

Gazette officielle du Québec

Part 2 Laws and Regulations

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Summary

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Coming into force of Acts

Gouvernement du Québec

O.C. 1155-97, 3 September 1997

An Act respecting off-highway vehicles (1996, c. 60) — Coming into force

COMING INTO FORCE of the Act respecting off-highway vehicles

WHEREAS the Act respecting off-highway vehicles (1996, c. 60) was assented to on 23 December 1996;

WHEREAS under section 88 of the Act, its provisions will come into force on the date or dates fixed by the Government;

WHEREAS it is expedient to fix 2 October 1997 as the date of coming into force of the Act, except subparagraph 3 of the second paragraph of section 11, the second paragraph of section 18 and sections 27 and 83, which will come into force on the date or dates fixed by the Government;

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

THAT 2 October 1997 be fixed as the date of coming into force of the Act respecting off-highway vehicles (1996, c. 60), except subparagraph 3 of the second paragraph of section 11, the second paragraph of section 18 and sections 27 and 83, which will come into force on the date or dates fixed by the Government.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

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Regulations and Other Acts

Gouvernement du Québec

O.C. 1133-97, 3 September 1997

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

Equalization scheme

— Amendments

Regulation to amend the Regulation respecting the equalization scheme

WHEREAS under paragraph 7 of section 262 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), the Government may by regulation prescribe the rules for computing the sum provided for in section 261; define the standardized real estate value per inhabitant of a local municipality; prescribe the method for determining the minimum number of local municipalities from which the data must be considered in establishing a median standardized real estate value per inhabitant of a group of local municipalities; specify the nature of taxes, compensations and modes of tariffing referred to in section 261; divide the local municipalities into categories, and prescribe separate rules of computation for each category; designate the person who is to pay the sum and prescribe the other terms and conditions of that payment;

WHEREAS the Government made the Regulation respecting the equalization scheme;

WHEREAS it is expedient to amend the Regulation;

WHEREAS under section 7 of Chapter 41 of the Statutes of 1996, the first regulation made after 29 October 1996 to amend or replace the Regulation respecting the equalization scheme may have retroactive effect from any date not earlier than 1 January 1997;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Draft Regulation to amend the Regulation respecting the equalization scheme was published in the *Gazette officielle du Québec* of 2 April 1997 on pages 1338 and 1339 with a notice mentioning that it could be made by the Government upon the expiry of 45 days following that publication and that any interested person could send his comments in writing to the Minister of Municipal Affairs before the expiry of the 45-day period;

WHEREAS no comments on the Draft Regulation were received before the expiry of the 45-day period;

WHEREAS it is expedient to make the Regulation without amendments;

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

THAT the Regulation to amend the Regulation respecting the equalization scheme, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the equalization scheme

An Act respecting municipal taxation
(R.S.Q., c. F-2.1, s. 262, par. 7; 1996, c. 41, s. 7)

1. The Regulation respecting the equalization scheme, made by Order in Council 1087-92 dated 22 July 1992 and amended by the Regulations made by Orders in Council 719-94 dated 18 May 1994 and 502-95 dated 12 April 1995, is further amended by substituting the words “to which the adjustment provided for in Subdivision 7 applies” for the words “payable for the fiscal period in question” in section 17.

2. The following is substituted for the second paragraph of section 18:

“For the purposes of the first paragraph and sections 19 and 21, the group formed by Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent and the municipalities incorporated under the Act respecting the municipal reorganization of the territory of Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent (1988, c. 55) shall be regarded as a regional county municipality listed in Schedule I.”

3. The words “to which the adjustment provided for in Subdivision 7 applies” are substituted for the words “payable for the fiscal period in question” in section 23.

4. The following Subdivision is inserted after section 23:

“§7. *Adjustment*

23.1 The final operation to be performed to establish the equalization amount payable to an eligible municipality is to adjust the amount contemplated, as the case may be, in section 17 or in section 23.

For that purpose, that amount shall be multiplied by the adjustment factor established under section 23.2.

23.2 The adjustment factor shall be established by performing the following operations consecutively:

(1) the following totals are added together, according to the data available on 1 August of the current fiscal period:

(a) the total of the sums that must be paid, during the current fiscal period, under the component pertaining to the application of this Regulation within the program designed to neutralize the financial consequences of a regrouping or annexation, to all the municipalities eligible for that program component;

(b) the total of the sums that must be paid, under section 26, to all the municipalities eligible for the equalization scheme for the fiscal period preceding the current fiscal period, in order to complete the payment of the equalization amounts payable for that preceding fiscal period;

(2) the sum resulting from the addition provided for in subparagraph 1 is subtracted from \$36 000 000;

(3) the remainder resulting from the subtraction provided for in subparagraph 2 is divided by the total of the sums which, according to the data available on 1 August of the current fiscal period, would have to be paid under section 25 to all the municipalities eligible for the equalization scheme for that fiscal period, if the amounts contemplated in sections 17 and 23 were not subject to the adjustment provided for in this Subdivision.

The quotient resulting from the division provided for in subparagraph 3 of the first paragraph shall comprise four decimals. The adjustment factor shall be that quotient or 1.0000, whichever is lower.

For the purposes of the first paragraph, “current fiscal period” means the particular fiscal period for which the equalization amount to be established by performing the adjustment provided for in this Subdivision is payable.

23.3 For any eligible municipality, the product resulting from the multiplication provided for in section 23.1 shall constitute the equalization amount payable for the fiscal period in question.”

5. The date “31 August” is substituted for the date “30 June” in subparagraph 1 of the second paragraph of section 25.

6. The date “31 August” is substituted for the date “30 April” in the first paragraph of section 26.

7. Sections 1, 3 and 4 apply for the purposes of establishing the equalization amount payable for any fiscal period beginning with the 1997 fiscal period.

8. This Regulation has effect from 1 January 1997.

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

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Gouvernement du Québec

O.C. 1134-97, 3 September 1997

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

**Apportionment of revenues from the tax paid by operators of certain systems
— Amendments**

Regulation to amend the Regulation respecting the apportionment of revenues from the tax paid by operators of certain systems

WHEREAS under paragraph 4 of section 262 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), amended by section 2 of Chapter 41 of the Statutes of 1996, the Government may by regulation designate any program or program component of the Government or of any of its ministers or bodies referred to in the third paragraph of section 230 to the financing of which is allocated part of the revenues that are derived from the tax imposed under section 221 and that are payable to the municipalities, determine the person who is to apportion the balance of those revenues among the local municipalities and prescribe the rules, terms and conditions of that apportionment;

WHEREAS the Government made the Regulation respecting the apportionment of revenues from the tax paid by operators of certain systems;

WHEREAS it is expedient to amend the Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Draft Regulation to amend the Regulation respecting the apportionment of revenues from the tax paid by operators of certain systems was published in the *Gazette officielle du Québec* of 2 April 1997 on pages 1336 and 1337 with a notice that it could be made by the Government upon the expiry of 45 days following that publication and that any interested person could send his comments in writing to the Minister of Municipal Affairs before the expiry of that 45-day period;

WHEREAS no comments were received on that Draft Regulation before the expiry of the 45-day period;

WHEREAS it is expedient to make the Regulation without amendments;

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

THAT the Regulation to amend the Regulation respecting the apportionment of revenues from the tax paid by operators of certain systems, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the apportionment of revenues from the tax paid by operators of certain systems

An Act respecting municipal taxation
(R.S.Q., c. F-2.1, s. 262, par. 4; 1996, c. 41, s. 2)

1. The Regulation respecting the apportionment of revenues from the tax paid by operators of certain systems, made by Order in Council 1088-92 dated 22 July 1992 and amended by the Regulations made by Orders in Council 1481-93 dated 27 October 1993 and 501-95 dated 12 April 1995, is further amended by inserting the following division before Division 1:

“DIVISION 0.1 PROGRAMS FINANCED BY REVENUES FROM THE TAX

0.1 A part of the revenues that are derived from the tax imposed under section 221 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) and that are payable to the municipalities shall be allocated to the financing of the following programs and program components:

(1) the equalization scheme prescribed by the Regulation made under paragraph 7 of section 262 of the Act;

(2) the program intended to financially assist the municipalities that are the “central cities” within the census metropolitan areas;

(3) the program related to the operation of regional county municipalities;

(4) the following components of the program intended to neutralize the financial impact of an amalgamation or annexation:

(a) the component related to the application of this Regulation;

(b) the component related to the application of the Regulation referred to in paragraph 1.”.

2. Section 1 is amended

(1) by substituting “Act” for “Act respecting municipal taxation (R.S.Q., c. F-2.1)” in the first paragraph; and

(2) by deleting the third paragraph.

3. The following is substituted for section 3:

“**3.** The gross amount to be apportioned for a fiscal period is the difference obtained by subtracting, from the total revenues from the tax provided for in section 221 of the Act collected during the 12 months preceding 1 July of the fiscal period, the sums withheld from those revenues under the second paragraph of section 230 of the Act.”.

4. The following is substituted for the third paragraph of section 5:

“The second operation consists in subtracting, from the result obtained from the first operation, the sums which must be taken out of the gross amount for the implementation, during the fiscal period, of the programs and program components referred to in section 0.1.”.

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

Gouvernement du Québec

O.C. 1139-97, 3 September 1997

An Act respecting private education
(R.S.Q., c. E-9.1)

Regulation
— **Amendment**

Regulation to amend the Regulation respecting the application of the Act respecting private education

WHEREAS under section 111 of the Act respecting private education (R.S.Q., c. E-9.1) the Government may make regulations for the application of the Act;

WHEREAS under subparagraph 7 of section 111 of the Act respecting private education (R.S.Q., c. E-9.1) the Government may, by regulation, exclude, on the conditions it may determine or authorize, to the extent it indicates, the Minister to exclude, on the conditions he may determine, persons, bodies, institutions or educational services from all or some of the provisions of the Act or of the regulations made under this section;

WHEREAS the Government made the Regulation respecting the application of the Act respecting private education by Order in Council 1490-93 dated 27 October 1993;

WHEREAS it is expedient to amend the Regulation respecting the application of the Act respecting private education;

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

WHEREAS the Commission consultative de l'enseignement privé was consulted and has given its advice;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the application of the Act respecting private education, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting private education

An Act respecting private education
(R.S.Q., c. E-9.1, s. 111, par. 7)

1. The Regulation respecting the application of the Act respecting private education, made by Order in Council 1490-93 dated 27 October 1993, is amended by inserting the following section after section 22:

“**22.1** The Minister may, on the conditions he determines, exempt from the application of all the provisions of the Act any person or body dispensing in its facilities a portion or all of the programs of study in vocational training determined by the Minister and enumerated in a list set up by both the Minister and the Société établie under the Act respecting the Société québécoise de développement de la main-d'oeuvre (R.S.Q., c. S-22.001).”.

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

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Gouvernement du Québec

O.C. 1140-97, 3 September 1997

An Act to promote the advancement of science and technology in Québec
(R.S.Q., c. D-9.1)

Fonds pour la formation de chercheurs et l'aide à la recherche
— **Financial support granted as scholarships**
— **Amendments**

Regulation to amend the Regulation respecting the scales and limits of financial support granted as scholarships by the Fonds pour la formation de chercheurs et l'aide à la recherche

WHEREAS under section 85 of the Act to promote the advancement of science and technology in Québec (R.S.Q., c. D-9.1), the Fonds pour la formation de chercheurs et l'aide à la recherche may make regulations concerning the scales and limits of the financial support it may give;

WHEREAS under that provision, the Fonds made the Regulation respecting the scales and limits of financial

support granted as scholarships by the Fonds pour la formation de chercheurs et l'aide à la recherche, approved by Order in Council 1118-94 dated 20 July 1994;

WHEREAS it is expedient to amend the Regulation;

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 2 April 1997, with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS the Fonds pour la formation de chercheurs et l'aide à la recherche made amendments to the Regulation;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting the scales and limits of financial support granted as scholarships by the Fonds pour la formation de chercheurs et l'aide à la recherche, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the scales and limits of financial support granted as scholarships by the Fonds pour la formation de chercheurs et l'aide à la recherche

An Act to promote the advancement of science and technology in Québec
(R.S.Q., c. D-9.1, s. 85, 1st par., subpar. 3)

1. The Regulation respecting the scales and limits of financial support granted as scholarships by the Fonds pour la formation de chercheurs et l'aide à la recherche, made by Order in Council 1118-94 dated 20 July 1994, is amended by substituting the following for section 2:

“**2.** For all the competitions, except competitions B-3 and B-4, scholarship holders may, during their eligibility period, receive up to 6 instalments of a master's scholarship for a period of not more than 24 months of study corresponding to 6 sessions, and up to 9 instalments of a doctoral scholarship for a period of not more than 36 months of study corresponding to 9 sessions.

Notwithstanding the foregoing, scholarship holders who obtain a master's degree after fewer than 6 sessions may receive unused master's instalments for their doctoral studies. They must, however, pass Competition B-2 in order to receive the 9 instalments of the doctoral scholarship.

For competitions B-3 and B-4, the number of instalments is determined on the basis of the eligibility period for each competition.”

2. The following is substituted for section 3:

“**3.** A scholarship holder may renounce an instalment of his scholarship only once in order to take up employment for a maximum period of one session, namely 4 months. However, the session shall be included in the calculation of his eligibility period.

A scholarship holder may accept work that does not represent more than 150 hours per session, provided that his thesis director does not object thereto and those activities do not jeopardize the proper conduct of his research program. For the purposes of this paragraph, a course load of 45 hours is deemed to represent 150 hours of work.

The salary that a student receives to work solely on his research project shall be considered a scholarship. A scholarship holder may receive a scholarship instalment during a training period to the extent that the training period is an integral part of his program, but he must notify the Fonds FCAR thereof. The training period must be both compulsory for obtaining the diploma and credited to the student's program.”

3. The Regulation is amended by inserting the following after section 3:

“**3 a)** Subject to sections 5, 7a, 25, 29 and 33, a scholarship provided for in this Regulation may not be combined with

(1) those of the following Canadian government agencies: the Medical Research Council of Canada (MRC), the Natural Sciences & Engineering Research Council of Canada (NSERC), the Social Sciences & Humanities Research Council of Canada (SSHRC) and The Canada Council (TCC);

(2) the other scholarships offered by the Fonds FCAR except for scholarships supplements granted within the scope of the Actions concertées du Fonds FCAR;

(3) the scholarships of the departments and agencies of the Gouvernement du Québec other than financial

support granted under the Act respecting financial assistance for students (R.S.Q., c. A-13.3), the scholarships for “Soutien aux cotutelles de thèse de doctorat”, offered within the scope of Québec-France university cooperation and the scholarships offered by the Musée de la Civilisation.

For the purposes of subparagraph 3 of the first paragraph, any government agency within the meaning of the Auditor General Act (R.S.Q., c. V-5.01) is an agency of the Gouvernement du Québec.”

4. The following is substituted for the heading of Subdivision 1 of Division II:

“*Québec-France scholarship supplements*”.

5. The following is substituted for sections 4 and 5:

“**4.** Québec-France scholarship supplements are granted to encourage scholarship holders to undertake or pursue graduate research studies in France.

A maximum of 10 scholarship supplements are granted annually in addition to the scholarships that are renewed. In all, the Fonds FCAR grants a maximum of 25 scholarship supplements.

The maximum amount of such a scholarship supplement is \$1 500 for a 12-month academic year.

5. Québec-France scholarship supplements may be combined with the other scholarships offered by the Fonds FCAR.”.

6. Section 6 is amended:

(1) by substituting the amount “\$4 000” for the amount “\$2 000” in paragraph 1;

(2) by substituting the following for paragraph 3:

“(3) a flat allowance for living expenses of \$1 500 per month, indexed on the basis of the cost of living in the place where the training period is carried out.”;

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

“A student who benefits from a scholarship for “Soutien aux cotutelles de thèse de doctorat”, offered within the scope of Québec-France university cooperation may claim only the portion of allowances and reimbursement provided for in this section that is not already covered by such scholarship.”.

7. Section 7 is amended by substituting the amount “\$20 000” for the amount “\$6 000”.

8. The Regulation is amended by inserting the following after section 7:

“**7 a)** Financial support for training periods offered to scholarship holders who are engaged in doctoral studies in Québec may be combined with the other scholarships offered by the Fonds FCAR, except for scholarship supplements granted within the scope of the Actions concertées du Fonds FCAR.”.

9. The following is substituted for the heading of Division III:

“GENERAL COMPETITIONS”.

10. The following is substituted for the heading of Subdivision 1 of Division III:

“*Master’s research scholarships (Competition B-1)*”.

11. Section 8 is amended by substituting the words “Master’s research scholarships” for the words “Master’s scholarships” and the words “research studies” for the word “studies”.

12. The following is substituted for section 9:

“**9.** The maximum amount of a master’s research scholarship is \$11 000 for a 12-month academic year.”.

13. The following is substituted for section 10:

“**10.** Within his 24-month eligibility period, a scholarship holder may receive up to 6 instalments. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”.

14. The following is substituted for the heading of Subdivision 2 of Division III:

“*Doctoral research scholarships (Competition B-2)*”.

15. Section 11 is amended by substituting the words “Doctoral research scholarships” for the words “Doctoral scholarships” and the words “doctoral research study program” for the words “doctoral program”.

16. The following is substituted for section 12:

“**12.** The maximum amount of a doctoral research scholarship is \$13 000 for a 12-month academic year.”.

17. The following is substituted for section 13:

“**13.** Within his 36-month eligibility period, a scholarship holder may receive up to 9 instalments. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

18. Section 14 is amended by striking out the words “A maximum of 60”.

19. The following is substituted for the first paragraph of section 15:

“**15.** The maximum amount of a postdoctoral research scholarship is \$22 000 for a 12-month training period. The training period shall last a minimum of 6 months and a maximum of 24 months.”

20. The following is substituted for section 16:

“**16.** Within his 24-month eligibility period, a scholarship holder may receive up to 4 instalments. Each instalment shall correspond to one-half of the annual amount of the scholarship and shall cover a 6-month period of full-time training.”

21. The following is substituted for the heading of Division IV:

“SPECIAL COMPETITIONS”.

22. Section 18 is amended:

(1) by substituting the amount “\$13 000” for the amount “\$10 000” in the first paragraph;

(2) by substituting the amount “\$26 000” for the amount “\$20 000” in the second paragraph; and

(3) by adding the words “up to a maximum of \$20 000” at the end of the third paragraph.

23. Section 19 is amended by substituting the words “master’s or doctoral research level” for the words “master’s or doctoral level”.

24. The following is substituted for section 20:

“**20.** The maximum amount of a master’s research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year.”

25. The following is substituted for section 21:

“**21.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

26. The following is substituted for the heading of Subdivision 3 of Division IV:

“*Scholarships of the ministère des Transports (Competition A-4)*”.

27. Section 22 is amended by substituting the words “master’s or doctoral research scholarships” for the words “master’s or doctoral scholarships”.

28. The following is substituted for section 23:

“**23.** The maximum amount of a master’s research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year.”

29. The following is substituted for section 24:

“**24.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

30. The following is substituted for section 25:

“**25.** Scholarships from the Ministère des Transports may be combined with those from the agencies referred to in paragraph 1 of section 3*a*.”

31. Section 26 is amended by substituting the words “master’s or doctoral research scholarships” for the words “master’s or doctoral scholarships”.

32. The following is substituted for section 27:

“**27.** The maximum amount of a master’s research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year.”

33. The following is substituted for section 28:

“**28.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral

scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

34. The following is substituted for section 29:

“**29.** Scholarships from the Ministère des Ressources naturelles may be combined with those from the agencies referred to in paragraph 1 of section 3*a*. For any given year, a combination of scholarships shall not total more than \$22 500 at the master’s level or \$26 500 at the doctoral level, including the scholarship from Competition A-7. Any excess shall be deducted from the amount of the scholarship from Competition A-7.”

35. Section 30 is amended by adding the word “research” before the word “level”.

36. The following is substituted for section 31:

“**31.** The maximum amount of a scholarship is \$20 000 for a 12-month academic year.”

37. The following is substituted for section 32:

“**32.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

38. The following is substituted for section 33:

“**33.** Scholarships in the aerospace field may be combined with those from the agencies referred to in paragraph 1 of section 3*a*. Notwithstanding the foregoing, the Fonds FCAR limits a student’s total income to the annual salary that he would receive if he were working full-time. The employer institution shall set that salary and shall send an attestation thereof to the Fonds FCAR. Any excess shall be deducted from the amount of the scholarship from Competition A-8.”

39. The following is substituted for section 34:

“**34.** A scholarship holder shall be reimbursed, upon submission of official receipts, for the portion of his annual tuition fees in excess of \$850, up to a maximum of \$20 000.”

40. Section 35 is amended by substituting the words “graduate research studies” for the words “graduate studies”.

41. Section 36 is amended:

(1) by substituting the word “maximum” for the word “total” in the first paragraph; and

(2) by substituting the following for the second paragraph:

“The maximum amount of a master’s research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year.”

42. The following is substituted for section 37:

“**37.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

43. Section 38 is revoked.

44. The following is substituted for section 39:

“**39.** Québec-Acadie scholarships are granted to Acadian students who wish to undertake or pursue master’s or doctoral research studies at a French-language university in Québec.

In addition to renewed scholarships, four additional master’s or doctoral research scholarships shall be granted each year. The maximum amount of a master’s research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year.”

45. The following is substituted for section 40:

“**40.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

46. The following is substituted for section 41:

“**41.** Scholarships are granted to francophones from Western Canada who wish to undertake or pursue master’s or doctoral research studies at a French-language university in Québec.

In addition to renewed scholarships, two additional master's or doctoral research scholarships shall be granted each year.

The maximum amount of a master's research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year."

47. The following is substituted for section 42:

"42. Within his eligibility period of 24 months at the master's level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master's scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study."

48. Subdivision 9 of Division IV is revoked.

49. The following is substituted for section 46:

"46. This Regulation applies to new scholarship holders as well as to scholarship holders for previous years who apply for payment of their scholarships."

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

1723

Gouvernement du Québec

O.C. 1143-97, 3 September 1997

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

Motor vehicle traffic in certain fragile environments

Regulation respecting motor vehicle traffic in certain fragile environments

WHEREAS under paragraphs *c* and *e* of section 31 and section 124.1 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may regulate the matters provided for therein;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, a draft Regulation respecting the travel of motor vehicles in certain fragile environments was published in Part 2 of the *Gazette officielle du Québec* of 12 February 1997, with a notice that it

could be made by the Government upon the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments that take into account the comments received following its publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation respecting motor vehicle traffic in certain fragile environments, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting motor vehicle traffic in certain fragile environments

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, pars. *c* and *e* and s. 124.1)

1. Motor vehicle races, rallies and competitions are prohibited in marshes, swamps, peat bogs, and on dunes, offshore bars and beaches as well.

2. Motor vehicles are prohibited on the dunes in Îles-de-la-Madeleine, except on designated trails developed in accordance with the law. Elsewhere in Québec, they are prohibited on dunes in the public domain.

3. Motor vehicles, with the exception of snowmobiles, are prohibited in peat bogs in the public domain, south of the St. Lawrence River, its estuary and the Gulf of Saint Lawrence.

This section does not prohibit the recovery of big game, within the meaning of section 1 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), that was killed while lawfully hunting.

4. Motor vehicles other than snowmobiles are prohibited on the beaches, offshore bars, in marshes and swamps situated on the littoral of the St. Lawrence River (downstream from Pont Laviolette), its estuary, the Gulf of Saint Lawrence, Baie-des-Chaleurs and the islands found there.

This section does not prohibit lawful hunting, fishing or trapping, or motor vehicle traffic on designated trails developed in accordance with the law, or the use of motor vehicles to access private property.

For the purposes of this section, the word littoral has the same meaning as the word littoral in the *Politique de protection des rives, du littoral et des plaines inondables*, made by Décret 103-96 dated 24 January 1996.

5. This Regulation does not prevent the use of motor vehicles to carry out work.

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

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

1728

M.O., 1997

**Order of the Minister of Municipal Affairs
dated 10 September 1997**

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

The Minister of Municipal Affairs,

CONSIDERING paragraph 2 of section 263 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), which enables the Minister to prescribe, by regulation, the form or minimum content of certain documents, including notices of assessment, municipal tax accounts, notices of alterations to the roll and forms for applications for review and complaints;

CONSIDERING that the Minister of Municipal Affairs made the Regulation respecting the form or minimum content of various documents relative to municipal taxation;

CONSIDERING that the Minister, in a Regulation dated 4 August 1997 and published in the *Gazette officielle du Québec* of 13 August 1997, substituted Schedules I and II to the Regulation so as to prescribe the forms to be used for applications for review in respect of the real estate assessment roll and the roll of rental values;

CONSIDERING that it is expedient to correct certain errors in the forms;

CONSIDERING that the application for review forms must be available as quickly as possible at the offices of the municipal bodies responsible for assessment;

CONSIDERING that the urgency of the situation requires that the draft Regulation, by which the new application for review forms are prescribed, be made without prior publication and that it come into force on the day of its publication in the *Gazette officielle du Québec*;

ORDERS THAT:

The Regulation to amend the Regulation respecting the form or minimum content of various documents relative to municipal taxation, attached hereto, be made.

Québec City, September 10th, 1997

RÉMY TRUDEL,
*Minister of
Municipal Affairs*

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

An Act respecting municipal taxation
(R.S.Q., c. F-2.1, s. 263, par. 2; 1996, c. 67, s. 59; 1997, c. 43, s. 293)

1. The following is substituted for the form prescribed by Schedule I to the Regulation respecting the form or minimum content of various documents relative to municipal taxation:

* The Regulation respecting the form or minimum content of various documents relative to municipal taxation, made by a Minister's Order dated 30 June 1992 (1992, *G.O.* 2, 3316) was last amended by the Regulation made by a Minister's Order dated 4 August 1997 (1997, *G.O.* 2, 4301). For previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1997, updated to 1 March 1997.



Gouvernement du Québec
Ministère des
Affaires municipales

GEOGRAPHIC CODE APPLICATION NUMBER

APPLICATION FOR REVIEW OF THE REAL ESTATE ASSESSMENT ROLL

MUNICIPALITY : _____ ROLL IN QUESTION : _____
(City, village, parish, etc., to whose roll of assessment the application pertains) 3 years of the triennial roll

IMPORTANT : Unless otherwise indicated, fill in all the white boxes in Sections 1 to 4 legibly, following the directions given in brackets. If necessary, see the additional instructions on the reverse.

1. IDENTIFICATION OF THE UNIT OF ASSESSMENT

• ADDRESS : _____ Postal code _____
(Number(s), name of the street, avenue, road, etc., where the property is located)

• CADASTRAL NUMBER(S) : _____
(Only if it is a site without a building or a building without an address)

• FILE : _____ • TOTAL VALUE : \$ _____
(File number entered on the roll and on the notice of assessment) (Total value entered on the roll and on the notice of assessment)

2. IDENTIFICATION OF THE APPLICANT

• SURNAME AND GIVEN NAME(S) : _____ Postal code _____

• SAME ADDRESS AS THE UNIT OF ASSESSMENT? Yes No (Postal address of the applicant)

• THE APPLICANT IS : The sole owner of the unit of assessment, as entered on the roll. Home telephone no. _____
 One of the co-owners with _____ other(s). Work telephone no. _____
 The mandatory of the owner, whose name is : _____ Fax no. _____
 Other (please specify) : _____

3. ORIGIN, SUBJECT OF AND GROUNDS FOR THE REVIEW REQUESTED

• ORIGIN OF THE APPLICATION : 1. Assessment roll as deposited Number _____ 3. Notice of correction *ex officio* Number _____
(Check only one of the 4 boxes. See details on the reverse if necessary) 2. Notice of alteration 4. Alteration not made by the assessor

• I REQUEST A REVIEW OF THE ENTRIES ON OR OMISSIONS FROM THE ROLL CONCERNING (check at least one of the 3 boxes) :
 The value of the property Actual value according to the applicant \$ _____
(Conclusion sought with respect to the value. For information only, you may indicate the figure which, in your opinion, corresponds to the actual value of the unit assessment in question)
 Other entry (Type of entry) _____ (Conclusion sought) _____
 Other entry (Type of entry) _____ (Conclusion sought) _____

• GROUNDS INVOKED (See reverse) _____
(Documents may be attached to this form if the space provided is insufficient)

4. SIGNATURE OF THE APPLICANT OR OF HIS MANDATORY

(Signature of the applicant or of his mandatory) (Name of signatory) Year _____ Month _____ Day _____

NOTE : The date on which the application for review is signed is not deemed proof of its filing. Only the date entered in Section 5 is deemed valid in this respect.

• File this form, duly filled out, at the location indicated on your notice of assessment.
 • If you wish to file your application for review by registered mail, please follow the directions given on the reverse.

5. CERTIFICATION OF OFFICIAL IN RECEIPT OF THE APPLICATION (For official use only)

• CONFIRMATION OF THE ENTRIES ON THE ROLL

POSSESSION Code	UTILIZATION Code	DWELLINGS Number	OTHER PREMISES Number	File matches the roll? Yes <input type="checkbox"/> if no <input type="checkbox"/>	Division	Section	Location	CD	Building	Premises
T _____	U _____	N _____	P _____	Total value matches the roll? Yes <input type="checkbox"/> if no <input type="checkbox"/>	_____	_____	_____	_____	_____	_____

• SUM RECEIVED : \$ _____ • APPLICATION AND SUM RECEIVED ON THE : _____ Year _____ Month _____ Day _____
(This document constitutes the applicant's receipt) (Signature of official)

NOTE : STEPS FOLLOWING APPLICATION

- Your application for review will be processed by the assessor of the organization responsible for the assessment roll of the municipality on which territory the unit of assessment in question is located.
- By law, the assessor must advise you in writing of his conclusion by the _____ FINAL DATE Year _____ Month _____ Day _____ In his reply, the assessor will either :
 - propose an alteration to the assessment roll
 - inform you that no alteration will be proposed.
- If you **ACCEPT** the written reply of the assessor, you have until the final date indicated above to enter into a written agreement with him regarding the alterations to be made to the assessment roll.
- If you **REFUSE** the written reply of the assessor, you have 30 days following the sending of the reply to lodge an appeal with the Administrative Tribunal of Québec, based on the same subject as your application for review (see details on the reverse).
- If you **DO NOT RECEIVE A WRITTEN REPLY** from the assessor, you have 30 days after the final date indicated above to lodge an appeal with the Administrative Tribunal of Québec based on the same subject as your application for review (see details on the reverse).

APPLICATION FOR REVIEW OF THE ASSESSMENT ROLL : EXPLANATORY NOTES

The Municipal Taxation Act (sections 124 to 138.4) makes provision for an administrative review of the entries contained on the assessment roll. Any true application for review will receive a written reply from the assessor. The applicant and the assessor may enter into an agreement with respect to the alterations to be made to the assessment roll. Failing an agreement, the Act shall grant an appeal, before the Administrative Tribunal of Québec, to any person who has first filed an application for review.

DEFINITIONS

- Unit of assessment : immovable or group of immovables entered on the roll under a single file number.
- Assessment roll : public document containing certain entries prescribed by regulation, for each of the units of assessment situated on the territory of a municipality .
- Market date : the date on which market conditions are considered in order to establish the actual value of all the immovables entered on the assessment roll of a municipality.

RIGHT TO APPLY FOR A REVIEW

- A person who has an interest in contesting the accuracy, existence or absence of an entry on the roll relative to a property of which he or another person is the owner may file an application for review with the municipal body responsible for the assessment in question.
- A person bound to pay tax or compensation to the municipality or school board which uses the assessment roll is deemed to have the interest required to file an application for review.

ORIGIN OF THE APPLICATION FOR REVIEW (and time limits applicable)

The Act makes provision for 4 situations which give the right to apply for a review and sets time limits for each situation :

Situation which may lead to the filing of an application for review

1. **Deposit of the assessment roll**, followed by the sending of a notice of assessment to the owner
2. **Alteration to the roll made by certificate**, followed by the sending of a notice of assessment
3. **Notice of correction *ex officio*** addressed by the assessor to the owner, to inform him of a planned correction
4. **Failure by the assessor to make an alteration to the roll**, despite an event occurring that should have led to such an alteration

Time limit set for filing the application

- Whichever date is later :
 - prior to 1 May following the coming into force of the assessment roll ;
 - 60 days following the sending of the notice of assessment (120 days if the notice relates to a unit whose value is equal to or greater than \$1,000,000).
- Whichever date is later :
 - prior to 1 May following the coming into force of the assessment roll ;
 - 60 days following the sending of the notice of alteration.
- Whichever date is later :
 - prior to 1 May following the coming into force of the assessment roll ;
 - 60 days following the sending of the notice of correction *ex officio*.
- In the course of the financial year in which the event justifying an alteration occurs or prior to the end of the following financial year.

GROUNDINGS INVOKED

- The Act stipulates that the application for review must state briefly the grounds invoked. These are the arguments that the applicant wishes the assessor to consider at the time of review.
- For example, the defects of an immovable (breakage, construction defects, etc.), nuisances (noise, pollution, flooding, etc.), as well as its financial situation (loss of rent, high expenses, sale of comparable properties), are valid grounds to invoke in support of the application for review.
- **The amount of taxes to be paid does not constitute grounds justifying an alteration to the assessment roll.**
- If the space provided on the form is insufficient, additional documents may be attached to explain the grounds invoked.

CONDITIONS

For an application to be admissible to the municipal body responsible for the assessment, it must satisfy, in addition to the time limits given above, the following conditions :

- **Be made on the form prescribed for this purpose.** This document is the prescribed form. Additional explanatory documents may be attached to the completed form if necessary.
- **Be accompanied by the sum of money determined** and applicable to the unit of assessment in question, if prescribed by a regulation of the municipal body responsible for assessment.
- **Be filed at the location determined** by the municipal body responsible for assessment for the purposes of the administrative review of the assessment, or be sent by registered mail.

FILING OF THE APPLICATION BY REGISTERED MAIL

The Act permits the filing of an application for review by registered mail. The same time limits and conditions apply as for filing an application in person. The following directions are, however, important :

- **Copies 1 and 2 of the form must be mailed.** The first copy will be forwarded to the assessor ; the second will be returned to the applicant after certification by the official responsible for receipt of applications for review. The applicant keeps copy 3.
- **The day of sending of the application is deemed to be the date of filing.** It is therefore important that the applicant retain proof of dispatch in case of dispute.

APPEAL

Any person who has filed an application for review and who has not entered into an agreement with the assessor may lodge an appeal with the Real Estate Section of the Administrative Tribunal of Québec, based on the same subject as the application for review. To be valid, such an appeal must be lodged by :

- filing a petition at the Secretariat of the Tribunal or at any registry office of the Court of Québec (a copy of the application for review which was previously filed may be requested) ;
- within 30 days of the date of sending of the assessor's reply or, if the assessor has not sent a reply, within 30 days of the final date set by the Act.

2. The following is substituted for the form prescribed by Schedule II to the Regulation:

Gouvernement du Québec
Ministère des
Affaires municipales

GEOGRAPHIC CODE _____ APPLICATION NUMBER _____

APPLICATION FOR REVIEW OF THE ROLL OF RENTAL VALUES

MUNICIPALITY: _____ ROLL IN QUESTION: _____ 3 years of the term of roll
(City, village, parish, etc., to whose roll of rental values the application pertains)

IMPORTANT: Unless otherwise indicated, fill in all the white boxes in Sections 1 to 4 legibly, following the directions given in brackets. If necessary, see the additional instructions on the reverse.

1. IDENTIFICATION OF THE PLACE OF BUSINESS

• ADDRESS: _____ Postal code _____
(Number(s), name of the street, avenue, road, etc., where the property is located)

• CADASTRAL NUMBER(S): _____
(Only if it is a site without a building or a building without an address)

• FILE: _____ • RENTAL VALUE: \$ _____
(File number entered on the roll and on the notice of assessment) (Rental value entered on the roll and on the notice of assessment)

2. IDENTIFICATION OF THE APPLICANT

• SURNAME AND GIVEN NAME(S): _____ Postal code _____

• SAME ADDRESS AS THE PLACE OF BUSINESS? Yes No **▶**
(Postal address of the applicant)

• THE APPLICANT IS: The sole occupant of the place of business. Home telephone no. _____
 One of the co-occupants of the place of business with _____ other(s). Work telephone no. _____
 The mandatory of the occupant of the place of business, whose name is: _____ Fax no. _____
 Other (please specify): _____

3. ORIGIN, SUBJECT OF AND GROUNDS FOR THE REVIEW REQUESTED

• ORIGIN OF THE APPLICATION: 1. Roll of rental values as deposited Number _____ 3. Notice of correction *ex officio* Number _____
(Check only one of the 4 boxes. See details on the reverse if necessary) 2. Notice of alteration Number _____ 4. Alteration not made by the assessor

• I REQUEST A REVIEW OF THE ENTRIES ON OR OMISSIONS FROM THE ROLL CONCERNING (check at least one of the 3 boxes):
 The rental value of the place of business. Actual value according to the applicant \$ _____
(Conclusion sought with respect to the value. For information only, you may indicate the figures which, in your opinion, corresponds to the rental value of the place of business in question)
 Other entry (Type of entry) _____ (Conclusion sought) _____
 Other entry (Type of entry) _____ (Conclusion sought) _____

• GROUNDS INVOKED (See reverse) _____
(Documents may be attached to this form if the space provided is insufficient)

4. SIGNATURE OF THE APPLICANT OR OF HIS MANDATORY

(Signature of the applicant or of his mandatory) (Name of signatory) Year _____ Month _____ Day _____
(Date of signature)

NOTE: The date on which the application for review is signed is not deemed proof of its filing. Only the date entered in Section 5 is deemed valid in this respect.

• File this form, duly filled out, at the location indicated on your notice of assessment.
 • If you wish to file your application for review by registered mail, please follow the directions given on the reverse.

5. CERTIFICATION OF OFFICIAL IN RECEIPT OF THE APPLICATION (For official use only)

• CONFIRMATION OF THE ENTRIES ON THE ROLL

POSSESSION Code	UTILIZATION Code	DWELLINGS Number	OTHER PREMISES Number	File matches the roll? Yes <input type="checkbox"/> No <input type="checkbox"/>	Division	Section	Location	CD	Building	Premises
T	U	N	P							

Rental value matches the roll? Yes No \$ _____

• SUM RECEIVED: \$ _____ • APPLICATION AND SUM RECEIVED ON THE: _____ Year _____ Month _____ Day _____
(This document constitutes the applicant's receipt) (Signature of official)

NOTE: STEPS FOLLOWING APPLICATION

- Your application for review will be processed by the assessor of the organization responsible for the roll of rental values of the municipality on which territory the place of business in question is located.
- By law, the assessor must advise you in writing of his conclusion by the _____
FINAL DATE Year _____ Month _____ Day _____
 In his reply, the assessor will either:
 - propose an alteration to the roll of rental values or
 - inform you that no alteration will be proposed.
- If you **ACCEPT** the written reply of the assessor, you have until the final date indicated above to enter into a written agreement with him regarding the alterations to be made to the roll of rental values.
- If you **REFUSE** the written reply of the assessor, you have 30 days following the sending of the reply to lodge an appeal with the Administrative Tribunal of Québec, based on the same subject as your application for review (see details on the reverse).
- If you **DO NOT RECEIVE A WRITTEN REPLY** from the assessor, you have 30 days after the final date indicated above to lodge an appeal with the Administrative Tribunal of Québec, based on the same subject as your application for review (see details on the reverse).

29.2.A (97/09)

APPLICATION FOR REVIEW OF THE ROLL OF RENTAL VALUES : EXPLANATORY NOTES

The Municipal Taxation Act (sections 124 to 138.4) makes provision for an administrative review of the entries contained on the roll of rental values. Any true application for review will receive a written reply from the assessor. The applicant and the assessor may enter into an agreement with respect to the alterations to be made to the roll. Failing an agreement, the Act shall grant an appeal, before the Administrative Tribunal of Québec, to any person who has first filed an application for review.

DEFINITIONS

- **Place of business :** immovable or part of an immovable where a person carries out a business or administrative activity, for profit-making or non-profit-making purposes, and which is entered on the roll of rental values under a single file number.
- **Roll of rental values :** public document containing certain entries prescribed by regulation, for each of the places of business situated on the territory of a municipality.
- **Market date :** the date on which market conditions are considered in order to establish the rental value of all the places of business entered on the roll of rental values of a municipality.

RIGHT TO APPLY FOR A REVIEW

- A person who has an interest in contesting the accuracy, existence or absence of an entry on the roll of rental values relative to a place of business of which he or another person is the occupant may file an application for review with the municipal body responsible for assessment in question.
- A person bound to pay tax or compensation to the municipality or school board which uses the roll of rental values is deemed to have the interest required to file an application for review.

ORIGIN OF THE APPLICATION FOR REVIEW (and time limits applicable)

The Act makes provision for 4 situations which give the right to apply for a review and sets time limits for each situation :

Situation which may lead to the filing of an application for review

1. **Deposit of the roll of rental values**, followed by the sending of a notice of assessment to the person carrying out an activity

Time limit set for filing the application

- Whichever date is later :
 - prior to 1 May following the coming into force of the roll of rental values ;
 - 60 days following the sending of the notice of assessment (120 days if the notice relates to a place of business whose value is equal to or greater than \$100,000).

2. **Alteration to the roll made by certificate**, followed by the sending of a notice of assessment

- Whichever date is later :
 - prior to 1 May following the coming into force of the roll of rental values ;
 - 60 days following the sending of the notice of alteration.

3. **Notice of correction *ex officio*** addressed by the assessor to the person carrying out an activity, to inform him of a planned correction

- Whichever date is later :
 - prior to 1 May following the coming into force of the roll of rental values ;
 - 60 days following the sending of the notice of correction *ex officio*.

4. **Failure by the assessor to make an alteration to the roll**, despite an event occurring that should have led to such an alteration

- In the course of the financial year in which the event justifying an alteration occurs or prior to the end of the following financial year.

GROUNDS INVOKED

- The Act stipulates that the application for review must state briefly the grounds invoked. These are the arguments that the applicant wishes the assessor to consider at the time of review.
- For example, the defects of a place of business (breakage, construction defects, etc.), nuisances (noise, pollution, flooding, etc.), as well as its financial situation (loss of rent, high expenses, leases of comparable place of business), are valid grounds to invoke in support of the application for review.
- **The amount of taxes to be paid does not constitute grounds justifying an alteration to the roll of rental values.**
- If the space provided on the form is insufficient, additional documents may be attached to explain the grounds invoked.

CONDITIONS

For an application to be admissible to the municipal body responsible for the assessment, it must satisfy, in addition to the time limits given above, the following conditions :

- **Be made on the form prescribed for this purpose.** This document is the prescribed form. Additional explanatory documents may be attached to the completed form if necessary.
- **Be accompanied by the sum of money determined** and applicable to the place of business in question, if prescribed by a regulation of the municipal body responsible for assessment.
- **Be filed at the location determined** by the municipal body responsible for assessment for the purposes of the administrative review of the rental value, or be sent by registered mail.

FILING OF THE APPLICATION BY REGISTERED MAIL

The Act permits the filing of an application for review by registered mail. The same time limits and conditions apply as for filing an application in person. The following directions are, however, important :

- Copies 1 and 2 of the form must be mailed. The first copy will be forwarded to the assessor ; the second will be returned to the applicant after certification by the official responsible for receipt of applications for review. The applicant keeps copy 3.
- The day of sending of the application is deemed to be the date of filing. It is therefore important that the applicant retain proof of dispatch in case of dispute.

APPEAL

Any person who has filed an application for review and who has not entered into an agreement with the assessor may lodge an appeal with the Real Estate Section of the Administrative Tribunal of Québec, based on the same subject as the application for review.

To be valid, such an appeal must be lodged by :

- filing a petition at the Secretariat of the Tribunal or at any registry office of the Court of Québec (a copy of the application for review which was previously filed may be requested) ;
- within 30 days of the date of sending of the assessor's reply or, if the assessor has not sent a reply, within 30 days of the final date set by the Act.

3. The forms that must be used, until 1 December 1997, to file a complaint following an application for review in respect of a real estate assessment roll or a roll of rental values coming into force on 1 January 1998 shall be the application for review forms prescribed, as the case may be, in sections 1 and 2 of this Regulation.

The first paragraph renders inoperative section 9 of the Regulation respecting the form or minimum content of various documents relative to municipal taxation dated 4 August 1997 and published in the *Gazette officielle du Québec* of 13 August 1997.

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

1735

M.O., 1997

**Order of the Minister of Education dated
9 September 1997**

Education Act
(R.S.Q., c. I-13.3)

Regulation respecting the norms and methods for the transfer and reassignment on 1 July 1998 of management staff of school boards

CONSIDERING that under section 523.3 of the Education Act (R.S.Q., c. I-13.3; 1997, c. 47 s. 40), the Minister of Education may by regulation, establish for all members of the staff who are not represented by a certified association within the meaning of the Labour Code (R.S.Q., c. C-27) the transfer and reassignment norms and methods as well as the rights of and remedies available to a person who believes he has been wronged in the application of such norms and methods;

CONSIDERING that such section 523.3 prescribes that the Regulations Act (R.S.Q., c. R-18.1) does not apply to such regulation or proposed regulation and that the regulation comes into force on the date of its publication in the *Gazette officielle du Québec*;

IT IS ORDERED:

THAT the Regulation respecting the norms and methods for the transfer reassignment of 1 July 1998 of management staff of school boards, attached hereto, be made.

Québec, September 9, 1997

PAULINE MAROIS,
Minister of Education

Regulation respecting the norms and methods for the transfer and reassignment on 1 July 1998 of management staff of school boards

Education Act
(R.S.Q., c. I-13.3, s. 523.3)

CHAPTER I APPLICATION

1. In this Regulation, unless otherwise indicated by the context:

“administrator”: means a member of the senior staff of services, of the senior staff of an adult education centre or a manager;

“representative associations”: means the local or regional representatives of the representative associations concerned appointed by the latter;

“senior staff member of an adult education centre”: means a director or an assistant director of an adult education centre;

“senior staff member of services”: means a level-one senior staff member (director) or a level-two senior staff member (coordinator) of services or a personnel management consultant;

“senior staff member of schools”: means a principal or vice-principal;

“senior staff member of an establishment”: means a member of the senior staff of schools or adult education centres, as the case may be;

“existing school board”: means any school board as defined in section 509 of the Education Act;

“new school board”: means any French-language or English-language school board as defined in section 509 of the Education Act;

“provisional council”: means the provisional council established under Division II of Chapter X of the Education Act;

“adult students”: means the number of students in the adult sector for 1995-1996 determined in accordance with the regulations or documents respecting working conditions;

“youth students”: means the number of students in the youth sector on 30 September 1996 determined in ac-

cordance with the regulations or documents respecting working conditions;

“establishment”: means a school or an adult education centre, as the case may be;

“manager”: means a person holding a position of superintendent or foreman within the meaning of the regulations or documents respecting working conditions;

“manager of an establishment”: means a manager assigned to an establishment;

“manager of services”: means a manager assigned to an administrative centre of a school board;

“management staff”: means an administrator, a senior executive or a member of the senior staff of schools;

“senior executive”: means a director general, a full-time deputy director general or a senior adviser to management;

“administrative regions”: means the administrative regions specified in Schedule 1 of this Regulation;

“regulations or documents respecting working conditions”: means the Terms of Employment of Educational Administrators of Catholic School Boards Regulation, the Conditions of Employment of Directors-General and Assistant Directors-General of Catholic School Boards Regulation, the Terms of Employment of Principals and Vice-principals of Catholic School Boards Regulation, the Document Respecting the Conditions of Employment of Administrators of School Boards for Protestants or the Document Respecting the Conditions of Employment of Directors General and Deputy Directors General of School Boards for Protestants, as the case may be.

2. This Regulation applies to management staff who would have been employed by an existing school board on 1 July 1998.

3. For regular part-time management staff or management staff assigned temporarily to a position in an existing school board, the application of this Regulation cannot have the effect of modifying such status in a new school board.

4. Notwithstanding any provision to the contrary, this Regulation does not apply to management staff hired or appointed from 1 July 1998.

CHAPTER II DETERMINATION OF THE ADMINISTRATIVE STRUCTURE OF A NEW SCHOOL BOARD

5. Not later than 20 days following the date of the appointment of the director general of the new school board, the provisional council shall send representative associations a list of management staff referred to in section 2, except senior executives, who are employed by each of the existing school boards covered by the provisional council.

In the case of senior executives, such list shall be sent no later than 10 days after the date of the first meeting of the provisional council.

The list shall include the following particulars for each member of the management staff:

- his or her full name;
 - the name of the existing school board;
 - the name of the school for a senior staff member of schools;
 - the name of the adult education centre for a senior staff member of an adult education centre;
 - the title of the position with the existing school board;
 - the classification of the position held with the existing school board;
 - the status of employment: regular full-time, regular part-time, full-time temporary assignment or part-time temporary assignment;
 - the place of work;
 - the mention “on availability” for a member of the management staff on availability with an existing school board.
- 6.** The provisional council shall draw up the administrative structure of the new school board in accordance with the job descriptions and classification plans of the positions prescribed by the regulations or documents respecting working conditions, with the exception of the special condition (12 000 students or more) specified for the position of director of data processing services which does not apply.

The administrative structure shall indicate the reorganization of the activities of the new school board and

establish the distribution and level of responsibilities among the members of the management staff required to administer such activities. The structure shall be set out in an organization chart showing the titles, classification and hierarchical relationships of the positions of management staff.

7. In drawing up the administrative structure, the provisional council must determine a position for the transfer and reassignment of each member of the management staff in accordance with the following provisions:

1° unless specifically authorized by the regulation or document respecting working conditions concerned, the maximum number of positions for each group of senior executives, administrators or senior staff of schools with the new school board may not exceed the number of management staff to be reassigned according to each group.

For the purposes of this Regulation, the provisional council may add a second position of full-time deputy director general if the new school board has 20 000 students (youth and adult) or more;

2° a senior executive shall be placed in a position of senior executive;

3° a member of the senior staff of services shall be placed in a senior staff of services position, subject to a level-one senior staff member of services (director) obtaining a level-one (director) or level-two (coordinator) senior staff of services position and to a level-two senior staff member of services (coordinator) or a personnel management consultant being placed in that position;

4° a manager shall be placed in a position of manager, subject to a superintendent obtaining a position of superintendent or foreman and to a foreman being placed in that position;

5° a member of the senior staff of an adult education centre shall be placed in a position of senior staff of an adult education centre;

6° a senior staff member of schools shall be placed in a position of senior staff of schools;

7° a member of the management staff who is on availability shall maintain such status, unless a position is found in the administrative structure.

8. Not later than 27 February 1998, the provisional council shall send the representative associations a copy of the administrative structure.

CHAPTER III DISTRIBUTION, TRANSFER AND REASSIGNMENT OF SENIOR EXECUTIVES

DIVISION I DISTRIBUTION

9. The provisional council shall draw up, in cooperation with the other provisional councils concerned, the distribution plan for the senior executives of the existing school boards covered by the provisional council, subject to a senior executive being placed in the new school board receiving the majority of students (youth and adult) of his or her school board, unless there is an agreement to the contrary among the provisional councils.

DIVISION II TRANSFER

10. Senior executives shall be transferred to the new school board in accordance with the procedures respecting the distribution of senior executives prescribed in this chapter.

However, where the number of senior executives is distributed in more than one new school board, the transfer of senior executives shall be determined pursuant to the agreement reached between the provisional councils concerned and the representative associations or, failing which, the transfer shall be determined, first, on the basis of the senior executive's choice according to the decreasing order of the time of employment as senior executive for a school board, calculated on September 17, 1997 and, subsequently, according to the increasing order of the time of employment.

DIVISION III REASSIGNMENT

11. Not later than 31 October 1997, the provisional council shall appoint the director general and, not later than 30 April 1998, the deputy director general or the deputy directors general, where applicable, from among the transferred senior executives, in accordance with the selection process that it determines after consulting the representative associations. A copy of the notification of appointment shall be sent to the representative associations.

12. A senior executive who has not been appointed to a position of director general or deputy director general shall be assigned to a position of senior adviser to management.

13. The senior executive on availability in his or her existing school board who is not reassigned to a position of senior executive shall remain on availability in the new school board.

14. Where there is a vacancy in a position of senior executive to be filled, the provisional council shall send, for posting, the notice of vacant position to the existing school boards included in the administrative region. A copy of the notice shall also be sent to the representative associations. The provisional council shall call to a selection interview the senior executives of such school boards who have not been reassigned to a position of senior executive, at the same level as the vacant position, that they held in the existing school board and who apply within the period prescribed for the competition.

15. Not later than 30 June 1998, the provisional council shall inform each deputy director general or senior adviser to management in writing of his or her position as of 1 July 1998. A copy of the notice shall be sent to the representative associations.

CHAPTER IV DISTRIBUTION, TRANSFER AND REASSIGNMENT OF SENIOR STAFF MEMBERS AND MANAGERS OF SERVICES

DIVISION 1 DISTRIBUTION

16. Not later than 30 January 1998, the provisional council shall draw up, in cooperation with the other provisional councils concerned, the distribution plan for the senior staff members and managers of services of the existing school boards covered by the provisional council on the basis of the proportion of students (youth and adult) transferred, unless there is an agreement to the contrary among the provisional councils.

DIVISION II TRANSFER

17. Not later than 27 March 1998, the transfer of senior staff members and managers of services of the existing school boards covered by the provisional council shall be determined in accordance with the following provisions:

1° all senior staff members and managers of services shall be transferred to the new school board where the total student population (youth and adult) of the existing school board is transferred to such new school board;

2° where a proportion of the student population is transferred, the transfer of senior staff members and

managers of services shall be determined as agreed to by the provisional councils concerned and the representative associations or, failing which, the transfer shall be determined, first, on the basis of the choice of the senior staff member or manager of services according to the decreasing order of the time of employment as administrator for a school board, calculated on September 17, 1997 and, subsequently, according to the increasing order of the time of employment.

DIVISION III REASSIGNMENT

18. Not later than 30 April 1998, the provisional council shall reassign the transferred senior staff members and managers of services pursuant to the agreement reached with the representative associations.

Failing agreement, the provisional council shall reassign the senior staff members and managers of services in accordance with the following procedures:

1° for the positions of level-one senior staff of services (director), the provisional council shall reassign senior staff of services, occupying a position at the same level in the same field of activity, based on the recommendations of a selection committee of which one member is designated by the representative associations.

However, where there is only one senior staff member of services who meets this criteria, he or she shall be reassigned to that position.

Where a position filled according to this procedure becomes vacant during the 12 months following the date of the recommendations of the selection committee, it shall be filled, as a priority, from among the other administrators included in the selection pool who apply within the period prescribed for the competition;

2° for the positions of level-two senior staff of services (coordinator), personnel management consultant or manager of services, the provisional council shall reassign senior staff members and managers of services, occupying a position at the same level in the same field of activity, first, based on the latter's choice according to the decreasing order of the time of employment as administrator for a school board, calculated on September 17, 1997 and, subsequently, according to the increasing order of the time of employment;

3° where a senior staff member or manager of services is not reassigned to a position at the same level, he or she shall remain eligible for the lower level in the same field of activity;

4° for the coordinator of data processing services who is not under the authority of a director, his or her time of employment in this capacity shall be recognized for the position of director of data processing services;

5° where a senior staff member or manager of services holds several positions with an existing school board, he or she shall be qualified for each of these positions in the administrative structure of the new school board;

6° where the administrative structure of a new school board provides for the holding of several positions concurrently, a senior staff member or manager occupying one such position for an existing school board shall be qualified for the new position;

7° the senior staff member or manager of services on availability in his or her existing school board who is not reassigned to a position of senior staff or manager of services, as the case may be, shall remain on availability in the new school board.

19. Where there is a vacancy in a position of senior staff or manager of services to be filled through external recruitment, the provisional council shall send, for posting, the notice of vacant position to the existing school boards included in the administrative region. A copy of the notice shall also be sent to the representative associations. The provisional council shall call to a selection interview the senior staff members and managers of services of these school boards who are not reassigned to a position, at the same level in the same field of activity as the vacant position, that they held in the existing school board and who apply within the prescribed period for the competition.

20. Not later than 30 June 1998, the provisional council shall inform each senior staff member or manager of services in writing of his or her position as of 1 July 1998. A copy of the notice shall be sent to the representative associations.

CHAPTER V

DISTRIBUTION, TRANSFER AND REASSIGNMENT OF SENIOR STAFF MEMBERS AND MANAGERS OF AN ESTABLISHMENT

DIVISION I

DISTRIBUTION

21. Not later than 30 January 1998, the provisional council shall draw up, in cooperation with the other provisional councils concerned, the distribution plan for the senior staff members and managers of an establish-

ment of the existing school boards covered by the provisional council in accordance with the following provisions:

1° where the total student population (youth and adult) of an establishment is transferred to a new school board, the senior staff members and managers of such establishment shall be placed in such new school board;

2° where the student population (youth and adult) of an establishment is transferred to several new school boards, the senior staff members and managers of such establishment shall be distributed among such new school boards on the basis of the proportion of students transferred, unless there is an agreement to the contrary among the provisional councils concerned.

DIVISION II

TRANSFER

22. Not later than 27 March 1998, the transfer of senior staff members and managers of an establishment of the existing school boards covered by the provisional council shall be determined in accordance with the distribution process.

However, where the number of senior staff members and managers of an establishment is distributed in more than one new school board, the transfer of senior staff members and managers of an establishment shall be determined pursuant to the agreement reached between the provisional councils concerned and the representative associations or, failing which, the transfer shall be determined, first, on the basis of the choice of the senior staff member or manager of an establishment concerned according to the decreasing order of the time of employment as senior staff member of schools, senior staff member of an adult education centre or manager, as the case may be, for a school board, calculated on September 17, 1997 and, subsequently, according to the increasing order of the time of employment.

DIVISION III

REASSIGNMENT

23. Not later than 30 April 1998, the provisional council shall reassign the transferred senior staff members and managers of an establishment in accordance with the following provisions:

1° except for a school or administrative reorganization within the meaning of the applicable regulation or document respecting working conditions, the senior staff members and managers of an establishment shall maintain the same position in such establishment;

2° in the case of a school or administrative reorganization, the provisional council shall reassign the senior staff members and managers of an establishment pursuant to the agreement reached with the representative associations.

Failing agreement, the provisional council shall reassign senior staff members and managers of an establishment in accordance with the following procedures:

i. for the positions of director of an establishment, the provisional council shall reassign the directors of establishments affected by the reorganization on the basis of the recommendations of a selection committee of which one member is designated by the representative associations.

However, where there is only one director of establishment concerned, he or she shall be reassigned to that position.

The director of an establishment who has not been reassigned to a position of director of an establishment shall remain eligible for the position of assistant director of an establishment.

Where a position filled according to this procedure becomes vacant during the 12 months following the date of the recommendations of the selection committee, it shall be filled, as a priority, from among the other members of the senior staff of an establishment included in the selection pool who apply within the period prescribed for the competition;

ii. for the positions of assistant director or manager of an establishment, the provisional council shall reassign the senior staff members and managers of an establishment, first, based on the choice of the senior staff member or manager of an establishment according to the decreasing order of the time of employment as senior staff member of schools or administrator, as the case may be, for a school board, calculated on September 17, 1997 and, subsequently, according to the increasing order of the time of employment;

3° the senior staff member or manager of an establishment on availability in his or her existing school board who has not been reassigned to a position of senior staff or manager of an establishment, as the case may be, shall remain on availability in the new school board.

24. Where there is a vacancy in a position of senior staff or manager of an establishment to be filled through external recruitment, the provisional council shall send, for posting, the notice of vacant position to the existing

school boards included in the administrative region. A copy of the notice shall also be sent to the representative associations. The provisional council shall call to a selection interview the senior staff of schools, senior staff of an adult education centre or managers of an establishment, as the case may be, of such school boards who have not been reassigned to a position, at the same level as the vacant position, that they held in the existing school board and who apply within the prescribed period for the competition.

25. Not later than 30 June 1998, the provisional council shall inform each senior staff member or manager of an establishment in writing of his or her position as of 1 July 1998. A copy of the notice shall be sent to the representative associations.

CHAPTER VI TRANSITIONAL PROVISIONS RESPECTING WORKING CONDITIONS OF MANAGEMENT STAFF

26. Unless there are provisions to the contrary, this chapter applies solely to the transfer and reassignment of management staff to a new school board as of 1 July 1998.

27. The member of the management staff who is reassigned to a position where the maximum of the salary scale is less than that applicable to his or her classification on 30 June 1998 shall maintain such classification for the period from 1 July 1998 to 30 June 1999.

At the end of the period, the provisions of section 28 shall apply, where applicable.

These provisions shall not apply in the case of a reclassification resulting from a natural reduction in the number of students. In such case, the provisions of section 28 shall apply.

28. Subject to section 27, the salary readjustment procedure, without taking into consideration the maximum two-year time limit, prescribed by the regulations or documents respecting working conditions, shall apply to management staff reassigned to a position with a lower salary.

29. A member of the management staff shall transfer to his or her new school board his or her days of vacation as well as the sick-leave days accumulated on 30 June 1998. The provisional council shall confirm this information in writing to each member of the management staff.

30. From 1 July 1998 until such time as it may be amended by resolution of the new school board, the management policy applicable to an administrator or a member of the senior staff of schools shall be that agreed to between the provisional council and the representative associations or, in the absence of such an agreement, of the existing school board representing the greatest number of management staff in the new school board covered by the management policy concerned.

31. A member of the management staff who is transferred to a new school board where the distance between the new place of work and his or her present domicile is greater than 65 kilometres is entitled to the reimbursement of his or her moving expenses prescribed in the applicable regulation or document respecting working conditions. However, at the request of the management staff member, the new school board may implement a similar measure.

32. The following provisional salary scales apply as of the date of appointment of the director general covered by this class of employment until such time as a definitive salary scale is prescribed by the applicable regulation or document respecting working conditions:

Class VI 33 000 students or +	Prior to		
	1 January 1998	1 January 1998	1 April 1998
Maximum	100 555	101 561	102 577
Minimum	80 384	81 188	82 000

CHAPTER VII RECOURSE

33. This chapter applies to a member of the management staff who believes he or she has been treated unjustly or inequitably by the application of this Regulation or an agreement pursuant thereto, except for the provisions specified in sections 6 and 11 and those concerning the selection committee specified in paragraph 1° of section 18 or paragraph 2° of section 23.

34. A member of the management staff may, within 20 days following an act or his or her knowledge of an act giving him or her right to recourse, submit a complaint in writing to his or her association. A copy of the complaint shall be sent to the provisional council.

35. For the purposes of this chapter, the word “association” means the member of the management staff where he or she is not a member of the association at the time the act takes place. In such case, notwithstanding section 36, the member of the management staff shall submit his or her complaint directly to the provisional

council within 20 days following the act or his or her knowledge of the act giving him or her right to recourse.

36. The association shall have 20 days following the date of the application of the management staff member to request that the provisional council submit the complaint to an arbitrator for ruling. A copy of the application shall be sent to the first chairman of the Appeal Committee:

Address: Greffe des comités de recours et d’appel
300, boulevard Jean-Lesage, bureau 512
Québec (Québec) G1K 8K6

37. The association and the provisional council shall have 20 days thereafter to agree upon an arbitrator. Failing agreement, the latter shall be named by the first chairman of the Appeal Committee chosen in accordance with the regulations or documents respecting working conditions.

38. The arbitrator shall call the parties as soon as possible; he or she shall proceed in such manner as he or she may determine and shall make his or her award with reasons in support thereof within 30 days following the end of the statements of the parties. Notwithstanding the foregoing, an award shall not be invalid solely because it is made after the expiry of the prescribed time.

39. The arbitrator shall determine whether the decision of the provisional council complies with the provisions of this Regulation.

40. Where the arbitrator determines that a decision does not comply with the provisions of this Regulation, he or she may change the decision wholly or in part.

41. The arbitrator’s award may not have the effect of amending, exempting from or adding to the provisions of this Regulation.

42. The arbitrator’s award shall be final, executory and binding on the parties.

43. The expenses and fees of the arbitrator shall be borne by the ministère de l’Éducation.

CHAPTER VIII FINAL PROVISIONS

44. The time limits prescribed in this Regulation are not mandatory.

45. This Regulation takes precedence over any regulation or document respecting working conditions.

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

SCHEDULE 1

ADMINISTRATIVE REGIONS

Bas-Saint-Laurent (01)

Saguenay–Lac-St-Jean

Québec (03)

Mauricie (04)

Estrie (05)

Montréal (06)

Outaouais (07)

Abitibi-Témiscamingue (08)

Côte-Nord (09)

Nord-du-Québec (10)

Gaspésie — Îles-de-la-Madeleine (11)

Chaudière-Appalaches (12)

Laval (13)

Lanaudière (14)

Laurentides (15)

Montérégie (16)

Centre du Québec (Bois-Francs) (17)

1732

M.O., 1997

Order number 97-04 of the Minister of Health and Social Services dated 9 September 1997

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 Minister of Health and Social Services

CONSIDERING section 530.14 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

CONSIDERING that 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 was made by the Minister's Order 94-03 dated 24 October 1994 of the Minister of Health and Social Services;

CONSIDERING that it is necessary to substitute provisions consistent with section 530.14 of the Act respecting health services and social services for the provisions of the Regulation that were made under the transitory provisions of the Act to amend the Act respecting health services and social services (1993, c. 58);

CONSIDERING sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and the publication of the Draft 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 on page 3701 of Part 2 of the *Gazette officielle du Québec* of 16 July 1997;

CONSIDERING that it is expedient to make this Regulation without amendment;

ORDERS:

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, attached to this Minister's Order, be made.

Given at Québec City, on 9 September 1997

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 deleted.

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

1734

M.O., 1997

Order number 97-03 of the Minister of Health and Social Services dated 9 September 1997

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

The Minister of Health and Social Services

CONSIDERING section 530.31 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

CONSIDERING that the Regulation respecting the procedure for appointing the members of the board of directors of the Régie régionale du Nunavik was made by Minister’s Order 94-02 dated 24 October 1994 of the Minister of Health and Social Services;

CONSIDERING that it is necessary to substitute provisions consistent with section 530.31 of the Act respecting health services and social services for the provisions

of the Regulation that were made under the transitory provisions of the Act to amend the Act respecting health services and social services (1993, c. 58);

CONSIDERING sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and the publication of the Draft Regulation to amend the Regulation respecting the procedure for appointing the members of the board of directors of the Régie régionale du Nunavik on page 3702 of Part 2 of the *Gazette officielle du Québec* of 16 July 1997;

CONSIDERING that it is expedient to make this Regulation without amendment;

ORDERS:

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, attached to this Minister’s Order, be made.

Signed at Québec City, on 9 September 1997

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*.

Draft Regulations

Draft Regulation

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

Conditions or restrictions applicable to the exercise of tariffing powers of local municipalities — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to take into account the amendment made by section 54 of Chapter 77 of the Statutes of 1996 to section 244.1 of the Act respecting municipal taxation, which is intended to give regional county municipalities the power to impose a mode of tariffing for all or part of their property, services or activities.

To that end, since the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities applies only to local municipalities as its title shows, the draft Regulation consequently amends it so that it will also apply to regional county municipalities.

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

Further information may be obtained by contacting Ms. Élène Delisle, advocate, 20, rue Pierre-Olivier Chauveau, 2^e étage, Québec, G1R 4J3 (tel.: (418) 691-2030; fax: (418) 643-3455).

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Municipal Affairs, 20, rue Pierre-Olivier Chauveau, 3^e étage, Québec, G1R 4J3.

RÉMY TRUDEL,
*Minister of
Municipal Affairs*

Regulation to amend the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities

An Act respecting municipal taxation
(R.S.Q., c. F-2.1, s. 262, par. 8.2)

1. The Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities, made by Order in Council 1201-89 dated 26 July 1989 and amended by the Regulation made by Order in Council 1091-92 dated 22 July 1992, is further amended in the title by striking out the word “local”.

2. Section 1 is amended

(1) by striking out the word “local” wherever it appears; and

(2) by striking out the words “a regional county municipality,”.

3. The words “served by the fire protection service of the municipality and does not otherwise contribute to the financing of that service” are substituted for the words “of and is not a ratepayer of the local municipality” in the second paragraph of section 2.

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

1727

Municipal Affairs

Gouvernement du Québec

O.C. 1135-97, 3 September 1997

Issue of letters patent to amend the charter of Ville d'East-Angus

WHEREAS, under section 3 of the Cities and Towns Act (R.S.Q., c. C-19), the Government may grant letters patent to replace in whole or in part the provisions of a municipal charter by those of the Act;

WHEREAS a petition for an amendment to the charter of Ville d'East-Angus has been submitted by the town council;

WHEREAS the petition pertains to the replacement of section 1 of the Act to amend the charter of the town of East Angus (1949, c. 93) by the corresponding provisions of the Cities and Towns Act;

WHEREAS section 1 prescribes that the council shall hold regular sittings on the first Tuesday of each month;

WHEREAS the corresponding provision of the Cities and Towns Act prescribes that the council shall hold such sittings monthly on the days and at the times determined by by-law;

WHEREAS the formalities prescribed in section 3 of the Cities and Towns Act have been observed;

WHEREAS it is expedient to grant the petition of the town council;

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

THAT, by letters patent, section 1 of the Act to amend the charter of the town of East Angus be replaced by the corresponding provisions of the Cities and Towns Act.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Index Statutory Instruments

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

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Municipal taxation, An Act respecting... — Equalization scheme (R.S.Q., c. F-2.1)	4587	M
Municipal Taxation, An Act respecting... — Form or minimum content of various documents relative to municipal taxation (R.S.Q., c. F-2.1)	4596	M
Norms and methods for the transfer and reassignment on 1 July 1998 of management staff of school boards (Education Act, R.S.Q., c. I-13.3)	4601	N
Off-highway vehicles, An Act respecting... — Coming into force (1996, c. 60)	4585	
Private education, An Act respecting... — Regulation (R.S.Q., c. E-9.1)	4590	M
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)	4609	N
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)	4608	N