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PROVINCE OF QUÉBEC

2nd SESSION

35th LEGISLATURE

QUÉBEC, 25 JUNE 1997

OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 25 June 1997

This day, at seven minutes past one o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to sanction the following bill:

150 An Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.

NATIONAL ASSEMBLY

SECOND SESSION THIRTY-FIFTH LEGISLATURE

Bill 63
(1997, chapter 41)

An Act respecting mixed enterprise companies in the municipal sector

Introduced 13 November 1996
Passage in principle 10 December 1996
Passage 16 June 1997
Assented to 19 June 1997

Québec Official Publisher
1997

EXPLANATORY NOTES

The purpose of this bill is to allow local municipalities, regional county municipalities, urban communities and the Kativik Regional Government to create mixed enterprise companies. The activities of a mixed enterprise company will consist in exercising the jurisdiction determined by the founding municipal entity. Such activities do not include exercising jurisdiction over water supply, water treatment, police matters or fire prevention and safety. Powers exercised by a municipal entity under temporary delegation, otherwise than pursuant to a pilot project, cannot be exercised by a mixed enterprise company.

Every municipal entity that adopts a resolution concerning the exercise of a jurisdiction as regards the provision of goods or services by municipal employees will be required to hold a public meeting on the resolution before transmitting it to the Minister of Municipal Affairs.

In addition, the Minister of Municipal Affairs may order that the qualified voters of a municipality be consulted on any resolution whereby the municipality has made the decision to become one of the founders of a mixed enterprise company.

The bill provides that mixed enterprise companies are governed by Part IA of the Companies Act, that the founders must include, in addition to the municipal founder, an enterprise from the private sector or a joint-stock company that is a mandatary of the Government, that the co-founder from the private sector may be selected only after a call for tenders and that the municipal founder is required to hold the majority of the voting shares of the mixed enterprise company. The bill also provides that the board of directors of a mixed enterprise company must be composed in the majority of persons elected by the municipal founder.

The bill proposes special rules concerning the decision of a municipality or of an urban community to establish a mixed enterprise company, and determines the rules of operation of a mixed enterprise company.

Lastly, the bill provides that mixed enterprise companies will be subject to the Act respecting Access to documents held by public bodies and the Protection of personal information.

LEGISLATION AMENDED BY THIS BILL:

– Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);

– Cities and Towns Act (R.S.Q., chapter C-19);

– Municipal Code of Québec (R.S.Q., chapter C-27.1);

– Charter of the City of Québec (1929, chapter 95);

– Charter of the city of Montréal (1959-60, chapter 102).

Bill 63

AN ACT RESPECTING MIXED ENTERPRISE COMPANIES IN THE MUNICIPAL SECTOR

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

INTERPRETATION

1. In this Act,

"municipal entity" means a municipality, an urban community or the Kativik Regional Government;

"municipal founder" means any municipal entity or group that is one of the founders of a mixed enterprise company.

CHAPTER II

DECISION TO FOUND A MIXED ENTERPRISE COMPANY

2. Any municipal entity or any group formed exclusively of municipal entities may, in accordance with this Act, be one of the founders of a mixed enterprise company.

A mixed enterprise company may exercise any of the powers that are within the jurisdiction of a municipal entity, except the powers that relate to the supply of drinking water, water treatment, police matters and fire prevention and safety or any power the exercise of which was delegated temporarily to the municipal entity otherwise than under an agreement entered into with the Government pursuant to a pilot project.

3. The resolution by which a municipal entity elects to become one of the founders of a mixed enterprise company shall, in particular, specify the jurisdiction of the mixed enterprise company.

The resolution by which a municipal entity elects to become a member of a group that intends to become one of the founders of a mixed enterprise company shall, in particular, define the powers that are to be within the jurisdiction exercised by the mixed enterprise company, and list the municipal entities that are members of the group.

Any resolution providing that all or part of a power acquired by a municipal entity pursuant to a pilot project is to be exercised by a mixed enterprise company must be approved by the Government to become effective unless the agreement entered into by the Government and the municipal entity authorizes the exercise thereof by a mixed enterprise company.

4. The clerk, secretary or secretary-treasurer of any municipal entity that passes a resolution under section 3 shall, as soon as possible, send a certified copy of the resolution to the Minister of Municipal Affairs.

In addition, where the municipal entity is a local municipality, the clerk or secretary-treasurer shall, as soon as possible, send a certified copy of the resolution to the municipal entity whose territory includes the territory of the local municipality.

Where the municipal entity is a regional county municipality, the secretary-treasurer shall, as soon as possible, send by registered mail a certified copy of the resolution to every local municipality whose territory is included in the territory of the regional county municipality and in which the regional county municipality exercises the jurisdiction defined in the resolution.

5. A municipal entity that passes a resolution under section 3 proposing that a mixed enterprise company exercise jurisdiction over goods or services provided by employees of the entity shall, before sending a copy of the resolution to the Minister of Municipal Affairs in accordance with section 4, hold, in respect of the resolution, a public meeting called by the mayor or by another member of the council designated by the mayor.

The council shall fix the date, time and place of the meeting; it may delegate all or part of such power to the clerk, the secretary-treasurer or the secretary of the municipal entity.

For the purposes of the first paragraph, the word “mayor” designates, in addition to its usual meaning, the warden in the case of a regional county municipality, the chairman of the council in the case of the Communauté urbaine de l’Outaouais, the chairman of the executive committee in the case of the Communauté urbaine de Montréal, the chairman of the Community in the case of the Communauté urbaine de Québec and the chairman of the executive committee in the case of the Kativik Regional Government.

6. On or before the fifteenth day preceding the date of the public meeting, the clerk, the secretary-treasurer or the secretary of the municipal entity shall publish in a newspaper circulated in the territory of the municipal entity a notice of the date, time, place and purpose of the meeting.

He shall, within the same time limit, send a certified copy of the notice to the certified association, if any, that represents the employees referred to in section 5.

The notice shall define the jurisdiction mentioned in the resolution under section 3, and indicate that a copy of the resolution is available for consultation at the office of the municipal entity.

7. During the public meeting, the person having called the meeting shall explain the resolution and hear all persons and bodies wishing to make representations.

8. Certification of the publication of the notice under section 6 shall be sent by the person responsible for publication of the notice to the Minister of Municipal Affairs, together with a copy of the resolution under section 3.

9. The Minister of Municipal Affairs may order, in respect of any resolution under section 3, that the qualified voters of the local municipality that passed the resolution or of every local municipality whose territory is included in the territory of the municipal entity that passed the resolution and in which the municipal entity exercises the jurisdiction mentioned in the resolution be consulted.

The qualified voters shall be consulted in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) or with the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1), as the case may be.

The clerk or the secretary-treasurer shall, as soon as possible, send to the Minister, depending on the circumstances, a notice attesting that the majority of the qualified voters entitled to have their names entered on the referendum list of the municipality have waived the holding of a referendum poll, a certified copy of the certificate stating the results of the registration procedure to determine whether a referendum poll is necessary, and a certified copy of the statement of the final results of the poll.

The expenses arising from the consultation shall be borne by the municipality in which the referendum was held.

10. If the jurisdiction mentioned in the resolution under section 3 and passed by a regional county municipality is a jurisdiction acquired by the regional county municipality pursuant to article 678.0.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), the right to not be subject to such jurisdiction granted by the Municipal Code, hereinafter referred to as the "right of withdrawal", may be exercised, with the modifications set out in the second and third paragraphs.

Where the jurisdiction mentioned in the resolution under section 3 constitutes only part of the jurisdiction acquired by the regional county municipality as regards the provision of the municipal service concerned, the right of withdrawal may be exercised in respect of the whole of the jurisdiction acquired or in respect of only the part mentioned in the resolution.

The resolution by which the right of withdrawal is exercised is without effect unless a certified copy of it is received by the regional county municipality within 90 days after receipt by the local municipality of the copy sent under the third paragraph of section 4 or after the mixed enterprise company is established.

Any disagreement between a municipality exercising its right of withdrawal and a regional county municipality that pertains to expenses incurred prior to the withdrawal in connection with the establishment of a mixed enterprise company may be resolved in accordance with the procedure provided in sections 468.53 and 469 of the Cities and Towns Act (R.S.Q., chapter C-19), adapted as required.

11. Any local municipality that exercised its right to withdraw from a jurisdiction may elect to become subject to such jurisdiction in accordance with the applicable provisions of the Municipal Code of Québec (R.S.Q., chapter C-27.1).

However, the resolution by which the municipality elects to become subject to the jurisdiction is without effect if the certified copy of the resolution is received by the regional county municipality after the mixed enterprise company is established. In such a case, the municipality may not elect to become subject to the jurisdiction, except under the provisions of Chapter V.

CHAPTER III

ESTABLISHMENT AND ORGANIZATION OF A MIXED ENTERPRISE COMPANY

12. Subject to this Act, mixed enterprise companies shall be established in accordance with Part IA of the Companies Act (R.S.Q., chapter C-38).

The activities of a mixed enterprise company shall be restricted to exercising the jurisdiction mentioned in a resolution under section 3, and include the power to provide any goods or services. Such goods or services may be provided in the territory included in the territory of any municipal entity that is the municipal founder or that is a member of the group that is the municipal founder and in which the jurisdiction concerned was exercised by the municipal entity before being entrusted to a mixed enterprise company.

13. Every other founder of a mixed enterprise company shall be selected by the municipal founder.

Where the municipal founder is a group, the selection under the first paragraph shall be made by the passage by all municipal entities that are members of the group of resolutions that are identical as to the designation of any other founder of the mixed enterprise company.

14. At least one of the founders with which the municipal founder must join to found a mixed enterprise company shall be either a person operating an enterprise in the private sector or a joint-stock company that is a mandatary of the Government.

The person referred to in the first paragraph that operates an enterprise in the private sector must hold at least 20% of the paid up share capital of the mixed enterprise company. However, that rule does not apply where a joint-stock company that is a mandatary of the Government is also a founder of the mixed enterprise company.

15. The municipal founder shall issue a call for tenders for the purpose of selecting, as co-founder, a person operating an enterprise in the private sector that is required to hold at least 20% of the paid-up share capital of the mixed enterprise company.

The call for tenders shall be published in a newspaper circulated in the territory of the municipal founder and shall invite persons operating an enterprise in the private sector to submit their expertise and main achievements in the provision of goods or services described in the call for tenders and related to the activities of the future mixed enterprise company.

Where the municipal founder is a group, the municipal entity having the largest population shall cause the call for tenders to be published in a newspaper circulated in its territory. The expenditure related to the call for tenders and the choice of a candidate shall be apportioned among the members of the group in proportion to their population or according to any other criterion agreed upon.

The selection of a co-founder may not take place before the expiry of a period of 60 days after publication of the call for tenders.

For the purposes of this Act, the population of the Kativik Regional Government is the total population of the local municipalities whose territory is included in the territory of the Kativik Regional Government.

16. The name of a mixed enterprise company must include the words “Société d’économie mixte” or the abbreviation “SÉM”.

17. Before the articles of a mixed enterprise company are filed with the Inspector General of Financial Institutions under the Companies Act (R.S.Q., chapter C-38), the municipal founder must, in addition to designating a person who will be authorized to sign for the founder, obtain approval of the articles from the Minister of Municipal Affairs. The articles shall be filed together with a copy of the document evidencing such approval.

Where the municipal founder is a group, the designation of the person who will sign the articles and the designation of the municipal entity that is a member of the group charged with obtaining the approval of the Minister shall

be made by the passage by all municipal entities that are members of the group of resolutions identical as to such designations.

18. A mixed enterprise company shall obtain approval from the Minister of Municipal Affairs for any articles of amendment or of amalgamation. The articles shall be filed together with a copy of the document evidencing such approval.

19. Every by-law of the mixed enterprise company under section 93 of the Companies Act (R.S.Q., chapter C-38) and every unanimous shareholders' agreement under section 123.91 of that Act must be approved by the Minister of Municipal Affairs to become effective.

20. The voluntary winding-up or the dissolution of a mixed enterprise company must be authorized by the Minister of Municipal Affairs to become effective.

21. The municipal entity that is the municipal founder of a mixed enterprise company or that is a member of the group that is the founder must, at all times, be a shareholder of the mixed enterprise company.

Such shareholder or group of shareholders, as the case may be, must, at all times, hold a majority of the voting rights attached to the shares of the mixed enterprise company.

22. The board of directors of a mixed enterprise company and its executive committee, if any, must include a majority of persons elected exclusively by the shareholder or by the group of shareholders referred to in section 21.

A majority of the directors thus elected must be members of the council of the shareholder or of the council of one of the shareholders forming the group.

23. The chairman of the board of directors of a mixed enterprise company shall also chair the executive committee of the board, if there is one.

The chairman of the board of directors does not have a second vote or a casting vote in the case of a tie-vote among the members of the board of directors or of the executive committee.

24. Every director elected from among the members of the council of a municipality, of an urban community or of the Kativik Regional Government remains in office even upon his ceasing to be a council member.

25. The quorum at meetings of the board of directors of a mixed enterprise company or at meetings of the executive committee of the board, if any, must include a majority of the directors elected exclusively by the shareholder or by the group of shareholders referred to in section 21.

The first paragraph also applies, notwithstanding section 123.20 of the Companies Act (R.S.Q., chapter C-38), to the organization meeting of the directors.

26. The second paragraph of section 21 and sections 22 and 25 do not apply where the municipal founder has joined with a joint-stock company that is a mandatary of the Government and is the holder of at least 50% of the paid-up share capital of the mixed enterprise company.

27. Every general meeting of a mixed enterprise company and every meeting of the board of directors and of the executive committee, if any, of a mixed enterprise company must be held in Québec.

28. Every decision of the board of directors of a mixed enterprise company fixing or changing the remuneration of the directors must be approved by the municipal founder to become effective.

Where the municipal founder is a group of municipal entities, such a decision is deemed to be approved by the municipal founder if the majority of the municipal entities approve it and if the total population of the municipal entities which approve the decision constitutes 50% or more of the total population of the group of municipal entities.

Any municipal entity which fails to express an opinion on the decision within 60 days after receiving a copy of it is deemed to have approved the decision.

CHAPTER IV

AGREEMENT

29. Any municipal entity that is the municipal founder of a mixed enterprise company or that is a member of the group that is the municipal founder may enter into an agreement with the mixed enterprise company in respect of the exercise of their shared jurisdiction.

30. The agreement must be approved by the Minister of Municipal Affairs to become effective.

The agreement does not require the authorization or approval of the Minister under section 29.3 of the Cities and Towns Act (R.S.Q., chapter C-19), article 14.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), sections 18.1 and 361.1 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1), article 721 of the Charter of the city of Montréal (1959-60, chapter 102) or article 191*a* of the Charter of the city of Québec (1929, chapter 95).

Sections 573 and 573.1 of the Cities and Towns Act, articles 935 and 936 of the Municipal Code of Québec, sections 82.1 to 83 of the Act respecting the

Communauté urbaine de l'Outaouais (R.S.Q., chapter C-37.1), sections 120.0.1 to 120.0.3 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2), sections 92 to 92.0.2 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3), sections 204, 204.1, 358 and 358.1 of the Act respecting Northern villages and the Kativik Regional Government and article 107 of the Charter of the city of Montréal do not apply to the agreement.

31. The agreement shall include

(1) a detailed description of its object;

(2) the obligations of the parties including their obligations as to financial participation;

(3) the procedure for determining the cost of its implementation;

(4) the obligations of the parties in case of total or partial non-performance;

(5) the term of the agreement and, where applicable, the renewal procedure.

32. The agreement shall include any provision concerning the employees referred to in section 5.

CHAPTER V

INCLUSION OF MUNICIPALITY HAVING EXERCISED ITS RIGHT OF WITHDRAWAL

33. Sections 34 to 36 apply where a local municipality having exercised the right of withdrawal referred to in section 10 in respect of a jurisdiction has not become subject thereto before the establishment of the mixed enterprise company which, pursuant to the agreement to which it is a party, exercises the jurisdiction concerned.

For the purposes of sections 34 to 36, jurisdiction over a local municipality shall extend to its territory.

34. The local municipality may make an application to the regional county municipality requesting that it be made subject to the jurisdiction concerned.

The clerk or secretary-treasurer of the local municipality shall, as soon as possible, send to the regional county municipality and to the mixed enterprise company, by registered mail, a certified copy of the resolution containing its application.

The local municipality's becoming subject to a jurisdiction cannot become effective for a municipal fiscal year unless a copy of the resolution is received by the regional county municipality on or before 1 July preceding the beginning of the fiscal year.

35. An application under section 34 is deemed to have been refused if the regional county municipality has not, within 90 days of receiving a copy of the resolution containing the application, passed a resolution granting the application.

The councillors representing the local municipality on the council of the regional county municipality shall not participate in any deliberations concerning, or vote on, the application. The resolution granting the application requires a two-thirds majority of the votes cast.

The secretary-treasurer of the regional county municipality shall, as soon as possible, send to the local municipality and to the mixed enterprise company, by registered mail, a certified copy of the resolution setting out the decision of the regional county municipality granting the application.

36. If the application is granted, the local municipality and the regional county municipality shall agree on the procedure according to which the local municipality is to become subject to the jurisdiction and the terms and conditions of payment of the expenditures arising therefrom.

Any disagreement concerning such procedure or such terms and conditions may be resolved in accordance with the procedure provided in sections 468.53 and 469 of the Cities and Towns Act (R.S.Q., chapter C-19), adapted as required.

A local municipality's becoming subject to a jurisdiction shall take effect in accordance with the procedure, terms and conditions agreed upon or determined pursuant to the first or the second paragraph. Subject to such procedure, terms and conditions, a local municipality's becoming subject to a jurisdiction under the provisions of this chapter shall be considered to have been effected under articles 678.0.2 and 10.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1).

CHAPTER VI

SPECIAL PROVISIONS

37. No mixed enterprise company may be a shareholder in any legal person or acquire a share in a partnership.

38. No mixed enterprise company may grant any loan or financial assistance to a shareholder or stand surety for a shareholder.

No mixed enterprise company may, in any manner described in the first paragraph, assist any person in acquiring any of its shares.

39. The Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., chapter P-45) applies to a mixed enterprise company.

40. Any contract awarded by a mixed enterprise company to a person so that the person may exercise any part of the jurisdiction covered by an agreement must be authorized by the municipal founder to become effective.

The second and third paragraphs of section 28, adapted as required, apply in respect of such a contract.

41. Section 40 does not, however, apply to a contract that, if it were awarded by the municipal founder, would not be subject to the public tenders or tenders by invitation procedure that applies to the municipal founder, or to a contract awarded by a mixed enterprise company according to the procedure for tenders that governs the awarding of such a contract by the municipal founder, adapted as required.

For the purposes of the first paragraph, the municipal founder is deemed, in the case of a group, to be the municipal entity having the largest population.

42. For the purposes of the provisions of Division III.1 of Chapter XVIII of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), of section 143.3 of the Act respecting the Communauté urbaine de l'Outaouais (R.S.Q., chapter C-37.1), of section 222.1 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2) and of section 157.3 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3), any good or service or any activity of a mixed enterprise company is deemed to be that of the municipal entity that exercised, in the territory concerned, the jurisdiction to which the good, service or activity relates before such exercise was entrusted to the mixed enterprise company.

43. The agreement may provide that the mixed enterprise company collects any sum the payment of which is imposed under a provision mentioned in section 42 for the financing of any good or service or of any activity, and provide that the total sum collected is retained by the company or remitted to the municipal entity that imposed the payment, or that part of the sum collected is retained by the mixed enterprise company and part is remitted to the municipal entity.

44. Unless otherwise provided in the agreement, a mixed enterprise company may, pursuant to a contract, provide any goods or services that are related to the jurisdiction it exercises, outside the territory of a municipal entity that is a party to the agreement.

45. Any municipal entity that is the municipal founder of a mixed enterprise company or that is a member of the group that is the municipal founder may acquire any property, by agreement or by expropriation, for the purpose of transferring or leasing it, by onerous title, to the mixed enterprise company or for the purpose of providing it to the mixed enterprise company as payment for shares.

46. Any borrowing by a mixed enterprise company by way of an issue of bonds must be authorized by the municipal founder to become effective.

The second and third paragraphs of section 28, adapted as required, apply in respect of the borrowing.

47. Any municipal entity that is the municipal founder of a mixed enterprise company or that is a member of the group that is the municipal founder may guarantee the bonds issued by the mixed enterprise company.

The guarantee offered to the bondholders may cover not only the repayment of the principal and interest of the bonds but also the payment of related fees and commitments.

48. Any municipal entity that is the municipal founder of a mixed enterprise company or that is a member of the group that is the municipal founder may stand surety for the mixed enterprise company in respect of commitments other than those mentioned in section 47.

However, a municipality having a population of less than 50 000, and the Kativik Regional Government, must obtain the authorization of the Minister of Municipal Affairs to stand surety for an obligation of $50,000 or more. A municipality having a population of 50 000 or over or an urban community must obtain such authorization if the obligation for which it is to stand surety is of $100,000 or more.

The amount up to which a municipal entity may make a commitment under this section may not exceed the value of the share capital of the mixed enterprise company it has paid.

CHAPTER VII

PROTECTION AND DISQUALIFICATION

49. Every mixed enterprise company must provide and maintain liability insurance for its directors, officers and other representatives.

50. For the purposes of Division XIII.1 of the Cities and Towns Act and of Title XVIII.2 of the Municipal Code of Québec, a mixed enterprise company is deemed to be a mandatary body of the municipal entity that is the municipal founder of the mixed enterprise company or that is a member of the group that is the municipal founder in respect of any director of the mixed enterprise company who is a council member or an officer or employee of the municipal entity or of any local municipality whose territory is included in the territory of the municipal entity.

The first paragraph applies notwithstanding sections 123.87 to 123.89 of the Companies Act.

51. Any person who, during his term of office as a member of the council of a local municipality, directly or indirectly acquires or holds shares issued by a mixed enterprise company that is related to the municipality or who has a direct or indirect interest in a contract to which the mixed enterprise company is a party is disqualified from holding office as a member of the council of any local municipality.

For the purposes of the first paragraph, a mixed enterprise company is related to a local municipality if the municipal founder of the mixed enterprise company is

(1) the local municipality;

(2) the regional county municipality or the urban community whose territory includes the territory of the local municipality or, where applicable, the Kativik Regional Government;

(3) a group of municipal entities that includes an entity referred to in paragraph 1 or 2.

52. Section 51 does not apply in the cases described in section 305 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2).

53. Disqualification under section 51 may be obtained by means of an action for declaration of disqualification under sections 308 to 312 of the Act respecting elections and referendums in municipalities.

Such disqualification subsists until the expiry of a period of five years after the day on which the judgment declaring the person disqualified becomes *res judicata*.

54. The directors of a mixed enterprise company shall abstain from participating in any deliberation or any decision of the board of directors or of the executive committee, if any, that would place them in a situation where their personal interest would be in conflict with their obligations as directors.

55. The shareholders of a mixed enterprise company may dismiss any director who has contravened section 54. Notwithstanding the second paragraph of section 123.77 of the Companies Act, a dismissal requires a majority vote of all shareholders present at a special general meeting of the shareholders called for that purpose before the expiry of one year from the date on which the act is alleged to have been committed.

56. Any person who directly or indirectly acquires or holds shares issued by a mixed enterprise company or who has a direct or indirect interest in a contract to which the mixed enterprise company is a party is disqualified from holding any position as an officer or employee, other than as an employee within the meaning of the Labour Code, of any municipal entity related to the company.

For the purposes of the first paragraph, a municipal entity is related to a mixed enterprise company if the entity is

(1) the municipal founder of the mixed enterprise company;

(2) a member of the group of municipal entities that is the municipal founder of the mixed enterprise company;

(3) a local municipality whose territory is included in the territory of a municipal entity referred to in paragraph 1 or 2.

57. Section 56 does not apply to a person who holds less than 10% of the voting shares issued by a mixed enterprise company, even following an acquisition under the said section.

CHAPTER VIII

FINANCIAL PROVISIONS, DOCUMENTS AND REPORTS

58. The fiscal year of a mixed enterprise company shall coincide with the calendar year.

59. The mixed enterprise company shall, before 1 October each year, send to the municipal entity that is the municipal founder or to every municipal entity that is a member of the group that is the municipal founder an estimate of the costs related to the implementation of the agreement for the next fiscal year of the mixed enterprise company and the financial participation required for that purpose from each municipal entity that is a party to the agreement.

60. Notwithstanding sections 123.98 to 123.100 of the Companies Act, the shareholders of the mixed enterprise company shall appoint an auditor, in accordance with section 123.97 of that Act.

61. The mixed enterprise company shall send to the municipal entity that is the municipal founder or to every municipal entity that is a member of the group that is the municipal founder a copy of the documents and information mentioned in section 98 of the Companies Act at the time or date determined under that section.

For each of its first five fiscal years, the mixed enterprise company must also forward to the Minister of Municipal Affairs a copy of the documents and information referred to in the first paragraph.

62. The mixed enterprise company must, in addition, provide to the Minister of Municipal Affairs any information the Minister requires on its activities.

CHAPTER IX

MISCELLANEOUS AND TRANSITIONAL PROVISIONS

63. This Act applies notwithstanding the Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1), the Municipal Aid Prohibition Act (R.S.Q., chapter I-15) and the Act respecting sales of municipal public utilities (R.S.Q., chapter V-4).

64. Section 5 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1), amended by section 13 of chapter 2 of the statutes of 1996, is again amended by adding, after paragraph 2, the following paragraph:

"(3) a mixed enterprise company established under the Act respecting mixed enterprise companies in the municipal sector (1997, chapter 41)."

65. Section 99 of the Cities and Towns Act (R.S.Q., chapter C-19), amended by section 12 of chapter 77 of the statutes of 1996, is again amended by inserting the words "or guaranteed" after the word "issued" in the fifth line of the second paragraph.

66. Article 203 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), amended by section 455 of chapter 2 of the statutes of 1996 and by section 203 of chapter 77 of the statutes of 1996, is again amended by inserting the words "or guaranteed" after the word "issued" in the eleventh line of the first paragraph.

67. Section 301 of the Charter of the City of Québec (1929, chapter 95), replaced by section 19 of chapter 42 of the statutes of 1980 and amended by section 12 of chapter 88 of the statutes of 1988 and by section 13 of chapter 55 of the statutes of 1994, is again amended by inserting the words "or guaranteed" after the words "province or securities issued".

68. Article 707*a* of the Charter of the city of Montréal (1959-60, chapter 102), enacted by section 64 of chapter 59 of the statutes of 1962 and amended by section 34 of chapter 96 of the statutes of 1971, by section 14 of chapter 76 of the statutes of 1972, by section 68 of chapter 77 of the statutes of 1973, by section 1 of chapter 85 of the statutes of 1975, by section 14 of chapter 52 of the statutes of 1976, by section 213 of chapter 38 of the statutes of 1984, by section 27 of chapter 87 of the statutes of 1988, and by section 20 of chapter 90 of the statutes of 1990, is again amended by replacing paragraph 5 by the following paragraph:

"(5) The available moneys of the working capital fund may be invested for a short term in a chartered bank or other financial institution authorized to receive such deposits, by way of the purchase of securities issued or guaranteed by the Government of Canada, the Government of Québec or the government of another Canadian province or by a municipality, a mandatary body of a

municipality or a supramunicipal body within the meaning of sections 18 and 19 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3), or by way of the purchase of securities issued by the Conseil scolaire de l'Île de Montréal."

69. The Minister of Municipal Affairs is responsible for the administration of this Act.

70. This Act comes into force on 19 June 1997.

NATIONAL ASSEMBLY

SECOND SESSION THIRTY-FIFTH LEGISLATURE

Bill 65
(1997, chapter 42)

An Act to institute, under the Code of Civil Procedure, pre-hearing mediation in family law cases and to amend other provisions of the Code

Introduced 14 November 1996
Passage in principle 9 December 1996
Passage 13 June 1997
Assented to 19 June 1997

Québec Official Publisher
1997

EXPLANATORY NOTES

This bill proposes amendments to the Code of Civil Procedure principally to promote mediation in family law cases.

Except in certain circumstances related, in particular, to the situation of the parties, attendance at an information session on the mediation process will be required prior to the hearing of any application involving the interests of the parents and of one or more of their children that is contested on a matter relating to child custody, support due to one parent or to the children, the family patrimony or other patrimonial rights arising from the marriage.

The bill introduces in that respect two types of information session to be attended by the parties : sessions held in the presence only of the parties and a mediator, and group sessions held in the presence of several couples or parties and of two mediators of different professions. It sets out the content of information sessions and prescribes rules to ensure the free and enlightened consent of the parties in deciding whether or not to proceed with mediation after the information session or to proceed with mediation with the mediator of their choice. The bill contains rules governing the conduct of mediation sessions, and sets out the rights and obligations of each participant.

The bill also sets out the Government's power to make regulations on mediation, in particular to allow for the establishment of standards to apply to certified mediators in the exercise of their functions, and replaces the current tariff established by regulation by a new tariff to reflect measures introduced by the bill.

In addition, the bill provides that applications relating to child custody or to support obligations which are introduced by way of a motion will be dealt with directly by the special clerk, without a hearing, provided that the parties have reached agreement on the matters involved.

Lastly, the bill re-establishes the jurisdiction of the clerk of the

municipal court in civil matters; it allows a bailiff, subject to certain conditions, to effect service, without first having to obtain permission at the office of the court, by modes other than those usually required; and it changes the manner in which the clerk of small claims must evidence a service by mail.

Bill 65

AN ACT TO INSTITUTE, UNDER THE CODE OF CIVIL PROCEDURE, PRE-HEARING MEDIATION IN FAMILY LAW CASES AND TO AMEND OTHER PROVISIONS OF THE CODE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Article 4 of the Code of Civil Procedure (R.S.Q., chapter C-25) is amended by inserting the words ", or any other person appointed to act in that capacity at the court to which the provision is applicable" after the word "law" in the second line of subparagraph *d* of the first paragraph.

2. Article 44.1 of the said Code is amended by inserting, after the first paragraph, the following paragraph:

"The special clerk may, where an application relating to child custody or to obligations of support is introduced by way of a motion, homologate any agreement effecting a complete settlement of these matters."

3. Article 45 of the said Code is amended by adding the following paragraph:

"In the case of an application referred to in the second paragraph of article 44.1, the special clerk may refer the application to the judge or the court if he considers that the agreement between the parties does not provide sufficient protection for the interests of the children or that a party's consent was obtained under duress. He may, to evaluate the agreement or the consent of the parties, summon and hear the parties, even separately, in the presence of their attorneys, if any."

4. Article 138 of the said Code is amended by adding, at the end of the second paragraph, the following: "However, where the attempt to effect service was made by a bailiff or a sheriff and was recorded in his certificate, the bailiff or sheriff may, without authorization, serve the proceeding by leaving on the premises a copy of the written proceeding intended for the addressee."

5. Article 813.8 of the said Code is amended by replacing the word "five" in the third line of the second paragraph by the word "ten".

6. Article 814.1 of the said Code is amended by adding the following paragraph:

"An exception to this rule is made in the case of applications within the jurisdiction of the special clerk pursuant to the second paragraph of article 44.1; such applications are presented directly to the clerk, and do not require a hearing."

7. The said Code is amended by inserting, after article 814.2, the following subsection:

"§5. — *Pre-hearing mediation*

"**814.3.** Except applications under article 814.9, no application that involves the interests of the parties and the interests of their children may be heard by the court if there is a dispute between the parties regarding child custody, support due to a party or to the children, the family patrimony or other patrimonial rights arising from the marriage, unless the parties have attended an information session on the mediation process and a copy of the mediator's report has been filed.

"**814.4.** The information session on the mediation process may be held in the sole presence of both parties and a mediator.

A group information session may also be held. In such a case, the session is held in the presence of at least three persons registered with the Family Mediation Service of the Superior Court and of two mediators, one of whom must be from the legal profession and the other, from another profession.

"**814.5.** The parties select jointly the type of information session they wish to attend. In case of disagreement as to the type of information session or, where applicable, as to the choice of a mediator, the parties must, together or separately, attend a group session.

"**814.6.** The information session bears on the nature and objectives of the mediation, the mediation process and the roles to be played by the parties and the mediator.

At the conclusion of the information session, the mediator informs the parties of their right to enter into mediation or not, and of their right to enter into mediation with that mediator or with another mediator of their choice. If the parties fail to agree to enter into mediation or express their wish to enter into mediation with another mediator, the mediator files his report with the Family Mediation Service of the Superior Court and sends a copy to the parties.

In the case of a group session, the mediators inform the parties of their right to enter into mediation or not and of their right to enter into mediation with the mediator of their choice. They file a joint report with the Service for each party present at the session and send each party a copy.

"**814.7.** The mediation sessions take place in the presence of both parties and of a mediator or, if the parties agree, two mediators; other persons may be present at the mediation sessions, provided the parties agree, the mediator considers the presence of those persons necessary and they are neither experts nor advisers.

The parties may, on their own initiative or at the suggestion of the mediator, suspend any session to seek advice from counsel or from any other person, according to the type of advice sought.

"**814.8.** Either party may, at any time during mediation, terminate it without having to give reasons. The mediator must terminate mediation if he considers that to pursue it would be ill-advised.

In such cases, the mediator files his report with the Family Mediation Service of the Superior Court and sends a copy to the parties.

"**814.9.** The court may, on a motion, make, subject to the conditions it determines, any appropriate order to safeguard the rights of the parties or children during the period of mediation or during any other period it considers appropriate.

"**814.10.** A party that has a valid reason not to attend the information session on the mediation process may state that fact to the mediator of his choice; the reason may relate, in particular, to the inequality of the power relationship, to the disability or the physical or psychological condition of the party or to the great distance between the party's residence and that of the other party.

In such a case, the mediator draws up a report containing an express statement of the party concerned that the party cannot attend the information session for a valid reason, which need not be disclosed; the mediator then files his report with the Family Mediation Service of the Superior Court and sends a copy to the party having made the statement and, if the application has been filed at the office of the court, to the other party.

"**814.11.** Where a copy of a report drawn up by a mediator in the circumstances referred to in article 814.10 has been filed, the court may proceed without the parties having attended an information session.

"**814.12.** A party who does not attend the information session on the mediation process may, unless he files a copy of a report containing a statement that he cannot do so, be condemned to all the costs relating to the application.

"**814.13.** The mediator's report remains valid, regardless of the circumstances in which it is drawn up, until the judgment on the principal application becomes *res judicata*; the report also remains valid in respect of any application for review of the judgment.

"**814.14.** The Family Mediation Service of the Superior Court pays the mediator's fees, up to the prescribed number of sessions, provided the fees are in keeping with the tariff established under article 827.3; otherwise, the mediator's fees are borne and paid in full by the parties."

8. Article 815.2.1 of the said Code is amended by replacing the third paragraph by the following paragraph:

"Except in cases determined by regulation, the mediator's fees are borne by the parties, each bearing the proportion determined by the court. However, in every case where the application involves the interests of the parties and the interests of their children, the Family Mediation Service pays the mediator's fees, up to the prescribed number of sessions, provided the fees are in keeping with the tariff established under article 827.3."

9. Article 815.2.2 of the said Code is amended by striking out the last sentence.

10. Article 815.2.3 of the said Code is repealed.

11. The said Code is amended by adding, after article 815.4, the following article:

"**815.5.** Where the court adjudicates on an agreement submitted to it as part of a proceeding governed by this Title, it ascertains, among other things, whether the agreement provides sufficient protection for the interests of the children, if any, and ensures that neither party's consent was obtained under duress.

The court may, for such purposes, summon and hear the parties, even separately, in the presence of their attorneys, if any."

12. Article 825.10 of the said Code, enacted by section 2 of chapter 68 of the statutes of 1996, is amended by replacing the words "one clear day" in the second line by the words "five days".

13. Article 827.2 of the said Code is amended by inserting the words "or information session on the mediation process" after the word "mediation" in the first line.

14. Article 827.3 of the said Code is amended

(1) by inserting the words "; the Government may also, by regulation, determine the rules and obligations with which a certified mediator must comply in the exercise of his functions and the penalties applicable for failure to comply with such rules and obligations" after the word "comply" in the fourth line of the first paragraph;

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

"The Government may also, by regulation, establish the tariff of fees payable by the Family Mediation Service of the Superior Court to a certified mediator for services provided pursuant to articles 814.3 to 814.14 and article 815.2.1, and limit the fees so payable by the Service to a maximum number of sessions conducted by the mediator. As well, the Government may establish the tariff of fees payable by the parties to a mediator designated by the Service, and the fees payable by parties requiring the services of more than one mediator or for sessions in excess of the number of sessions for which the mediator's fees are paid by the Service."

15. The said Code is amended by inserting, after article 827.3, the following article:

"**827.3.1.** The mediator's report records the presence of the parties and the matters on which agreement was reached. In the case of a report referred to in the second paragraph of article 814.6 or in article 814.10, the report records the failure of the parties to reach an agreement to enter into mediation or their wish to enter into mediation with another mediator, or the statement of either party that he cannot attend the information session on the mediation process.

The mediator's report may contain no other information. It is dated and signed by the mediator."

16. Article 827.4 of the said Code is amended by replacing the word "article" in the second line by the words "articles 814.3 to 814.14 and".

17. Article 827.5 of the said Code is amended

(1) by replacing the first sentence of the first paragraph by the following sentence: "No application relating to an obligation of support may be heard unless it is accompanied by a sworn statement by the plaintiff containing the information prescribed by regulation.";

(2) by adding, at the end of the first paragraph, the following: "Likewise, no contestation of the application may be heard unless a sworn statement by the defendant has been filed at the office of the court. The court may, however, relieve the defendant from his default on the conditions it determines."

18. Article 961 of the said Code is amended by adding, at the end of the first paragraph, the following sentence: "The acknowledgment of receipt or the notice of delivery, as the case may be, serves as an attestation of service."

19. The provisions of articles 813.8, 814.3 to 814.14, 825.10 and 827.5 of the Code of Civil Procedure, enacted by sections 5, 7, 12 and 17, do not apply to proceedings in progress.

20. The fees payable to a mediator for services provided pursuant to articles 814.3 to 814.14 and the third paragraph of article 815.2.1 of the Code of Civil Procedure, enacted by sections 7 and 8, shall be subject to the following tariff.

The fees payable by the Family Mediation Service of the Superior Court are

(1) $95 for an information session on the mediation process other than a group session;

(2) $125 per mediator for a group information session on the mediation process;

(3) $95 for each mediation session, whether one or two mediators are present.

However, the Service shall only pay such fees up to a maximum number of six sessions, whether or not an information session is held or a greater number of sessions is required. Where the mediator's services are provided in connection with an application for review of a judgment rendered between the parties on the matters at issue, the maximum number of sessions is three.

Where the mediator's report records the absence of the parties or of one of the parties from an information session on the mediation process other than a group session, the statement of either party that he cannot attend an information session or, in the cases referred to in article 815.2.1 of the Code of Civil Procedure, the fact that no mediation session has been held, the fees payable by the Service to the mediator are $50.

The fees payable by the parties are

(1) $95 for each mediation session conducted by a mediator designated by the Family Mediation Service of the Superior Court pursuant to article 815.2.1 of the Code of Civil Procedure; where the mediator's report records that no mediation session has been held, the fees are $50;

(2) $95 for each mediation session in excess of the maximum number of sessions for which the fees are paid by the Family Mediation Service of the Superior Court.

Where the parties require the services of more than one mediator at a mediation session, the fees payable by the parties per additional mediator may not exceed $95 for each session for which the mediator's services are required.

21. For the purposes of section 20, the information session on the mediation process shall last approximately 75 minutes or, in the case of a group session, approximately 90 minutes.

The total time of mediation must correspond to an average duration of 75 minutes per mediation session.

22. The Family Mediation Service of the Superior Court shall pay the mediator's fees upon the filing, by the mediator, of his report and, where applicable, of a document, signed by his clients, stating the number and the nature of the sessions held.

23. The provisions of sections 20 to 22 replace, from 1 September 1997, sections 10 to 12 of the Regulation respecting family mediation enacted by Order in Council 1686-93 (1993, G.O. 2, 6734), as if they had been made under article 827.3 of the Code of Civil Procedure. They remain in force until the Government, under article 827.3 of the Code of Civil Procedure, amends the said sections 10 to 12.

24. Section 1 has effect from 1 January 1994.

25. This Act comes into force on 1 September 1997.

In addition, sections 1 to 3 of the Act to amend the Code of Civil Procedure regarding family mediation (1993, chapter 1) and article 827.4 of the Code of Civil Procedure, enacted by section 4 of that Act, come into force on 1 September 1997.

NATIONAL ASSEMBLY

SECOND SESSION THIRTY-FIFTH LEGISLATURE

Bill 150
(1997, chapter 63)

An Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail

Introduced 15 May 1997
Passage in principle 29 May 1997
Passage 12 June 1997
Assented to 25 June 1997

Québec Official Publisher
1997

EXPLANATORY NOTES

This bill establishes a government department of employment and solidarity, to be known as the Ministère de l'Emploi et de la Solidarité, under the direction of the Minister of Employment and Solidarity.

The bill specifies the spheres of action open to the Minister, and sets out the Minister's main powers and functions in connection with manpower, employment, income security and social benefits.

A commission of labour market partners, called the Commission des partenaires du marché du travail, is established by the bill. It will take part in the development of government policies and measures in the area of manpower and employment, and will participate in decisions concerning the implementation and management of the measures and programs under the authority of the Minister. The Commission will also exercise the powers provided for in the Act to foster the development of manpower training.

The Commission will be made up of members appointed by the Government to represent Québec labour, employers' associations, community organizations working in the area of manpower and employment, and the sectors of secondary and college education. The secretary general and the chairman of the Commission will be appointed by the Government.

The bill provides that an independent unit will be established within the department of employment and solidarity, under the name of Emploi-Québec, with responsibility for implementing and supervising the manpower and employment measures and programs under the authority of the Minister, and for providing public employment services. The Minister and the Commission will enter into an agreement concerning the management of Emploi-Québec.

The secretary general of the Commission will also be the Associate Deputy Minister responsible for Emploi-Québec.

Under the bill, the Government will be authorized to establish a regional council of labour market partners for each region it determines. The functions of a regional council will include circumscribing the problems affecting the labour market in its region and defining regional strategies and objectives for manpower and employment.

Furthermore, the bill establishes a labour market development fund to finance the implementation and management of the manpower and employment measures and programs under the authority of the Minister, and public employment services. The rules governing the operation of the fund are set out in the bill.

Lastly, the bill contains provisions dealing with the internal organization of the department of employment and solidarity, and transitional and consequential provisions.

LEGISLATION AMENDED BY THIS BILL:

– Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001);

– Legal Aid Act (R.S.Q., chapter A-14);

– Act respecting family assistance allowances (R.S.Q., chapter A-17);

– Automobile Insurance Act (R.S.Q., chapter A-25);

– Health Insurance Act (R.S.Q., chapter A-29);

– Act respecting the Barreau du Québec (R.S.Q., chapter B-1);

– Code of Civil Procedure (R.S.Q., chapter C-25);

– Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34);

– Act respecting the Conseil des aînés (R.S.Q., chapter C-57.01);

– Act respecting the Conseil du statut de la femme (R.S.Q., chapter C-59);

– Act respecting collective agreement decrees (R.S.Q., chapter D-2);

– Act to foster the development of manpower training (R.S.Q., chapter D-7.1);

– Executive Power Act (R.S.Q., chapter E-18);

– Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);

– Act respecting manpower vocational training and qualification (R.S.Q., chapter F-5);

– Taxation Act (R.S.Q., chapter I-3);

– Act respecting the Ministère du Revenu (R.S.Q., chapter M-31);

– Government Departments Act (R.S.Q., chapter M-34);

– Act respecting labour standards (R.S.Q., chapter N-1.1);

– Act to facilitate the payment of support (R.S.Q., chapter P-2.2);

– Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., chapter R-5);

– Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2);

– Act respecting the Québec Pension Plan (R.S.Q., chapter R-9);

– Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);

– Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12);

– Supplemental Pension Plans Act (R.S.Q., chapter R-15.1);

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

– Act respecting occupational health and safety (R.S.Q., chapter S-2.1);

– Act respecting income security (R.S.Q., chapter S-3.1.1);

– Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (R.S.Q., chapter S-3.2);

– Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);

– Act to amend the Act to foster the development of manpower training and other legislative provisions (1997, chapter 20).

LEGISLATION REPEALED BY THIS BILL:

– Act respecting the Société québécoise de développement de la main-d'oeuvre (R.S.Q., chapter S-22.001).

LEGISLATION REPLACED BY THIS BILL:

– Act respecting certain functions relating to manpower and employment (R.S.Q., chapter M-15.01);

– Act respecting the Ministère de la Sécurité du revenu (R.S.Q., chapter M-19.2.1).

Bill 150

AN ACT RESPECTING THE MINISTÈRE DE L'EMPLOI ET DE LA SOLIDARITÉ AND ESTABLISHING THE COMMISSION DES PARTENAIRES DU MARCHÉ DU TRAVAIL

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

CHAPTER I

RESPONSIBILITIES OF THE MINISTER

1. The Ministère de l'Emploi et de la Solidarité shall be under the direction of the Minister of Employment and Solidarity appointed under the Executive Power Act (R.S.Q., chapter E-18).

2. The Minister shall instigate and coordinate state action in the areas of manpower, employment, income security and social benefits.

The actions taken by the Minister, after consulting with the other ministers concerned, in the areas of manpower and employment shall focus, in particular, on labour market information, placement, and all aspects of active labour market policy; such actions shall include the provision of public employment services.

3. The Minister shall draw up policies and measures in the areas under his authority and propose them to the Government, primarily in order to

(1) facilitate the employment of available manpower;

(2) promote the development of manpower;

(3) improve the supply of manpower and influence the demand for manpower, in order to facilitate a balance between manpower supply and demand in the labour market;

(4) ensure an acceptable standard of living for every person and every family.

The strategies and objectives in the area of manpower and employment shall be defined in collaboration with the Commission des partenaires du marché du travail.

The Minister shall see to the implementation of policies and measures and shall oversee and coordinate their application.

The Minister shall also be responsible for the administration of the Acts assigned to his responsibility, and shall exercise every other function assigned to him by the Government.

4. In designing and implementing measures in the areas under his authority to respond to the needs of the population, the Minister shall promote concerted action among, and the involvement of, the government, employers, unions, community groups, and the education and economic sectors.

The Minister shall see that action in the areas under his authority taken at the provincial, regional and local levels and in the various sectors is coordinated and harmonized.

The Minister may establish, for the territory of the census metropolitan area and for any other territory defined by the Government, a consultative committee for the consideration of issues relating to labour market policy; the Minister shall determine its membership and terms of reference.

5. In the exercise of his functions the Minister may, in particular,

(1) conduct or commission the surveys and research he considers necessary for the pursuit of the activities of the department;

(2) collect, compile, analyse and disseminate available data on manpower, employment, the labour market, income security and social benefits, and on the activities of the department and the bodies under the Minister's authority;

(3) enter into agreements in accordance with the law, with a government other than the Government of Québec, a department of such a government, an international organization, or a body under the authority of such a government or organization, including agreements with the Government of Canada concerning the implementation of manpower and employment measures;

(4) enter into agreements with any person, association, partnership or body in the areas under his authority, including the Emploi-Québec management agreement referred to in section 31.

6. An agreement entered into by the Minister may provide for the exercise of any functions assigned to the Minister by an Act assigned to his responsibility to be delegated to a body, to the extent and on the conditions stipulated in the agreement.

A member of the personnel of a body assigned to the administration of an Act under the responsibility of the Minister shall have the same obligations and powers and have access to the same information as a member of the personnel of the department with similar functions.

7. An agreement with the Government of Canada or between the Minister and a body may provide for the transfer of personnel members from that government or body to the department, and for the procedure governing the transfer. The agreement shall be subject to government approval.

8. An agreement in the area of income security and social benefits may provide for the exchange of nominative information obtained under an Act administered by the Minister and information obtained under an equivalent Act administered by another Government, government department or body, for the purpose of verifying a person's eligibility for the programs governed by those Acts or in order to prevent, detect or punish a contravention of such an Act.

The agreement shall be submitted for an opinion to the Commission d'accès à l'information in the manner specified in section 70 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1).

9. An agreement with the Government of Canada may provide for the exchange of nominative information, by means including file matching, in order to facilitate the application of an agreement on the implementation of manpower and employment measures entered into with that government.

The exchange of such information shall be governed by the Act respecting Access to documents held by public bodies and the Protection of personal information.

10. Notwithstanding any other legislative or regulatory provision, where an agreement in the area of income security and social benefits under paragraph 3 of section 5 extends the coverage of an Act or a regulation to a person defined in the agreement, the Government may, by regulation, enact the measures required to implement the agreement in order to give effect to the agreement.

11. Notwithstanding any legislative or regulatory provision, the Minister may allow a person who is not a Québec resident, within the meaning of an Act administered by the Minister, to receive services provided under that Act on the conditions determined by the Minister.

12. A program established by the Minister in the areas under his authority may include eligibility criteria based on age.

13. The Minister may be a party to a contract to fix the price of goods or services paid for in whole or in part by the Minister pursuant to a program under the responsibility of the Minister.

A benefit or other advantage relating to types of goods or services to which such a contract applies shall be granted on the conditions prescribed in the program.

14. The Minister may, in the exercise of his functions, inquire into, or designate another person to inquire into, any matter under his authority.

15. The Minister shall table a report on the activities of the department of employment and solidarity before the National Assembly within six months of the end of each fiscal year or, if the Assembly is not sitting, within 30 days of resumption.

CHAPTER II

COMMISSION OF LABOUR MARKET PARTNERS

16. A commission of labour market partners is hereby established under the name "Commission des partenaires du marché du travail".

17. The function of the Commission is to take part in the development of government policies and measures in the areas of manpower and employment, and to participate in decisions concerning the implementation and management of manpower and employment measures and programs under the authority of the Minister, in particular as regards programming, plans of action and related operations. In that capacity, the Commission shall

(1) define manpower development needs in light of the realities of the labour market;

(2) advise the Minister on the general objectives of labour market policy;

(3) collaborate with the Minister in defining strategies and objectives in the areas of manpower and employment;

(4) determine criteria, in accordance with section 19, governing the allocation of the overall funds made available for manpower and employment measures, programs and funds;

(5) identify target areas for public employment services;

(6) examine the regional plans of action as regards manpower and employment submitted by the regional councils of labour market partners and approve them with or without amendment, after taking the advice of those councils into consideration;

(7) examine every plan or proposal submitted to it on behalf of the construction industry in connection with manpower and employment;

(8) enter into the management agreement referred to in section 31 with the Minister, and prepare annually, jointly with the Minister, the plan of action referred to in section 32 and, during the period of application of the annual plan, monitor its application, assess periodically the results obtained and recommend corrective action so that the objectives of the plan may be achieved.

The Commission shall also have any other powers and duties assigned by the Act to foster the development of manpower training (R.S.Q., chapter D-7.1).

18. In exercising its functions, the Commission shall give priority to

(1) concerted action among its partners from employers' groups, unions, community groups, and the education and economic sectors, and the establishment of manpower committees within businesses and industries, sector-based manpower committees and other committees on which such partners may sit;

(2) the participation of public educational institutions, institutions governed by the Act respecting private education (R.S.Q., chapter E-9.1) and university-level educational institutions in manpower development activities;

(3) the development of varied initiatives in the manpower and employment sector;

(4) equity for disadvantaged individuals or groups on the labour market, within the scope of government policies.

19. The criteria governing the allocation of the overall funds made available for manpower and employment measures, programs and funds shall be determined annually by the Commission, at the time and according to the conditions determined by the Minister.

The criteria require the approval of the Government, which may amend them.

20. Every regional plan of action as regards manpower and employment shall be forwarded to the Minister by the Commission as soon as it has been approved by the Commission.

The Minister may, not later than 45 days after the plan is forwarded, disallow some or all of the plan, which shall cease to have effect from the date of the disallowance. The Minister shall advise the Commission of the disallowance forthwith.

The Minister may, before the expiry of the 45-day period, inform the Commission of his intention not to exercise his power of disallowance.

21. The Commission shall include the following members, appointed by the Government:

(1) a chairman, appointed after consultation with the Commission;

(2) six members representing Québec labour, appointed on the recommendation of the most representative associations of employees;

(3) six members representing business and industry, appointed on the recommendation of the most representative employers' associations;

(4) two members appointed after consultation with the most representative community organizations working in the areas of manpower and employment;

(5) one member from the secondary education sector and one member from the college education sector, appointed after consultation with bodies in the fields concerned.

The Deputy Minister of Employment and Solidarity and the secretary general of the Commission shall be members of the Commission.

The following persons shall also be members of the Commission but without the right to vote:

(1) the Associate Deputy Minister responsible for the Secrétariat au développement des régions or an Assistant Deputy Minister designated by the Associate Deputy Minister;

(2) the Deputy Minister of Education, or an Associate or Assistant Deputy Minister of Education designated by the Deputy Minister;

(3) the Deputy Minister of Industry, Trade, Science and Technology, or an Associate or Assistant Deputy Minister of Industry, Trade, Science and Technology designated by the Deputy Minister;

(4) the Deputy Minister for Greater Montréal or an Assistant or Associate Deputy Minister for Greater Montréal designated by the Deputy Minister.

In addition, the Minister may take part in any meeting of the Commission.

22. The Government shall, after obtaining the formal advice of the Commission, appoint the secretary general of the Commission.

The secretary general shall also be the Associate Deputy Minister responsible for Emploi-Québec.

23. The term of office of members of the Commission appointed by the Government is not more than three years.

At the expiry of their term, they remain in office until they are replaced or reappointed.

The term of a member appointed under any of subparagraphs 2 to 5 of the first paragraph of section 21 shall end upon the receipt by the secretary general of the Commission of a notice from the association or organization represented by the member stating that the member is no longer qualified to represent the association or organization.

24. The chairman of the Commission shall preside over the sittings of the Commission, be responsible for communication between the Commission and the Minister and assume any other duties that may be assigned to him by the Commission.

Where the chairman is absent or unable to act, the other members of the Commission referred to in the first paragraph of section 21 shall designate from among their number a member to replace him for the period they determine.

25. The members of the Commission appointed by the Government receive no remuneration except in the cases, on the conditions and to the extent determined by the Government. However, they are entitled to the reimbursement of expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

26. Any member of the Commission who has a direct or indirect interest in an enterprise that causes his personal interest to conflict with his duties of office shall, on pain of forfeiture of office, disclose it in writing to the chairman or, in the case of the chairman, to the secretary, and abstain from participating in any discussion or decision involving the enterprise in which he has the interest or in any part of a sitting of the Commission during which his interest is discussed.

27. The Commission may hold its sittings anywhere in Québec.

A majority of voting members constitute a quorum at sittings of the Commission.

The Commission may establish rules governing its operation, in particular, concerning the creation of an executive committee.

28. The minutes of the sittings of the Commission approved by the Commission and certified by the chairman or the secretary general are authentic. The same applies to documents and copies emanating from the Commission or forming part of its records when they are signed or certified by any of those persons.

29. The Commission shall send to the Minister, within the time and in the form he determines, the data, reports or other information he requires on its activities.

CHAPTER III

EMPLOI-QUÉBEC

30. Within the department, certain services grouped together in an independent unit called “Emploi-Québec” shall supervise the implementation and the management, at the provincial, regional and local levels, of the

measures and programs under the responsibility of the Minister in the areas of manpower and employment, and shall provide public employment services.

Public employment services shall include labour market information, placement, and services relating to active labour market policy.

31. The Minister and the Commission shall enter into a management agreement concerning Emploi-Québec, which shall be submitted to the Government for approval. The agreement shall, in particular, set out

(1) the respective responsibilities of the Minister, the Commission, the Deputy Minister, and the secretary general of the Commission and Associate Deputy Minister responsible for Emploi-Québec;

(2) the functions of and services to be provided by Emploi-Québec, its management framework, in particular as regards the implementation of the administrative responsibilities conferred on the Minister by the Act to foster the development of manpower training and the manner in which the amount of the funds made available to Emploi-Québec by the Minister to achieve the objects of the Commission is to be established;

(3) the means by which results targets, and performance indicators to measure the achievement of those targets, are to be set;

(4) the mechanisms for program measurement and evaluation, and accountability;

(5) the nature of the service agreements to be entered into with Emploi-Québec.

32. The Minister and the Commission shall draw up, annually, a plan of action complementing the Emploi-Québec management agreement, which plan shall be submitted to the Government for approval. The plan shall determine the results targets established for the short and medium terms, the means by which they are to be achieved, and the parameters for the allocation of the Emploi-Québec budget.

33. The secretary general of the Commission shall defer to the authority of the Commission in matters concerning

(1) the drafting of the management agreement and the preparation of the annual plan of action and of the annual report on the activities of Emploi-Québec;

(2) the labour market orientations and policies on which the Minister is to consult the Commission;

(3) the monitoring of the annual plan of action, in particular regarding the information that may be required by the Commission for the pursuit of its objects;

(4) the application of the regulatory powers conferred on the Commission by the Act to foster the development of manpower training;

(5) any other responsibility of the secretary general identified accordingly in the management agreement.

In his capacity as the Associate Deputy Minister responsible for Emploi-Québec, the secretary general shall come under the authority of the Deputy Minister of Employment and Solidarity as concerns the administration and evaluation of the Emploi-Québec management agreement and the annual plan of action complementing the agreement.

34. The secretary general shall, annually, prepare a report on the activities of Emploi-Québec, containing the information determined by the Minister. He must file the report, once approved by the Commission, with the Minister at the time determined by the Minister.

35. The Minister shall ask representatives from the Commission or the regional councils of labour market partners to sit on panels to select persons to fill managerial positions within Emploi-Québec other than local director.

The Minister shall ask representatives from partners active in the area of manpower and employment at the local level to sit on panels to select persons to fill local director positions within Emploi-Québec.

36. The Commission may, in a regulation approved by the Government, determine the fees payable by any person using certain services provided by Emploi-Québec.

The Government may, 45 days after having requested that the Commission adopt or amend a regulation under the first paragraph, exercise the regulatory power itself. Such a regulation is deemed to be a regulation made by the Commission.

CHAPTER IV

REGIONAL COUNCILS OF LABOUR MARKET PARTNERS

37. A regional council of labour market partners shall be established by the Government in each region determined by the Government.

38. The functions of a regional council shall include

(1) defining labour market issues in its region on the basis of the general objectives of labour market policy, in particular by assessing manpower development needs and drawing on the expertise of advisory committees;

(2) submitting annually to the Commission, for approval, a regional plan of action as regards manpower and employment, which plan shall include, in particular, the elements dealing with public employment services appearing in the local plans of action pertaining to the economy and employment that have been drawn up for its region, together with its opinion particularly as to the consistency of such elements with provincial, sectorial and regional guidelines, strategies and objectives;

(3) adapting manpower and employment measures, programs and funds to the realities of the region to the extent the conditions governing their implementation so allow;

(4) defining regional manpower and employment strategies and objectives;

(5) proposing, to the Commission, the criteria according to which the funds made available for manpower and employment measures, programs and funds at the regional level should be allocated;

(6) defining the areas in which Emploi-Québec should enter into specific regional manpower and employment agreements with the regional development council;

(7) encouraging the regional development council to take regional manpower and employment strategies and objectives into account.

39. In exercising its functions, a regional council shall give priority to

(1) action undertaken to assist underprivileged persons or groups in the labour market in its region, in particular through agreements in that regard with community organizations working in the manpower and employment fields;

(2) concerted action by employers, unions and social groups and the sectors of education and the economy, in particular through the creation of advisory committees;

(3) the implementation of employment assistance programs, manpower development programs and local development programs.

40. Each regional council shall include the following members appointed by the Minister:

(1) six members representing labour, appointed on the recommendation of representative employee associations in the region;

(2) six members representing business and industry, appointed on the recommendation of representative employers' associations in the region;

(3) six other members, two appointed after consultation with community organizations working in the region in the areas of manpower and employment and four from the education sector, including one from a school board and one from a college-level institution, appointed after consultation with bodies in the fields concerned.

The regional director of Emploi-Québec shall be a member of the regional council and shall act as the council's secretary.

The following persons shall also be members of the regional council, but without the right to vote:

(1) a representative from the Secrétariat au développement des régions designated by the Minister responsible for that Secretariat;

(2) the regional director of the Ministère de l'Éducation or a regional representative from that department designated by the Deputy Minister of Education;

(3) the regional director of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie or a regional representative from that department designated by the Deputy Minister of Industry, Trade, Science and Technology.

41. The term of office of members of the regional council appointed by the Minister is not more than three years.

At the expiry of their term, they remain in office until they are replaced or reappointed.

The term of office of a member shall terminate upon receipt by the Minister of a notice from the association or organization represented by the member stating that the member is no longer qualified to represent the association or organization.

42. The members of a regional council referred to in the first paragraph of section 40 shall elect from among their number a chairman for the period they determine.

The chairman of the regional council shall preside over the sittings of the council and assume the other functions assigned to him by the council.

Where the chairman is absent or unable to act, the members of the council referred to in the first paragraph of section 40 shall designate from among their number one member to replace him for the period they determine.

43. The members of a regional council appointed by the Minister receive no remuneration, except in the cases, on the conditions and to the extent determined by the Government. They are, however, entitled to the

reimbursement of expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

44. A member of a regional council who has a direct or indirect interest in an enterprise that causes his personal interest to conflict with his duties of office shall, on pain of forfeiture of office, disclose it in writing to the chairman or, in the case of the chairman, to the secretary, and abstain from participating in any discussion or decision involving the enterprise in which he has the interest or in any part of a sitting of the regional council during which his interest is discussed.

45. The regional council may hold its sittings anywhere in its region.

A majority of members constitute a quorum at sittings of the regional council.

The regional council shall establish rules for its operation.

46. The regional council shall send to the Minister, within the time and in the form he determines, the data, reports or other information he requires on its activities.

CHAPTER V

ORGANIZATION OF THE DEPARTMENT

47. The Government shall appoint, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), a person as Deputy Minister of Employment and Solidarity.

48. Under the direction of the Minister, the Deputy Minister shall administer the department.

In addition, he shall exercise any other function assigned to him by the Government or the Minister.

49. In the exercise of his functions, the Deputy Minister shall have the authority of the Minister.

50. The Deputy Minister may, in writing and to the extent he indicates, delegate to a public servant or the holder of a position the exercise of his functions under this Act.

He may, in the instrument of delegation, authorize the subdelegation of the functions he indicates and in that case shall specify the title of the public servant or holder of a position to whom they may be delegated.

51. The personnel of the department shall consist of the public servants required for the exercise of the functions of the Minister; the public servants shall be appointed and remunerated in accordance with the Public Service Act.

The Minister shall determine the duties of the public servants where the law or the Government does not provide therefor.

52. The signature of the Minister or the Deputy Minister shall give effect to any document emanating from the department.

A deed, document or writing may bind the Minister or be attributed to him only if it is signed by him, the Deputy Minister, a member of the personnel of the department or the holder of a position, and, in the latter two cases, only to the extent determined by the Government.

A member of the personnel of an organization is, to the extent that he is assigned to the administration of a program that the Minister has delegated by agreement to that organization, considered to be a member of the personnel of the department for the purposes of the second paragraph.

53. The Government may, on the conditions it determines, allow that the signature of the Minister or Deputy Minister be affixed by means of an automatic device to the documents it determines.

The Government may also allow a facsimile of a signature to be engraved, lithographed or printed on the documents it determines. In such a case, the facsimile shall be authentified by the countersignature of a person authorized by the Minister.

54. A decision made or certificate issued pursuant to an Act under the responsibility of the Minister need not be signed, but it must contain the name of the person who made or issued it.

55. Any document or copy of a document emanating from the department or forming part of its records and signed or certified by a person referred to in the second paragraph of section 52 is authentic.

56. An intelligible written transcription of a decision, certificate or any other data stored by the department in a computer or on any other magnetic medium is a document of the department and is proof of its contents where such transcription is certified by a person referred to in the second paragraph of section 52.

57. A decision made or certificate issued pursuant to an Act administered by the Minister is presumed to have been made or issued and sent out on the date indicated therein.

CHAPTER VI

LABOUR MARKET DEVELOPMENT FUND

58. A labour market development fund shall be established at the Ministère de l'Emploi et de la Solidarité.

The fund shall be dedicated to financing the implementation and management of the measures and programs under the responsibility of the Minister in the areas of manpower and employment, and to the financing of public employment services.

59. The Government shall determine the date on which the fund begins to operate, its assets and liabilities and the nature of the costs that may be charged to the fund.

The manner in which the fund is to be managed shall be determined by the Conseil du trésor.

60. The fund shall be made up of the following sums:

(1) the sums paid into the fund by the Minister out of the appropriations granted for that purpose by Parliament;

(2) the sums collected in respect of public employment services, except the sums relating to the administration of the Act to foster the development of manpower training;

(3) the sums paid into the fund by the Minister of Finance pursuant to the first paragraph of section 62 and section 63;

(4) the gifts, legacies and other contributions paid into the fund to further the achievement of the objects of the fund.

61. The management of the sums paid into the fund shall be entrusted to the Minister of Finance. The sums shall be paid to the order of the Minister of Finance and deposited with the financial institutions he designates.

Notwithstanding section 13 of the Financial Administration Act (R.S.Q., chapter A-6), the books of account for the fund and the records of the financial commitments chargeable to the fund shall be kept by the Minister of Employment and Solidarity. He shall also certify that such commitments and the payments arising therefrom do not exceed, and are consistent with, the available balances.

62. The Minister of Finance may, with the authorization of the Government and subject to the conditions it determines, advance to the fund sums taken out of the consolidated revenue fund.

The Minister may, conversely, advance to the consolidated revenue fund, on a short-term basis and subject to the conditions he determines, any part of the sums constituting the fund that is not required for its operation.

Any advance paid into a fund shall be repayable out of that fund.

63. The Minister of Employment and Solidarity may, as manager of the fund, borrow from the Minister of Finance sums taken out of the financing fund established under section 69.1 of the Financial Administration Act.

64. The sums required for the remuneration and expenses related to social benefits and other conditions of employment of the persons assigned, in accordance with the Public Service Act, to activities related to the fund shall be paid out of the fund.

65. The surpluses accumulated into the fund which exceed $20,000,000 shall be paid into the consolidated revenue fund on the dates and to the extent determined by the Government.

66. Sections 22 to 27, 33, 35, 45, 46, 47 to 49, 49.2, 49.6, 51, 56, 57 and 70 to 72 of the Financial Administration Act, adapted as required, apply to the fund.

67. The fiscal year of the fund ends on 31 March.

68. Notwithstanding any provision to the contrary, the Minister of Finance shall, in the event of a deficiency in the consolidated revenue fund, pay out of the financing fund the sums required for the execution of a judgment against the Crown that has become *res judicata*.

CHAPTER VII

AMENDING PROVISIONS

ACT TO FOSTER THE DEVELOPMENT OF MANPOWER TRAINING

69. Section 4 of the Act to foster the development of manpower training (R.S.Q., chapter D-7.1) is amended by replacing the words “Société québécoise de développement de la main-d’oeuvre” in the second paragraph by the words “Commission des partenaires du marché du travail”.

70. Section 5 of the said Act is amended by replacing the word “Société” in the first paragraph by the word “Commission”.

71. Section 6 of the said Act is amended

(1) by replacing the word “Société” in subparagraph 2 of the first paragraph by the words “Minister of Employment and Solidarity”;

(2) by replacing the word “Société” in subparagraph 4 of the first paragraph by the word “Commission”.

72. Section 8 of the said Act, amended by section 1 of chapter 20 of the statutes of 1997, is again amended

(1) by replacing the word “Société” in the fifth line by the word “Commission”;

(2) by replacing the word “Société” in the third line by the word “Minister”;

(3) by replacing the word “Société” in the fourth line by the word “Minister”.

73. Section 10 of the said Act is amended by replacing the word “Société” wherever it appears by the word “Commission”.

74. Section 12 of the said Act is amended by inserting the words “de la construction du Québec” after the word “Commission” in the sixth line of the first paragraph.

75. Section 17 of the said Act is amended by replacing the word “Société” by the word “Minister”.

76. Section 18 of the said Act is amended by replacing the word “Société” by the word “Minister”.

77. Section 20 of the said Act, amended by section 3 of chapter 20 of the statutes of 1997, is again amended by replacing the word “Société” by the words “Commission des partenaires du marché du travail”.

78. Section 21 of the said Act, amended by section 4 of chapter 20 of the statutes of 1997, is again amended

(1) by replacing the word “Société” in paragraphs 1 and 2 by the word “Minister”;

(2) by replacing the word “Société” in paragraphs 3 and 5 by the word “Minister”.

79. Section 22 of the said Act, amended by section 39 of chapter 29 of the statutes of 1996 and by section 6 of chapter 20 of the statutes of 1997, is again amended

(1) by replacing the word “Société” by the word “Commission”;

(2) by replacing the words “minister designated by the Government” by the words “Minister of Employment and Solidarity”.

80. Section 22.1 of the said Act, enacted by section 7 of chapter 20 of the statutes of 1997, is repealed.

81. Section 23 of the said Act is amended

(1) by replacing the word "Société" in the first line by the word "Minister";

(2) by replacing the word "Société" in the second line by the word "Commission".

82. The heading of Division III.1 of Chapter II of the said Act, enacted by section 8 of chapter 20 of the statutes of 1997, is amended by striking out the words "AND IMMUNITY".

83. Section 23.2 of the said Act, enacted by section 8 of chapter 20 of the statutes of 1997, is repealed.

84. Section 24 of the said Act, amended by section 40 of chapter 29 of the statutes of 1996, is replaced by the following section:

"**24.** In the annual report to be produced by the Minister under section 15 of the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, chapter 63), the Minister shall report on the participation of employers in the development of manpower training for the preceding year."

85. Section 25 of the said Act is repealed.

86. Section 27 of the said Act is amended by adding, after paragraph 2, the following paragraph:

"(3) the revenue from the costs and fees collected pursuant to Chapter II."

87. Section 28 of the said Act, amended by section 9 of chapter 20 of the statutes of 1997, is again amended

(1) by replacing the word "Société" in the first paragraph by the words "Minister of Employment and Solidarity";

(2) by replacing the word "Société" in the third paragraph by the word "Commission";

(3) by striking out the fourth paragraph.

88. Section 29 of the said Act is replaced by the following section:

"**29.** The Minister is responsible for the administration of the Fund and may take any measure to allocate the assets of the Fund.

The assets of the Fund shall be held in the name of the Minister and shall not be mingled with those of the State."

89. Section 30 of the said Act, amended by section 41 of chapter 29 of the statutes of 1996, is again amended by replacing the first paragraph by the following paragraph:

"**30.** The Commission shall, each year, submit a plan for the allocation of the assets of the Fund to the Minister, on the date he determines."

90. Section 31 of the said Act is amended

(1) by replacing the words "of the regional manpower development corporations" by the words "of labour market partners established under section 37 of the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail";

(2) by replacing the word "Société" by the word "Commission".

91. Section 32 of the said Act is replaced by the following section:

"**32.** The Minister may, on the conditions he determines, entrust any employers' association or other body accredited by him for that purpose with the implementation of any part of the asset allocation plan."

92. Section 33 of the said Act is amended

(1) by replacing the word "Société" in the first line by the word "Minister";

(2) by replacing the words "related programs of the Société, and on the conditions it" in the second and third lines by the words "programs referred to in section 34, and on the conditions he or it".

93. Section 34 of the said Act is amended by replacing the words "A subsidy program" in the first paragraph by the words "The Commission may establish subsidy programs which".

94. Section 35 of the said Act is amended by replacing, in the first paragraph, the word "Société" by the word "Minister" and the words "it determines by regulation" by the words "determined by regulation of the Commission".

95. Section 36 of the said Act is amended by replacing the word "Société" by the word "Minister".

96. Section 39 of the said Act, amended by section 42 of chapter 29 of the statutes of 1996, is repealed.

97. Section 41 of the said Act, amended by section 42 of chapter 29 of the statutes of 1996, is again amended

(1) by replacing the words “minister designated by the Government” in the first paragraph by the word “Minister”;

(2) by replacing, in the first paragraph, the words “Société shall file with the Minister” by the words “Minister shall file” and the words “the activities of the Société” by the words “its activities”;

(3) by striking out the fourth paragraph.

98. Section 43 of the said Act is amended by striking out the words “and for that purpose shall hear the chairman of the Société”.

99. Section 44.1 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended

(1) by replacing the word “Société” in the first paragraph by the word “Commission”;

(2) by replacing the words “To that end, the Société” in the fourth paragraph by the words “In administering the apprenticeship scheme, the Minister”.

100. Section 44.2 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended

(1) by replacing the first paragraph by the following paragraphs:

“**44.2.** The Commission is responsible for planning the apprenticeship scheme and shall decide how it is to be applied to a trade or profession, to a sector of economic activity or to a region.

The Minister is responsible for the development, promotion, implementation, follow-up and assessment of the apprenticeship scheme.”;

(2) by replacing the words “The Société” in the second paragraph by the words “The Minister and the Commission”.

101. Section 44.3 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended

(1) by replacing, in paragraph 6, the word “Société” by the word “Commission”;

(2) by replacing, in paragraph 10, the word “Société” by the word “Commission”.

102. Section 44.4 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended by replacing the word “Société” by the word “Commission”.

103. Section 44.5 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended by replacing the word "Société" in the first paragraph by the word "Commission".

104. Section 44.6 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended by replacing the word "Société" in the first paragraph by the word "Commission".

105. Section 66 of the said Act is amended by striking out the words "of the Société".

106. Section 67 of the said Act, amended by section 42 of chapter 29 of the statutes of 1996, is again amended by replacing the words "minister designated by the Government" by the words "Minister of Employment and Solidarity".

ACT RESPECTING MANPOWER VOCATIONAL TRAINING AND QUALIFICATION

107. Section 1 of the Act respecting manpower vocational training and qualification (R.S.Q., chapter F-5), amended by section 23 of chapter 29 of the statutes of 1996, is again amended

(1) by replacing the words "an office of the Société québécoise de développement de la main-d'oeuvre established under section 1 of the Act respecting the Société québécoise de développement de la main-d'oeuvre (chapter S-22.001)" in paragraph *b* by the words "the Ministère de l'Emploi et de la Solidarité";

(2) by striking out the words "or by the Société québécoise de développement de la main-d'oeuvre, as the case may be," in paragraph *f*;

(3) by replacing the words "minister designated by the Government" in paragraph *p* by the words "Minister of Employment and Solidarity";

(4) by replacing paragraph *r* by the following paragraph:

"(*r*) "region": the region covered by a regional council of labour market partners established under section 37 of the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, chapter 63);".

108. Section 45 of the said Act, amended by section 26 of chapter 29 of the statutes of 1996, is again amended

(1) by replacing the words "Société québécoise de développement de la main-d'oeuvre" in the third paragraph of paragraph *a* by the word "Minister";

(2) by replacing the words "Société and in consultation with it" in paragraph *b* by the words "Minister and in consultation with him";

(3) by replacing the words “Société and on such conditions as it determines” in the first paragraph of paragraph *c* by the words “Minister and on such conditions as he determines”.

109. Section 53 of the said Act, amended by section 28 of chapter 29 of the statutes of 1996, is again amended by replacing the words “minister designated by the Government” by the words “Minister of Employment and Solidarity”.

TAXATION ACT

110. Section 336 of the Taxation Act (R.S.Q., chapter I-3), amended by section 38 of chapter 1 of the statutes of 1995, by section 91 of chapter 18 of the statutes of 1995, by section 79 of chapter 49 of the statutes of 1995, by section 36 of chapter 63 of the statutes of 1995, by section 63 of chapter 14 of the statutes of 1997 and by section 45 of chapter 31 of the statutes of 1997, is again amended by replacing the words “Income Security” wherever they appear in subsection 2.2 by the words “Employment and Solidarity”.

111. Section 1029.8.22 of the said Act, amended by section 457 of chapter 40 of the statutes of 1994, by section 146 of chapter 1 of the statutes of 1995, by sections 154 and 261 of chapter 63 of the statutes of 1995, by section 59 of chapter 3 of the statutes of 1997, by section 211 of chapter 14 of the statutes of 1997 and by section 109 of chapter 31 of the statutes of 1997, is again amended, in the first paragraph,

(1) by replacing the words “Société québécoise de développement de la main-d’oeuvre” in the portion of the definition of “qualified training activity” before paragraph *a* by the words “Minister of Employment and Solidarity”;

(2) by replacing the words “Société québécoise de développement de la main-d’oeuvre” wherever they appear in the portion of paragraph *g* of the definition of “qualified training costs” before subparagraph i by the words “Minister of Employment and Solidarity”;

(3) by replacing the definition of “registered private training company” by the following definition:

““registered private training company” at a particular time means an instructor who, at that time, is accredited by the Minister of Employment and Solidarity, or a corporation, or a partnership all the members of which are corporations, that is, at that particular time, registered as a private training company with the Minister of Employment and Solidarity;”;

(4) by striking out the definition of “Société québécoise de développement de la main-d’oeuvre”.

112. Section 1029.8.22.1 of the said Act, enacted by section 147 of chapter 1 of the statutes of 1995 and amended by sections 155 and 261 of chapter 63 of

the statutes of 1995, by section 71 of chapter 3 of the statutes of 1997 and by section 212 of chapter 14 of the statutes of 1997, is again amended

(1) by replacing the words "Société québécoise de développement de la main-d'oeuvre" in subparagraph *i* of the first paragraph by the words "Minister of Employment and Solidarity";

(2) by replacing the words "Société québécoise de développement de la main-d'oeuvre" in the second paragraph by the words "Minister of Employment and Solidarity".

113. Section 1029.8.23 of the said Act, amended by section 148 of chapter 1 of the statutes of 1995, by section 156 of chapter 63 of the statutes of 1995, by section 71 of chapter 3 of the statutes of 1997 and by section 213 of chapter 14 of the statutes of 1997, is again amended, in the first paragraph,

(1) by replacing the words "Société québécoise de développement de la main-d'oeuvre" in subparagraph i of subparagraphs *d*, *d*.1 and *d*.2 by the words "Minister of Employment and Solidarity";

(2) by replacing the words "Société québécoise de développement de la main-d'oeuvre" in subparagraph ii of subparagraphs *d*, *d*.1 and *d*.2 by the words "Minister of Employment and Solidarity".

114. Section 1029.8.25 of the said Act, amended by section 154 of chapter 1 of the statutes of 1995, by section 157 of chapter 63 of the statutes of 1995, by section 71 of chapter 3 of the statutes of 1997, by section 214 of chapter 14 of the statutes of 1997 and by section 143 of chapter 31 of the statutes of 1997, is again amended by replacing the words "Société québécoise de développement de la main-d'oeuvre" in the third paragraph by the words "Minister of Employment and Solidarity".

115. Section 1029.8.25.1 of the said Act, amended by section 155 of chapter 1 of the statutes of 1995, by section 158 of chapter 63 of the statutes of 1995, by section 71 of chapter 3 of the statutes of 1997, by section 215 of chapter 14 of the statutes of 1997 and by section 143 of chapter 31 of the statutes of 1997, is again amended by replacing the words "Société québécoise de développement de la main-d'oeuvre" in the fifth paragraph by the words "Minister of Employment and Solidarity".

116. Section 1029.8.33.1 of the said Act, amended by section 71 of chapter 3 of the statutes of 1997, is again amended by replacing the words "Société québécoise de développement de la main-d'oeuvre" wherever they appear by the words "Minister of Employment and Solidarity".

117. Section 1029.8.33.2 of the said Act, enacted by section 156 of chapter 1 of the statutes of 1995 and amended by section 163 of chapter 63 of the

statutes of 1995, by section 60 of chapter 3 of the statutes of 1997 and by section 216 of chapter 14 of the statutes of 1997, is again amended, in the first paragraph,

(1) by striking out the definition of "Société québécoise de développement de la main-d'oeuvre";

(2) by replacing the words "Société québécoise de développement de la main-d'oeuvre" in paragraph *a* of the definition of "eligible trainee" by the words "Minister of Employment and Solidarity".

118. Section 1029.8.33.10 of the said Act, enacted by section 156 of chapter 1 of the statutes of 1995 and amended by section 172 of chapter 63 of the statutes of 1995, by section 71 of chapter 3 of the statutes of 1997 and by section 218 of chapter 14 of the statutes of 1997, is again amended by replacing the words "Société québécoise de développement de la main-d'oeuvre" in subparagraph *a* of the first paragraph by the words "Minister of Employment and Solidarity".

ACT RESPECTING THE MINISTÈRE DU REVENU

119. Section 69.1 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31), amended by section 13 of chapter 46 of the statutes of 1994, by section 213 of chapter 1 of the statutes of 1995, by section 14 of chapter 36 of the statutes of 1995, by section 50 of chapter 43 of the statutes of 1995, by section 277 of chapter 63 of the statutes of 1995, by section 22 of chapter 69 of the statutes of 1995, by section 18 of chapter 12 of the statutes of 1996, by section 4 of chapter 33 of the statutes of 1996, by section 104 of chapter 3 of the statutes of 1997, by section 312 of chapter 14 of the statutes of 1997 and by section 14 of chapter 20 of the statutes of 1997, is again amended

(1) by replacing the words "Société québécoise de développement de la main-d'oeuvre" and the word "Société" in subparagraph *h* of the second paragraph respectively by the words "Minister of Employment and Solidarity" and the words "Commission des partenaires du marché du travail";

(2) by replacing the words "Minister of Income Security" in subparagraph *j* of the second paragraph by the words "Minister of Employment and Solidarity".

ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC SECTORS

120. Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2), amended by section 130 of chapter 61 of the statutes of 1996, is again amended by striking out the words "The Société québécoise de développement de la main-d'oeuvre".

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

121. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended by striking out the words "the Société québécoise de développement de la main-d'oeuvre" in paragraph 1.

122. Schedule III to the said Act is amended by striking out the words "the Société québécoise de développement de la main-d'oeuvre" in paragraph 1.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

123. Schedule IV to the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) is amended by striking out the words "the Société québécoise de développement de la main-d'oeuvre".

ACT RESPECTING INCOME SECURITY

124. Section 25 of the Act respecting income security (R.S.Q., chapter S-3.1.1) is amended by replacing the words "5 of the Act respecting the Ministère de la Sécurité du revenu (chapter M-19.2.1)" in the third paragraph by the words "15 of the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, chapter 63)".

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE DE DÉVELOPPEMENT DE LA MAIN-D'OEUVRE

125. The Act respecting the Société québécoise de développement de la main-d'oeuvre (R.S.Q., chapter S-22.001) is repealed.

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

126. Section 379 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1), amended by section 38 of chapter 29 of the statutes of 1996, is again amended by replacing the words "minister designated by the Government" by the words "Minister of Employment and Solidarity".

ACT TO AMEND THE ACT TO FOSTER THE DEVELOPMENT OF MANPOWER TRAINING AND OTHER LEGISLATIVE PROVISIONS

127. Section 17 of the Act to amend the Act to foster the development of manpower training and other legislative provisions (1997, chapter 20) is repealed.

OTHER LEGISLATIVE PROVISIONS

128. The words "Minister of Income Security", "Deputy Minister of Income Security" and "Ministère de la Sécurité du revenu" are replaced by the words "Minister of Employment and Solidarity", "Deputy Minister of Employment and Solidarity" and "Ministère de l'Emploi et de la Solidarité", respectively, wherever they appear in the following provisions:

(1) section 144 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001);

(2) section 12 of the Legal Aid Act (R.S.Q., chapter A-14);

(3) sections 22, 23, 30 and 32 of the Act respecting family assistance allowances (R.S.Q., chapter A-17);

(4) section 83.28 of the Automobile Insurance Act (R.S.Q., chapter A-25);

(5) sections 65, 67, 70, 71 and 71.1 of the Health Insurance Act (R.S.Q., chapter A-29);

(6) section 128 of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1);

(7) section 38 of the Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34);

(8) section 3 of the Act respecting the Conseil des aînés (R.S.Q., chapter C-57.01);

(9) section 7 of the Act respecting the Conseil du statut de la femme (R.S.Q., chapter C-59);

(10) section 46 of the Act respecting collective agreement decrees (R.S.Q., chapter D-2);

(11) subparagraph 12 of the first paragraph of section 4 of the Executive Power Act (R.S.Q., chapter E-18);

(12) section 7 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);

(13) paragraph 11 of section 1 of the Government Departments Act (R.S.Q., chapter M-34);

(14) section 121 of the Act respecting labour standards (R.S.Q., chapter N-1.1);

(15) section 76 of the Act to facilitate the payment of support (R.S.Q., chapter P-2.2);

(16) section 22.2 of the Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., chapter R-5);

(17) sections 12, 37, 39, 40.3, 145, 218, 228, 229 and 230 of the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9);

(18) sections 243.7 and 321 of the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1);

(19) section 122 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20);

(20) section 174 of the Act respecting occupational health and safety (R.S.Q., chapter S-2.1);

(21) sections 10, 52, 58, 65.2, 69 and 141 of the Act respecting income security (R.S.Q., chapter S-3.1.1);

(22) paragraph *n* of section 1 and sections 29 and 60 of the Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (R.S.Q., chapter S-3.2).

CHAPTER VIII

TRANSITIONAL AND MISCELLANEOUS PROVISIONS

129. The Government shall acquire the rights and assume the obligations of the Société québécoise de développement de la main-d'oeuvre.

130. The programs managed by the Société on (*insert here the date preceding the date of coming into force of this section*) shall continue under the management of the Minister. The Government or the Minister, depending on which approved the programs, may amend or terminate them.

131. The records and other documents of the Société shall become the records and documents of the Ministère de l'Emploi et de la Solidarité.

132. Matters before the Société shall be continued by the Minister, without further formality.

133. The Attorney General shall become, without continuance of suit, party to any proceedings to which the Société is a party on (*insert here the date preceding the date of coming into force of this section*).

134. The term of office of the members of the board of directors of the Société, including the term of the chairman and vice-chairmen of the Société, shall end on (*insert here the date of coming into force of this section*).

The term of office of the members of the regional councils established under section 36 of the Act respecting the Société québécoise de développement de la main-d'oeuvre shall end on (*insert here the date of coming into force of this section*).

135. The employees of the Société in office on (*insert here the date preceding the date of coming into force of this section*) and identified in an order of the Government shall become the employees of the department or of another department, subject to the terms and conditions provided for in such an order. The employees transferred are deemed to have been appointed in accordance with the Public Service Act and shall be remunerated accordingly.

The Conseil du trésor may determine any rule, standard or policy relating to the classification, the determination of the pay scale, permanent tenure or any other condition of employment applicable to the employees referred to in the first paragraph.

136. Subject to section 137, the procedure for integrating the employees covered by an agreement entered into under section 7 may depart from the provisions of the Public Service Act except sections 64 to 69. The employees become employees of the Government and public servants within the meaning of that Act as of the date of their integration.

The Conseil du trésor may, for the implementation of such an agreement, establish any rule, standard or policy relating to classification, the determination of the pay scale, permanent tenure or any other condition of employment applicable to the employees.

The Government may, as regards the integration of the employees, make any agreement relating to pension plans with the Government of Canada or the agency concerned.

137. Where the employees integrated into the public service pursuant to an agreement under section 7 or pursuant to section 135 were represented by a certified association within the meaning of the Labour Code (R.S.Q., chapter C-27) or by a bargaining agent within the meaning of the Public Service Staff Relations Act (R.S.C., 1985, chapter P-35), the Government, to facilitate the employees' integration, may, on the conditions and to the extent it determines, recognize for a period it fixes, the certified association or bargaining agent as the sole representative of the employees for the interpretation or application of a collective agreement referred to in the second paragraph of this section or for the purposes of any measure pursuant to the second paragraph of section 135 or the second paragraph of section 136. The recognition may include provisions concerning the payment of union dues.

Those employees shall be governed by the collective agreements and other conditions of employment applicable to employees governed by the Public Service Act, subject to any rule, standard or policy established under the second paragraph of section 135 or the second paragraph of section 136 and to the provisions of the first paragraph of this section.

138. Unless the context indicates otherwise, in any Act not referred to in sections 69 to 128 and in any regulation, by-law, order in council, ministerial order, proclamation, order, contract, agreement, accord or other document,

(1) a reference to the Minister of State for Employment and Solidarity or to the Minister of Income Security is a reference to the Minister of Employment and Solidarity;

(2) a reference to the Deputy Minister of Income Security or the Ministère de la Sécurité du revenu is a reference to the Deputy Minister of Employment and Solidarity or the Ministère de l'Emploi et de la Solidarité;

(3) a reference to the minister designated by the Government for the purposes of section 13 of the Act respecting certain functions relating to manpower and employment (R.S.Q., chapter M-15.01 amended by sections 29 to 35 of chapter 29 of the statutes of 1996), is a reference to the Minister of Employment and Solidarity;

(4) a reference to the Société québécoise de développement de la main-d'oeuvre is a reference to the Minister of Employment and Solidarity or the Commission des partenaires du marché du travail, according to their respective functions;

(5) a reference to the Act respecting the Ministère de la Sécurité du revenu or to the Act respecting certain functions relating to manpower and employment is a reference to the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail or to any corresponding provision of that Act.

139. Any regulation, ministerial order or order made under the Act respecting the Ministère de la Sécurité du revenu or the Act respecting certain functions relating to manpower and employment remains in force until it is replaced or repealed.

140. A regulation of the Société québécoise de développement de la main-d'oeuvre made under section 24 of the Act respecting the Société québécoise de développement de la main-d'oeuvre is deemed to be a regulation made by the Commission des partenaires du marché du travail under section 36.

141. The regulations of the Société québécoise de développement de la main-d'oeuvre made under the Act to foster the development of manpower training and the regulations of the Government made under section 65 of that Act are deemed to be regulations of the Commission des partenaires du marché du travail.

142. Financial assistance and subsidies granted by the Société québécoise de développement de la main-d'oeuvre are deemed to be financial assistance and subsidies granted by the Minister.

143. Recognitions or accreditations issued by the Société québécoise de développement de la main-d'oeuvre pursuant to the Act to foster the development of manpower training are deemed to be recognitions or accreditations issued by the Minister.

144. This Act replaces the Act respecting the Ministère de la Sécurité du revenu (R.S.Q., chapter M-19.2.1) and the Act respecting certain functions relating to manpower and employment (R.S.Q., chapter M-15.01 amended by sections 29 to 35 of chapter 29 of the statutes of 1996).

145. During the fiscal year (*insert here the fiscal year in which this section comes into force*), the Minister shall pay to the Commission administrative des régimes de retraite et d'assurances, with the approval of the Conseil du trésor, the sums necessary to make up for certain costs arising out of an agreement relating to the pension plans of employees of the Government of Canada transferred to the department within the framework of the Canada-Québec Labour Market Agreement in Principle. Such sums shall be taken out of the labour market development fund. The Commission shall use those sums in the manner determined by the Minister.

146. The appropriations granted for the fiscal year (*insert here the fiscal year in which this section comes into force*) to the Société québécoise de développement de la main-d'oeuvre and the sums in a fund managed by the Société on (*insert here the date preceding the date of coming into force of section 130*) shall be transferred to the labour market development fund.

147. The appropriations granted for the fiscal year (*insert here the fiscal year in which this section comes into force*) to the Ministère de la Sécurité du revenu for employment assistance measures and for internal management and support shall be transferred to the labour market development fund to the extent determined by the Government.

148. The Minister of Employment and Solidarity is responsible for the administration of this Act.

149. Section 7 shall cease to have effect on 1 January 2000.

150. The provisions of this Act come into force on 25 June 1997, except the provisions of sections 16 to 46, 58 to 96, paragraphs 2 and 3 of section 97, sections 98 to 105, paragraphs 1, 2 and 4 of section 107, section 108, sections 110 to 123, 125, 127, 129 to 137, paragraph 4 of section 138, sections 140 to 143 and 145 to 147 which come into force on the date or dates to be fixed by the Government.

Coming into force of Acts

Gouvernement du Québec

O.C. 860-97, 2 July 1997

An Act respcting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care (1997, c. 58)
Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care

WHEREAS the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care was assented to on 19 June 1997;

WHEREAS section 181 of that Act provides that its provisions will come into force on the date or dates to be determined by the Government, except section 180 which came into force on 19 June 1997, section 20, paragraphs 1, 2 and 3 of section 21, sections 22 and 23, paragraphs 1 and 2 of section 24, sections 42, 43, 45 to 51, 53 to 58, paragraphs 1 to 3 and 5 to 7 of section 59, sections 60 to 67, 69 to 97, 99 to 105, paragraphs 2 and 3 of section 106, sections 107 to 120, 122 to 132, paragraphs 1 and 2 of sections 135 and 136, sections 137 to 141 and sections 156 to 179 which will come into force on 1 September 1997;

WHEREAS it is expedient to fix 2 July 1997 as the date of coming into force of the other provisions of that Act;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education and Minister responsible for Family Policy:

THAT 2 July 1997 be fixed as the date of coming into force of the provisions of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care (1997, c. 58), except section 180 which came into force on 19 June 1997, section 20, paragraphs 1, 2 and 3 of section 21, sections 22 and 23, paragraphs 1 and 2 of section 24, sections 42, 43, 45 to 51, 53 to 58, paragraphs 1 to 3 and 5 to 7 of section 59, sections 60 to 67, 69 to 97, 99 to 105, paragraphs 2 and 3 of section 106, sections 107 to 120, 122 to 132, paragraphs 1 and 2 of sections 135 and 136, sections 137 to 141 and sections 156 to 179 which will come into force on 1 September 1997.

1587

Gouvernement du Québec

O.C. 933-97, 9 July 1997

An Act respecting certain flat glass setting or installation work (1997, c. 39)
— Coming into force

CONCERNING the coming into force of the Act respecting certain flat glass setting or installation work

WHEREAS the Act respecting certain flat glass setting or installation work (1997, c. 39) was assented to on 12 June 1997;

WHEREAS section 4 of the Act enacts that it shall come into force on the date fixed by the Government;

WHEREAS it is expedient to fix the date of coming into force of the Act at the date of the Order in Council making the Decree to repeal the Decree respecting the flat glass industry (R.R.Q., 1981, c. D-2, r. 52);

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

THAT the date of coming into force of the Act respecting certain flat glass setting or installation work (1997, c. 39) be fixed at 9 July 1997.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

1598

Regulations and Other Acts

Gouvernement du Québec

O.C. 867-97, 2 July 1997

Cinema Act
(R.S.Q., c. C-18.1)

Licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences — Amendments

Regulation to amend the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences

WHEREAS under paragraph 5 of section 167 of the Cinema Act (R.S.Q., c. C-18.1), the Régie du cinéma may, by regulation, determine the standards governing the posting and presentation of film classifications, including the information, qualifications and indications that must appear on posters;

WHEREAS under that provision, the Régie made the Regulation to amend the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences, which was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997, on page 1204, with a notice that it would be submitted to the Government for approval upon the expiry of 60 days following that publication, in accordance with section 170 of the Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS under section 169 of the Cinema Act, a regulation made by the Régie must be submitted for approval to the Government, which may amend it;

WHEREAS the Régie du cinéma did not receive any comments concerning that draft regulation;

WHEREAS it is expedient to approve the Regulation without amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Culture and Communications:

THAT the Regulation to amend the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences

Cinema Act
(R.S.Q., c. C-18.1, s. 167, par. 5)

1. The Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences, made by Order in Council 743-92 dated 20 May 1992, is amended by substituting the following for section 17:

"**17.** A holder of a licence to operate premises where films are exhibited to the public must post the following information:

(1) the classification assigned to a film by the Régie; and

(2) the information, qualifications and indications that may appear on the stamp of that film.

The holder must post the information by using the identification material furnished by the Régie and in such a manner that the public may consult the content thereof before purchasing tickets.".

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

1590

Gouvernement du Québec

O.C. 868-97, 2 July 1997

Cinema Act
(R.S.Q., c. C-18.1)

Stamps for films
— Amendment

Regulation to amend the Regulation respecting stamps for films

WHEREAS under paragraph 4 of section 167 of the Cinema Act (R.S.Q., c. C-18.1), the Régie du cinéma may, by regulation, determine the information, qualifications and indications which may appear on stamps in addition to the classifications;

WHEREAS under that provision, the Régie made the Regulation to amend the Regulation respecting stamps for films, which was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997, on page 1218, with a notice that it would be submitted to the Government for approval upon the expiry of 60 days following that publication, in accordance with section 170 of the Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS under section 169 of the Cinema Act, a regulation made by the Régie must be submitted for approval to the Government, which may amend it;

WHEREAS the Régie du cinéma did not receive any comments concerning that draft regulation;

WHEREAS it is expedient to approve the Regulation without amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Culture and Communications:

THAT the Regulation to amend the Regulation respecting stamps for films, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting stamps for films

Cinema Act
(R.S.Q., c. C-18.1, s. 167, par. 4)

1. The Regulation respecting stamps for films, made by Order in Council 742-92 dated 20 May 1992 and amended by the Regulation made by Order in Council 8-95 dated 11 January 1995, is further amended by substituting the following for paragraph 1.1 of section 19:

"(1.1) not advisable for young children;".

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

1589

Gouvernement du Québec

O.C. 874-97, 2 July 1997

An Act to foster the development of manpower training
(R.S.Q., c. D-7.1)

Collector organizations

Regulation respecting collector organizations

WHEREAS under subparagraph 1 of the first paragraph of section 20 of the Act to foster the development of manpower training (R.S.Q., c. D-7.1), the Société québécoise de développement de la main-d'oeuvre may, by regulation, define, within the meaning of Chapter II of that Act, eligible training expenditures;

WHEREAS under paragraph 2 of section 21 of that Act, a regulation made pursuant to subparagraph 1 of the first paragraph of section 20 of that Act may set out the principles, criteria or factors taken into account by the Société for the purpose of granting accreditation or recognition or the conditions to be fulfilled for that purpose and, where expedient, determine the fees payable and the period for which the accreditation or recognition is valid;

WHEREAS under paragraph 3 of section 21 of that Act, such regulation may determine the conditions to be fulfilled by accredited or recognized persons or bodies including the documents and information to be sent to the Société, related inspections and the conditions on which accreditation or recognition may be renewed, suspended or revoked;

Whereas in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 19 February 1997 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS the Société has examined the comments received;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Employment and Solidarity;

THAT the Regulation respecting collector organizations, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting collector organizations

An Act to foster the development of manpower training (R.S.Q., c. D-7.1, s. 20 1st par., subpar. 1° and s. 21, par. 2° and 3°)

1. A sectoral or regional association, a joint committee, a community organization, a federation of cooperatives or any other body wishing to be recognized as a collector organization and receive payments made by an employer for the implementation of a training plan must apply in writing to the Société québécoise de développement de la main-d'oeuvre using the form provided, giving the following information:

1° its name and address;

2° the registration number attributed to it under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45), if any;

3° a description of the economic activity sector in which the applicant is active and the region covered;

4° the joint or multi-partite composition of its board of directors, as the case may be;

5° the identity of the employers or group of employers ready to make the payments.

2. To be recognized as a collector organization, the applicant must, unless it is a community organization or a federation of cooperatives, demonstrate that its members are employers belonging to the same economic activity sector or from the same region.

3. The applicant must file with the Société, to have it accredited, the training plan he intends to implement for the personnel of the employers which make payments. The plan can also stipulate expenditures for the benefit of apprentices, trainees and teachers undergoing refresher training in the workplace within the meaning of paragraphs 2° and 3° of the Regulation respecting eligible training expenditures enacted by Order in Council 1586-95 of December 5, 1995.

4. Only an organization recognized as a collector organization can have its training plan accredited by the Société.

5. A training plan is accredited if it contains:

1° an analysis of the needs of the personnel;

2° a brief description of each of the proposed training activities;

3° identification of an order of priorities according to job categories;

4° a timetable for completion of the plan and its length, which cannot exceed five years;

5° a brief description of how the applicant will implement the plan.

6. Provisional accreditation lasting six months may be granted for a preliminary training plan if such plan includes an action plan for the use of the funds collected to formulate a training plan with all the items mentioned in section 5.

7. The payment made by an employer while the provisional accreditation is in effect constitutes a payment for the purposes of section 8 of the Act, but only for the period covered by such provisional accreditation.

During such provisional accreditation period, the collector organization must issue a receipt to the employer upon receiving a payment.

8. The accreditation of a training plan whose duration is less than five years can be extended as is or with changes provided that the complete duration does not exceed the limit of five years. To do so, the collector organization must apply to the Société prior to the ex-

piry date mentioned in the accreditation and give information showing that the plan is still relevant.

9. A collector organization can only provide training itself if it is accredited as a training body under the Regulation respecting the accreditation of training bodies, training instructors and training services enacted by Order in Council 764-97 of June 11, 1997.

10. Within three months after the date of accreditation of its training plan and, thereafter, before March 1 of each year, the collector organization must submit to the Société its budget forecasts and any adjustments it plans to make to the accredited plan for the current year, regarding the methods described in paragraph 5° of section 5.

11. The collector organization must keep an up-to-date register in which it records, for each training activity:

1° the title;

2° a statement of its objectives, content and length;

3° the name of the recognized educational institution, accredited training body or accredited trainer providing the training;

4° the names of the employers concerned;

5° the job categories covered;

6° the number of employees participating and the results obtained;

7° the cost.

12. The collector organization must provide the Société, when requested, with any information in the register.

13. The collector organization must ensure that the employee who participates actively in a training activity it organizes receives an attestation of training.

14. The collector organization must keep an up-to-date detailed statement of expenditures made and keep appropriate vouchers. It must provide the Société with any voucher when requested to do so.

15. The management expenses of the training organization, other than the expenses necessary to prepare, implement and monitor the accredited training plan, are limited to 10 % of the expenditures made during the period of the plan's validity.

The fees payable under section 27 and those payable under section 1 of the Regulation respecting fees payable under section 23 of the Act to foster the development of manpower training enacted by the Société in its decision of February 22, 1996 are counted for the collector organization in addition to the management fees covered by the preceding paragraph.

16. The collector organization cannot count as an expenditure stemming from the accredited training plan an expenditure that does not comply with the accredited plan or with the purpose of the Act.

17. A collector organization can amend the accredited training plan before completion; it must submit the amended plan containing the items mentioned in section 5 to the Société.

18. For each calendar year, the collector organization provides each participating employer, no later than the month following the end of such calendar year, with a receipt corresponding to the amount of its payments and bearing the number assigned by the Société to this organization.

19. The funds gathered by the collector organization for the purposes of the Act, including dues, must be paid into a trust account, in a chartered bank or other legally authorized deposit-taking institution. The money withdrawn from this account must be used exclusively for expenditures relating to the formulation, implementation and monitoring of the accredited training plan, as well as those mentioned in section 15; expenditures incurred for the purposes of formulating the training plan can include those incurred for this purpose prior to the plan's accreditation.

20. The interest produced by the account must be used for the implementation of the accredited training plan.

21. A collector organization must provide the Société, before March 31, with an annual activity report including:

1° a list of employers that have paid money to the organization during the calendar year that has just ended;

2° the approximate number of employees represented by the employers contributing to the organization;

3° the cost of activities carried out;

4° the surplus accumulated in the trust account;

5° an assessment of the results in regard to the objectives and to the investment by the employers or group of employers concerned;

6° audited financial statements.

22. A collector organization whose training expenditures are less than the amounts collected for the purposes of an accredited training plan must, upon the expiry of the accredited plan, pay the difference between these two amounts into the Fonds national de formation de la main-d'oeuvre unless the organization obtains from the Société a new accreditation for a training plan specifying how this surplus will be used.

23. The Société can suspend or revoke an accreditation if it concludes that a collector organization does not observe the Act, this regulation or the accredited plan.

24. The collector organization must stop collecting contributions from employers when its accredited training plan is expired, suspended or revoked.

25. The amounts collected by the collector organization and the interest generated by these amounts that have not been spent must be paid into the Fonds national de formation de la main-d'œuvre:

1° when a collector organization ceases its activities;

2° when a training plan submitted for accreditation, following provisional accreditation, is rejected by the Société;

3° when the accreditation of a training plan revoked.

In the event of revocation, these amounts are set aside under the Fonds national, for a period of not more than three years from the date of the decision, with a view to being used for training personnel of employers who made a payment to a collector organization whose plan is revoked.

26. Recognition of a collector organization terminates six months after the term of an accredited training plan or after its revocation if accreditation of a new plan is not obtained by the same organization during such period.

27. The fees payable for processing an application for accreditation of a training plan are $500, except in the case of accreditation of a training plan of a sectoral committee.

The fees payable for processing an application for provisional accreditation are $100, and for processing an application for an amended training plan, $250.

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

1588

Gouvernement du Québec

O.C. 934-97, 9 July 1997

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

Flat Glass Industry

CONCERNING the Decree to repeal the Decree respecting the flat glass industry

WHEREAS the Government made the Decree respecting the flat glass industry (R.R.Q., 1981, c. D-2, r. 52);

WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), amended by section 9 of chapter 71 of the Statutes of 1996, the Government may, after consulting with the contracting parties or the committee and after publication of a notice in the *Gazette officielle du Québec* and in a French language newspaper and in an English language newspaper, repeal the Decree;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft repealing decree was published in Part 2 of the *Gazette officielle du Québec* of 12 March 1997, and notice given in a French language newspaper on 12 March 1997 and in an English language newspaper on 12 March 1997, 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 approve without amendment the Decree attached hereto;

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

THAT the Decree to repeal the Decree respecting the flat glass industry, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Decree to repeal the Decree respecting the flat glass industry

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 8; 1996, c. 71, s. 9)

1. The Decree respecting the flat glass industry (R.R.Q., 1981, c. D-2, r. 52), amended by Orders in Council 89-82 dated 13 January 1982 (Suppl., p. 466), 516-82 dated 3 March 1982 (Suppl., p. 470), 1105-83 dated 25 May 1983, 2781-84 dated 12 December 1984, 2029-85 dated 3 October 1985, 51-86 dated 29 January 1986, 1124-87 dated 22 July 1987, 1030-90 dated 11 July 1990, 1621-92 dated 4 November 1992 and 1376-94 dated 7 September 1994 and extended by by section 37 of the Act to amend the Act respecting collective agreement decrees (1996, c. 71), is repealed.

2. This Decree comes into force on 1 August 1997.

1597

Gouvernement du Québec

O.C. 935-97, 9 July 1997

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

Woodworking industry
— Abrogation

CONCERNING the Decree to repeal the Decree respecting the woodworking industry

WHEREAS the Government made the Decree respecting the woodworking industry (R.R.Q., 1981, c. D-2, r. 3);

WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), amended by section 9 of chapter 71 of the Statutes of 1996, the Government may, after consulting with the contracting parties or the committee and after publication of a notice in the *Gazette officielle du Québec* and in a French language newspaper and in an English language newspaper, repeal the Decree;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft repealing decree was published in Part 2 of the *Gazette officielle du Québec* of 12 March 1997, and notice given in a French language newspaper dated on 12 March 1997 and in an English language newspaper on 12 March 1997, 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 approve without amendment the Decree attached hereto;

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

THAT the Decree to repeal the Decree respecting the woodworking industry, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Decree to repeal the Decree respecting the woodworking industry

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 8; 1996, c. 71, s. 9)

1. The Decree respecting the woodworking industry (R.R.Q., 1981, c. D-2, r. 3), amended by Orders in Council 1103-83 dated 25 May 1983, 1124-87 dated 22 July 1987 and 1029-90 dated 11 July 1990, extended by Orders in Council 393-92 dated 18 March 1992, 1411-92 dated 23 September 1992, 1886-92 dated 16 December 1992, 874-93 dated 16 June 1993, 1719-93 dated 1 December 1993, amended by Order in Council 306-94 dated 2 March 1994, extended by Order in Council 319-95 dated 15 March 1995, amended by Orders in Council 605-95 dated 3 May 1995 and 989-95 dated 19 July 1995, and extended by Orders in Council 1168-95 dated 30 August 1995, 273-96 dated 28 February 1996 and by section 37 of the Act to amend the Act respecting collective agreement decrees (1996, c. 71), is repealed.

2. This Decree comes into force on 1 August 1997.

1596

Gouvernement du Québec

O.C. 936-97, 9 July 1997

An Act respecting labour standards
(R.S.Q., c. N-1.1)

Woodworking and flat glass industries
— Minimum wage payable to employees

CONCERNING the Regulation respecting the minimum wage payable to employees in the woodworking and flat glass industries

WHEREAS under paragraph 1 of section 89 and section 91 of the Act respecting labour standards (R.S.Q.,

c. N-1.1), the Government may, by regulation, fix standards respecting the minimum wage;

WHEREAS, in accordance with sections 33, 37 and 92 of the Act respecting labour standards and sections 10, 12 and 13 of the Regulations Act (R.S.Q., c .R-18.1), a Draft Regulation respecting the minimum wage payable to employees in the woodworking or flat glass industrie was published in Part 2 of the *Gazette officielle du Québec* of 14 May 1997 with a notice that it could be made by the government upon the expiry of 15 days following that publication;

WHEREAS comments about this Draft Regulation were received before the expiry of this period;

WHEREAS it is expedient to make the Regulation with amendments, taking those comments into account;

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

THAT the Regulation respecting the minimum wage payable to employees of the woodworking and flat glass industries, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the minimum wage payable to employees of the woodworking and flat glass industries

An Act respecting labour standards
(R.S.Q., c.-N-1.1, s. 40, s. 89, par. 1 and 91)

1. The minimum wage payable to any employee performing work which, if it had been performed before August 1, 1997, would have come under the jurisdiction of the Decree respecting the woodworking industry (R.R.Q., 1981, c. D-2, r.3) or the Decree respecting the flat glass industry (R.R.Q., 1981, c. D-2, r.52) is $ 8,90 per hour.

2. This Regulation comes into force on August 1, 1997 and ceases to have effect on August 1, 1999.

1595

Gouvernement du Québec

O.C. 937-97, 9 July 1997

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

Vocational Training of Manpower — Amendment

Insurance of Competency Certificates — Amendment

Hiring and Mobility of Employees — Amendment

CONCERNING 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

WHEREAS under paragraphs 1, 2, 5, 8 and 10 of section 123.1 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20), the Commission de la construction du Québec can adopt a regulation respecting particularly the activities included in a trade, apprenticeship and vocational training;

WHEREAS the Commission de la construction du Québec made the Regulation respecting the vocational training of manpower in the construction industry approved by Order in Council 313-93 dated 10 March 1993;

WHEREAS under paragraphs 5, 6 and 7 of section 123.1 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20), the Commission de la construction du Québec can adopt a regulation respecting particularly the conditions of issuance of a journeyman competency certificate, occupation competency certificate and apprentice competency certificate;

WHEREAS the Commission de la construction du Québec made the Regulation respecting the issuance of competency certificates approved by Order in Council 673-87 dated 29 April 1987;

WHEREAS under paragraph 13 of section 123.1 of the Act respecting labour relations, vocational training and manpower management in the construction industry, the Commission de la construction du Québec can adopt a regulation respecting particularly manpower mobility;

WHEREAS the Commission de la construction du Québec made the Regulation respecting the hiring and mobility of employees in the construction industry approved by Order in Council 1946-82 dated 25 August 1982;

WHEREAS the Commission de la construction du Québec, after consultation with the Committee on vocational training in the construction industry, has made and transmitted to the Minister of Labour 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;

WHEREAS under section 123.2 of that Act, such regulation of the Commission shall be submitted to the Government for approval;

WHEREAS in accordance with sections 10, 11 and 13 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation to amend the Regulation respecting the issuance of competency certificates was published in Part 2 of the *Gazette officielle du Québec* of 28 May 1997 with a notice that it could be approved by the Government upon the expiry of 15 days following that publication;

WHEREAS no comment was received following that publication and there is reason to approve this Regulation without amendment;

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

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, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

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, 1st paragraph, subsect. 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 31 July 1997, was 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, 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 cer-

tificates 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	24. Erector-mechanic (glazier)	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 1 August 1997, 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 1 August 1997:

(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;

(2) 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 at least 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 1 August 1997.

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 1 August 1997, 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 1 August 1998".

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.

1594

Draft Regulations

Draft Regulation

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Directors of the institutions in the territory of the Régie régionale de Nunavik — Procedure for electing the members

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 procedure for electing the members of the boards of directors of the institutions in the territory of the Régie régionale du Nunavik, the text of which appears below, may be made by the Minister of Health and Social Services upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to replace the provisions of the Regulation which were made under transitory provisions in the Act to amend the Act respecting health services and social services (1993, c. 58), in order to substitute therefor provisions that concord with section 530.14 of the Act respecting health services and social services (R.S.Q., c. S-4.2).

To date, study of the matter has revealed no impact on businesses, in particular small and medium-sized businesses.

Further information may be obtained by contacting:

Ms. Sylvie Bélanger
Secrétariat au réseau
Ministère de la Santé et des Services sociaux
1075, chemin Sainte-Foy
Québec (Québec), G1S 2M1
Tel. (418) 643-5320
Fax: (418) 644-2009.

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 Health and Social Services, 1075, chemin Sainte-Foy, Québec (Québec), G1S 2M1.

JEAN ROCHON,
Minister of Health and Social Services

Regulation to amend the Regulation respecting the procedure for electing the members of the boards of directors of the institutions in the territory of the Régie régionale du Nunavik

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 530.14)

1. The Regulation respecting the procedure for electing the members of the boards of directors of the institutions in the territory of the Régie régionale du Nunavik, made by Order 94-03 dated 24 October 1994 of the Minister of Health and Social Services, is amended by substituting the following for the title of Division I:

"**DIVISION I**
SCOPE AND ELECTION PERIOD".

2. The following is substituted for section 1:

"**1.** This Regulation applies to the election of the persons referred to in paragraph 1 of section 530.13 of the Act respecting health services and social services (R.S.Q., c. S-4.2).

Such election shall be held in October 1997 and thereafter every 3 years.".

3. The following is substituted for section 2:

"**2.** No later than 30 days before an election is held, the Régie régionale du Nunavik shall appoint a returning officer. The regional board may also appoint deputy returning officers, within the same time.".

4. The words "regional board" are substituted for the words "regional council" everywhere they appear in the Regulation.

5. Chapter III is struck out.

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

1592

Draft Regulation

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Directors of the Régie régionale du Nunavik — Procedure for appointing the members

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 procedure for appointing the members of the board of directors of the Régie régionale du Nunavik, the text of which appears below, may be made by the Minister of Health and Social Services upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to replace the provisions of the Regulation which were made under transitory provisions in the Act to amend the Act respecting health services and social services (1993, c. 58), in order to substitute therefor provisions that concord with section 530.31 of the Act respecting health services and social services (R.S.Q., c. S-4.2).

To date, study of the matter has revealed no impact on businesses, in particular small and medium-sized businesses.

Further information may be obtained by contacting:

Ms. Sylvie Bélanger
Secrétariat au réseau
Ministère de la Santé et des Services sociaux
1075, chemin Sainte-Foy
Québec (Québec), G1S 2M1
Tel. (418) 643-5320
Fax: (418) 644-2009.

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 Health and Social Services, 1075, chemin Sainte-Foy, Québec (Québec), G1S 2M1.

JEAN ROCHON,
Minister of Health and Social Services

Regulation to amend the Regulation respecting the procedure for appointing the members of the board of directors of the Régie régionale du Nunavik

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 530.31)

1. The Regulation respecting the procedure for appointing the members of the board of directors of the Régie régionale du Nunavik, made by Order 94-02 dated 24 October 1994 of the Minister of Health and Social Services, is amended by substituting the following for the titles of Chapter I and Division I:

"**DIVISION I**
GENERAL".

2. Section 1 is amended

(1) by striking out the words ", enacted by section 1 of Chapter 58 of the Statutes of 1993"; and

(2) by adding the following paragraph:

"Those appointments shall take place in November 1997 and thereafter every 3 years.".

3. The words "Régie régionale du Nunavik" are substituted for the words "Conseil régional Kativik de la santé et des services sociaux" in section 2.

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

1593

Draft Regulation

Agricultural Products, Marine Products and Food Act (R.S.Q., c. P-29)

Farmed brook char and farmed arctic char — Revocation

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 revoke the Regulation respecting farmed brook char and farmed arctic char, the text of which appears below, may be made by the Government at the expiry of 45 days following this publication.

The Draft Regulation proposes that it no longer be necessary to label farmed brook char, farmed arctic char and anadromous brook char caught during commercial fishing activities. The Draft will help remove obstacles to the development of freshwater aquaculture in Québec.

The Draft Regulation will have a positive effect on fish-breeding businesses, particularly through a reduction in marketing costs. Its impact will be minimal for commercial fishermen, who will have to comply with new requirements pertaining to the filing of bills and the keeping of registers and vouchers, as provided for under the draft of the Regulation to amend the Regulation respecting aquaculture and the sale of fish, published on p. 903 of Part 2 of the *Gazette officielle du Québec* of 19 February 1997. The Draft Regulation will have no effect on the public.

Further information may be obtained by contacting Mr. Pierre Léger, Direction des normes et du soutien à la santé animale, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11e étage, Québec (Québec), G1R 4X6; tel. (418) 646-8083; fax (418) 644-3049.

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 Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, 12e étage, Québec (Québec), G1R 4X6.

GUY JULIEN,
Minister of Agriculture, Fisheries and Food

Regulation to revoke the Regulation respecting farmed brook char and farmed arctic char

Agricultural Products, Marine Products and Food Act
(R.S.Q., c. P-29, ss. 6, 7 and 40 pars. *a*, *c*.2, *e*, *f*, *h*, *j* and *m*)

1. The Regulation respecting farmed brook char and farmed arctic char, made by Order in Council 223-89 dated 22 February 1989, is revoked.

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

1586

Draft Regulation

Professional Code
(R.S.Q., c. C-26)

Industrial relations counsellors — Other terms and conditions respecting the issue of permits

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 repealing the Regulation respecting certain terms and conditions for the issue of permits by l'Ordre professionnel des conseillers en relations industrielles du Québec, adopted by the Bureau de l'Ordre professionnel des conseillers en relations industrielles du Québec, may be submitted, on the recommendation of the Office, to the Government of Québec who may approve the regulation, with or without amendment, after the expiration of 45 days from the date of this notice.

According to l'Ordre professionnel des conseillers en relations industrielles du Québec, the main purpose of the Regulation is to repeal the Regulation respecting certain terms and conditions for the issue of permits by l'Ordre professionnel des conseillers en relations industrielles du Québec, adopted on March 9, 1983 and published at pages 2871-2876 in Part 2 of the *Gazette officielle du Québec* of July 13, 1983.

Further information regarding the Regulation may be obtained by writing directly to Florent Francoeur, Secretary and Executive Director of l'Ordre professionnel des conseillers en relations industrielles du Québec, 1253, avenue McGill College, bureau 820, Montréal (Québec) H8B 2Y5; telephone: (514) 879-1636; fax: (514) 879-1722; e-mail: opcriq @.qc.ca.

Any person who wishing to comment on the Regulation should do so in writing before the expiration of the 45-day delay mentioned above. All comments should be addressed to the President, Office des professions du Québec, complexe de la place Jacques-Cartier, 320, rue Saint Joseph Est, 1er étage, Québec (Québec) G1K 8G5. All comments will be forwarded by l'Office to the minister responsible for the administration of legislation governing professions; they may also be forwarded to the Ordre that has adopted the Regulation, either l'Ordre professionnel des conseillers en relations industrielles du Québec, or any other interested government body or department.

ROBERT DIAMANT,
President of the Office des professions du Québec

Regulation repealing the Regulation respecting terms and conditions for permits to be issued by the Ordre professionnel des conseillers en relations industrielles du Québec

1. The Regulation respecting terms and conditions for permits to be issued by the Ordre professionnel des conseillers en relations industrielles du Québec, adopted March 9, 1983 and published at pages 2871 to 2876 of Part 2 of the *Gazette officielle du Québec* of July 13, 1983, is hereby repealed.

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

1581

Draft Regulation

Professional Code
(R.S.Q., c. C-26)

Industrial relations counsellors
— Standards for equivalence for the issue of a permit

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 standards for equivalence for the issue of a permit by l'Ordre professionnel des conseillers en relations industrielles du Québec, adopted by the Bureau de l'Ordre professionnel des conseillers en relations industrielles du Québec, may be submitted, on the recommendation of the Office, to the Government of Québec, which may approve the regulation, with or without amendment, after the expiration of 45 days from the date of this notice.

According to l'Ordre professionnel des conseillers en relations industrielles du Québec, the main purpose of the Regulation is to establish, in accordance with the requirements of the Professional Code, equivalency standards so that the Ordre, for the purpose of issuing permits, may recognize diplomas issued by an educational establishment outside Québec, or training acquired in Québec or outside Québec by persons who do not hold diplomas recognized under government regulation as meeting the permit requirements of the Ordre.

Further information regarding the Regulation may be obtained by writing directly to Florent Francoeur, Secretary and Executive Director of l'Ordre professionnel des conseillers en relations industrielles du Québec, 1253, avenue McGill College, bureau 820, Montréal (Québec), H8B 2Y5; telephone: (514) 879-1636; fax: (514) 879-1722; e-mail: opcriq @.qc.ca.

Any person who wishing to comment on the Regulation should do so in writing before the expiration of the 45-day delay mentioned above. All comments should be addressed to the President, Office des professions du Québec, complexe de la place Jacques-Cartier, 320, rue Saint- Joseph Est, 1er étage, Québec (Québec), G1K 8G5. All comments will be forwarded by l'Office to the minister responsible for the administration of legislation governing professions*;* they may also be forwarded to the Ordre that has adopted the Regulation, either l'Ordre professionnel des conseillers en relations industrielles du Québec, or any other interested government body or department.

ROBERT DIAMANT,
President of the Office
des professions du Québec

Regulation respecting the standards for equivalence for the issue of a permit by the Ordre professionnel des conseillers en relations industrielles du Québec

Professional Code
(R.S.Q., c. C-26, s. 93, par. *c*)

SECTION I
GENERAL PROVISIONS

1. The secretary of the Ordre professionnel des conseillers en relations industrielles du Québec shall forward a copy of this Regulation to a candidate seeking diploma equivalence or a training equivalence.

2. In this Regulation:

"**diploma equivalence**" means the attestation by the Bureau of the Ordre that the level of knowledge attained by a candidate holding a diploma in industrial relations or human resource management issued by an educational establishment outside Québec is equivalent to the level attained by the holder of a diploma meeting the permit requirements of the Ordre;

"**diploma meeting the permit requirements of the Ordre**" means a diploma referred to in section 1.04 of the Regulation respecting diplomas issued by designated educational establishments and recognizing permits and specialist certificates of professional orders, Decree 1139-83 of June 1,1983;

"**training equivalence**" means the attestation by the Bureau that a candidate's training is equivalent to the level of knowledge attained by the holder of a diploma meeting the permit requirements of the Ordre.

SECTION II
DIPLOMA OR TRAINING EQUIVALENCE STANDARDS

3. A candidate holding a diploma in industrial relations issued by an educational establishment outside Québec shall be granted a diploma equivalence if the diploma was issued upon completion of university studies comprising the equivalent of at least 90 credits.

For the purpose of this section, "**credit**" means 45 hours of attendance at a course or learning activities.

4. A candidate shall be granted a training equivalence if he can demonstrate that he holds:

1° a university degree with a major in industrial relations or human resource management and at least one year of relevant work experience in the professional activities described in paragraph *f* of section 37 of the Professional Code (R.S.Q., c. C-26); or

2° a university degree with a minor in industrial relations or human resource management and at least two years of relevant work experience in the professional activities described in paragraph *f* of section 37 of the Professional Code (R.S.Q., c. C-26); or

3° a university degree and at least three years of relevant work experience in the professional activities described in paragraph *f* of section 37 of the Professional Code (R.S.Q., c. C-26); or

4° a diploma of collegial studies (DSC) or its equivalence and at least six years of relevant work experience in the professional activities described in paragraph *f* of section 37 of the Professional Code (R.S.Q., c. C-26); or

5° a high school diploma and relevant work experience of at least ten years in the professional activities described in paragraph *f* of section 37 of the Professional Code (R.S.Q., c. C-26).

The years of experience required in section 4.1 may be reduced by the Bureau upon report by the admissions committee formed under paragraph 2) of section 86.01 of the Professional Code, after taking into account the university-level training acquired by the candidate.

SECTION III
EQUIVALENCE RECOGNITION PROCEDURE

5. A candidate applying for a diploma equivalence or a training equivalence shall provide the secretary of the Ordre with the following supporting documents and with the dues required for the examination of the application in accordance with paragraph 8) of section 86.01 of the Professional Code:

1° the candidate's academic record, including a description of all courses taken and a transcript of the marks obtained in the courses;

2° a true copy certified by the teaching establishment of all diplomas issued; and

3° a document attesting to and describing the candidate's relevant work experience in the professional activities described in paragraph *f* of section 37 of the Professional Code.

6. Where the documents forwarded in support of an equivalence application are written in a language other than French or English, they must be accompanied by a translation in French. The translation must be certified as a true and accurate translation of the original by a member of the Ordre professionnel des traducteurs et interprètes du Québec or by a duly authorized consular or diplomatic representative.

7. The secretary of the Order shall forward the documents prescribed in section 5 to the admissions committee.

This committee must examine the equivalence application and make the appropriate recommendations to the Bureau.

8. At the first meeting of the Bureau following receipt of a committee's recommendation, the Bureau shall decide whether or not to grant the equivalence.

9. Within 30 days of its decision, the Bureau shall inform the candidate of its decision in writing, by mail.

In the event that the Bureau refuses to grant the diploma equivalence, it must inform the candidate in writing of the courses, examinations, internships, training periods or practical experience that the candidate must successfully complete in order to be granted equivalency and of the time limit within which they must be completed.

10. Where a candidate has been informed by the Bureau that it has refused to grant the equivalence applied for, the candidate may, within 30 days following the date on which the decision is mailed, apply to the Bureau a review its decision. The application must be in writing and set out the candidate's reasons for seeking a review.

The Bureau shall hear the candidate at its next regular meeting following the date of receipt of the application for review. To that end, the Bureau shall convene the candidate by means of a notice in writing sent by registered mail, at least 10 days before the date of the hearing.

The Bureau's decision is final and shall be forwarded to the candidate in writing within 30 days of the date of the hearing.

SECTION IV
FINAL PROVISIONS

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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Index Statutory Instruments

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