year”, wherever they appear in the second sentence, by the words “70 weeks”.

**4.** This Act comes into force on 16 April 1997.





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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 101  
(1997, chapter 12)

## **Appropriation Act No. 3, 1997-98**

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**Introduced 6 May 1997**  
**Passage in principle 6 May 1997**  
**Passage 6 May 1997**  
**Assented to 8 May 1997**

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**Québec Official Publisher**  
**1997**

**EXPLANATORY NOTES**

*The object of this bill is to authorize the Government to pay out of the consolidated revenue fund the sum of \$19,947,412,525.00 representing the appropriations to be voted for each of the programs of the portfolios set forth in the Schedule, less the amounts already voted.*

*The authorized sum appears in the Expenditure Budget of Québec for the fiscal year 1997-98.*



## **Bill 101**

### **APPROPRIATION ACT NO. 3, 1997-98**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The Government may take out of the consolidated revenue fund a sum not exceeding \$19,947,412,525.00 to defray a part of the expenses of Québec proposed in the Expenditure Budget for the fiscal year 1997-98 as tabled before the National Assembly, not otherwise provided for, being the amount of the appropriations to be voted for each of the various programs listed in the Schedule, less the amounts voted under the Appropriation Act No. 1, 1997-98 (\$354,700,000.00) and under the Appropriation Act No. 2, 1997-98 (\$7,177,120,475.00).

**2.** This Act comes into force on 8 May 1997.

## SCHEDULE

## AFFAIRES MUNICIPALES

## PROGRAM 1

Municipal Development	8,776,200.00
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## PROGRAM 2

Financial Assistance for Municipalities and Northern Villages	75,510,150.00
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## PROGRAM 3

Financial Compensation	119,795,000.00
------------------------	----------------

## PROGRAM 4

General Administration	25,236,300.00
------------------------	---------------

## PROGRAM 5

Development of Recreation and Sport	24,768,400.00
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## PROGRAM 6

Financial Assistance for the Construction of Water and Sewer Systems and for Sewage Treatment	379,692,100.00
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## PROGRAM 7

Administrative and Quasi-judicial Agencies	7,089,025.00
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## PROGRAM 8

Société d'habitation du Québec	208,181,925.00
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## PROGRAM 9

Conciliation between Tenants and Landlords	10,074,075.00
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859,123,175.00

## AGRICULTURE, PÊCHERIES ET ALIMENTATION

## PROGRAM 1

Training, Research and Technological Development	22,131,000.00
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## PROGRAM 2

Farm Financing	32,553,050.00
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## PROGRAM 3

Assistance for Agri-food Businesses	106,295,775.00
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## PROGRAM 4

Farm Insurance	157,224,450.00
----------------	----------------

## PROGRAM 5

Regulatory Support	29,795,925.00
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## PROGRAM 6

Internal Management and Support	33,209,925.00
---------------------------------	---------------

## PROGRAM 7

Fisheries and Aquiculture Development	<u>11,658,525.00</u>
	392,868,650.00

## CONSEIL DU TRÉSOR, ADMINISTRATION ET FONCTION PUBLIQUE

## PROGRAM 1

Conseil du trésor	41,389,725.00
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## PROGRAM 2

Government Operations	167,335,125.00
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## PROGRAM 3

Commission de la fonction publique	1,628,925.00
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## PROGRAM 4

Retirement and Insurance Plans	3,213,750.00
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## PROGRAM 5

Contingency Fund	<u>289,500,000.00</u>
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	503,067,525.00
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## CONSEIL EXÉCUTIF

## PROGRAM 1

Lieutenant-Governor's Office	283,950.00
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## PROGRAM 2

Support Services for the Prime Minister and the Conseil exécutif	18,921,825.00
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## PROGRAM 3

Canadian Intergovernmental Affairs	<u>6,900,000.00</u>
	26,105,775.00

## CULTURE ET COMMUNICATIONS

## PROGRAM 1

Internal Management and Support	23,654,100.00
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## PROGRAM 2

Cultural and Communications Assistance	72,376,425.00
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## PROGRAM 3

National Institutions	20,760,375.00
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## PROGRAM 4

Government Corporations and Agencies	155,179,400.00
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## PROGRAM 5

Charter of the French Language	16,885,725.00
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## PROGRAM 6

Information Highway	14,313,150.00
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	303,169,175.00
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## DÉVELOPPEMENT DES RÉGIONS ET AFFAIRES AUTOCHTONES

## PROGRAM 1

Regional Development	86,760,450.00
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## PROGRAM 2

Native Affairs	3,156,000.00
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	89,916,450.00
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## ÉDUCATION

## PROGRAM 1

Administration	72,205,875.00
----------------	---------------

## PROGRAM 2

Consultation and Evaluation	3,293,625.00
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## PROGRAM 3

Financial Assistance to Students	371,087,175.00
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## PROGRAM 4

Preschool, Primary and Secondary Education	3,707,507,625.00
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## PROGRAM 5

Higher Education	2,077,226,475.00
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## PROGRAM 6

Tourism and Hotel Industry Training	11,581,650.00
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	6,242,902,425.00
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## EMPLOI, SOLIDARITÉ ET CONDITION FÉMININE

## PROGRAM 1

Status of Women	4,373,625.00
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## PROGRAM 2

Secrétariat for Concerted Action	1,082,925.00
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## PROGRAM 3

Employment Assistance Measures	303,652,275.00
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## PROGRAM 4

Financial Assistance Measures	2,124,217,075.00
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## PROGRAM 5

Internal Management and Support	245,472,300.00
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2,678,798,200.00

## ENVIRONNEMENT ET FAUNE

## PROGRAM 1

Environmental, Wildlife and Natural Heritage Protection Policies	32,246,325.00
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## PROGRAM 2

Environmental, Wildlife and Natural Heritage Protection Operations	87,567,825.00
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## PROGRAM 3

Internal Management and Support	39,462,225.00
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## PROGRAM 4

Bureau d'audiences publiques sur l'environnement	3,668,250.00
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162,944,625.00

## FAMILLE ET ENFANCE

## PROGRAM 1

Child and Family Services	199,247,775.00
	<hr/>
	199,247,775.00

## FINANCES

## PROGRAM 1

Economic and Fiscal Policy Studies	5,105,625.00
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## PROGRAM 2

Financial Policies and Operations	4,140,450.00
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## PROGRAM 3

Comptroller of Finance	12,062,175.00
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## PROGRAM 5

Internal Management and Support	13,291,725.00
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## PROGRAM 6

The Inspector General of Financial Institutions	14,325,000.00
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## PROGRAM 7

Control, Supervision and Development of the Securities Trade	3,592,650.00
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## PROGRAM 8

Statistics, Socio-economic Forecasts and Overall Research	4,951,350.00
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	57,468,975.00
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## INDUSTRIE, COMMERCE, SCIENCE ET TECHNOLOGIE

## PROGRAM 1

Technical Support for the Manufacturing and Commercial Sectors and for the Development of Science, Technology and External Trade	48,605,100.00
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## PROGRAM 2

Financial Support for the Manufacturing and Commercial Sectors and for the Development of Science, Technology and External Trade	162,460,950.00
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## PROGRAM 3

Support for Government Corporations and Agencies	25,784,925.00
	<hr/>
	236,850,975.00

## JUSTICE

## PROGRAM 1

Formulation of Decisions	8,014,575.00
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## PROGRAM 2

Administration of Justice	183,777,900.00
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## PROGRAM 3

Administrative Justice	258,300.00
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## PROGRAM 4

Assistance to Persons Brought before the Courts	87,295,275.00
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	279,346,050.00
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## MÉTROPOLE

## PROGRAM 1

Metropolitan Montréal Promotion  
and Development

78,839,925.00

78,839,925.00

## PERSONNES DÉSIGNÉES PAR L'ASSEMBLÉE NATIONALE

## PROGRAM 1

The Public Protector	3,873,750.00
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## PROGRAM 2

The Auditor General	10,828,050.00
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	14,701,800.00
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## RELATIONS AVEC LES CITOYENS ET IMMIGRATION

## PROGRAM 1

Civic Relations and Citizen Relations	16,555,200.00
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## PROGRAM 2

Immigration and Integration	71,302,050.00
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## PROGRAM 3

Advisory and Protection Agencies responsible to the Minister	16,626,600.00
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	104,483,850.00
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## RELATIONS INTERNATIONALES

## PROGRAM 1

Promotion and Development of International Affairs	60,265,800.00
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	60,265,800.00

## RESSOURCES NATURELLES

## PROGRAM 1

Land Inventory and Management	15,642,525.00
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## PROGRAM 2

Inventory and Management of Forest Heritage	119,635,300.00
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## PROGRAM 3

Forestry Financing	1,502,350.00
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## PROGRAM 4

Mineral Resources Management and Development	25,373,700.00
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## PROGRAM 5

Management and Administrative Support	53,251,200.00
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## PROGRAM 6

Energy Development	7,930,050.00
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223,335,125.00

## REVENU

## PROGRAM 1

Tax Administration	267,275,475.00
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	267,275,475.00

## SANTÉ ET SERVICES SOCIAUX

## PROGRAM 1

National Operations	113,616,075.00
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## PROGRAM 2

Regional Operations	5,402,403,900.00
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## PROGRAM 3

Research	47,346,525.00
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## PROGRAM 4

Office des personnes handicapées du Québec	36,163,875.00
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	5,599,530,375.00
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## SÉCURITÉ PUBLIQUE

## PROGRAM 1

Internal Management and Control of Activities Relating to Alcohol, Racing and Gambling	47,581,275.00
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## PROGRAM 2

Sûreté du Québec	215,241,975.00
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## PROGRAM 3

Custody of Prisoners and Reintegration of Delinquents into Society	163,731,075.00
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## PROGRAM 4

Safety and Prevention	29,736,150.00
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	456,290,475.00

## TOURISME

## PROGRAM 1

Promotion and Development of Tourism	43,025,700.00
	<hr/>
	43,025,700.00

## TRANSPORTS

## PROGRAM 1

Transportation Infrastructure	478,880,025.00
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## PROGRAM 2

Transportation Systems	225,095,700.00
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## PROGRAM 3

Administration and Corporate Services	53,954,250.00
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## PROGRAM 4

School Transportation	263,944,900.00
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	1,021,874,875.00
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## TRAVAIL

## PROGRAM 1

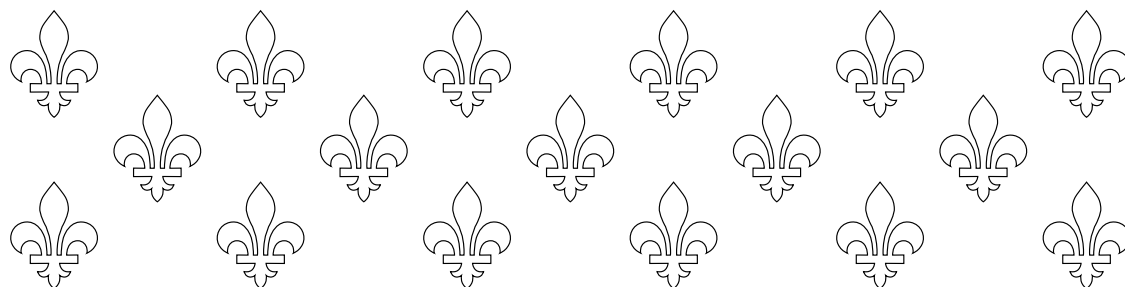
Labour

45,979,350.00

45,979,350.00

19,947,412,525.00





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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 127  
(1997, chapter 13)

## **An Act to amend the Act respecting the National Assembly**

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**Introduced 8 May 1997**  
**Passage in principle 8 May 1997**  
**Passage 8 May 1997**  
**Assented to 8 May 1997**

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**Québec Official Publisher**  
**1997**

**EXPLANATORY NOTE**

*This bill amends the Act respecting the National Assembly to enable the Office of the National Assembly to pass a regulation for the payment of certain allowances and the repayment of certain expenses and other costs for a period, fixed in the regulation, between the day on which the seat of a Member becomes vacant and the fifteenth day or, in certain cases, the thirtieth day, after the day on which a poll is held to fill the vacancy.*

## **Bill 127**

### **AN ACT TO AMEND THE ACT RESPECTING THE NATIONAL ASSEMBLY**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** Section 104 of the Act respecting the National Assembly (R.S.Q., chapter A-23.1) is amended by replacing the second paragraph by the following paragraph :

“The Office may, by regulation, in the cases, on the conditions and to the extent it determines, pay the allowances or repay the expenses and other costs provided for in this section for a period, fixed in the regulation, between the day on which the seat of a Member becomes vacant or the Assembly is dissolved and the fifteenth day, or the thirtieth day as regards persons referred to in the first paragraph of section 124.1, after the day on which a poll is held to fill the vacancy or a poll is held following the dissolution of the Assembly.”

**2.** The first regulation made by the Office of the National Assembly on or after 8 May 1997 under the second paragraph of section 104 of the Act respecting the National Assembly, as replaced by section 1, may, if it so provides, have effect from that date in respect of an electoral division whose seat is vacant on that date.

**3.** This Act has effect, in respect of an electoral division whose seat is vacant on 8 May 1997, from the date of the vacancy, and in respect of any electoral division whose seat becomes vacant after 8 May 1997.

**4.** This Act comes into force on 8 May 1997.



## Coming into force of Acts

Gouvernement du Québec

### **O.C. 657-97, 13 May 1997**

#### **An Act respecting the Régie de l'énergie (1996, c. 61)**

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

COMING INTO FORCE of certain provisions of the Act respecting the Régie de l'énergie

WHEREAS the Act respecting the Régie de l'énergie (1996, c. 61) was assented to on 23 December 1996;

WHEREAS section 173 of the Act provides that the provisions of the Act will come into force on the date or dates to be fixed by the Government, except section 139, which came into force on 23 December 1996, with the exception of paragraph *d* of subparagraph 1 of the third paragraph of section 45.1 of the Act respecting the use of petroleum products (R.S.Q., c. U-1.1);

WHEREAS under Order in Council 144-97 dated 5 February 1997, sections 8 and 165 of the Act came into force on 5 February 1997;

WHEREAS under Order in Council 275-97 dated 5 March 1997, section 134 of the Act respecting the Régie de l'énergie, except the first paragraph of section 16 of the Act respecting municipal and private electric power systems (R.S.Q., c. S-41), enacted by that section 134, came into force on 1 May 1997;

WHEREAS it is expedient to fix the date of coming into force of sections 4, 6, 7, 9, 10, 12 to 15, 19 to 22, 60 to 62, 122, 135, 148 and 171;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Natural Resources:

THAT 13 May 1997 be fixed as the date of coming into force of sections 6, 7, 9, 10, 12, 60 to 62, 122, 135, 148 and 171;

THAT 2 June 1997 be fixed as the date of coming into force of sections 4, 13 to 15 and 19 to 22.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

1436

Gouvernement du Québec

### **O.C. 667-97, 13 May 1997**

#### **An Act to establish the permanent list of electors and amending the Election Act and other legislative provisions (1995, c. 23)**

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

COMING INTO FORCE of certain provisions of the Act to establish the permanent list of electors and amending the Election Act and other legislative provisions (1995, c. 23)

WHEREAS the Act to establish the permanent list of electors and amending the Election Act and other legislative provisions (1995, c. 23) was assented to on 16 June 1995;

WHEREAS under section 107 of that Act, section 12 where it enacts sections 40.1 to 40.12 and 40.39 to 40.42, sections 51 and 57 to 91 and the amendment in the schedule affecting section 570 will come into force on the date or dates to be fixed by the Government;

WHEREAS under that same section, sections 57 to 83 cannot come into force before the first of June following the date of coming into force of section 40.1 of the Election Act;

WHEREAS under Order in Council 520-96 dated 1 May 1996, some of those provisions came into force on 1 May 1996;

WHEREAS it is expedient to fix dates for the coming into force of certain other provisions;

IT IS ORDERED, therefore, on the recommendation of the Minister for Electoral and Parliamentary Reform:

THAT 31 May 1997 be fixed as the date of coming into force of section 12 where it enacts sections 40.1, the words "by electors and on the basis of the information transmitted" in the third line of the first paragraph of

section 40.4, sections 40.5 and 40.6, section 51 and the amendment in the schedule affecting section 570;

THAT 1 June 1997 be fixed as the date of coming into force of section 12 where it enacts the words “or by the person responsible for a municipal poll” in the second and third lines of the second paragraph of section 40.4 and section 40.10, sections 57 to 76 and 84 to 90.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

1437



## Regulations and Other Acts

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Gouvernement du Québec

### **O.C. 645-97, 13 May 1997**

An Act respecting the Société de développement industriel du Québec  
(R.S.Q., c. S-11.01)

#### **Business Financing Assistance Program — Amendments**

Regulation to amend the Regulation respecting the Business Financing Assistance Program

WHEREAS under section 5 of the Act respecting the Société de développement industriel du Québec (R.S.Q., c. S-11.01), the Government may establish, by regulation, financial assistance programs designed to promote economic development in Québec;

WHEREAS under section 47 of that Act, the Government may make regulations, in particular to establish criteria to determine which businesses may receive financial assistance, and to determine the form of such financial assistance and the conditions a business must fulfil to obtain it;

WHEREAS by Order in Council 709-96 dated 12 June 1996, the Government made the Regulation respecting the Business Financing Assistance Program;

WHEREAS it is expedient to amend that Regulation in order to implement measures adopted at the Summit on the Economy and Employment, held in the Fall of 1996, and to make it possible to grant financial assistance to adapted work centres as well as support the organization of international conventions;

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 in section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

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

WHEREAS in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

(1) as long as the Regulation to amend the Regulation respecting the Business Financing Assistance Program is not made, new measures beneficial for businesses and announced during the Summit on the Economy and Employment cannot be implemented;

(2) it is important for businesses to benefit as soon as possible from the implementation of the proposed measures;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for the Economy and Finance and Minister of Industry, Trade, Science and Technology:

THAT the Regulation to amend the Regulation respecting the Business Financing Assistance Program, attached to this Order in Council, be made.

*Clerk of the Conseil exécutif,*  
MICHEL CARPENTIER

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### **Regulation to amend the Regulation respecting the Business Financing Assistance Program**

An Act respecting the Société de développement industriel du Québec  
(R.S.Q., c. S-11.01, ss. 5 and 47)

**I.** The Regulation respecting the Business Financing Assistance Program, made by Order in Council 709-96 dated 12 June 1996, is amended by substituting the following for Division I:

#### **“DIVISION I OBJECTIVES**

1. The objective underlying this Program is to enable the Société de développement industriel du Québec to promote the economic development of Québec by granting financial assistance to businesses carrying on a commercial activity, to adapted work centres and to organizers of international conventions.

2. Any financial assistance granted under this Program shall be used to carry out an investment project, a technological innovation project, a design innovation project, an export project, a strategic business alliance project, a new economy project, an international convention organization project or to finance tax credits for scientific research and experimental development.”.

**2.** The following is added after paragraph 8 of section 3:

“(9) “new economy” means the research and development of processes or products, precommercial or commercial development or market development in the areas of activity listed in Schedule III;

(10) “adapted work centre” means a corporation holding a certificate issued by the Office des personnes handicapées du Québec under section 36 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., c. E-20.1);

(11) “starting business” means a business that has been making sales on a regular basis for less than 3 years;

(12) “international convention” means a convention which draws delegates the majority of whom reside outside Québec;

(13) “Québec content” means the portion of a project carried out in Québec with respect to raw materials and their components, labour cost, manufacturing expenses, depreciation expenses, selling expenses, financial and administrative expenses and the potential profit;

(14) “economic impact” means the structuring effects on the economy and the increase in the production and sales of a business with respect to the added value of a project, the number of direct and indirect jobs it may create and the tax revenue that may result therefrom;

(15) “convention organizer” means a legal person that is a party to a contract for the promotion or organization of an international convention or to a contract for the supply of services connected with such convention.”.

**3.** The following is added after section 6:

“**6.1** Notwithstanding section 6, financial assistance granted under this Program may be combined with a wage subsidy granted by the Office des personnes handicapées du Québec under section 38 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., c. E-20.1).”.

**4.** The following is substituted for section 8:

“**8.** Financial assistance shall be in the form of a guarantee of reimbursement of a percentage of the net loss in relation to a loan, a line of credit, a letter of credit, a financial lease or any other form of financial commitment granted by a lender to a business or for the benefit of a business.”.

**5.** The following is added at the end of section 12:

“; notwithstanding the foregoing, financial assistance granted to an adapted work centre may not be less than \$20 000.”.

**6.** The following is substituted for section 27:

“**27.** The Corporation may refuse to grant financial assistance or may suspend assistance where a business no longer meets the conditions or criteria that made it eligible therefor or where it has failed to meet a contractual obligation. The Corporation may also sign any agreement, grant additional benefits or require any guarantee that it considers necessary where corrective measures are being taken in the case of a business having received financial assistance and experiencing financial difficulties or where the matter of a business having received financial assistance is in the process of being settled.”.

**7.** The following Divisions are added after section 27:

**“DIVISION V.1  
FINANCIAL ASSISTANCE FOR NEW ECONOMY  
PROJECTS**

**27.1** Sections 7, 11, 12, 13 and 24 do not apply to financial assistance under this Division.

**27.2** The beginning of repayment of the principal of a guaranteed financial commitment for the carrying out of a new economy project by a starting business shall be postponed until 2 years after the project has been carried out; it may also be postponed until no later than 2 years in the other cases.

**27.3** Financial assistance for the carrying out of a new economy project shall be granted to a business that employs less than 100 persons and whose annual sales volume is less than \$10 000 000.

**27.4** A guarantee of reimbursement granted for the carrying out of a new economy project may not exceed

(a) 90 % of the net loss for the project of a starting business; or

(b) 80 % of the net loss for the project of another business.

**27.5** Financial assistance for the carrying out of a new economy project may neither be less than \$50 000 nor greater than \$500 000.

**27.6** The financial commitment guaranteed by the Corporation for the carrying out of a new economy project may be as much as 90 % of the costs of the project.

**27.7** A creditor of a financial commitment may not require a personal bond or security on the property of a natural person, except for property intended for use in the operation of the debtor business.

#### **DIVISION V.1.1** FINANCIAL ASSISTANCE FOR THE ORGANIZATION OF INTERNATIONAL CONVENTIONS

**27.8** Sections 9, 10 and 11 do not apply to financial assistance for the organization of international conventions.

**27.9** Financial assistance for the promotion or organization of international conventions shall be in the form of a guarantee of reimbursement of a percentage of the net loss in relation to a line of credit granted to the organizer of an international convention.

**27.10** A guarantee of reimbursement of a line of credit granted to the organizer of an international convention may not exceed 80 % of the net loss.”.

**8.** The following is added at the end of Schedule II:

“(h) the organization of international conventions.”.

**9.** The following Schedule is added after Schedule II:

#### **“SCHEDULE III** (s. 3)

##### NEW ECONOMY AREAS OF ACTIVITY

Pursuant to section 3, the new economy areas of activity are the following:

- (1) biotechnology;
- (2) pharmaceutical industry;

(3) information technology, including in particular the activities related to computer hardware, semiconductors, software, computer services and telecommunication;

(4) aeronautics and aerospace technology;

(5) materials engineering;

(6) instrumentation, including in particular optical instruments and lenses, scientific engineering equipment, process control and electronic instrumentation.”.

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

1435



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## Draft Regulations

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### Draft Regulation

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

#### Environmental impact assessment and review — 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 environmental impact assessment and review, the text of which appears below, may be made by the Government upon the expiry of a 60-day period following this publication.

The purpose of the Draft Regulation is to exempt certain wildlife development projects from the procedure for environmental impact assessment and review provided for in Division IV.1 of the Environment Quality Act.

In that respect, it proposes to add a paragraph to section 2 of the Regulation respecting environmental impact assessment and review so that the work required to carry out certain wildlife development projects will no longer be subject to the Regulation. The amendment is nonetheless designed to ensure that such projects continue to be subject to the Regulation if they are carried out with sediments dredged from another site than the one for which the project is planned.

Study of the matter has not shown any particular impact on small and medium-sized businesses; however, it has shown the following impacts on the organizations interested in carrying out wildlife development projects and on the public.

Only the organizations interested in carrying out wildlife development projects will be affected by the Draft Regulation. The projects will be transferred from the authorization procedure governed by Division IV.1 of the Environment Quality Act to that provided for in section 22 of the Act and in the Regulation respecting wildlife habitats. Thus, wildlife development projects formerly subject to the environmental impact assessment and review procedure will no longer be the subject of an impact assessment statement and can no longer be subjected to a public hearing as provided for in sections 31.2 and 31.3 of the Environment Quality Act. The change in procedure will provide marked savings for developers: impact assessment statements produced up

to now for wildlife development projects have cost at least \$50 000 per project; an application for authorization under section 22 of the Environment Quality Act and the Regulation respecting wildlife habitats will result in lower costs and less stringent requirements.

The period of time required for the application of the environmental impact assessment and review procedure may vary from 15 to 30 months; authorization of projects under section 22 of the Environment Quality Act and the Regulation respecting wildlife habitats may vary from a few weeks to 3 months. The change in procedure thus represents a significant reduction in the time necessary to obtain authorization, facilitates the planning of projects and makes it possible to better profit by subsidy programs.

Although exempting wildlife development projects from the assessment and review procedure deprives the public of the possibility to petition for the holding of public hearings and to participate in such hearings, the fact remains that in applying the environmental assessment procedure to the 20 or so wildlife development projects over the past few years, there has not been a single petition for public hearings.

Wildlife development projects represent a gain for the environment, since they create habitats for wildfowl nesting, rest areas, spawning grounds, etc. Moreover, quicker completion of projects may help to preserve natural sites that could disappear if no action is taken rapidly.

Further information may be obtained by contacting Mr. Gilles Plante, Direction de l'évaluation environnementale des projets industriels et en milieu hydrique, ministère de l'Environnement et de la Faune, Édifice Marie-Guyart, 6<sup>e</sup> étage, boîte 83, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; tel.: (418) 521-3933; fax: (418) 644-8222.

Any person having comments to make concerning the draft of the Regulation to amend the Regulation respecting environmental impact assessment and review is asked to send them in writing, before the expiry of the 60-day period, to the Minister of the Environment and Wildlife, Édifice Marie-Guyart, 30<sup>e</sup> étage, 675, boulevard René-Lévesque Est, Québec (Québec), G1R 5V7.

DAVID CLICHE,  
*Minister of the Environment and Wildlife*

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## Regulation to amend the Regulation respecting environmental impact assessment and review

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31.9, 1<sup>st</sup> par., subpar. a)

**1.** The Regulation respecting environmental impact assessment and review (R.R.Q., 1981, c. Q-2, r. 9), amended by the Regulations made by Orders in Council 1002-85 dated 29 May 1985, 879-88 dated 8 June 1988, 586-92 dated 15 April 1992, 1529-93 dated 3 November 1993 and 101-96 dated 24 January 1996, is further amended by inserting the following after the second paragraph of section 2:

“The projects listed in subparagraphs *a* and *b* of this section do not include wildlife development projects prepared with a view to conserving the biodiversity of a site, except if they must be carried out, wholly or partially, with dredged sediments not originating at the site.”.

**2.** The provisions of section 1 of this Regulation also apply to any wildlife development project already presented to the Minister for which the impact assessment statement was not made public, pursuant to section 31.3 of the Environment Quality Act (R.S.Q., c. Q-2), before (*enter the date of coming into force of this Regulation*).

**3.** This Regulation applies in particular to immovables comprised in reserved areas and agricultural zones established in accordance with the Act to preserve agricultural land (R.S.Q., c. P-41.1).

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

1432

## Draft Regulation

General and Vocational Colleges Act  
(R.S.Q., c. C-29; 1996, c. 79)

### Tuition fees and special fees payable

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 tuition fees and special fees which a general and vocational college must charge, 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 fix the special fees that a general and vocational college must charge when a full-time student fails more than one course in his last term of a program of college studies. The draft Regulation also provides for the cases in which a failed course must be disregarded in that respect. The tuition fees payable by a part-time student are also included in the Regulation.

To date, study of the matter has revealed no impact on businesses.

Further information may be obtained by contacting Mr. Pierre Malouin, Director of the Direction du financement et de l'équipement, Enseignement supérieur, ministère de l'Éducation, 1035, rue De La Chevrotière, 17<sup>e</sup> étage, Québec (Québec), G1R 5A5; tel.:(418) 646-4533.

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 Education, 1035, rue De La Chevrotière, 16<sup>e</sup> étage, Québec (Québec), G1R 5A5.

PAULINE MAROIS,  
*Minister of Education*

## Regulation respecting the tuition fees and special fees which a general and vocational college must charge

General and Vocational Colleges Act  
(R.S.Q., c. C-29, s. 24.4; 1996, c. 79, s. 14)

### DIVISION I STATUS OF STUDENT

**1.** For the purposes of section 24 of the Act, a full-time student is

(1) a student who registers for less than 4 courses in a program of college studies leading to a diploma of college studies or for courses totalling less than 180 periods of instruction in such a program and who has a maximum of 3 courses remaining to complete the training prescribed by the program; or

(2) a student who has a major functional deficiency within the meaning of the Regulation respecting financial assistance for students, made by Order in Council 844-90 dated 20 June 1990, and who, for that reason, is in a program of college studies on a part-time basis within the meaning of the Act respecting financial assistance for students (R.S.Q., c. A-13.3).



## DIVISION II SPECIAL FEES

**2.** The special fees payable under section 24.1 of the Act are \$2.00 per period of instruction for each course counted as a failure, except for the first one.

Where such courses are not of the same duration, the course which must be disregarded for the purposes of calculation is the one comprising the greatest number of periods of instruction.

**3.** For the purposes of section 24.1 of the Act, a student's failures shall be disregarded where he demonstrates with supporting documents that, during the term governed by this section, he could not pursue full-time studies for a serious reason such as illness or the death of his spouse or a member of his family, or could not attend the courses he was registered for or sit the required examinations because he was incapacitated for more than one month.

**4.** The special fees collected by a college shall be reimbursed where the student ceases courses on a full-time basis because he withdrew from a course not later than on the date determined by the Minister of Education, pursuant to section 29 of the College Education Regulations made by Order in Council 1006-93 dated 14 July 1993 as amended.

## DIVISION III TUITION FEES

**5.** The tuition fees payable under section 24.2 of the Act are \$2.00 per period of instruction.

**6.** The tuition fees collected for a course in a program of college studies shall be reimbursed in full where a student withdraws from the course not later than on the date determined under section 4.

## DIVISION IV PENALTIES

**7.** A student who fails to pay all or part of the fees payable under sections 2 and 5 or who delays payment thereof shall not be awarded credits for any of the courses for which he was registered for as long as the failure to pay or delayed payment persists.

## DIVISION V FINAL

**8.** This Regulation replaces the Regulation respecting the tuition fees which a general and vocational college must charge, made by Order in Council 1007-93 dated 14 July 1993.

**9.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except for Division II will come into force only for the second term of the 1997-1998 academic year.

1431

## Draft Regulation

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20)

### Vocational Training of Manpower in the Construction Industry — Regulation Issuance of Competency Certificates — Regulation Hiring and Mobility of Employees in the Construction Industry — Regulation

Notice is hereby given, in accordance with sections 10, 12 and 13 of the Regulations Act (R.S.Q., c. R-18.1), that the "Regulation to Amend the Regulation respecting the Vocational Training of Manpower in the Construction Industry, the Regulation respecting the Issuance of Competency Certificates and the Regulation respecting the Hiring and Mobility of Employees in the Construction Industry", enacted by the Commission de la construction du Québec, the text of which appears below, may be submitted to the Government for approval upon the expiry of a 15-day period beginning on the date on which this draft regulation is published.

Due to the fact that the notice of repeal of the Decree respecting the flat glass industry has already been published in Part II of the *Gazette Officielle du Québec* of 12 March 1997, it is urgent that the 45-day period provided for in Section 11 of the Regulations Act be reduced to 15 days for this draft regulation, so that the employees in question may obtain the issuance of a competency certificate at the time the said decree is repealed; indeed, the repeal of that decree will have the effect of subjecting to the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20) setting and installing flat glass on a construction site.

The purpose of this Draft Regulation is to provide for the integration to the construction industry of the employees who perform work pertaining to the flat glass industry; it provides for the issuance of competency certificates to persons who were qualified under the rules applicable to the flat glass industry, and for the

continuance of apprenticeship of the trade for the persons who are registered as apprentices with the Joint Committee for the Flat Glass Industry. It also provides for the hiring and mobility of these employees.

Further information may be obtained from Mr. Jean Ménard, Director, Direction des services juridiques, Commission de la construction du Québec, 3530, rue Jean-Talon Ouest, Montréal (Québec), H3R 2G3; tel.: (514) 341-3124 ext. 6425; fax: (514) 341-4287.

Any person wishing to make comments on this matter is requested to do so in writing, before the end of the said 15-day period, to Mr. André Ménard, Chairman and Chief Executive Officer, Commission de la construction du Québec, 3530 Jean-Talon Ouest, Montréal (Québec) H3R 2G3.

ANDRÉ MÉNARD,  
*Chairman and Chief Executive Officer*

## **Regulation to amend the Regulation respecting the Vocational Training of Manpower in the Construction Industry, the Regulation respecting the Issuance of Competency Certificates, and the Regulation respecting the Hiring and Mobility of Employees in the Construction Industry**

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 123.1, pars. 1, 2, 5, 6, 8, 10, 13 and 14)

### **Regulation respecting the vocational training of manpower in the construction industry**

**1.** The Regulation respecting the vocational training of manpower in the construction industry, approved by Order in Council 313-93 dated 10 March 1993, amended by section 74 of Chapter 61 of the Statutes of 1993, by the regulation approved by Order in Council 799-94 dated 1 June 1994, by section 54 of Chapter 8 of the Statutes of 1995 and by the regulation approved by Order in Council 1489-95 dated 15 November 1995, is further amended by inserting the following after section 33.4:

“**33.5.** Any person who, after 30 April 1996 and before (*indicate here the date of the day preceding the coming into force of the Decree repealing the Decree respecting the flat glass industry*), was the holder of a qualification certificate delivered by the Joint Commit-

tee for the Flat Glass Industry for the trade of erector-mechanic (glazier), the trade of setter, glass and spandrel panels, the trade of setter, mechanic (glazier), or the trade of setter journeyman, shall be exempted from the qualification examination provided for in Division IV and may obtain a competency certificate pertaining to the trade of erector-mechanic (glazier) in accordance with the provisions of section 1.2 of the Regulation respecting the issuance of competency certificates, as if that person had been exempted from the examination pursuant to section 11.

Subject to the first paragraph of section 1.4 of the Regulation respecting the issuance of competency certificates, any person who has exercised the right provided for in the first paragraph may invoke the same exemption for any subsequent application for the issuance of a journeyman competency certificate.

**33.6.** Any person to whom the Commission issues an apprentice competency certificate pursuant to the trade of erector-mechanic (glazier) under section 28.6, under subsection 3 of section 28.7 or under section 28.8 of the Regulation respecting the issuance of competency certificates shall be classified according to the number of work hours an employer subject to the Decree respecting the flat glass industry (R.R.Q., 1981, c. D-2, r. 52) has reported for that person to the Joint Committee for the Flat Glass Industry.

For the purposes of that classification, the Commission shall take into account the data of the Joint Committee for the Flat Glass Industry and the training credits that person proves having acquired under sections 14.06 and 14.09 of that decree since that person's last classification by the joint committee.

**33.7.** Any person contemplated in section 35.6 may continue the apprenticeship of the trade in accordance with the provisions of this regulation; such person shall become eligible to sit for the qualification examination for the trade of erector-mechanic (glazier) after having completed three apprenticeship periods.”

**2.** Schedule A of this regulation is amended by adding, at the end, the following:

#### **“Group XI**

Group XI includes the trade of erector-mechanic (glazier).

**24. Erector-mechanic (glazier):** “Erector-mechanic (glazier)” means any person who installs and repairs work (permanent or not) related to the flat glass industry and all other similar work made of metal or substitute



materials, namely: installs and repairs all types of glass and their frames, ornamental or decorative items, prefabricated sheeting, curtain walls, doors, windows, show windows and other structures made of sheet metal or mouldings and fastened by means of an adhesive base or otherwise, but only, in the case of works not made of glass, when such works are accessory or secondary to setting or installing flat glass, when such works are related to the doors and windows of a building, and when such works are used as a substitute for glass.

Performance of the work described in the first paragraph includes trade-related handling for the purposes of immediate and permanent installation.”

**3.** Schedule B of this regulation is amended by adding, at the end, the following:

Groups	Trade	Apprenticeship period(s)	Ratio of apprentice(s) per qualified worker(s)	
			Apprentice(s)	Qualified workers
“XI	<b>24. Erector-mechanic (glazier):</b>	3	1	3”.

**4.** Schedule C of this regulation is amended by adding, at the end, the following:

**“6. Erector-mechanic (glazier)**

— setting doors and windows

— installing mirrors and show windows.”.

**Regulation respecting the issuance of competency certificates**

**5.** The Regulation respecting the issuance of competency certificates, approved by Order in Council 673-87 dated 29 April 1987 and amended by the Regulations approved by Orders in Council 1817-88 dated 7 December 1988, 1191-89 dated 19 July 1989, 992-92 dated 30 June 1992, 1462-92 dated 30 September 1992, 314-93 dated 10 March 1993, 772-93 dated 19 May 1993, 1112-93 dated 11 August 1993, 799-94 dated 1 June 1994, 1246-94 dated 17 August 1994, by sections 55 to 58 of Chapter 8 of the Statutes of 1995, and by the Regulations approved by Orders in Council 1327-95 dated 4 October 1995, 1489-95 dated 15 November 1995 and 1451-96 dated 20 November 1996, is further amended by inserting after section 28.4, the following:

“**28.5.** The Commission shall issue, upon application, a journeyman competency certificate pertaining to the trade of erector-mechanic (glazier) to any person who furnishes proof that he has successfully completed a safety course required by the Safety Code for the Construction Industry, and who is the holder of a qualification certificate delivered by the Joint Committee for the Flat Glass Industry for the trade of erector-mechanic (glazier), the trade of setter, glass and spandrel panels, the trade of setter, mechanic (glazier), or the trade of setter journeyman.

**28.6.** The Commission shall issue, upon application, an apprentice competency certificate pertaining to the trade of erector-mechanic (glazier) to any person who furnishes proof that he has successfully completed a safety course required by the Safety Code for the Construction Industry, and who is registered as an apprentice with the Joint Committee for the Flat Glass Industry for the trade of erector-mechanic (glazier) or the trade of setter, glass and spandrel panels, and who has completed at least one work hour as an apprentice during the twelve months preceding (*indicate here the date of the coming into force of this Regulation*), according to that joint committee’s data.

**28.7.** The Commission shall issue, upon application, to every person who furnishes proof that he has successfully completed a safety course required by the Safety Code for the Construction Industry, who is the holder of a qualification certificate delivered by the Joint Committee for the Flat Glass Industry, valid as of (*indicate here the date of the coming into force of this Regulation*):

(1) a journeyman competency certificate pertaining to the trade of erector-mechanic (glazier) restricted to the activities of setting doors and windows, when that person’s qualification certificate is pertaining to the trade of setter mechanic P.F. and that person has worked at least 6,000 hours in that trade, according to that joint committee’s data;

(2) a journeyman competency certificate pertaining to the trade of erector-mechanic (glazier) restricted to the activities of installing mirrors and show windows, when that person’s qualification certificate is pertaining to the trade of setter, mirrors and show windows, and that person has worked at least 6,000 hours in that trade, according to that joint committee’s data;

(3) an apprentice competency certificate pertaining to the trade of erector-mechanic (glazier) when that person’s qualification certificate is pertaining to the trade of setter mechanic P.F. or to the trade of setter, mirrors and show windows and that person has worked less than

6,000 hours in that trade, according to that joint committee's data, and that person has worked at least one hour during the twelve months preceding (*indicate here the date of the coming into force of this Regulation*)

**28.8.** The Commission may issue an apprentice competency certificate pertaining to the trade of erector-mechanic (glazier) to a person who would be contemplated in section 28.6 or in subsection 3 of section 28.7 had that person worked at least one hour during the twelve months preceding (*indicate here the date of the coming into force of this Regulation*), on condition that an employer registered with the Commission files a request for manpower, guarantees that person employment for not less than 150 hours over a period not exceeding 3 months and furnishes to the Commission proof of the guarantee.

**28.9.** An application for a competency certificate pursuant to sections 28.5 to 28.8 may be made not later than (*indicate here the date corresponding to the 365<sup>th</sup> day following the date of the coming into force of this Regulation*).”

### **Regulation respecting the hiring and mobility of employees in the construction industry**

**6.** The Regulation respecting the hiring and mobility of employees in the construction industry, approved by Order in Council 1946-82 dated 25 August 1982 and amended by the Regulations approved by Orders in Council 276-84 dated 1 February 1984, 359-85 dated 21 February 1985, 162-86 dated 19 February 1986, by section 42 of Chapter 89 of the Statutes of 1986, by Orders in Council 306-88 dated 2 March 1988, 349-89 dated 8 March 1989, 230-90 dated 21 February 1990, 1743-90 dated 12 December 1990, by section 72 of Chapter 61 of the Statutes of 1993, by the Regulation approved by Order in Council 799-94 of 1 June 1994 and by section 59 of Chapter 8 of the Statutes of 1995, is further amended by inserting, after section 39.1, the following:

“**39.2.** An employer registered with the Commission and who has sent in the notice set forth in section 2 of the Regulation respecting the register, monthly report, notices from employers and the designation of a representative approved by Order in Council 1528-96 dated 4 December, 1996, may hire an employee for work everywhere in Québec, if the employee is the holder of a competency certificate issued pursuant to sections 28.5 to 28.8 of the Regulation respecting the issuance of competency certificates, and if that employee has worked at least 1,500 hours of such employer during the first twenty four of the twenty six months preceding the application for a competency certificate.

For the purposes of section 38, at the first renewal of a competency certificate issued pursuant to sections 28.5 to 28.8 of the Regulation respecting the issuance of competency certificates, the Commission takes into account, if applicable, the Joint Committee for the Flat Glass Industry's data.”

**7.** This regulation shall come into force on the date of the coming into force of the Decree repealing the Decree respecting the flat glass industry.

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## **Draft Regulation**

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

### **Wildlife habitats — 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 wildlife habitats, the text of which appears below, may be made by the Government upon the expiry of 60 days following this publication.

The purpose of the Regulation is to ensure that maintenance and repair work on future wildlife development projects will not be subject to authorization under the Regulation respecting wildlife habitats, if they meet the conditions provided for in the initial authorization.

That amendment is necessary because of the proposed amendment to the Regulation respecting environmental impact assessment and review, the purpose of which is to exempt certain wildlife development projects from the procedure for environmental impact assessment and review provided for in Division IV.1 of the Environment Quality Act; as a result of that exemption, the wildlife development projects will be subject to the Regulation respecting wildlife habitats and it appears necessary to exempt maintenance and repair work on wildlife development projects from the application of that Regulation.

Further information may be obtained by contacting Mrs. Nicole Perreault, Direction de la faune et des habitats, ministère de l'Environnement et de la Faune, 150, boulevard René-Lévesque Est, boîte 92, Québec (Québec), G1R 4Y7; tel.: (418) 646-4330; fax: (418) 646-6863.

Any person having comments to make on the draft of the Regulation to amend the Regulation respecting wild-

life habitats is asked to send them in writing, before the expiry of the 60-day period, to the Minister of the Environment and Wildlife, Édifice Marie-Guyart, 30<sup>e</sup> étage, 675, boulevard René-Lévesque Est, Québec (Québec), G1R 5V7.

DAVID CLICHE,  
*Minister of the Environment and Wildlife*

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## **Regulation to amend the Regulation respecting wildlife habitats**

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, ss. 128.1, 128.6 and 128.18)

**1.** The Regulation respecting wildlife habitats, made by Order in Council 905-93 dated 22 June 1993 and amended by the Regulation made by Order in Council 102-96 dated 24 January 1996, is further amended by inserting the following Division after section 48:

### **“DIVISION X.1 STANDARDS RELATING TO MAINTENANCE ACTIVITIES ON WILDLIFE DEVELOPMENT PROJECTS IN AQUATIC ENVIRONMENTS**

**48.1** The prohibition set forth in section 128.6 of the Act respecting the conservation and development of wildlife to carry on, in a wildlife habitat, an activity likely to alter any biological, physical or chemical component peculiar to the habitat of the animal or fish concerned does not apply to a person who carries on maintenance activities on wildlife development projects in aquatic environments where the following conditions are met:

(1) the wildlife development has already been authorized by the Minister;

(2) the conditions of the authorization are respected;  
and

(3) in a case where such maintenance activities are carried out on a dike, measures will be taken to ensure that the vegetation is restored or maintained.”.

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



## Municipal Affairs

Gouvernement du Québec

### **O.C. 603-97, 7 May 1997**

Amalgamation of the Village de Sault-au-Mouton and the Municipalité de Saint-Paul-du-Nord

WHEREAS the municipal councils of the Village de Sault-au-Mouton and the Municipalité de Saint-Paul-du-Nord each adopted a by-law authorizing the filing of a joint application with the Government, requesting that it constitute a local municipality resulting from the amalgamation of those two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs;

WHEREAS no objections were submitted to the Minister of Municipal Affairs, and he did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application, with an amendment proposed by the Minister of Municipal Affairs and approved by the council of the applicant municipalities;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs:

THAT the application be granted and that a local municipality resulting from the amalgamation of the Village de Sault-au-Mouton and the Municipalité de Saint-Paul-du-Nord be constituted on the following conditions:

(1) The name of the new municipality is “Municipalité de Saint-Paul-du-Nord — Sault-au-Mouton”. The council shall nonetheless, within twelve months following the coming into force of this Order in Council, apply for a change of name in accordance with the Act respecting municipal territorial organization. To that end, the council shall consult the population of the new municipality to determine its new name. The new name may not be that of either of the former municipalities.

Following the change of name, the council shall apply to the Commission de toponymie du Québec to have the names “Saint-Paul-du-Nord” and “Sault-au-Mouton” attributed, respectively, to the sectors of the new municipality that are formed of the former municipalities that bore those names.

(2) The description of the territory of the new municipality is that prepared by the Minister of Natural Resources on 17 December 1996; that description is attached as a schedule to this Order in Council.

(3) The new municipality is governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

(4) The new municipality shall be part of the Municipalité régionale de comté de la Haute-Côte-Nord.

(5) A provisional council shall remain in office until the first general election. It shall be composed of all the members of the two councils existing at the time of the coming into force of this Order in Council. The quorum shall be half of the members in office plus one. The current mayors shall alternate as mayor and acting mayor of the provisional council for two equal periods. The mayor of the former Village de Sault-au-Mouton shall act as mayor of the new municipality for the first period and the mayor of the former Municipalité de Saint-Paul-du-Nord shall act as mayor of the new municipality for the second period.

If a seat is vacant at the coming into force of this Order in Council or becomes vacant during the existence of the provisional council, one additional vote per vacant seat shall be allocated to the mayor of the former municipality represented by the council member whose seat has become vacant.

Throughout the term of the provisional council, the municipal representatives shall continue to receive the same remuneration that they received before the coming into force of this Order in Council.

(6) The first sitting of the provisional council shall be held on the second juridical Monday following the coming into force of this Order in Council; it shall take place at 7:00 p.m. at the town hall of the former Village of Sault-au-Mouton.

(7) Until such time as the council formed by the persons elected decides otherwise, the administrative offices of the new municipality shall be located in the town hall of the former Municipalité de Saint-Paul-du-Nord and the council hall shall be located in the town hall of the former Village de Sault-au-Mouton.

(8) The first general election shall be held on the first Sunday of the seventh month following the month in which this Order in Council comes into force. If that date falls on the first Sunday in January, the first general election shall be held on the first Sunday in February. The second general election shall be held on the first Sunday in November 2001. The council of the new municipality shall be composed of seven members, that is, a mayor and six councillors. From the first general election, the councillors' seats shall be numbered from 1 to 6.

(9) For the first three general elections, only persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Village de Sault-au-Mouton, shall be eligible for seats 1, 3 and 5, and only persons who would be eligible under that Act, if such election were an election of the council members of the former Municipalité de Saint-Paul-du-Nord, shall be eligible for seats 2, 4 and 6.

(10) Mrs. Hélène Bouliane, secretary-treasurer of the Municipalité de Saint-Paul-du-Nord, shall act as assistant secretary-treasurer of the new municipality until such time as the council composed of persons elected in the first general election appoints a person to hold that office.

(11) Any budget adopted by either of the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new municipality. Expenditures and revenues shall be accounted for separately as if the former municipalities had continued to exist. An expenditure recognized by the council as resulting from the amalgamation shall nonetheless be charged to the budget of each of the former municipalities in proportion to their respective standardized real estate value, established in accordance with the Regulation respecting the equalization scheme (O.C. 1087-92 dated 22 July 1992, amended by O.C. 719-94 dated 18 May 1994 and O.C. 502-95 dated 12 April 1995), as appearing in their financial reports for the fiscal year preceding that during which the former municipalities adopted separate budgets.

(12) The working fund of the former Municipalité de Saint-Paul-du-Nord shall be abolished at the end of the last fiscal year for which it adopted a separate budget. The portion of the working fund that is not committed at

that date shall be added to the surplus accrued on behalf of that former municipality and shall be used in accordance with the provisions of section 13.

(13) Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget shall be used for the benefit of the taxpayers in the sector formed by that former municipality. It shall be used for public works in that sector.

Any deficit accumulated on behalf of a former municipality at the end of the last fiscal period for which it adopted a separate budget shall remain charged to all the taxable immovables in the sector formed by that former municipality.

(14) The balance in principal and interest of all the loans contracted by a former municipality shall remain charged to the taxable immovables in the sector formed by the territory of the former municipality that contracted the loans, in accordance with the taxation clauses provided for in the by-laws. The new municipality may amend the taxation clauses provided for in those by-laws, in accordance with the law; however, such amendments may pertain only to the taxable immovables in the sector formed by the territory of the former municipality that adopted the by-law.

(15) Sums paid to the new municipality under the municipal amalgamation financial assistance program shall be allocated for works, half of which shall be carried out in each of the sectors formed respectively by the territories of the former municipalities.

(16) Any debt or profit which may arise as a result of legal proceedings in respect of an act performed by one of the former municipalities shall be charged to or used for the benefit of all the taxable immovables in the sector formed by the territory of that former municipality.

(17) The new municipality shall assume the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to all proceedings in the place and stead of those former municipalities.

The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of each of the former municipalities shall, insofar as they are compatible with this Order in Council, remain in force in the territory in respect of which they were made, until such time as they are amended, cancelled or repealed.

(18) All the movable and immovable property belonging to each of the former municipalities shall become the property of the new municipality.



(19) The new municipality shall take measures to amend the agreement signed with the former Municipalité de Saint-Paul-du-Nord, the Municipalité de Saint-Anne-de-Portneuf and the Office municipal d'habitation de Sainte-Anne-de-Portneuf, so that the latter will exercise its powers on behalf of the new municipality, in accordance with subsection 4 of section 57 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8).

(20) This Order in Council shall come into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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OFFICIAL DESCRIPTION OF THE LIMITS OF  
THE TERRITORY OF THE MUNICIPALITÉ DE  
SAINT-PAUL-DU-NORD – SAULT-AU-MOUTON  
IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ  
DE LA HAUTE-CÔTE-NORD

The present territory of the Municipalité de Saint-Paul-du-Nord and of the Village de Sault-au-Mouton, in the Municipalité régionale de comté de La Haute-Côte-Nord, comprising, in reference to the cadastres of the Canton d'Iberville and the Seigneurie de Mille-Vaches, the lots or parts of lots and their present or future subdivisions, as well as the roads, routes, streets, islands, lakes, watercourses or parts thereof, the whole within the limits described hereinafter, namely: starting from the meeting point of the left shore of the St. Lawrence River (high water mark) and the line dividing ranges A and B of the cadastre of the Seigneurie de Mille-Vaches; thence, successively, the following lines and demarcations: the said line dividing the ranges; northwesterly, a straight line parallel to the line dividing the Canton d'Iberville and the Seigneurie de Mille-Vaches, to the northwest line of the said seigniory; part of the northwest and southwest lines of the said seigniory, to the northwest line of the Canton d'Iberville; the northwest and southwest lines of the said township, that is, to the left shore of the St. Lawrence River; finally, the said left shore, downstream to the starting point; which limits define the territory of the Municipalité de Saint-Paul-du-Nord — Sault-au-Mouton.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 17 December 1996

Prepared by: PIERRE BÉGIN,  
*Land Surveyor*

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

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