

# Gazette officielle du Québec

## Part 2 Laws and Regulations

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### Summary

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**PROVINCE OF QUÉBEC**

2nd SESSION

35th LEGISLATURE

QUÉBEC, 9 DECEMBER 1997

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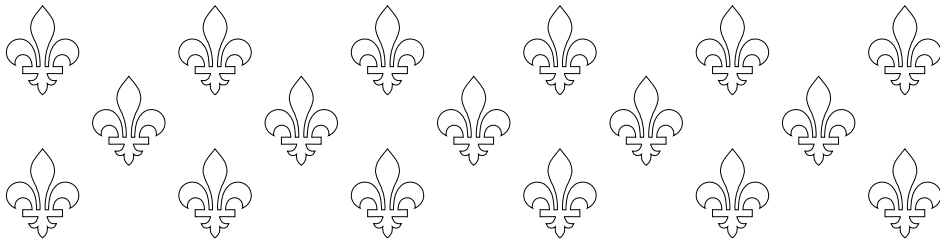
**OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 9 December 1997*

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

- 158 An Act to repeal certain Acts permitting the constitution of legal persons in the agricultural sector and to amend various legislative provisions
- 162 An Act to amend various legislative provisions concerning retirement
- 172 An Act to again amend the Act respecting labour standards

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





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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 158  
(1997, chapter 70)

**An Act to repeal certain Acts permitting  
the constitution of legal persons in the  
agricultural sector and to amend various  
legislative provisions**

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**Introduced 22 October 1997  
Passage in principle 28 October 1997  
Passage 3 December 1997  
Assented to 9 December 1997**

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**Québec Official Publisher  
1997**

## EXPLANATORY NOTES

*This bill repeals the Agricultural Societies Act and provides that existing agricultural societies must obtain letters patent under Part III of the Companies Act before 1 April 1999. It provides that agricultural societies that have not complied with the requirement to obtain letters patent within the prescribed time will be dissolved, and establishes the liquidation procedure that will apply to the dissolved societies.*

*The bill also repeals a number of inoperative Acts which were enacted to allow the constitution of legal persons in the agricultural sector.*

*In addition, the bill contains technical and corrective amendments to the Act respecting the implementation of the Act respecting administrative justice, and amends the Act respecting the marketing of agricultural, food and fish products to allow the chairman of the Régie des marchés agricoles et alimentaires du Québec to designate a member of the Régie to replace the chairman in case of absence.*

*Lastly, the bill contains certain consequential amendments.*

### LEGISLATION REPEALED BY THIS BILL :

- Farmers' Clubs Act (R.S.Q., chapter C-9);
- Agricultural Societies Act (R.S.Q., chapter S-25);
- Butter and Cheese Societies Act (R.S.Q., chapter S-29);
- Stock-breeding Syndicates Act (R.S.Q., chapter S-39).

### LEGISLATION AMENDED BY THIS BILL :

- Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., chapter M-14);
- Act respecting the marketing of agricultural, food and fish products (R.S.Q., chapter M-35.1);
- Animal Health Protection Act (R.S.Q., chapter P-42);



- Act respecting farmers' and dairymen's associations (R.S.Q., chapter S-23);
- Horticultural Societies Act (R.S.Q., chapter S-27);
- Act respecting the implementation of the Act respecting administrative justice (1997, chapter 43).



## Bill 158

### AN ACT TO REPEAL CERTAIN ACTS PERMITTING THE CONSTITUTION OF LEGAL PERSONS IN THE AGRICULTURAL SECTOR AND TO AMEND VARIOUS LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The following Acts are repealed :

- (1) the Farmers' Clubs Act (R.S.Q., chapter C-9);
- (2) the Agricultural Societies Act (R.S.Q., chapter S-25);
- (3) the Butter and Cheese Societies Act (R.S.Q., chapter S-29);
- (4) the Stock-breeding Syndicates Act (R.S.Q., chapter S-39).

**2.** All agricultural societies existing on 9 December 1997 shall, before 1 April 1999, be continued under Part III of the Companies Act (R.S.Q., chapter C-38) by obtaining letters patent under section 221 of that Act; those societies shall be governed for the time being by the provisions of the Agricultural Societies Act as they read on 8 December 1997.

Upon the expiry of the time limit prescribed by the first paragraph, any society that has not complied with the requirement to obtain letters patent shall be dissolved by operation of law. The Minister of Agriculture, Fisheries and Food shall appoint a liquidator and shall deposit a notice of the dissolution of the society and a notice of the appointment of the liquidator with the Inspector General of Financial Institutions. The liquidation of the society shall be carried out in accordance with the provisions of the Civil Code relating to the dissolution and the liquidation of legal persons. The assets of the society, after repayment of the debts and reimbursement of the capital contributions, shall, however, devolve to legal persons whose objectives are similar to those of agricultural societies, according to a distribution plan requiring approval by the Minister.

If a society dissolved pursuant to the second paragraph has not been registered in the register of sole proprietorships, partnerships and legal persons, the Minister shall transmit to the Inspector General of Financial Institutions a

notice, in lieu of the registration declaration, that sets out the name and the location of the head office of the society and the date of its constitution as a legal person.

**3.** The rule governing the asset apportionment set out in the second paragraph of section 2 shall also apply

(1) to the voluntary dissolution of an agricultural society decided between 22 October 1997 and 1 April 1999;

(2) to the dissolution, within two years after letters patent are obtained, of a legal person that was continued in accordance with the first paragraph of section 2.

**4.** For the purposes of paragraph 11 of section 204 and of paragraph 10 of section 236 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), any legal person that obtained letters patent in accordance with the first paragraph of section 2 shall continue to be an agricultural society as long as it pursues principally the objects provided for in the Agricultural Societies Act as it read on 8 December 1997.

**5.** Section 2 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., chapter M-14), amended by section 71 of chapter 26 of the statutes of 1996, is again amended

(1) by striking out the words "agricultural and" and "farmers' clubs" in the third line of subparagraph 4 of the first paragraph;

(2) by striking out the words "farmers' clubs," in the fourth line of subparagraph 5 of the first paragraph.

**6.** Section 16 of the said Act is amended

(1) by striking out the words "farmers' club," in the first line of the first paragraph;

(2) by striking out the words "stock-breeding syndicate," in the second line of the first paragraph;

(3) by striking out the words "butter or cheese manufacturing society," in the fourth line of the first paragraph.

**7.** Section 11 of the Act respecting the marketing of agricultural, food and fish products (R.S.Q., chapter M-35.1) is replaced by the following section:

**11.** If a member of the Régie is unable to act, the Government may appoint another person to replace the member for as long as the member is unable to act.

If the chairman is to be absent at a sitting, the chairman shall designate a member of the Régie to replace the chairman.”

**8.** Section 12 of the said Act is replaced by the following section :

“**12.** The Régie may sit as a panel composed of not fewer than three members. However, a member of the Régie may hear and decide alone matters brought under the first paragraph of section 46 of the Farm Producers Act (chapter P-28).”

**9.** Section 30 of the Animal Health Protection Act (R.S.Q., chapter P-42) is amended

(1) by replacing paragraph *d* by the following paragraph :

“(d) “agricultural society”: an agricultural society governed by the Agricultural Societies Act (chapter S-25) or a legal person that, in accordance with section 2 of the Act to repeal certain Acts permitting the constitution of legal persons in the agricultural sector and to amend certain legislative provisions (1997, chapter 70), obtained letters patent provided for in that section and that pursues principally the objects of an agricultural society;”;

(2) by striking out paragraph *f*.

**10.** Section 54 of the said Act is amended by striking out the words “or stock-breeding syndicate,” in the first and second lines of paragraph *c*.

**11.** Section 3.1 of the Act respecting farmers’ and dairymen’s associations (R.S.Q., chapter S-23) is replaced by the following section :

“**3.1.** The name of an association must be in conformity with the provisions of section 9.1 of the Companies Act (chapter C-38).”

**12.** Section 3.2 of the said Act is amended by replacing the words “any of paragraphs 1 to 6 of section 1.1 of the Agricultural Societies Act (chapter S-25)” in the third and fourth lines by the words “one of paragraphs 1 to 6 or paragraph 8 of section 9.1 of the Companies Act (chapter C-38)”.

**13.** Section 5.1 of the said Act is replaced by the following sections :

“**5.1.** An interested person may apply to the Minister for an order directing an association to change its name if the association’s name is not in conformity with section 3.1.

“**5.2.** The Minister shall, before rendering a decision, notify the interested persons in writing as prescribed by section 5 of the Act respecting administrative justice (1996, chapter 54) and allow them at least 10 days to present observations.

**“5.3.** The decision of the Minister must be in writing, contain reasons and be signed. It must be sent forthwith to the persons concerned and to the Inspector General, who shall deposit it in the register.

The decision becomes executory upon the expiry of the time for bringing a proceeding under section 5.7.

**“5.4.** Upon the expiry of the time for bringing a proceeding, the Minister may, upon application by an interested person, change the name of an association that is not in compliance with the order.

The Minister may also, on the Minister’s own initiative, change the name of an association that is not in compliance with the order issued by the Minister on the ground that the association’s name is not in conformity with one of paragraphs 1 to 6 or paragraph 8 of section 9.1 of the Companies Act (chapter C-38).

**“5.5.** Where the Minister assigns a name to the association, the Minister shall issue, in duplicate, a certificate setting out the change and send one duplicate to the Inspector General, who shall deposit it in the register.

The Minister shall send the other duplicate to the association or its representative.

**“5.6.** The Minister may delegate the powers conferred upon him by sections 5.2 to 5.5 to a member of the Minister’s personnel.

**“5.7.** Persons who believe themselves to have been wronged by a decision of the Minister referred to in section 5.3 may, within 30 days of notification of the decision, contest it before the Administrative Tribunal of Québec.

**“5.8.** The Minister shall transmit to the Inspector General notice of the contestation, and the Inspector General shall deposit the notice in the register.

**“5.9.** Notwithstanding the second paragraph of section 15 of the Act respecting administrative justice, the Tribunal may only confirm or quash the contested decision.

**“5.10.** A copy of the decision of the Tribunal shall be transmitted to each party and to the Inspector General. The Inspector General shall, where applicable, make the necessary changes to the register and shall indicate in the register that the decision of the Tribunal has been rendered.”

**14.** Section 2.1 of the Horticultural Societies Act (R.S.Q., chapter S-27) is amended by replacing the words “1.1 of the Agricultural Societies Act (chapter S-25)” in the first and second lines by the words “9.1 of the Companies Act (chapter C-38)”.

**15.** Section 3 of the said Act is amended by replacing the words “any of paragraphs 1 to 6 of section 1.1 of the Agricultural Societies Act (chapter S-25)” in the third and fourth lines of the second paragraph by the words “one of paragraphs 1 to 6 or paragraph 8 of section 9.1 of the Companies Act (chapter C-38)”.

**16.** Section 8 of the said Act is replaced by the following section :

“**8.** The directors shall present to the annual meeting a detailed report of the activities of the society for the previous year. A copy of the report shall be sent to the Minister of Agriculture, Fisheries and Food.”

**17.** Section 10 of the said Act is amended by replacing the words “any of paragraphs 1 to 6 of section 1.1 of the Agricultural Societies Act (chapter S-25)” in the third and fourth lines of the second paragraph by the words “one of paragraphs 1 to 6 or paragraph 8 of section 9.1 of the Companies Act (chapter C-38)”.

**18.** Section 18 of the said Act is replaced by the following section :

“**18.** Proceedings under sections 5.1 to 5.10 of the Act respecting farmers’ and dairymen’s associations (chapter S-23), adapted as required, may be brought in respect of the name of a society.”

**19.** Section 363 of the Act respecting the implementation of the Act respecting administrative justice (1997, chapter 43) is repealed.

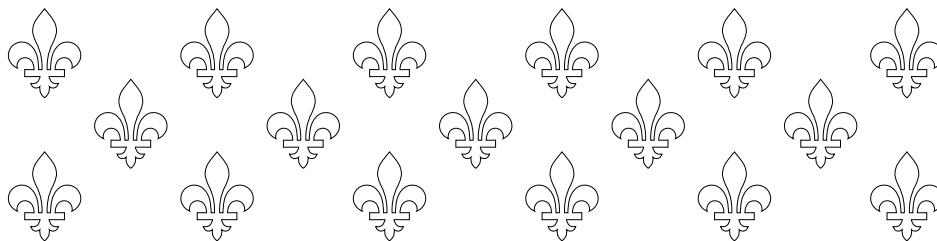
**20.** Section 490 of the said Act is amended by replacing the figure “62.4” by the figure “62.5”.

**21.** Until the date of coming into force of section 205 of the Act respecting the implementation of the Act respecting administrative justice (1997, chapter 43), a proceeding under section 5.7 of the Act respecting farmers’ and dairymen’s associations, enacted by section 13 of this Act, that may be brought before the Administrative Tribunal of Québec is brought before the Court of Québec. Sections 123.147 to 123.157 of the Companies Act (R.S.Q., chapter C-38), adapted as required, apply.

**22.** This Act comes into force on 9 December 1997.







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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 162  
(1997, chapter 71)

## **An Act to amend various legislative provisions concerning retirement**

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**Introduced 30 October 1997**  
**Passage in principle 13 November 1997**  
**Passage 4 December 1997**  
**Assented to 9 December 1997**

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

## EXPLANATORY NOTES

*This bill amends various Acts respecting retirement to give effect to certain fiscal rules applicable to pension plans which provide that a plan member ceases to participate in the pension plan before 31 December of the year in which the member reaches 69 years of age.*

*In addition, the bill proposes a number of amendments to make the retirement incentive measures provided for in the Act respecting the Pension Plan of Certain Teachers, the Act respecting the Government and Public Employees Retirement Plan, the Act respecting the Teachers Pension Plan and the Act respecting the Civil Service Superannuation Plan more accessible to eligible members. However, employers under the Government and Public Employees Retirement Plan are not authorized, except in certain cases, to employ a person who has retired under a retirement incentive measure before the lapse of two years from the date of retirement.*

*Lastly, the bill clarifies the Act respecting the Government and Public Employees Retirement Plan, in particular in respect of the pension plan applicable to federal government employees who are transferred to a position that constitutes pensionable employment under the pension plan established by that Act.*

### LEGISLATION AMENDED BY THIS BILL :

- Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1);
- Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1);
- Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2);
- Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3);
- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);

- Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., chapter R-16);
- Act to amend various legislative provisions of the pension plans in the public and parapublic sectors (1997, chapter 50).



## **Bill 162**

### **AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING RETIREMENT**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE  
PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY

- 1.** Section 21 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1) is amended by replacing the words “he attains 71” in the second line by the words “the Member attains 69”.
- 2.** Section 32 of the said Act is amended by replacing the words “71 years of age, even if he” in the second line of the second paragraph by the words “69 years of age, even if the person”.
- 3.** Section 36 of the said Act is amended by replacing the figure “71” in the fifth line by the figure “69”.
- 4.** Section 49 of the said Act is amended by replacing the figure “71” in the fifth line of the third paragraph by the figure “69”.

ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS

- 5.** Section 35.7 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1), enacted by section 9 of chapter 50 of the statutes of 1997, is amended by inserting the words “a paid-up annuity certificate or” after the word “which” in the fourth line of the first paragraph.

ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS  
IN CORRECTIONAL SERVICES

- 6.** Section 7 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2) is amended by replacing the words “he attains 71” in the first and second lines of paragraph 2 by the words “the employee attains 69”.
- 7.** Section 8 of the said Act is amended by replacing the words “he attains 71” in the second line by the words “the employee attains 69”.

**8.** Section 15 of the said Act is amended by replacing the word “him” in the fourth line of the first paragraph by the words “the employee under the plan”.

**9.** Section 44 of the said Act, amended by section 2 of chapter 53 of the statutes of 1996, is again amended

(1) by replacing the first line of the first paragraph by the following :

“**44.** An employee who ceases to participate in the plan is entitled to a pension if the employee”;

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

“The pension shall be granted on the date on which the employee retires in accordance with section 53.”

**10.** Section 45 of the said Act, amended by section 3 of chapter 53 of the statutes of 1996, is again amended by inserting the words “, on the date on which the employee ceases to participate in the plan,” after the word “pension” in the first line.

**11.** Section 50 of the said Act is amended by replacing the words “to him” in the fifth line by the words “to the employee, at the time the employee ceased to participate in the plan,”.

**12.** Section 51 of the said Act, amended by section 6 of chapter 53 of the statutes of 1996, is again amended by adding, at the end, the following paragraph :

“However, where the employee continues to hold pensionable employment under the plan after 30 December of the year in which the employee attains 69 years of age, the reduction provided for in the first paragraph applies from the month following that date as if the employee had retired.”

**13.** Section 53 of the said Act is amended

(1) by replacing the words “he retires or at the latest from 31 December of the year in which he attains 71 years of age” in the second and third lines by the words “the employee retires”;

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

“An employee is presumed to retire on the day after the day on which the employee ceases to participate in the plan. However, if the employee continues to hold pensionable employment under the plan after 30 December of the year in which the employee attains 69 years of age, the day after the day on which the employee ceases to hold such employment is the day on which the employee retires.”

**14.** Section 75 of the said Act, amended by section 11 of chapter 53 of the statutes of 1996, is again amended by replacing the figure “71” in the second line of the second paragraph by the figure “69”.

**15.** Section 88 of the said Act is amended by replacing the words “his benefits at the latest from 31 December of the year in which he attains 71” in the second and third lines by the words “benefits not later than 31 December of the year in which the pensioner attains 69”.

**16.** Section 95 of the said Act is amended by replacing the words “he attains 71” in the third line by the words “the pensioner attains 69”.

**17.** Section 97 of the said Act is amended by replacing the words “he attains 71” in the third line by the words “the pensioner attains 69”.

**18.** Section 101 of the said Act is amended by replacing the word “retired” in the second line of paragraph 1 by the words “ceased to participate in this plan”.

**19.** Section 124 of the said Act is amended by replacing the figure “71” in the second line by the figure “69”.

**20.** Section 132 of the said Act is amended by adding, at the end, the following paragraph :

“Even if no application for payment is made, payment of benefits payable under this plan shall begin not later than 31 December of the year in which the employee attains 69 years of age or, if the employee still holds pensionable employment under the plan on that date, from the date on which the employee retires.”

#### ACT RESPECTING THE PENSION PLAN OF ELECTED MUNICIPAL OFFICERS

**21.** Section 9 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3) is amended

(1) by replacing the figure “71” in the fourth line of the first paragraph by the figure “69”;

(2) by replacing the figure “69” in the second line of the second paragraph by the figure “67”;

(3) by replacing the figure “71” in the second line of subparagraph 2 of the second paragraph by the figure “69”.

**22.** Section 28 of the said Act is amended by replacing the figure “71” in the second line by the figure “69”.

**23.** Section 36 of the said Act is amended by replacing the figure “71” in the fifth line by the figure “69”.

**24.** Section 39 of the said Act is amended

(1) by replacing the words “he attains 71” in the fourth line of the first paragraph by the words “the pensioner attains 69”;

(2) by replacing the words “he attains 71” in the third and fourth lines of the second paragraph by the words “the pensioner attains 69”.

**25.** Section 40 of the said Act is amended by replacing the figure “71” in the second line of the first paragraph by the figure “69”.

**26.** Section 80 of the said Act is amended

(1) by replacing the figure “71” in the sixth line of the first paragraph by the figure “69”;

(2) by replacing the words “he attains 71” in the second line of the second paragraph by the words “a participant attains 69”.

#### ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

**27.** Section 10.0.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended by inserting the words “, where the agreement so provides,” after the word “may” in the fourth line of the first paragraph.

**28.** Section 100 of the said Act is amended by adding, at the end of the first paragraph, the following sentence: “An employee may have years or parts of years of past service as a paid trainee credited in accordance with the second paragraph of section 86.”

**29.** Section 104 of the said Act is amended by adding, at the end of the first paragraph, the following sentence: “An employee may have years or parts of years of past service as a paid trainee credited in accordance with the second paragraph of section 86.”

**30.** Section 215.5.0.2 of the said Act is amended by replacing the words “or the first paragraph of section 215.5.0.1” in the third line of paragraph 2 by the words “, the first paragraph of section 215.5.0.1 or the first paragraph of section 215.5.1”.



## ACT RESPECTING RETIREMENT PLANS FOR THE MAYORS AND COUNCILLORS OF MUNICIPALITIES

**31.** Section 25 of the Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., chapter R-16) is amended by replacing the figure “71” in the second line of the second paragraph by the figure “69”.

## ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS OF THE PENSION PLANS IN THE PUBLIC AND PARAPUBLIC SECTORS

**32.** Section 101 of the Act to amend various legislative provisions of the pension plans in the public and parapublic sectors (1997, chapter 50) is amended

(1) by replacing “95 or 96” in the third line by “99 or 100”;

(2) by replacing “95 or 96” in the second line of paragraph 1 by “99 or 100”.

## MISCELLANEOUS AND TRANSITIONAL PROVISIONS

**33.** A person participating in the Government and Public Employees Retirement Plan, the Teachers Pension Plan, the Civil Service Superannuation Plan, the Pension Plan of Certain Teachers or in any of the pension plans established under sections 10 and 10.0.1 of the Act respecting the Government and Public Employees Retirement Plan, who is employed in an educational institution referred to in Schedule I to the Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11) and who, owing to the age factor, becomes eligible for a pension pursuant to the temporary measures referred to in subparagraphs 1 and 2 of the first paragraph of section 85.33 of the Act respecting the Government and Public Employees Retirement Plan within two months after 30 June 1997 is deemed to be eligible for a pension pursuant to those measures on 1 July 1997.

A person referred to in the first paragraph who meets the conditions set forth in subparagraphs 1 to 3 of the first paragraph of section 85.22 of the Act respecting the Government and Public Employees Retirement Plan, in paragraph 1 of section 66.1 of the Act respecting the Teachers Pension Plan, in paragraphs 1 and 2 of section 99.22 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12), in paragraph 1 of section 35.1 of the Act respecting the Pension Plan of Certain Teachers, in paragraph 1 of section 86.1 of the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges, enacted by Order in Council 1170-97 dated 10 September 1997, or in paragraph 1 of section 90.1 of the Pension Plan for federal employees transferred to employment with the gouvernement du Québec, enacted by Order in Council 1197-97 dated 17 September 1997, may cease to participate in the pension plan, retire and benefit from the measures referred to in the first paragraph not later than 30 days from the date of receipt of a pension estimate prepared by the Commission administrative des régimes de retraite et d’assurances.

Notwithstanding section 125 of the Act respecting the Government and Public Employees Retirement Plan, the provisions of the first and second paragraphs concerning the pension plans established under sections 10 and 10.0.1 of that Act shall not operate to increase the employee contributions, and the additional costs resulting from the application of those provisions shall be paid out of the actuarial surplus of each of those plans, respectively.

**34.** No employer referred to in the Government and Public Employees Retirement Plan may allow a person who has benefited from any of the temporary measures or departure incentives referred to in section 85.33 or 215.11.9 of the Act respecting the Government and Public Employees Retirement Plan to return to pensionable employment under that plan before the lapse of two years from the date of the person's retirement or to perform, within that time, any work under a contract of employment, for the benefit of the employer, through an employment agency.

No employer referred to in the plan may, within that time, enter into a contract for services or a contract of enterprise with a person referred to in the first paragraph, with an enterprise directly or indirectly controlled by such a person or with a third person in circumstances where a person referred to in the first paragraph would be one of the main contractees.

However, the first and second paragraphs do not apply under exceptional circumstances relating to work organization or client services.

Where the persons referred to in the first paragraph would be unionizable employees within the meaning of the Act respecting the Government and Public Employees Retirement Plan for the purposes of the financing of the measures referred to in that paragraph, the exceptional circumstances shall be determined by the committee of representatives of employers and employees established to ensure the follow-up of the temporary measures within the framework of an agreement with the Government.

Where the persons referred to in the first paragraph would be non-unionizable employees within the meaning of that Act for the purposes of the financing of the measures referred to in that paragraph, those exceptional circumstances shall be determined

(1) in respect of employers whose employees are appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), by the Conseil du trésor;

(2) in respect of employers of the education or health sector, by the minister responsible for the sector concerned;

(3) in respect of employers that are Crown corporations or government bodies whose conditions of employment and standards and scales of remuneration of the personnel are determined by the Government or approved

by the Conseil du trésor under section 22 of the Financial Administration Act (R.S.Q., chapter A-6), by the minister responsible for the corporation or body concerned;

(4) in respect of other employers, by the Conseil du trésor;

(5) in respect of any employer, in the case of persons appointed by the Government, by the Government.

The committee of representatives of employers and employees established, after consultation with the associations representing non-unionizable employees referred to in Title IV.0.1 of the Act respecting the Government and Public Employees Retirement Plan, to ensure the follow-up of the temporary measures referred to in subparagraphs 1 and 2 of the first paragraph of section 85.33 of that Act in respect of persons who would be non-unionizable employees within the meaning of that Act for the purposes of the financing of those measures, and to ensure the follow-up of the measures provided for in Title IV.1.1 of that Act shall be informed of the exceptional circumstances determined under the fifth paragraph.

**35.** The provisions of the Act respecting the Government and Public Employees Retirement Plan, the Act respecting the Teachers Pension Plan and the Act respecting the Civil Service Superannuation Plan as well as the provisions referred to in section 37 of the Act respecting the Pension Plan of Certain Teachers concerning a pensioner's return to work do not apply in respect of persons having benefited from the temporary measures referred to in subparagraphs 1 and 2 of the first paragraph of section 85.33 of the Act respecting the Government and Public Employees Retirement Plan who have returned to pensionable employment under the plan after 31 August 1997 owing to exceptional circumstances relating to work organization or client services determined in accordance with section 34. Those persons do not participate in those pension plans during the period in which those provisions do not apply.

**36.** The provisions of the Act respecting the Government and Public Employees Retirement Plan concerning a pensioner's return to work do not apply before 1 December 1997 in respect of an employee having benefited from the temporary measures provided for in Title IV.1.1 of that Act who has returned to pensionable employment under the plan before that date. The employee does not participate in the plan during the period in which those provisions do not apply.

The committee referred to in the sixth paragraph of section 34 shall be informed of the cases where an employee referred to in the first paragraph holds pensionable employment under the Government and Public Employees Retirement Plan after 30 September 1997.

**37.** The committees referred to in the fourth and sixth paragraphs of section 34 may determine the cases, terms and conditions in or under which a

person to whom any of the measures referred to in subparagraphs 1 and 2 of the first paragraph of section 85.33 of the Act respecting the Government and Public Employees Retirement Plan or in Title IV.1.1 of that Act applies may benefit from those measures after the time limit for doing so has expired.

For the purposes of the first paragraph, the committee referred to in the fourth paragraph of section 34 has jurisdiction in respect of the persons who would be unionizable employees within the meaning of that Act for the purposes of the financing of the measures referred to in subparagraphs 1 and 2 of the first paragraph of that section 85.33, and the committee referred to in the sixth paragraph of section 34 has jurisdiction in respect of the persons who would be non-unionizable employees within the meaning of that Act for the purposes of the financing of the measures referred to in the first paragraph.

**38.** For the purposes of the provisions of the Act respecting the Government and Public Employees Retirement Plan that concern the redemption of years or parts of years of service, the rate of interest provided for in Schedule VI to that Act is, for the period beginning on 1 August 1997, 8.60% in respect of an application for the redemption of years or parts of years of service filed by an employee within 30 days from the date the employee receives a statement of benefits and a pension estimate from the Commission administrative des régimes de retraite et d'assurances in connection with the implementation of the measures provided for in Title IV.1.1 of that Act.

The rate of interest provided for in the first paragraph also applies in respect of any other application for redemption made, during the period in which the measures provided for in the said Title IV.1.1 were applicable, by an employee who has made an application for redemption in accordance with the first paragraph.

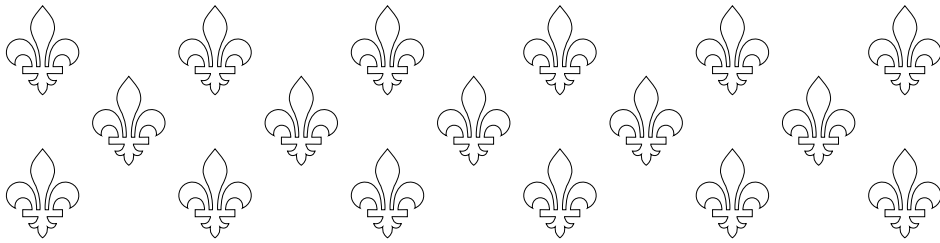
**39.** Sections 1 to 4, 6, 7, 9 to 26 and 31, adapted as required, apply to persons who reach 70 or 71 years of age in 1997.

**40.** Section 30 has effect from 16 March 1995.

**41.** Sections 5, 28 and 29 have effect from 22 March 1997.

**42.** Section 32 has effect from 19 June 1997.

**43.** This Act comes into force on 9 December 1997.



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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 172  
(1997, chapter 72)

## **An Act to again amend the Act respecting labour standards**

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**Introduced 13 November 1997**  
**Passage in principle 25 November 1997**  
**Passage 4 December 1997**  
**Assented to 9 December 1997**

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

## EXPLANATORY NOTES

*This bill amends the Act respecting labour standards to prohibit work from being performed by employees under the age of 16 between the hours of 11 p.m. and 6 a.m., except in the case of newspaper deliveries and in other cases determined by the Government. On the other hand, employers are required to organize the work schedule of employees under the age of 16 so that they may be at their family residence between the hours of 11 p.m. and 6 a.m., subject to exceptions determined by the Government.*

*In addition, the bill provides that accommodation and meals provided to household servants in the residence of an employer must be provided free of charge.*

*Lastly, the bill repeals certain provisions of the Act respecting labour standards that deal with the publication of draft regulations and regulations, to allow the relevant provisions of the Regulations Act to apply.*

## Bill 172

### AN ACT TO AGAIN AMEND THE ACT RESPECTING LABOUR STANDARDS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** Sections 33 and 34 of the Act respecting labour standards (R.S.Q., chapter N-1.1) are repealed.

**2.** Section 35 of the said Act is replaced by the following section :

**“35.** The Government may approve a regulation made under paragraphs 3 to 7 of section 29 with or without amendment.”

**3.** Sections 36 to 38 of the said Act are repealed.

**4.** The said Act is amended by inserting, after section 51, the following section :

**“51.0.1.** Notwithstanding section 51, an employer may not require an amount for room and board from a domestic who is housed or takes meals in the employer’s residence.”

**5.** The said Act is amended by inserting, after section 84.1, the following division :

#### **“DIVISION VI.2**

#### **“NIGHT-TIME WORK BY CHILDREN**

**“84.2.** No employer may have work done by an employee under the age of 16 years between 11 o’clock p.m. on a given day and 6 o’clock a.m. on the following day, except in the case of newspaper deliveries or in any other case determined by regulation of the Government.

**“84.3.** An employer for whom an employee under the age of 16 years does work must schedule the work so that, having regard to the location of the employee’s family residence, the employee may be at that family residence between the hours of 11 p.m. and 6 a.m. on any given day, except in the cases, circumstances or periods or under the conditions determined by regulation of the Government.”

**6.** The said Act is amended by inserting, after section 89, the following section:

“**89.1.** The Government may, by regulation, determine the cases in which a prohibition under section 84.2 is not applicable.

It may also, in the same manner, determine the cases, circumstances, periods or conditions where the obligation imposed by section 84.3 is not applicable.”

**7.** Section 92 of the said Act is repealed.

**8.** This Act comes into force on 9 December 1997, except the provisions of section 4 which come into force on 1 February 1998 and the provisions of sections 5 and 6 which come into force on the date to be fixed by the Government.



## Regulations and other acts

Gouvernement du Québec

### O.C. 1596-97, 10 December 1997

An Act respecting the Government and Public Employees Retirement Plan  
(R.S.Q. c. R-10)

#### Pension plan for federal employees — Amendments

Amendments to the Pension plan for federal employees transferred to employment with the gouvernement du Québec

WHEREAS under the first paragraph of section 10.0.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the employees of the federal government who transfer to an employment that is pensionable employment under that plan within the framework of an agreement between the Government of Canada and the Government of Québec may elect, in accordance with the rules and conditions fixed by the Government, to become members of that plan or of a pension plan established by the Government in respect of those employees or of each group of employees affected by such an agreement and similar to the plan to which they formerly belonged, and section 125 of that Act applies to the plan thus established;

WHEREAS by Order in Council 430-93 dated 31 March 1993, the Government made the Pension plan for federal employees transferred to employment with the gouvernement du Québec;

WHEREAS it is expedient to amend that plan;

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

THAT the amendments to the Pension plan for federal employees transferred to employment with the gouvernement du Québec, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### Amendments to the Pension plan for federal employees transferred to employment with the gouvernement du Québec\*

An Act respecting the Government and Public Employees Retirement Plan  
(R.S.Q., c. R-10, s. 10.0.1)

**1.** Section 13 of the Pension plan for federal employees transferred to employment with the gouvernement du Québec is amended

(1) by substituting “69” for “71”; and

(2) by adding the following sentence at the end: “An employee who reached that age before 1 January 1997 ceases to be governed by this plan on 31 December of that year.”.

**2.** Section 41 of the Plan is amended

(1) by substituting “69” for “71” in the second paragraph; and

(2) by adding the following sentence at the end: “Notwithstanding the foregoing, if that contributor reached that age before 1 January 1997, the pension shall become payable not later than 31 December of that year.”.

**3.** The following paragraph is added at the end of section 91:

“Even in the absence of an application for payment, any benefit payable under this plan shall be paid not later than 31 December of the year in which the contributor reaches age 69. If the contributor reached that age before 1 July 1997, any benefit payable under this plan shall be paid to him in the same manner not later than 31 December of that year.”.

**4.** These Amendments come into force on the date they are made by the Government.

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\* The Pension plan for federal employees transferred to employment with the gouvernement du Québec, made by Order in Council 430-93 dated 31 March 1993 (1993, *G.O.* 2, 2389) was amended by Orders in Council 735-96 dated 19 June 1996 (1996, *G.O.* 2, 2878) and 1197-97 dated 17 September 1997 (1997, *G.O.* 2, 5059).

Gouvernement du Québec

**O.C. 1599-97**, 10 December 1997

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

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

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

WHEREAS under paragraph 8.2 of section 262 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), the Government may by regulation impose any conditions or restrictions of the exercise of any tariffing power provided for in sections 244.1 to 244.9 of the Act respecting municipal taxation;

WHEREAS the Government made the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities;

WHEREAS it is expedient to amend that Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a Draft Regulation to amend the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities was published in the *Gazette officielle du Québec* of 17 September 1997 on page 4611 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 their 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 amendment;

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

THAT the Regulation to amend the Regulation respecting the conditions or restrictions applicable to the exercise of the tariffing powers of local municipalities, attached to this Order in Council, be made.

*Clerk of the Conseil exécutif,*  
MICHEL CARPENTIER

**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*.

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Gouvernement du Québec

**O.C. 1612-97**, 10 December 1997

An Act respecting family benefits  
(1997, c. 57)

**Family benefits**  
— **Amendments**

Regulation to amend the Regulation respecting family benefits

WHEREAS under subparagraph 2 of the first paragraph of section 8 of the Act respecting family benefits (1997, c. 57), the Government shall determine, by regulation, the method for determining the income used to calculate the family allowance;

WHEREAS under subparagraph 4 of the first paragraph of that section, the Government may, by regulation, fix the amount below which the Régie des rentes du Québec is not required to pay the family allowance;

WHEREAS under section 77 of that Act, the Government may, by a regulation made before 1 September 1998, make any other transitional provision needed to provide for the application of the Act, in addition to the transitional provisions set out in the Act, and such regulation may, if it so provides, apply from any date not prior to 1 August 1997;

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

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

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

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

— the Regulation respecting family allowances, made by Order in Council 1018-97 dated 13 August 1997 provides that the amount of the family allowance depends on the net income;

— until 1998, according to the fiscal legislation of Québec, income security benefits included in that income will continue to be so included even if they were reimbursed; that situation results in a reduction in the amount of the family allowance;

— to rectify the situation as soon as possible, it is expedient to make by regulation a transitional provision, for 1996 and 1997, so as to exclude from the net income income security benefits that were included but were reimbursed;

IT IS ORDERED, therefore, on the recommendation of the Minister of Child and Family Welfare:

THAT the Regulation to amend the Regulation respecting family allowances, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting family allowances (\*)

An Act respecting family benefits  
(1997, c. 57, s. 8, 1st par., subpars. 2 and 4 and s. 77)

**1.** Section 16 of the Regulation respecting family allowances is amended

(1) by substituting “\$10” for “\$1” in the second paragraph;

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

“Where the allowance is no longer due, an amount less than \$2 shall not be paid. Notwithstanding the foregoing, that amount shall be paid later when, added to the amount of another allowance paid under this Regulation, it reaches the minimum of \$10 prescribed in the second paragraph or the minimum of \$2 prescribed in this paragraph.”.

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

“**20.1.** For 1996 and 1997, any amount reimbursed during the year under section 35 of the Act respecting income security (R.S.Q., c. S-3.1.1) shall be subtracted from the income referred to in the second paragraph of section 7. If the result of that subtraction is less than zero, the income is deemed to be zero.

This section has effect from 1 August 1997.”.

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

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\* The Regulation respecting family benefits was made by Order in Council 1018-97 dated 13 August 1997.

Gouvernement du Québec

## O.C. 1625-97, 10 December 1997

An Act respecting assistance for the development of cooperatives and non-profit legal persons (R.S.Q., c. A-12.1)

### Program to Promote the Development of Cooperative Undertakings

#### — Amendments

Regulation to amend the Regulation respecting the Program to Promote the Development of Cooperative Undertakings

WHEREAS under section 3 of the Act respecting assistance for the development of cooperatives and non-profit legal persons (R.S.Q., c. A-12.1; 1997, c. 18), the Government may, by regulation, establish any program of financial or technical assistance for the purposes of the Act, and determine the conditions, cases and limits of application thereof and the fees payable;

WHEREAS under section 5 of the Act, the Société de développement industriel du Québec, incorporated under the Act respecting the Société de développement industriel du Québec (R.S.Q., c. S-11.01), shall administer any program of financial assistance established pursuant to the Act respecting assistance for the development of cooperatives and non-profit legal persons;

WHEREAS the Regulation respecting the Program to Promote the Development of Cooperative Undertakings was made by Order in Council 470-97 dated 9 April 1997;

WHEREAS it is expedient to amend that Regulation in order to harmonize it with the Act to amend the Act respecting assistance for the development of cooperatives (1997, c. 18) and to insert an increase in credit line guarantees;

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

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* or between that date and the date applicable under section 17 of that Act, where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of prior publication of the Regulation and its coming into force on the date of its publication in the *Gazette officielle du Québec*:

(1) until the proposed amendments to the program are made by regulation, cooperative undertakings are unable to benefit from the new measures provided for therein to promote their development;

(2) it is important for cooperative undertakings to be able to benefit as quickly as possible from the implementation of the new measures;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Deputy Prime Minister and Minister of State for the Economy and Finance and the Minister for Industry and Trade:

THAT the Regulation to amend the Regulation respecting the Program to Promote the Development of Cooperative Undertakings, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting the Program to Promote the Development of Cooperative Undertakings(\*)

An Act respecting assistance for the development of cooperatives and non-profit legal persons (R.S.Q., c. A-12.1, ss. 3, 4, 11 and 12; 1997, c. 18, ss. 4, 5 and 10)

1. The Regulation respecting the Program to Promote the Development of Cooperative Undertakings, made by Order in Council 470-97 dated 9 April 1997, is amended by adding the words “or their subsidiaries” at the end of section 1.

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

“4° “cooperative undertaking” means a cooperative, a federation or a confederation governed by the Cooperatives Act (R.S.Q., c. C-67.2);

\* The Regulation respecting the Program to Promote the Development of Cooperative Undertaking, made by Order in Council 470-97 dated 9 April 1997 (1997, G.O. 2, 1701) has not been amended.

5° “subsidiary” means a legal person where a cooperative undertaking holds more than 50 % of its issued capital stock with full voting rights and holds the right to elect a majority of the members to its board of directors.”.

**3.** The words “or of the subsidiary” are inserted after the word “undertaking” in section 3.

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

“Financial assistance is granted to a cooperative undertaking or subsidiary that is starting up, that has a development or expansion project or that is in need of consolidation.”.

**5.** The words “cooperative undertaking or subsidiary” are substituted for the word “business” wherever it appears in section 6.

**6.** Section 7 is amended

(1) by inserting the following after paragraph 3:

“3.1° acquisition of capital stock: acquisition of shares of a subsidiary by the Corporation;”;

(2) by inserting the words “to a cooperative undertaking or subsidiary” after the word “granted” in the second line of paragraph 4;

(3) by inserting the words “or subsidiary” after the word “undertaking” in paragraph 4; and

(4) by substituting the words “granted by the Corporation of a percentage of the net loss on the loan contracted by a cooperative undertaking or subsidiary in the form of a credit line” for the words “of a percentage of the net loss on the loan in the form of a credit line granted by the Corporation” in paragraph 5.

**7.** The words “of the cooperative undertaking” are struck out in the last sentence of section 8.

**8.** Section 10 is amended

(1) by substituting the words “cooperative undertaking” for the word “business” in paragraph 3; and

(2) by substituting the words “cooperative undertaking” for the word “business” in paragraph 5.

**9.** Section 11 is amended

(1) by substituting the following for the words “or health care cooperative undertakings” in paragraph 1:”,

health care cooperative undertakings or cooperative undertakings whose income is mostly collected on a seasonal basis and to subsidiaries that are located or operated in the same sector or whose income is collected on the same basis as those cooperative undertakings”; and

(2) by inserting the words “or subsidiary” after the word “undertaking” in paragraph 3.

**10.** Section 13 is amended

(1) by inserting the words “or subsidiaries” after the word “undertakings” in paragraph 1; and

(2) by inserting the words “or subsidiaries” after the word “undertakings” in paragraph 3.

**11.** Section 15 is amended

(1) by inserting the words “or capital stock” after the word “shares”; and

(2) by striking out the words “by the business” at the end.

**12.** The following is substituted for the first paragraph of section 18:

“The total financial assistance granted under this Program to a single cooperative undertaking or to a single subsidiary in the form of a capitalization loan, capitalization loan guarantee, acquisition of preferred shares or capital stock, redemption of preferred shares guarantee, financing loan or financing loan guarantee, may not exceed 75 % of the value of the project for which the financial assistance is granted.”.

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

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Gouvernement du Québec

**O.C. 1634-97**, 10 December 1997

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

**Duty payable**

Regulation respecting the duty payable to the Régie de l'énergie

WHEREAS under subparagraph 1 of the first paragraph of section 112 of the Act respecting the Régie de l'énergie

(1996, c. 61), the Government may make regulations determining the rate and terms and conditions of payment of the annual duty payable to the Régie de l'énergie by a distributor;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation may be made without having been published as prescribed in section 8 of that Act, where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force before the date applicable in section 17 of that Act, where the authority that has made it is of the opinion that the urgency of the situation requires it;

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

WHEREAS the Government is of the opinion that the absence of prior publication and such a coming into force of the Regulation respecting the duty payable to the Régie de l'énergie are justified by the urgency due to the following circumstances:

— the obligation for distributors of electric power to pay duty shall come into effect on 1 January 1998;

— until duty is paid by distributors of electric power, the sole sources of financing for the Régie de l'énergie are the duties paid by natural gas distributors, which are part of its revenues, and the advances from the Minister of Finance authorized by the Government;

— it is necessary to determine, by regulation, for 1 January 1998, the rates and terms and conditions of the duty so that the Régie may obtain the portion of financing it requires to cover its expenses, in particular, for examining complaints from consumers of electric power and for issuing an opinion to the Government in accordance with section 167 of the Act respecting the Régie de l'énergie;

— the adoption of the Regulation constitutes a transitional measure while awaiting approval by the Government of the first annual budget of the Régie de l'énergie, which may establish, by regulation, a duty attributable to each distributor;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation respecting the duty payable to the Régie de l'énergie, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation respecting the duty payable to the Régie de l'Énergie

An Act respecting the Régie de l'énergie (1996, c. 61, s. 112, subpar. 1, 1st par.)

**1.** Duty is payable by a distributor of electric power in equal instalments, on the first of each month, until full payment is made at the end of each fiscal year of the Régie de l'énergie.

The rate for the purposes of that duty is 5.94 cents per megawatt-hour based on the mean monthly volume of electricity supplied during 1996 by the distributor, excluding the export volume.

**2.** Distributors operating a municipal, private or cooperative electric power system are not governed by this Regulation.

**3.** This Regulation comes into force on 1 January 1998.

## Rate of reimbursement by the employer of costs connected with conciliation or investigations as regards police ethics

An Act respecting police organization (R.S.Q., c. O-8.1; 1997, c. 52)

The Minister of Public Security,

CONSIDERING section 58.1 of the Act respecting police organization, enacted by section 15 of Chapter 52 of the Statutes of 1997, which provides that the costs connected with conciliation shall be borne by the employer concerned by the complaint in accordance with the rates established by the Minister;

CONSIDERING section 68.1 of the Act respecting police organization, enacted by section 20 of Chapter 52 of the Statutes of 1997, which provides that the costs connected with the investigation shall be borne by the employer concerned by the complaint in accordance with the rates established by the Minister;

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

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

CONSIDERING sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

CONSIDERING the urgency of the situation which requires that the Regulation be made without being published before it is made and that it come into force on the date of its publication in the *Gazette officielle du Québec*;

— sections 58 and 68 of the Act respecting police organization (R.S.Q., c. O-8.1), enacted by sections 15 and 20 of Chapter 52 of the Statutes of 1997, which came into force on 1 October 1997, provide that the police ethics commissioner shall designate people to act as conciliators and investigators;

— sections 58.1 and 68.1 of the Act, enacted by the same sections, establish that the costs connected with conciliation or investigations shall be borne by the employer of the police officer concerned by the complaint in accordance with the rates established by the Minister;

— to ensure immediate application of the conciliation and investigation procedure as regards police ethics, it is necessary to set rates of reimbursement of those costs by the employers as soon as possible;

ORDERS:

THAT the Regulation respecting the rate of reimbursement by the employer of costs connected with conciliation or investigations as regards police ethics be made.

Sainte-Foy, 17 December 1997.

PIERRE BÉLANGER,  
*Minister of Public Security*

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## **Regulation respecting the rate of reimbursement by the employer of costs connected with conciliation or investigations as regards police ethics**

An Act respecting police organization  
(R.S.Q., c. O-8.1, ss. 58.1 and 68.1; 1997, c. 52,  
ss. 15 and 20)

**1.** The rate of reimbursement by the employer of costs connected with conciliation as regards police ethics shall be \$78 for each working hour certified by the police ethics commissioner.

**2.** The rate of reimbursement by the employer of costs connected with investigations as regards police ethics shall be \$67 for each working hour certified by the police ethics commissioner.

**3.** The travelling expenses of the conciliator or investigator are added to those costs; they are established in accordance with the Règles sur les frais de déplacement des fonctionnaires established by the Conseil du trésor in its decision bearing number C.T. 148000 dated 20 December 1983, as they read at the time they apply.

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

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## Draft Regulations

### Draft Regulation

Automobile Insurance Act  
(R.S.Q., c. A-25)

#### Determination of income and employment and the payment of the indemnity in section 83.30 of the Act

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act”, the text of which appears below, may be approved by the Government after 45 days have elapsed from the date of this publication.

The purpose of the draft regulation is to replace Schedule III “Table of Employment Categories and Corresponding Gross Incomes” with a reference grid comprised of elements contained in the “Professions” file of the computerized data listing on educational and occupational training “Répertoire informatisé des données en information scolaire et professionnelle” (Repères) by the Société de gestion du réseau informatique des commissions scolaires (Société GRICS).

This regularly updated tool, which better reflects the reality of the labour market, will make for fairer and more equitable compensation of road accident victims.

Additional information is available from Mr. Pierre Langlois, Société de l’assurance automobile du Québec, Direction des politiques et des programmes pour les accidentés, 333, boulevard Jean-Lesage, S-4-21, P.O. Box 19600, Québec, QC, G1K 8J6; tel. (418) 528-3932, fax: (418) 528-1223.

Any person wishing to make comments on the matter must forward them in written form, before expiry of the 45-day period, to the Chairman and CEO of the Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, P.O. Box 19600, Québec, QC, G1K 8J6; tel. (418) 528-3100, fax: (418) 644-0339.

JEAN-YVES GAGNON,  
*Chairman and CEO of the  
Société d’assurance automobile du Québec*

### Regulation to amend the Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act\*

Automobile Insurance Act  
(R.S.Q., c. A-25, s. 195, pars. 6 to 11)

**1.** Section 3 of the Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act is amended by adding the following to section 3:

“However, notwithstanding section 6, the gross income indicated in Schedule III is that in force on the day of the accident.”.

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

“6. The gross income of a victim who, at the time of the accident, does not hold employment corresponding to employment determined for him or her by the Société and who, in the five years preceding the day of the accident, never held such employment is that indicated in Schedule III in force on the day when the Société determines employment and readjusted using all the adjustment factors provided for in Schedule I.”.

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

“7. For the purposes of sections 15, 20 and 31 of the Act, the employment categories and corresponding gross incomes are those prescribed in Schedule III. Gross income is that in force on the day of the accident.

For the purposes of sections 45 and 48 of the Act, the employment categories and corresponding gross incomes are those prescribed in Schedule III. Gross income is that in force on the day when the Société determines employment.”.

**4.** The following is substituted for Schedule III:

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\* The Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act, approved by Order in Council 1923-89 dated 13 December 1989 (1989, *G.O.* 2, 4652), has not been amended since it was made.

**“SCHEDULE III**

(ss. 3, 6 and 7)

**EMPLOYMENT CATEGORIES AND  
CORRESPONDING GROSS INCOMES**

1. The employment categories are the occupational titles contained in the “Professions” file of the computerized data listing on educational and occupational training “Répertoire informatisé des données en information scolaire et professionnelle» (Repères) by the Société de gestion du réseau informatique des commissions scolaires (Société GRICS).

2. Gross income corresponding to each employment category is the amount that represents the median on the scale of the annual average minimum earnings indicated in the listing for each occupation. Where the lower limit on the scale is absent or equal to zero, gross income is the amount that represents the upper limit of the average minimum earnings.

Where the average minimum earnings shown is the hourly wage, it shall be calculated on an annual basis by multiplying it by 2000.

3. Changes made to the listing during a year become an integral part of the Regulation from the next January first.

4. Notwithstanding section 2, the gross income of a victim for whom the Société determines employment under section 48 of the Act cannot be lower than gross income determined on the basis of the minimum wage as defined in section 3 of the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3), as it reads on the day when it must be applied, calculated on an annual basis by multiplying it by 2000.

Where employment determined under this section is part-time employment, gross income is established on the basis of the minimum wage prescribed in the preceding paragraph and calculated on an annual basis by multiplying it by the number of hours for which the victim is considered fit to hold employment.

5. Notwithstanding section 2, gross income cannot be higher than the Maximum Yearly Insurable Earnings set by section 54 of the Automobile Insurance Act (R.S.Q., c. A-25).”.

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

1924

**Draft Regulation**Consumer Protection Act  
(R.S.Q., c. P-40.1)**Regulation****— 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 application of the Consumer Protection Act, 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 delete a provision relating to the calculation of credit charges in a contract extending variable credit.

The proposed amendment will have a positive impact on businesses in the credit sector, since it eliminates a constraint in the calculation of credit charges and harmonizes the Regulation with the provisions applicable elsewhere in Canada.

Further information may be obtained by contacting Mr. Luis Curras, Office de la protection du consommateur, 5199, rue Sherbrooke Est, bureau 3721, Montréal, H1T 3X2; tel.: (514) 873-8601, fax: (514) 864-2400.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Minister of Relations with the Citizens and Immigration, 360, rue McGill, 4<sup>e</sup> étage, Montréal, H2Y 2E9.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation  
respecting the application of the  
Consumer Protection Act(\*)**Consumer Protection Act  
(R.S.Q., c. P-40.1, s. 350, par. e)

**1.** Section 56 of the Regulation respecting the application of the Consumer Protection Act is revoked.

\* The Regulation respecting the application of the Consumer Protection Act (R.R.Q., 1981, c. P-40.1, r. 1) was last amended by Order in Council 712-95 dated 24 May 1995 (1995, *G.O.* 2, 1663). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

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

1930

## Draft Regulation

Pay Equity Act  
(1996, c. 43)

### Content and form of the report relating to pay equity or relativity plans already completed or in progress

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the "Regulation respecting the content and form of the report relating to pay equity or relativity plans already completed or in progress", the text of which appears below, may be made by the Government, with or without modification, following an examination by the appropriate committee of the National Assembly, upon the expiry of 45 days following this publication.

The purpose of this Draft Regulation is to indicate to the employers who will submit a report relating to a pay equity plan or a relativity plan already completed or in progress on November 21, 1996, what form this report must have and what information it must contain.

Following the transmission of this report before November 21, 1998, the observations and comments received, and the verifications made by the Commission de l'équité salariale, the Commission will determine if the plan complies with the Pay Equity Act or indicate the appropriate corrective measures.

Further information may be obtained by contacting M. Daniel Carpentier, Legal Advisor, 770, Sherbrooke West, 4th Floor, Montréal, Quebec, H3A 1G1, telephone: (514) 873-5480.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45 day period, to Mme Jocelyne Olivier, President of the Commission de l'équité salariale, 200, chemin Sainte-Foy, 7th Floor, Quebec City, Quebec, G1R 5S1.

MATTHIAS RIOUX,  
*The Minister of Labour,*

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## Regulation respecting the content and form of the report relating to pay equity or relativity plans already completed or in progress

Pay Equity Act  
(1996, c. 43, s. 114, 1st par., subpar. 4)

### DIVISION I CONTENT OF THE REPORT

**1.** The report that every employer subject to section 120 of the Pay Equity Act (1996, c.43) must send to the Commission de l'équité salariale, not later than 21 November 1998, shall contain the following information:

(1) the name of the employer and any other name that identifies him, as well as the address and sector of activity of the enterprise;

(2) the name, position or title and telephone number of the person in charge of the plan;

(3) job classes identified for the purposes of the plan, the number and proportion of women in each job class and, if applicable, the list of positions that are grouped together;

(4) the criteria used to identify predominantly female job classes or predominantly male job classes;

(5) a description of the method and tools selected to determine the value of job classes, the job evaluation plan or system, the factors applied and, if applicable, the subfactors, as well as the weighting applied to each of these factors and subfactors;

(6) a description of the value determination procedure, including the various steps and methods for collecting the information on positions and evaluating them;

(7) a description of the method selected for valuating differences in compensation, the identification of the predominantly female job classes that were compared, indicating, for each of the classes, the predominantly male job classes to which they were compared, and the differences in compensation;

(8) the measures taken by the employer to ensure that no element of the plan discriminates on the basis of gender and that all elements are applied on a gender neutral basis.

- 2.** The report shall give the date on which the plan was established and, if applicable, the date of its completion and whether the compensation adjustments were made in whole or in part, and the dates of the payments.
- 3.** A report on a plan in progress on 21 November 1996 shall also indicate whether on that date, the plan is completed in respect of at least 50 % of the predominantly female job classes concerned or whether the determination of the value of job classes has begun, with the degree of completion of the plan.
- 4.** The report shall indicate the date on which it was posted and, if applicable, the name of the certified association representing employees in the enterprise and the date on which the report was forwarded to the association.
- 5.** The employer may also include any additional information respecting the pay equity or relativity plan that he deems relevant to ensure that the plan meets the conditions prescribed in section 119 of the Act.

## DIVISION II FORM OF THE REPORT

- 6.** The report shall be typed or printed only on one side of the sheet.

Each subject dealt with shall have a separate heading.

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

1927

## Draft Regulation

An Act respecting the development of Québec firms in the book industry  
(R.S.Q., c. D-8.1)

### Accreditation of publishers in Québec — 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 accreditation of publishers in Québec, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to broaden the exemption from the application of the Regulation respecting the accreditation of publishers in Québec to

include the bodies listed in the Schedule to the Act, as well as legal persons and partnerships in which a government department, agency or mandatary or a body listed in the Schedule to the Act holds stocks, shares or assets.

The draft Regulation also amends the current standard by which a general publishing house must have an inventory of five titles by Québec authors and a publishing house specializing in art books must have an inventory of three titles by Québec authors, by specifying that the titles must be by three or two different authors, respectively.

The draft Regulation reduces the number of firms in the public domain that are eligible for accreditation, in order to better align the Regulation with one of the objectives of the Act, which is to provide aid to private enterprise. Greater stringency with respect to publishers' eligibility for accreditation will also be introduced through the amendment concerning the inventory of titles by Québec authors.

Further information may be obtained by contacting Ms. Hélène Vachon, Direction des arts et de la culture, ministère de la Culture et des Communications, 225, Grande-Allée Est, Québec (Québec), G1R 5G5; tel.: (418) 644-7203, fax: (418) 643-4080.

Any interested person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Culture and Communications, 225, Grande Allée Est, 1<sup>er</sup> étage (Bloc A), Québec (Québec), G1R 5G5.

LOUISE BEAUDOIN,  
*Minister of  
Culture and Communications*

## Regulation to amend the Regulation respecting the accreditation of publishers in Québec\*

An Act respecting the development of Québec firms in the book industry  
(R.S.Q., c. D-8.1, s. 15 and s. 38, pars. 2 and 4)

- 1.** The Regulation respecting the accreditation of publishers in Québec is amended by substituting the following for section 1:

\* The Regulation respecting the accreditation of publishers in Québec (R.R.Q., 1981, c. D-8.1, r.3) was amended once by the Regulation made by Order in Council 2798-84 dated 19 December 1984 (1985, *G.O.* 2, 59).

“1. This Regulation does not apply to government departments, agencies or mandataries or to the bodies listed in the Schedule to the Act. Legal persons and partnerships in which a government department, agency or body holds stocks, shares or assets are also exempted from its application.

This Regulation does not apply to publishers of periodicals, who remain eligible for financial aid from the government without being holders of a certificate of accreditation or eligible therefor.”

**2.** Section 2 is amended by adding the following after the first paragraph:

“For the purposes of subparagraph 5 of the first paragraph, the titles published must be by at least 3 different authors, in the case of titles under clauses *a* and *c*, and by at least 2 different authors, in the case of titles under clause *b*.”

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

1926

## Draft Regulation

An Act respecting the development of Québec firms in the book industry  
(R.S.Q., c. D-8.1)

### Accreditation of Québec distributors and method of calculating sales prices — 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 accreditation of Québec distributors and the method of calculating sales prices, 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 broaden the exemption from the application of the Regulation respecting the accreditation of Québec distributors and the method of calculating sales prices, in respect of the accreditation of book distributors, to include the bodies listed in the Schedule to the Act, as well as legal persons and partnerships in which a government department, agency or mandatary or a body listed in the Schedule to the Act holds stocks, shares or assets.

The draft Regulation replaces the heading of Division V of the Regulation so that the heading will better reflect the content of the provisions under that Division.

The draft Regulation replaces Schedule B so that the description of the category “scientific and technical” will be clearer.

The draft Regulation reduces the number of firms in the public domain that are eligible for accreditation, in order to better align the Regulation with one of the objectives of the Act, which is to provide aid to private enterprise. It will also assist firms in this field by giving a more precise description of the category “scientific and technical”, which was ambiguous up until now.

Further information may be obtained by contacting Ms. Hélène Vachon, Direction des arts et de la culture, ministère de la Culture et des Communications, 225, Grande-Allée Est, Québec (Québec), G1R 5G5; tel.: (418) 644-7203, fax: (418) 643-4080.

Any interested person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Culture and Communications, 225, Grande Allée Est, 1<sup>er</sup> étage (Bloc A), Québec (Québec), G1R 5G5.

LOUISE BEAUDOIN,  
*Minister of  
Culture and Communications*

## Regulation to amend the Regulation respecting the accreditation of Québec distributors and the method of calculating sales prices\*

An Act respecting the development of Québec firms in the book industry  
(R.S.Q., c. D-8.1, s. 15 and s. 38, pars. 2 and 4)

**1.** The Regulation respecting the accreditation of Québec distributors and the method of calculating sales prices is amended by substituting the following for section 3:

\* The Regulation respecting the accreditation of Québec distributors and the method of calculating sales prices (R.R.Q., 1981, c. D-8.1, r.2) was last amended by the Regulation made by Order in Council 832-92 dated 10 June 1992 (1992, *G.O.* 2, 2909). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

“3. This Regulation does not apply, in respect of accreditation, to government departments, agencies or mandataries or to the bodies listed in the Schedule to the Act. Legal persons and partnerships in which a government department, agency or body holds stocks, shares or assets are also exempted from its application.

In addition, this Regulation does not apply, in respect of accreditation, to publishers described in the Regulation respecting the accreditation of publishers in Québec (R.R.Q., 1981, c. D-8.1, r.3) who distribute their production themselves, if accredited publishers fully comply at all times with the requirements of this Regulation and the Regulation respecting the acquisition of books by certain persons from accredited bookstores (R.R.Q., 1981, c. D-8.1, r.1).

Notwithstanding the above, this Regulation applies to a publisher who distributes the production of another publisher in addition to his own.”

**2.** The following is substituted for the heading of Division V:

“DETERMINATION OF SALES PRICES”.

**3.** The following is substituted for Schedule B:

“**SCHEDULE B**  
(s. 16)

#### DISCOUNTS

A distributor shall grant the following minimum discounts to an accredited bookstore:

#### Book categories

- |   |        |
|---|--------|
| 1. Any book not listed under Category 2   | 40 %   |
| 2. Dictionaries, law books, encyclopedias, medical books, books providing an introduction to a science or technology, including the humanities and social sciences, and whose format and presentation are such that the books constitute instructional material | 30 %”. |

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

## Draft Regulation

An Act respecting the development of Québec firms in the book industry  
(R.S.Q., c. D-8.1)

### Application of section 2 of the Act — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the application of section 2 of the Act respecting the development of Québec firms in the book industry, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation introduces an amendment which broadens the exemption from the application of section 2 of the Act respecting the development of Québec firms in the book industry. That provision stipulates that financial aid granted by a government department, agency or mandatary in the area of publishing, distribution or bookselling must be granted to persons holding a certificate of accreditation issued under that Act or eligible therefor. Firms will no longer be subject to that accreditation requirement, where financial aid is granted for the purposes of starting up a firm or of establishing a firm outside Québec.

The draft Regulation will increase the number of firms eligible for financial aid from the Government, as the accreditation requirement will no longer apply.

Further information may be obtained by contacting Ms. Hélène Vachon, Direction des arts et de la culture, Ministère de la Culture et des Communications, 225, Grande-Allée Est, Québec (Québec), G1R 5G5; tel.: (418) 644-7203, fax: (418) 643-4080.

Any interested person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Culture and Communications, 225, Grande-Allée Est, 1<sup>er</sup> étage (Bloc A), Québec (Québec), G1R 5G5.

LOUISE BEAUDOIN,  
*Minister of Culture  
and Communications*

## Regulation to amend the Regulation respecting the application of section 2 of the Act respecting the development of Québec firms in the book industry(\*)

An Act respecting the development of Québec firms in the book industry  
(R.S.Q., c. D-8.1, s. 38, par. 4)

**1.** The Regulation respecting the application of section 2 of the Act respecting the development of Québec firms in the book industry (R.R.Q., 1981, c. D-8.1, r. 5) is amended by substituting the following for paragraph 1 of section 1 of Schedule A:

“(1) financial aid granted by a government department, agency or mandatary, in the area of publishing, distribution or bookselling, for the purposes of starting up a firm or of establishing a firm outside Québec;”.

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

1925

## Draft Regulation

An Act respecting the development of Québec firms in the book industry  
(R.S.Q., c. D-8.1)

### Bookstore accreditation — 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 accreditation of bookstores, the text of which appears below, may be made by the Government at the expiry of 45 days following this publication.

As school manuals are not subject to the application of the Act respecting the development of Québec firms in the book industry, the draft Regulation redefines the term “school manual” in order to simplify the definition and include workbooks.

The draft Regulation increases the volume of book sales required to be eligible for accreditation. On the

other hand, a person who is already accredited for one establishment is no longer required to have operated a bookstore for at least three consecutive months when seeking accreditation.

The obligation for an accredited bookstore to maintain an inventory of at least 6 000 different book titles is amended with respect to distribution according to the origin of the books, and Schedule B to the Regulation is consequently replaced. The standard pertaining to inventory content will apply irrespective of the date on which a person obtains accreditation, while allowing up to a year to meet the requirement.

The draft Regulation specifies the number of book titles that a person must have when seeking accreditation as a specialized bookstore. It also requires that the holders of bookstore accreditation submit, for each fiscal period, proof of subscription to the bibliographic material listed in Schedule A. That Schedule is also amended to take technological innovations into account.

The draft Regulation will have little impact on firms. The only amendment which may impose constraints is that concerning the distribution of inventory, and firms have a year during which to comply.

Further information may be obtained by contacting Ms. Hélène Vachon, Direction des arts et de la culture, Ministère de la Culture et des Communications, 225, Grande-Allée Est, Québec (Québec), G1R 5G5; tel.: (418) 644-7203, fax: (418) 643-4080.

Any interested person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Culture and Communications, 225, Grande-Allée Est, 1<sup>er</sup> étage (Bloc A), Québec (Québec), G1R 5G5.

LOUISE BEAUDOIN,  
*Minister of  
Culture and Communications*

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\* The Regulation respecting the application of section 2 of the Act respecting the development of Québec firms in the book industry (R.R.Q., 1981, c. D-8.1, r. 5) has not been amended since it was revised.

## Regulation to amend the Regulation respecting the accreditation of bookstores(\*)

An Act respecting the development of Québec firms in the book industry  
(R.S.Q., c. D-8.1, ss. 3, 15, 17, 20 and 38, pars. 1 and 2)

**1.** The Regulation respecting the accreditation of bookstores is amended by substituting the following for section 1:

“**1.** For the purposes of the Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1) and the regulations thereunder, the following term means:

“school manual”: any printed document designed for the instructional objectives of the kindergarten, elementary and secondary program of studies, and including complementary material and workbooks; regular dictionaries used for those teaching levels are also included.”.

**2.** Section 4 is amended

(1) by substituting “\$300 000 or not less than 50 %” for “\$200 000 or not less than 30 %” in paragraph 6;

(2) by substituting “\$150 000 or not less than 50 %” for “\$100 000 or not less than 30 %” in paragraph 7; and

(3) by adding the words “or have access to that material in the establishment” at the end of paragraph 11.

**3.** Section 5 is amended by adding “, except where the person is accredited under this Regulation for another establishment” at the end of the first paragraph.

**4.** Section 6 is amended by substituting the following for paragraph 8:

“(8) keep, for the entire bookstore and irrespective of the date on which the person was accredited, an inventory of at least 6 000 different book titles, including at least 2 000 different titles of books published in Québec and 4 000 different titles of books published elsewhere, divided into categories the names and minimum numbers of which are listed in Schedule B. To reach the total of 2 000 different titles of books published in Québec

and 4 000 different titles of books published elsewhere, as the case may be, the person shall add the number of different additional book titles required in the categories of his choice to the minimum numbers of different book titles listed in Schedule B.”.

**5.** Section 8 is amended by substituting the following for subparagraph 1 of the second paragraph:

“(1) always have a sufficient number of titles representative of all the titles published in the field;”.

**6.** Section 19 is amended by adding the following after subparagraph 8 of the first paragraph:

“(9) proof of subscription to the bibliographic material listed in Schedule A.”.

**7.** Schedule A is amended

(1) by substituting the following for section 1:

“(1) French-language accredited bookstores must have the following bibliographic material or bibliographic material containing similar information:

(1) La Bibliographie du Québec, Bibliothèque nationale du Québec;

(2) Livres d’ici;

(3) Les livres disponibles, Electre (Auteurs and Titres);

(4) Livres de France or Livres Hebdo;

(5) Le Répertoire des livres au format de poche;

(6) Les livres disponibles canadiens de langue française (Bibliodata).

The above bibliographic material may be kept in paper form, in electronic form, in optical, magnetic or magnetic-optical form, or in microform.”; and

(2) by revoking section 3.

**8.** The following is substituted for Schedule B:

\* The Regulation respecting the accreditation of bookstores (R.R.Q., 1981, c. D-8.1, r.4) was last amended by the Regulation made by Order in Council 2798-84 dated 19 December 1984 (1985, G.O. 2, 59). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, updated to 1 September 1997.



**“SCHEDULE B**

(s. 6)

**INVENTORY OF DIFFERENT BOOK TITLES:  
DISTRIBUTION BY CATEGORY AND MINIMUM  
NUMBERS PER CATEGORY**

	Minimum number 6 000	
	Published in Québec	Published elsewhere
<b>Categories</b>	2 000	4 000
<b>1. Fiction</b>		
Novels, tales, short stories, drama, poetry, humour, literary criticism and essays	500	800
<b>2. Fine Arts</b>		
Art books, art history, architecture and town planning, folk art, music and performing arts, dance, cinema	50	75
<b>3. Humanities and Social Sciences</b>		
Philosophy, psychology, esoterica, religion, sociology, politics, anthropology, ethnology, economics, finance, law, education, geography, documentaries, history, biographies, memoirs, linguistics	200	300
<b>4. Encyclopedias and dictionaries</b>		
General encyclopedias, dictionaries, atlases	15	50
<b>5. Scientific and technical books</b>		
Any book providing an introduction to a science or technology and whose format and presentation are such that the book constitutes instructional material appropriate for use in occupational training, in: mathematics, physics, chemistry, astronomy, earth sciences, paleontology, life sciences, botany, zoology, medicine, engineering, applied sciences, agriculture, home economics, management, etc.	100	125
<b>6. Popular scientific works</b>		
	100	200
<b>7. Children's literature</b>		
Literature, illustrated books, narrative, comics	300	450
	1 265	2 000

**9.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 4, which will come into force on (enter the date of the 366<sup>th</sup> day following the date of publication of this Regulation in the *Gazette officielle du Québec*).

1929



## Municipal Affairs

Gouvernement du Québec

### O.C. 1602-97, 10 December 1997

An Act respecting municipal territorial organization  
(R.S.Q., c. O-9)

Amalgamation of the municipalities of Weedon and Fontainebleau

WHEREAS each of the municipal councils of the municipalities of Weedon and Fontainebleau adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the 2 municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

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

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

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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

THAT the application be granted and that a local municipality be constituted through the amalgamation of the municipalities of Weedon and Fontainebleau, on the following conditions:

1. The name of the new municipality is “Municipalité de Weedon”.

The council of the new municipality shall petition the Commission de toponymie du Québec in order for the place name “Fontainebleau” to be attributed to the sector of the new municipality made up of the territory of the former Municipalité de Fontainebleau.

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 20 October 1997 and attached as a schedule to this Order in Council.

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

4. The new municipality will be part of the municipalité régionale de comté du Haut-Saint-François.

5. A provisional council will remain in office until the first general election. It will be composed of all the members of the council of the former Municipalité de Weedon and of a councillor representing the former Municipalité de Fontainebleau. The councillor occupying seat 6 of the former Municipalité de Fontainebleau shall be the councillor representing that former municipality. The quorum shall be half the members holding office plus one. The mayor of the former Municipalité de Weedon shall act as mayor of the provisional council.

If a seat of a representative of the former Municipalité de Weedon is vacant at the time of coming into force of this Order in Council or becomes vacant during the term of the provisional council, the following applies:

— the first councillor’s seat to become vacant is not filled and the provisional council is made up of seven members;

— for any other position that becomes vacant, an election shall be held, where applicable, in accordance with sections 335 to 337 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), and only those persons who would be eligible under the Act respecting elections and referendums in municipalities if such election were an election of the council members of the former Municipalité de Weedon shall be eligible for that seat.

If the seat of a representative of the former Municipalité de Fontainebleau is vacant at the time of coming into force of this Order in Council or becomes vacant during the term of the provisional council, the following applies:

— an election shall be held in accordance with sections 335 to 337 of the Act respecting elections and referendums in municipalities and only those persons who would be eligible under the Act respecting elections and referendums in municipalities if such election were an election of the council members of the former Municipalité de Fontainebleau shall be eligible for the seat.

6. The first general election will be held on the first Sunday in November 2000. The second general election will be held on the first Sunday in November 2004. The council of the new municipality will be composed of 7 members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats will be numbered from 1 to 6.

7. For the first general election, only the persons who would be eligible under the Act respecting elections and referendums in municipalities, if such election were an election of the council members of the former *Municipalité de Weedon*, shall be eligible for seats 1, 3, 4, 5 and 6 and only the persons who would be eligible under that Act, if such election were an election of the council members of the former *Municipalité de Fontainebleau*, shall be eligible for seat 2.

8. Any budgets adopted by each of the former municipalities, if any, for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new municipality, and the expenditures and revenues shall be accounted for separately as if those municipalities continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation will be charged to the budgets of each of the former municipalities in proportion to their standardized real estate values established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992 amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as appearing in their financial statements for the fiscal year prior to the fiscal year during which this Order in Council comes into force.

9. If section 8 applies, the portion of the subsidy granted to the new municipality within the scope of the Programme d'aide financière au regroupement municipal (PAFREM) for the first year of the amalgamation, less the expenditures recognized by the council as resulting from the amalgamation and financed with that portion of the subsidy, constitutes a reserve that is paid into the general fund of the new municipality for the first year where it does not apply separate budgets.

10. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in force before the coming into force of this Order in Council continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

11. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which

the former municipalities adopted separate budgets shall be used in the following manner:

— an amount of \$60 000 shall be withdrawn from the surplus accumulated on behalf of the former *Municipalité de Weedon* and an amount of \$20 000 shall be withdrawn from the surplus accumulated on behalf of the former *Municipalité de Fontainebleau* and those amounts shall be paid into the general fund of the new municipality.

If the amount of the surplus accumulated on behalf of a former municipality is insufficient for such payment, the new municipality shall complete the amount by levying a special tax on the immovables located in the sector made up of the territory of that former municipality;

The amount of the surplus accumulated on behalf of the former *Village de Weedon Centre* and the former *Canton de Weedon* amalgamated under Order in Council 1465-96 dated 27 November 1996 shall remain amounts received for the purposes provided for in that Order in Council.

The balance of the accumulated surplus, if any, shall be used to the benefit of the ratepayers of the former municipality on behalf of which it was accumulated.

In the sector made up of the territory of the former *Municipalité de Weedon*, it may be allocated to the carrying out of public works, to tax reductions applicable to all the taxable immovables of that sector or to the repaying of debts chargeable to all that sector. In the sector made up of the territory of the former *Municipalité de Fontainebleau*, it may be allocated to tax reductions applicable to all the taxable immovables of that sector.

12. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets will remain charged to all the taxable immovables of the sector made up of the territory of that former municipality.

13. Any tax levied under By-laws 279 and 287 of the former *Municipalité de Weedon* is replaced by a special tax on all the taxable immovables of the new municipality. A special tax shall therefore be imposed and levied on all taxable immovables of the new municipality on the basis of their value as it appears on the assessment roll in force each year.

The taxation clauses in those By-laws shall be amended accordingly.

14. The annual repayment of the instalments in capital and interest for the loans made under By-law 283 of

the former Municipalité de Weedon and the share payable to the Société québécoise d'assainissement des eaux by that former municipality under the agreement signed on 27 January 1982, shall remain chargeable to the users of the waterworks and sewer system of the sector made up of the territory of the former municipality of the Village de Weedon Centre and they shall be reimbursed by means of a compensation rate that the council of the new municipality shall fix annually.

The taxation clause provided for in By-law 283 is amended accordingly. The new municipality may amend that By-law in accordance with the law if it carries out work to extend the system.

15. The annual repayment of the instalments in capital and interest for all loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council but not governed by sections 13 and 14 remains chargeable to the sector made up of the territory of the former municipality that made them, in accordance with the taxation clauses provided for in those by-laws. If the new municipality decides to amend the taxation clauses of those by-laws in accordance with the law, these amendments may refer only to the taxable immovables located in the sector made up of the territory of that former municipality.

16. The free balance of loan By-laws 311 and 313 of the former Municipalité de Weedon shall be used to pay the annual instalments in capital and interest of the loans or, if the securities were issued for a shorter term than the one originally fixed, to reduce the balance of such loans.

If the free balance is used to pay annual instalments on loans, the rate of tax levied to pay such instalments shall be reduced so that the tax revenue equals the balance owing, minus the free balance used.

17. Any debt or gain that may result from legal proceedings for any act performed by a former municipality will continue to be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

18. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality for the purpose of replacing all the zoning by-laws and all the subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to all the territory of the new municipality, on

the condition that such a by-law comes into force within four years following the coming into force of this Order in Council.

Such a by-law shall be approved in accordance with the Act respecting elections and referendums in municipalities by the qualified voters of all the territory of the new municipality.

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

20. The new municipality shall obtain the approval of the majority of the users of the waterworks system located in the sector made up of the territory of the former Municipalité de Fontainebleau to alienate lot 19AP of Rang 3 of the cadastre of the Canton de Weedon, on which is located an artesian well feeding the waterworks system.

21. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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#### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW MUNICIPALITÉ DE WEEDON IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DU HAUT-SAINT-FRANÇOIS

The present territory of the Municipalities of Fontainebleau and Weedon, in the Municipalité régionale de comté du Haut-Saint-François comprising, in reference to the cadastres of the townships of Dudswell, Weedon and the villages of Lac-Weedon and Weedon-Centre, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, lakes, watercourses or parts thereof, the whole enclosed within the limits described hereafter, namely: starting from the apex of the northern corner of lot 230 of the cadastre of the Village du Lac-Weedon; thence, successively, the following lines and demarcations: the northeast line of lots 230, 197, 198, 169 and 25 to the shore of Lac Louise, that line extended across route 112 and the railway right-of-way (lot 236) that it meets; southwesterly, that shore to the dividing line between the cadastres of the Canton de Weedon and the Village du Lac-Weedon; northeasterly the said dividing line between the said cadastres extended across Lac Louise and passing to the northwest of the islands of Lac Louise bearing lot numbers 34, 33, 32, 31, 35 and 36 of the cadastre of the Canton de Weedon, then to the southeast of the island bearing lot number 36 of the cadastre of the Village du Lac-Weedon to the apex of

the southern corner of lot 37 of the cadastre of the Village du Lac-Weedon; the northwest line of lots 24 to 28 of Rang 5 of the cadastre of the Canton de Weedon, that line extended across the public road that it meets; in reference to the cadastre of the said township, southeasterly, the northeast line of lot 28 of ranges 5, 4, 3, 2 and 1, that line extended across the public roads that it meets; southwesterly the dividing line between the cadastres of the townships of Weedon and Lingwick to the dividing line between the cadastres of the townships of Weedon and Dudswell, that line extended across the public roads, the Étang Hind and the Rivière au Saumon that it meets; northwesterly, part of the northeast line of lot 28B of Rang 1 of the cadastre of the Canton de Dudswell to the dividing line between ranges 1 and 2 of the cadastre of the said township; in reference to that cadastre, southwesterly, part of the dividing line between the said ranges to the southwest line of lots 28A and 28B of Rang 2; northwesterly, the southwest line of the said lots; northeasterly, the northwest line of lots 28B, 28C and 28F of Rang 2; northwesterly, part of the southwest line of the cadastre of the Canton de Weedon to the dividing line between ranges 9 and 10 of the cadastre of the said township, that line extended across Rivière Saint-François, the railway (lot 29) and route 112 that it meets; northeasterly, the dividing line between the said ranges to the apex of the western corner of lot 235 of the cadastre of the Village du Lac-Weedon, that line extended across the public road that it meets; finally, northeasterly, part of the dividing line between the cadastres of the Village du Lac-Weedon and the Canton de Weedon to the starting point, that line extended across Rivière au Canard that it meets; the said limits describe the territory of the new Municipalité de Weedon.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 20 October 1997

Prepared by: PIERRE BÉGIN,  
*Land surveyor*

W-59/1

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Gouvernement du Québec

## O.C. 1603-97, 10 December 1997

An Act respecting municipal territorial organization  
(L.R.Q., c. O-9)

Amalgamation of the Village de Saint-Éphrem-de-Tring and the Paroisse de Saint-Éphrem-de-Beauce

WHEREAS each of the municipal councils of the Village de Saint-Éphrem-de-Tring and the Paroisse de Saint-Éphrem-de-Beauce adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the 2 municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

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

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

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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

THAT the application be granted and that a local municipality be constituted through the amalgamation of the Village de Saint-Éphrem-de-Tring and the Paroisse de Saint-Éphrem-de-Beauce, on the following conditions:

1. The name of the new municipality is "Municipalité de Saint-Éphrem-de-Beauce".
2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 9 October 1997; that description is attached as a Schedule to this Order in Council.
3. The new municipality is governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).
4. The new municipality is a part of the municipalité régionale de comté de Beauce-Sartigan.
5. A provisional council will remain in office until the first general election. It will be composed of all the members of the 2 councils existing at the time of the

coming into force of this Order in Council. The quorum shall be half of the members in office plus one. The current mayors will alternate as mayor and deputy mayor of the provisional council for 2 equal periods. The mayor of the former Village de Saint-Éphrem-de-Tring will serve first as the mayor of the new municipality and the mayor of the former Paroisse de Saint-Éphrem-de-Beauce will serve second.

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

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

6. The first general election will be held on the first Sunday of the fourth month following the month in which this Order in Council comes into force. If that date falls on the first Sunday in January, the first general election will be postponed until the first Sunday in February. The second general election will be held on the first Sunday of November 2001. The council of the new municipality shall be composed of 7 members, that is a mayor and 6 councillors. The councillors' seats will be numbered from 1 to 6 beginning with the first general election.

7. For the first general election, the only persons eligible for seats 1, 2 and 3 are the persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if such election were an election of the members of the council of the former Paroisse de Saint-Éphrem-de-Beauce and the only persons eligible for seats 4, 5 and 6 are the persons who would be eligible under that Act if such election were an election of the members of the council of the former Village de Saint-Éphrem-de-Tring.

8. The secretary-treasurer of the Village de Saint-Éphrem-de-Tring will act as deputy secretary-treasurer until the council, made up of the persons elected at the first general election, appoints a person to hold that office.

9. Any budgets adopted by each of the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new municipality, and the expenditures and revenues must be accounted for separately as if those municipalities continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budget of each of the former municipalities in proportion to their standardized real estate value established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992, amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as appearing in their financial statement for the last fiscal year ending prior to the fiscal year during which they adopted separate budgets.

10. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in force before the coming into force of this Order in Council shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

11. If section 9 applies, the portion of the subsidy paid under the Programme d'aide financière au regroupement municipal (PAFREM) related to the first year following the amalgamation, less the expenditures recognized by the council as resulting from the amalgamation and directly financed with that portion of the subsidy, shall constitute a reserve to be paid into the general fund of the new municipality for the first fiscal year for which it does not apply separate budgets.

12. The sums paid into the reserve fund to be used for parks, playground and natural areas, at the end of the last fiscal year for which the municipalities adopted separate budgets, are entered into the surplus accumulated on behalf of the former municipality that has constituted it and, consequently, the amount of that fund is dealt with in accordance with section 13.

13. The surplus accumulated, including the amounts used for reserves, if any, on behalf of a former municipality at the end of the last fiscal year for which it applied separate budgets, is used as follows:

— an amount that is equal to the lesser of the amounts of the surplus accumulated on behalf of each of the former municipalities is withdrawn from the surplus accumulated on behalf of each of the former municipalities and is paid into the general fund of the new municipality;

— any amount in excess of the lesser of the amounts of the surplus accumulated on behalf of each of the former municipalities is used for the benefit of the ratepayers of the former municipality on behalf of which it was accumulated; it may be used to carry out public works in the sector made up of the territory of that former municipality, to reduce taxes applicable to all the

taxable immovables of that sector or to repay debts charged to all that sector.

14. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it applied separate budgets will continue to be charged to all the taxable immovables in the sector made up of the territory of that former municipality.

15. Taxes imposed under the loan by-laws of any of the former municipalities charged to a sector of those municipalities shall continue to be levied by the new municipality in accordance with the taxation clauses provided for in those by-laws.

16. Notwithstanding section 15, the balance in capital and interest of loans made under the following by-laws of the former Paroisse de Saint-Éphrem-de-Beauce shall be chargeable to all the taxable immovables of the new municipality:

- By-laws No. 158 and 93-89 in whole;
- By-law No. 138 in a proportion of 65 %.

Therefore, a special tax shall be imposed and levied on all the taxable immovables of the new municipality on the basis of their value as it appears on the assessment roll in force each year.

The taxation clauses provided for in those by-laws are amended accordingly.

17. Notwithstanding section 15, the balance in capital and interest of loans made under By-law 92-329 of the former Village de Saint-Éphrem-de-Tring shall be chargeable to all the users served by the waterworks system of the new municipality and shall be reimbursed by means of a compensation rate that the council of the new municipality shall fix annually.

The taxation clause provided for in By-law 92-329 is amended accordingly. The new municipality may amend that by-law in accordance with the law if it carries out works to extend the waterworks system.

18. The amounts payable to the Société québécoise d'assainissement des eaux by the former municipalities are apportioned among all the users served by the sewer system of the new municipality and it shall be reimbursed by means of a compensation rate that the council of the new municipality shall fix annually.

19. The balance in capital and interest of loans made under all the by-laws or parts of those by-laws adopted by a former municipality before the coming into force of this Order in Council and not governed by sections 16,

17 and 18, remains chargeable to the sector made up of the territory of the former municipality that made them, in accordance with the taxation clauses provided for in those by-laws. If the new municipality decides to amend the taxation clauses of those by-laws in accordance with the law, the amendments may only apply to the sector made up of the territory of that former municipality.

20. Any debt or gain that may result from legal proceedings in respect of an act performed by a former municipality shall remain charged to or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

21. For each of the three fiscal years following that of the coming into force of this Order in Council, a general real estate tax credit is granted to all the taxable immovables not served by the waterworks system located in the sector made up of the territory of the former Paroisse de Saint-Éphrem-de-Beauce.

The rate of that credit is calculated annually by dividing the following amounts by the total amount of the taxable assessment of that sector, according to the assessment roll in force annually:

- First year: \$22 730;
- Second year: \$15 150;
- Third year: \$7 580.

Nevertheless, that annual real estate tax credit is granted only if the financial assistance paid by the Gouvernement du Québec to the new municipality in respect of the territory of the former Paroisse de Saint-Éphrem-de-Beauce for taking charge of the local road network is greater than \$105 375 for each of the those three years (75 % of the amount paid in 1997).

22. Notwithstanding section 119 of the Act respecting municipal territorial organization, the new municipality shall use, for the adjustment of the values entered into the real estate assessment roll or rental value roll, the values entered into the real estate assessment rolls for the 1996 fiscal year for each of the former municipalities, kept up to date and adjusted from the coming into force of this Order in Council.

The adjustment shall be made as follows: the values entered into the assessment roll of each of the former municipalities shall be divided by the median proportion of that roll established for the first fiscal year of application of the triennial rolls, that is 1996.

The whole formed by the adjusted rolls of each of the former municipalities, in accordance with the second



paragraph, shall constitute the roll of the new municipality for the first fiscal year of the new municipality. The median proportion and the comparative factor of that roll shall respectively be of one hundred percent and of one.

23. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality in order to replace all the zoning and subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the new municipality, provided that such a by-law comes into force within 4 years of the coming into force of this Order in Council.

Such a by-law must be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the whole territory of the new municipality.

24. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Municipalité de Saint-Éphrem-de-Beauce".

That municipal bureau shall succeed to the municipal housing bureau of Saint-Éphrem which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) apply to the municipal housing bureau of the new municipality as if it had been incorporated by letters patent under section 57 of that Act. The members of the Office shall be the members of the Office municipal d'habitation de Saint-Éphrem.

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

26. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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#### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE SAINT-ÉPHREM-DE-BEAUCE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE BEAUCE-SARTIGAN

The current territory of the Paroisse de Saint-Éphrem-de-Beauce and the Village de Saint-Éphrem-de-Tring, in the Municipalité régionale de comté de Beauce-Sartigan, comprising, in reference to the cadastres of the parishes of Saint-Éphrem-de-Tring and Saint-Victor-de-Tring and the townships of Adstock and Shenley, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, railway rights-of-way, watercourses, lakes or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the northwest side of the right-of-way of the route of Rang 8 with the northwesterly extension of the southwest side of the right-of-way of the road of Rang 7; thence, successively, the following lines and demarcations: southeasterly, the said extension and the southwest side of the right-of-way of the road of Rang 7 to the southwesterly extension of the dividing line between lots 669 and 670 of the cadastre of the Paroisse de Saint-Victor-de-Tring; in reference to that cadastre, northeasterly, the said extension and the said dividing line between lots, that line extended across Route 108 that it meets; southeasterly, the southwestern line of lots 603 to 610, 611A and 612 to 631, that southwestern line extended across Rivière Saint-Victor and the railway (lot 722 of the said cadastre) that it meets; northeasterly, the dividing line between lots 631 and 632 and its extension to the southwestern line of lot 453; southeasterly, part of the said southwestern line of lot 453, the southwestern line of lots 452 to 429, in declining order, 428A, 428 and 427, that southwestern line extended across the public road (Route 271) and another road that it meets; northeasterly, part of the dividing line between the cadastres of the Canton de Shenley and the Paroisse de Saint-Victor-de-Tring to the meeting point with the dividing line between ranges 10 Nord and 9 Nord of the cadastre of the Canton de Shenley; in reference to the cadastre of that township, southerly, the said dividing line between the said ranges to the northern line of lot 38B of Rang 10 Gore, that line extended across the public road (Route 271) and another road that it meets; westerly, the said northern line of lot 38B of ranges 10 Gore and 11 Gore; that northern line crossing Chemin Petit Shenley dividing the said ranges; southerly, the dividing line between ranges 12 Gore and Partie 12 Sud of ranges 11 Gore and Partie 11 Sud to the dividing line between lots 34 and 33 of Rang 12 Sud; westerly, the said dividing line between lots 34 and 33 of the said range, then the dividing line between lots 34A and 33B of Rang 13 Sud and its extension to the centre line of the road dividing ranges 13 Sud and 14 Sud, those dividing lines extended across

Rivière Saint-Victor, the public road and the railway (lot 41) that they meet; northerly, the centre line of the said road to the extension to the east of the dividing line between lot 37A of Rang 14 Gore and lot 36B of Rang 14 Sud; westerly, the said extension and the said dividing line to the dividing line between the cadastres of the Canton de Shenley and the Paroisse de Saint-Éphrem-de-Tring; southwesterly, part of the said dividing line between the cadastres to the apex of the southern angle of the cadastre of the Paroisse de Saint-Éphrem-de-Tring; northwesterly, part of the dividing line between the cadastres of the Paroisse de Saint-Éphrem-de-Tring of the Canton de Forsyth to the apex of the eastern angle of lot 1A of Rang 13 of the cadastre of Canton d'Adstock; in reference to the cadastre of that township, southwesterly, the southeastern line of lot 1A of ranges 13 and 12, that southeastern line extended across Route 269 dividing the said ranges; northwesterly, the southwestern line of lots 1A, 1B, 2A, 2B, 3A and 3B of Rang 12; northeasterly, the northwestern line of lots 3B of Rang 12 and 3 of Rang 13, that northwestern line extended across Route 269 dividing the said ranges; northwesterly, part of the dividing line between the cadastres of the Paroisse de Saint-Éphrem-de-Tring and the Canton d'Adstock to the dividing line between lots 528 and 529 of the cadastre of the Paroisse de Saint-Éphrem-de-Tring; in reference to the cadastre of the said parish, northeasterly, the said dividing line between lots: northwesterly, part of the dividing line between ranges 10 and 11 to the dividing line between lots 424 and 423, that line extended across the public road that it meets; northeasterly, the said dividing line between lots; northwesterly, part of the dividing line between lots 9 and 10 to the dividing line between lots 356 and 357; northeasterly, the said dividing line between lots and its extension to the northeast side of the right-of-way of Route 271; southeasterly, the northeast side of the right-of-way of the said route to the centre line of the route of Rang 9; northeasterly, the said centre line of the said route to the southwest side of the right-of-way of the road of Rang 8; northwesterly, the southwest side of the right-of-way of the said road to the extension to the southwest of the northwest side of the right-of-way of the route of Rang 8; finally, the said extension and the northwest side of the right-of-way of the said route of Rang 8 bordering to the southeast lot 128 to the starting point; the said limits define the territory of the Municipalité de Saint-Éphrem-de-Beauce.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 9 October 1997

Prepared by: PIERRE BÉGIN,  
*Land surveyor*

PB/JPL/cm

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Gouvernement du Québec

## O.C. 1604-97, 10 December 1997

An Act respecting municipal territorial organization  
(R.S.Q., c. O-9)

Amalgamation of the Village de La Patrie and the  
Canton de Ditton

WHEREAS each of the municipal councils of the Village de La Patrie and the Canton de Ditton adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the 2 municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

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

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

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

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

THAT the application be granted and that a local municipality be constituted through the amalgamation of the Village de La Patrie and the Canton de Ditton, on the following conditions:

1. The name of the new municipality is "Municipalité de La Patrie".
2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 16 October 1997 and attached as a Schedule to this Order in Council.
3. The new municipality is governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).
4. The new municipality will be part of the Municipalité régionale de comté du Haut-Saint-François.

5. A provisional council will remain in office until the first general election. It will be composed of all the members of the 2 councils existing at the time of the coming into force of this Order in Council. The quorum shall be half the members holding office plus one. The current mayors will alternate as mayor of the provisional council for each period of a month, starting on the date of coming into force of this Order in Council. The mayor of the former Village de La Patrie shall act as mayor of the new municipality for the first period and the mayor of the former Canton de Ditton shall act as mayor of the new municipality for the second period.

If a seat is vacant at the time of coming into force of this Order in Council or becomes vacant during the term of the provisional council, one additional vote shall be counted for that seat during each taking of vote at the provisional council, in the same meaning as the vote cast by the majority of members of that provisional council who were part of the council of the former municipality of origin of the council member whose seat has become vacant.

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

6. The first general election shall be held on the first Sunday of the fourth month following the month in which this Order in Council comes into force. If that date falls on the first Sunday in January, the first general election shall be postponed to the first Sunday in February. The second general election shall be held on the first Sunday in November 2001. The council of the new municipality will be composed of 7 members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats shall be numbered from 1 to 6.

7. For the first general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Canton de Ditton, shall be eligible for seats 1, 2, 3 and 4 and only those persons who would be eligible under that Act, if such election were an election of the council members of the former Village de La Patrie, shall be eligible for seats 5 and 6.

8. Any budgets adopted by each of the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new municipality and the expenditures and revenues shall be accounted for separately as if those municipalities continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation will be charged to the budgets of each of the former municipalities in proportion to their standardized real estate value established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992 amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as it appears in their financial statements for the fiscal year prior to the fiscal year during which this Order in Council comes into force.

9. If section 8 were to apply, the portion of the subsidy granted under the Programme d'aide financière au regroupement municipal (PAFREM) related to the first year of the amalgamation, less the expenditures recognized by the council as resulting from the amalgamation and financed with that portion of the subsidy, shall constitute a reserve to be paid into the general fund of the new municipality in the first year where no separate budgets were applied.

10. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in force before the coming into force of this Order in Council continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

11. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the new municipality adopted separate budgets shall be used for the benefit of ratepayers of the former municipality that accumulated it; it may be used to carry out public works in the sector made up of the territory of the former municipality, to reduce the taxes applicable to all the taxable immovables in that sector or to repay debts chargeable to all that sector.

12. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it applied separate budgets will remain charged to all the taxable immovables of the sector made up of the territory of the former municipality.

13. The share payable to the Société québécoise d'assainissement des eaux by the former Village de La Patrie under the agreement signed on 12 October 1993 shall be charged to all the taxable immovables that are served by the sewer system within the sector made up of the territory of that former village on the basis of their value as it appears on the assessment roll in force each year.

14. The annual repayment of the instalments in capital and interest for all the loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council but not governed by section 13, remains chargeable to the immovables located in the sector made up of the territory of the new municipality that made them, in accordance with the taxation clauses provided for in those by-laws.

If the new municipality decides to amend the taxation clauses of those by-laws in accordance with the law, the amendments may refer only to the taxable immovables located in the sector made up of the territory of that former municipality.

15. Excess from a loan made under a by-law referred to in section 14, once the purpose of the by-law has been accomplished, is used to pay the annual terms in capital and interest or, if the securities were issued for a shorter term than the term originally fixed, to reduce the balance of the loan.

If the excess is used to pay the annual terms of the loan, the rate of the tax imposed to pay those terms shall be reduced in such a way that the revenues of the tax are equal to the balance to be paid, minus the excess used.

16. Any debt or gain that may result from legal proceedings for any act performed by a former municipality will continue to be charged to or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

17. An annual tax credit shall be granted to the owners of the taxable immovables of the sector made up of the former Canton de Ditton for the first five complete fiscal years following the coming into force of this Order in Council. That credit shall be \$0.25 per \$100 of assessment the first year and shall be reduced by \$0.05 per \$100 of assessment per year for each subsequent year.

18. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality in order to replace all the zoning and subdivision by-laws applicable on all the territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to all the territory of the new municipality, provided that such a by-law comes into force within 4 years following the coming into force of this Order in Council.

Such a by-law shall be approved, in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), by the qualified voters of all the territory of the new municipality.

19. Notwithstanding section 119 of the Act respecting municipal territorial organization, the values entered into the real estate assessment roll in force on the territory of the former municipalities are not adjusted from the date of coming into force of this Order in Council.

The rolls in force on the territories of the former municipalities constitute the roll of the new municipality for the relevant fiscal year.

Notwithstanding the second paragraph of section 121 of the Act respecting municipal territorial organization, the median proportion and the 1997 three-year roll factor of the new municipality are those that were in force in the former Village de La Patrie.

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

21. In accordance with the Order in Council concerning the amendment to the agreement respecting the Cour municipale d'East Angus which will be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale d'East Angus will have jurisdiction over the territory of the new municipality.

22. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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#### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE LA PATRIE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DU HAUT-SAINT-FRANÇOIS

The current territory of the Canton de Ditton and the Village de La Patrie, in the Municipalité régionale de comté du Haut-Saint-François, comprising, in reference to the cadastre of the Canton de Ditton, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, watercourses, lakes, or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northeastern angle of lot 704 of the said cadastre; thence, successively, the following lines and demarcations: southerly, part of the dividing line between the cadastres of the townships of Ditton and Chesham to the dividing line between ranges 8 and 9

of the cadastre of the Canton de Ditton; westerly, the broken line dividing the said ranges, crossing Rivière Ditton, a public road and Rivière Eaton Nord to the dividing line between the cadastres of the townships of Ditton and Newport; northerly, part of the said dividing line between the cadastre of the Canton de Ditton and the cadastres of the townships of Hampden and Marston; finally, easterly, the said dividing line of the said cadastres, to the starting point, the said limits define the territory of the Municipalité de La Patrie.

Ministère des ressources naturelles  
Service de l'arpentage  
Charlesbourg, 16 October 1997

Prepared by: \_\_\_\_\_  
JEAN-PIERRE LACROIX,  
*Land surveyor*

L-341/1

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Gouvernement du Québec

### **O.C. 1605-97, 10 December 1997**

An Act respecting municipal territorial organization  
(R.S.Q., c. O-9)

Amalgamation of the Village de Saint-Félix-de-Valois  
and the Paroisse de Saint-Félix-de-Valois

WHEREAS each of the municipal councils of the Village and the Paroisse de Saint-Félix-de-Valois adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the 2 municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

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

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

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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

THAT the application be granted and that a local municipality be constituted through the amalgamation of the Village and the Paroisse of Saint-Félix-de-Valois, on the following conditions:

1. The name of the new municipality is "Municipalité de Saint-Félix-de-Valois".

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 5 November 1997 and attached as a Schedule to this Order in Council.

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

4. The new municipality will be part of the Municipalité régionale de comté de Matawinie.

5. A provisional council shall remain in office until the first general election. It shall be composed of all the members of the 2 councils existing at the time of the coming into force of this Order in Council. The quorum shall be half the members holding office plus one. The 2 current mayors shall alternate as mayor of the provisional council for equal periods. The mayor of the former Paroisse de Saint-Félix-de-Valois shall serve the first term as mayor of the new provisional council followed by the mayor of the former Village de Saint-Félix-de-Valois.

If a seat is vacant at the time of coming into force of this Order in Council or becomes vacant during the term of the provisional council, one additional vote shall be allotted to the mayor or acting mayor of the former municipality of origin of the council member whose seat has become vacant.

For the term of the provisional council, the elected municipal officers shall receive the same remuneration as they were receiving before the coming into force of this Order in Council.

6. The first general election shall be held on the first Sunday of the fourth month following the month in which this Order in Council comes into force. If that date falls on the first Sunday in January, the first general election shall be postponed to the first Sunday in February. The second general election shall be held on the first Sunday in November 2001.

The council of the new municipality shall be composed of 7 members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats shall be numbered from 1 to 6. For the second general election, the new municipality shall be divided into

6 electoral districts, in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2).

7. For the first general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Paroisse de Saint-Félix-de-Valois, shall be eligible for seats 1, 3 and 5 and only the persons who would be eligible under that Act, if such election were an election of the council members of the former Village de Saint-Félix-de-Valois, shall be eligible for seats 2 and 4.

The persons eligible for seat 6 shall be only those persons whose eligibility results from their right to be registered on the electoral list of a sector made up of the urban perimeter shown on the urbanization perimeter plan dated 26 May 1988, attached to this Order in Council, including, in particular, the sector made up of the territory of the former village.

8. Any budgets adopted by the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new municipality and the expenditures and revenues shall be accounted for separately as if those municipalities continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budgets of each of the former municipalities in proportion to their standardized real estate value established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 92 amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as it appears in their financial statements for the last fiscal year prior to the fiscal year during which this Order in Council comes into force.

9. The terms and conditions for apportioning the cost of joint services provided for in intermunicipal agreements in force before the coming into force of this Order in Council continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

10. For the first five complete fiscal years following the coming into force of this Order in Council, the balance of the annual payments in capital and interest for the loans contracted by the former municipalities (By-law 387-96 of the former village and By-law 572-96 of the former parish) for the improvement of the drink-

ing water supply system shall be charged to the sector made up of the territory of each former municipality in the same proportions as those provided for with respect to capital expenditures in the intermunicipal agreement entered into on 11 October 1996.

From the sixth complete fiscal year following the coming into force of this Order in Council, the balance in capital and interest for the loans mentioned in the preceding paragraph shall be, in a proportion of 76 %, charged to the users of the drinking water supply system and the waterworks system of Rang Saint-Martin and shall be reimbursed by means of a compensation rate that the council of the new municipality shall fix annually. An amount representing 24 % of the balance in capital and interest of those loans shall be charged to all the taxable immovables of the new municipality on the basis of the value entered on the assessment roll in force each year.

The taxation clauses in those by-laws shall be amended accordingly.

11. The appropriation made by the former Paroisse de Saint-Félix-de-Valois, under Resolution 208-95 regarding the share payable by the latter for the costs of enlarging the fire station under the intermunicipal agreement signed on 21 December 1992 between the parish and the former Village de Saint-Félix-de-Valois, shall be charged to the new municipality.

12. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the new municipality applied separate budgets shall be used for the benefit of ratepayers of the former municipality that accumulated it; it may be used to carry out public works in the sector made up of the territory of the former municipality, to reduce the taxes applicable to all the taxable immovables in that sector or to repay debts charged to the entire sector.

13. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the new municipality applied separate budgets shall remain charged to all the taxable immovables of the sector made up of the territory of the former municipality.

14. The balance in capital and interest for the loans contracted by the former Paroisse de Saint-Félix-de-Valois under By-laws 455-87, 535-93, 541-94, 585-97 and 591-97 shall be charged to all the taxable immovables of the new municipality on the basis of the value entered on the assessment roll in force each year.

The taxation clauses in those by-laws shall be amended accordingly.

15. An amount representing 70 % of the balance in capital and interest for the loan contracted by the former Paroisse de Saint-Félix-de-Valois under By-law 596-96 shall be charged to the immovables with waterworks services, built or not, and located along Rang Saint-Martin and Chemin de Joliette.

— To cover 60 % of that amount, a special tax shall be imposed and levied on those immovables on the basis of the value entered on the assessment roll in force each year.

— To cover 40 % of that amount, a tax shall be imposed and levied on those immovables according to their frontage.

An amount representing 30 % of the balance in capital and interest for the loan contracted by the former Paroisse de Saint-Félix-de-Valois under By-law 569-96, shall be charged to the immovables of the sector made up of lots 518 and 519 of the cadastre of the Paroisse de Sainte-Élisabeth in the industrial park.

Therefore, a special tax shall be imposed and levied on those immovables according to their area.

In the case of non-taxable immovables governed by the preceding paragraphs, the proportion of the cost attributed to those immovables shall be charged to all the taxable immovables of the new municipality. Therefore, a special tax shall be imposed and levied on all the taxable immovables of the new municipality on the basis of the value entered on the assessment roll in force each year.

The taxation clauses in that by-law shall be amended accordingly.

16. An amount representing 60 % of the balance in capital and interest for the loan contracted by the former Paroisse de Saint-Félix-de-Valois under By-law 570-96, shall be charged to the immovables located along the water main of Durand and Beaudry streets.

Therefore, a special tax shall be imposed and levied on those immovables according to their area.

An amount representing 40 % of the balance in capital and interest for the loan contracted by the former Paroisse de Saint-Félix-de-Valois under By-law 570-96, shall be charged to all the immovables in the sector made up of lots 518 and 519 of the cadastre of the Paroisse de Sainte-Élisabeth in the industrial park.

Therefore, a special tax shall be imposed and levied on those immovables according to their area.

In the case of non-taxable immovables governed by the preceding paragraphs, the proportion of the cost attributed to those immovables shall be charged to all the taxable immovables of the new municipality and a special tax shall be imposed and levied on all the taxable immovables of the new municipality on the basis of the value entered on the assessment roll in force each year.

The taxation clauses in those by-laws shall be amended accordingly.

17. The balance in capital and interest for the loans contracted by the former Village de Saint-Félix-de-Valois under By-laws 328-91, 318-90, 346-93, 363-94, 372-95, 356-94, 361-94 and 394-97 shall be charged to all the taxable immovables of the new municipality on the basis of the value entered on the assessment roll in force each year.

The taxation clauses in those by-laws shall be amended accordingly.

18. The balance in capital and interest of the amounts owed to the Société québécoise d'assainissement des eaux under the Agreement signed by the Gouvernement du Québec and the former Village de Saint-Félix-de-Valois on 21 December 1984 shall be charged to the users who have sewer services on the territory of the new municipality and it shall be reimbursed by means of a compensation rate fixed annually by the council of the new municipality.

19. The annual repayment of the instalments in capital and interest for all the loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council and not governed by sections 10, 11, 14, 15, 16, 17 and 18 shall remain charged to the former municipality that made them, in accordance with the taxation clauses provided for in the by-laws. If the new municipality decides to amend the taxation clauses of those by-laws in accordance with the law, the amendments may refer only to the taxable immovables in the sector made up of the territory of that former municipality.

20. Part of the subsidy granted by the Government within the scope of the Programme d'aide financière au regroupement municipal (PAFREM) shall be used for the benefit of the sector made up of the territory of the former Paroisse de Saint-Félix-de-Valois in order to reduce the general real estate tax. The following amounts from the subsidy shall be used for the purposes of that reduction:

For the first complete fiscal year following the coming into force of this Order in Council:	\$90 000
For the second year:	\$75 000
For the third year:	\$55 000
For the fourth year:	\$35 000
For the fifth year:	\$15 000

The balance of the subsidy, if any, may be used to carry out works regarding immovables in the sector made up of the territory of that former parish, to reduce real estate taxes in that sector or to repay debts charged to that sector.

21. Any debt or gain that may result from legal proceedings for any act performed by a former municipality will continue to be charged to or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

22. A municipal housing bureau is incorporated under the name of "Office municipal de la Municipalité de Saint-Félix-de-Valois".

That municipal bureau shall succeed to the municipal housing bureau of the former Village de Saint-Félix-de-Valois which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) apply to the municipal housing bureau of the new Municipalité de Saint-Félix-de-Valois as if it had been incorporated by letters patent under section 57 of that Act.

The members of the bureau shall be the members of the municipal housing bureau of the former Village de Saint-Félix-de-Valois.

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

24. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality in order to replace all the zoning and subdivision by-laws applicable on all the territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to all the territory of the new municipality, provided that such

a by-law comes into force within 4 years following the coming into force of this Order in Council.

Such a by-law shall be approved, in accordance with the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), by the qualified voters of all the territory of the new municipality.

25. In accordance with the Order in Council concerning the amendment to the agreement respecting the Cour municipale de la Municipalité régionale de comté de Matawinie, made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de la Municipalité régionale de comté de Matawinie shall have jurisdiction over the territory of the new municipality.

26. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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OFFICIAL DESCRIPTION OF THE LIMITS OF  
THE TERRITORY OF THE MUNICIPALITÉ DE  
SAINT-FÉLIX-DE-VALOIS, IN THE  
MUNICIPALITÉ RÉGIONALE DE COMTÉ DE  
MATAWINIE

The current territory of the Paroisse de Saint-Félix-de-Valois, in the Municipalité régionale de comté de Matawinie, comprising, in reference to the cadastres of the parishes of Sainte-Élisabeth and Saint-Félix-de-Valois, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railways, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northern angle of lot 518 of the cadastre of the Paroisse de Saint-Félix-de-Valois; thence, successively, the following lines and demarcations: successively southeasterly and southerly, the broken line dividing the cadastre of the Paroisse de Saint-Félix-de-Valois and the cadastre of the Paroisse de Saint-Norbert to the apex of the southern angle of Lot 484 of the former cadastre, that line crossing a public road (Route Saint-Norbert) that it meets; southeasterly, part of the line dividing the cadastres of the parishes of Sainte-Élisabeth and Saint-Norbert to the apex of the eastern angle of Lot 751 of the cadastre of the Paroisse de Sainte-Élisabeth; successively, southerly, the east line of Lot 751 of the said cadastre, a straight line crossing a public road (Rang Saint-Pierre) to the apex of the northeastern angle of Lot 752 of the said cadastre, and the east line of the said lot; westerly, the south line of the said lot; southerly, part of the line dividing the



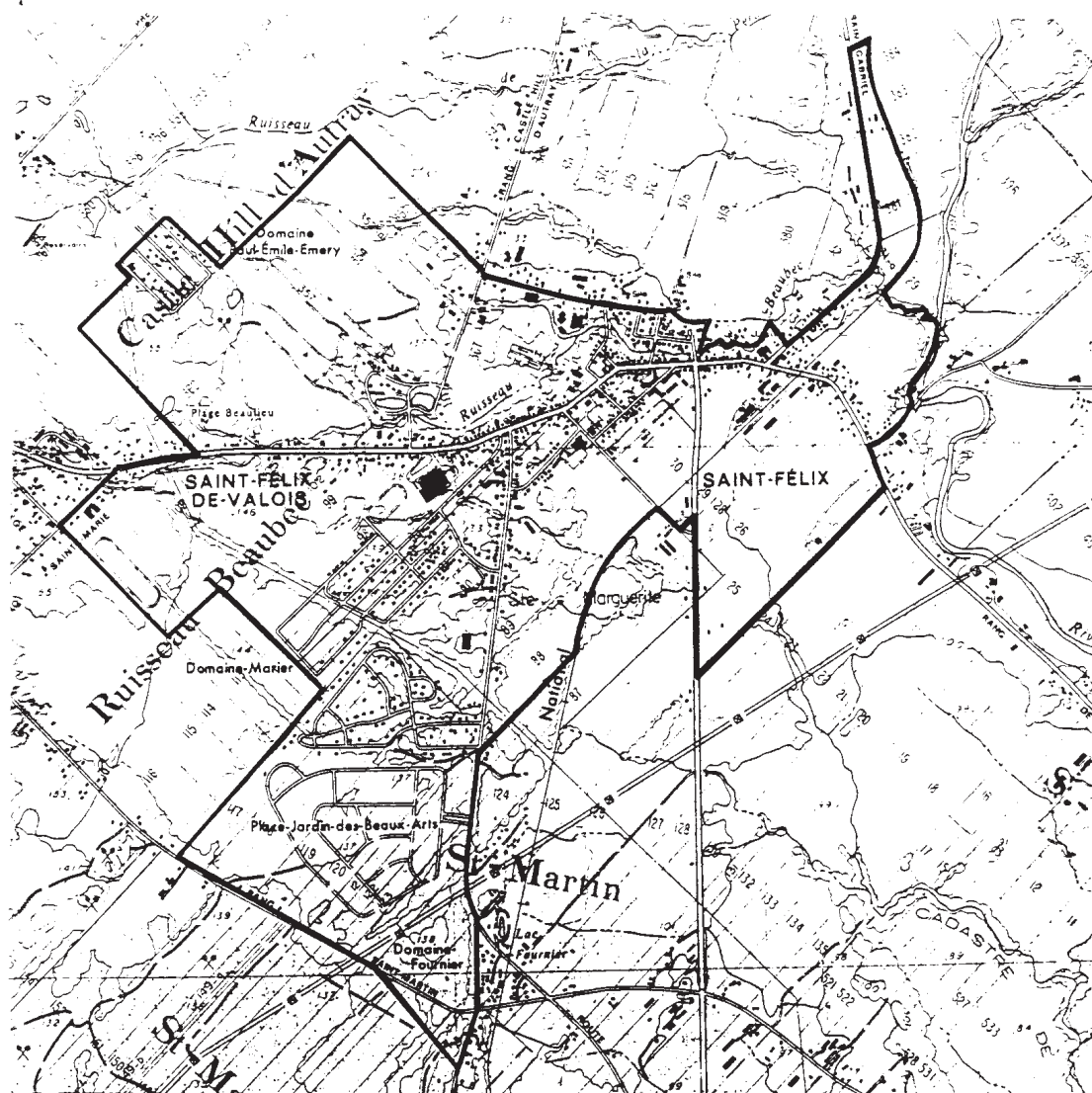
cadastres of the parishes of Saint-Félix-de-Valois and Sainte-Élisabeth to the north shore of Rivière La Grande Coulée (Bayonne); successively northerly and westerly, the north shore of the said river to its meeting point with the extension to the north of a line tangent to the island of Rivière La Grande Coulée (Lot 625) of the cadastre of the Paroisse Sainte-Élisabeth; in reference to that cadastre, in a general southerly direction, the said extension and the line tangent to the said island, then a straight line to the apex of the eastern angle of lot 623; south-westerly, the southeast line of the said lot 623 and its extension to the centre line of Branche de la Rivière Bayonne, that line extending across Route 345 that it meets; in a general northerly direction, the centre line of the said river to its meeting point with the extension to the northeast of the southeast line of Lot 544; southwest-erly, the said extension and successively, the said south-east line of Lot 544 and the southeast line of Lot 545, those lines coinciding in part with the northwest side of the right-of-way of the public road (Route Frédéric) and extending across another public road (Rang Saint-Martin) to the apex of the southern angle of the said Lot 544; in a general southeasterly direction, crossing a public road (Route Frédéric), part of the broken northeast line of Lot 458 to the apex of the southeastern angle of the said lot; westerly, successively, the south line of lots 458, 459, 460 and 461; southerly, part of the east line of Lot 462 to the apex of the southeastern angle of the said lot; westerly, part of the line dividing ranges Saint-Frédéric and Sainte-Émélie-Nord, to its meeting point with the left bank of Rivière L'Assomption, that line extending across Route 131 and crossing a railway (Lot 778) that it meets; in a general northerly direction, part of the left bank of the said river upstream, to its meeting point with the northwest line of the cadastre of the Paroisse de Saint-Félix-de-Valois; successively north-easterly and northwesterly, the broken line dividing the cadastre of the Paroisse Saint-Félix-de-Valois and the cadastre of the Paroisse de Saint-Jean-de-Matha to the apex of the western angle of Lot 652 of the former cadastre, that line crossing Route 131 and Rivière Berthier that it meets; successively northeasterly and southeast-erly, part of the broken line dividing the cadastre of the Paroisse de Saint-Félix-de-Valois and the cadastre of the Paroisse de Saint-Gabriel-de-Brandon to the apex of the eastern angle of Lot 659, that line crossing the Chemin Troisième Rang that it meets; southeasterly, the north-east line of Lot 638 and its extension to the southeast to the centre line of Rivière La Grande Coulée; succes-sively southwest-erly and northerly, the centre line of the said river to its meeting point with the extension to the northeast of the southeast line of Lot 658; southwest-erly, the said extension and part of the said southeast line of Lot 658, then part of the southeast line of Lot 658-1 to the apex of the northern angle of Lot 642; succes-sively southeasterly, the northeast line of Lot 642, that

line crossing Berthier and La Grande Coulée rivers and extending across Route 348 that it meets, then the north-east line of Lot 561; finally, northeasterly, part of the northwest line of Lot 519 and the northwest line of Lot 518 to the starting point, that line crossing a railway (Lot 660) and the Chemin 2<sup>e</sup> Rang Sainte-Cécile that it meets; the said limits define the territory of the Municipalité de Saint-Félix-de-Valois.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 5 November 1997

Prepared by: \_\_\_\_\_  
JEAN-PIERRE LACROIX,  
*Land surveyor*

F-128/1



**PÉRIMÈTRE D'URBANISATION**  
 Saint-Félix-de-Valois (village et paroisse)  
 En vigueur en date du 05 septembre 1997



Périmètre d'urbanisation en vigueur depuis le 26 mai 1988

1605-97

Gouvernement du Québec

## O.C. 1606-97, 10 December 1997

Amalgamation of the Municipalité de Saint-Isidore-d'Auckland and the Partie est du Canton de Clifton

WHEREAS each of the municipal councils of the Municipalité de Saint-Isidore-d'Auckland and the Partie est du Canton de Clifton adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the 2 municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

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

WHEREAS objections were sent to the Minister of Municipal Affairs, but he did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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

THAT the application be granted and that a local municipality be constituted through the amalgamation of the Municipalité de Saint-Isidore-d'Auckland and the Partie est du Canton de Clifton, on the following conditions:

1. The name of the new municipality is "Municipalité de Saint-Isidore-de-Clifton".

2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 3 November 1997 and attached as a schedule to this Order in Council.

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

4. The new municipality will be part of the Municipalité régionale de comté du Haut-Saint-François.

5. A provisional council will remain in office until the first general election. It will be composed of all the members of both councils existing at the time of the coming into force of this Order. The quorum shall be half the members in office plus one. The present mayors will alternate as mayor and deputy mayor of the provi-

sional council for 2 equal periods. The mayor of the former Partie est du Canton de Clifton will serve first as the mayor of the provisional council and the mayor of the former Municipalité de Saint-Isidore-d'Auckland will serve second.

If the mayor of a former municipality is unable to sit on the provisional council, he shall be replaced by the person who was the deputy mayor of that former municipality.

By-law No. 01-97 of the former Partie est du Canton de Clifton respecting the remuneration of elected officers shall apply to the new municipality, until it is amended by the council of the new municipality.

6. The first general election will be held on the first Sunday of the fourth month following the month in which this Order comes into force. If that date falls on the first Sunday in January, the first general election shall be postponed to the first Sunday of February. The second general election will be held on the first Sunday in November 2002.

7. The council of the new municipality will be composed of 7 members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats will be numbered from 1 to 6.

8. For the first two general elections, only the persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Municipalité de Saint-Isidore-d'Auckland, shall be eligible for seats 1, 3, and 5 and only the persons who would be eligible under that Act, if such election were an election of the council members of the former Partie est du Canton de Clifton, shall be eligible for seats 2, 4 and 6.

9. Mrs. Adèle Madore, secretary-treasurer of the former Partie est du Canton de Clifton, will act as the deputy secretary-treasurer of the new municipality until the council composed of elected members decides otherwise.

10. Any budgets adopted by the former municipalities for the fiscal year during which this Order in Council comes into force will continue to be applied by the council of the new municipality, and the expenditures and revenues will have to be accounted for separately as if those municipalities continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation will be charged to the budgets of each of the former

municipalities in proportion to their standardized real estate values established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992 amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as appearing in the financial statements of those former municipalities for the last fiscal year ending prior to the coming into force of this Order.

11. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in force before the coming into force of this Order in Council shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

12. Any surplus accumulated by a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets, shall be used as follows:

— the surplus accumulated on behalf of the former *Partie est du Canton de Clifton* shall be used as a priority to purchase a tank truck for the fire protection service and to construct a garage for that purpose which will be adjacent to the community hall of the former *Partie est du Canton de Clifton*. Any balance shall be used exclusively for highway maintenance and repair in the sector made up of the territory of that former municipality;

— the surplus accumulated on behalf of the former *Municipalité de Saint-Isidore-d'Auckland* shall be used exclusively for carrying out public works in the sector made up of the territory of that former municipality.

13. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets will remain charged to all the taxable immovables of the sector made up of the territory of that former municipality.

14. Any debt or gain that may result from legal proceedings for any act performed by a former municipality will continue to be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

15. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la *Municipalité de Saint-Isidore-de-Clifton*".

That municipal bureau shall succeed to the Office municipal de la *Municipalité de Saint-Isidore-d'Auckland*, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the *Société*

d'habitation du Québec (R.S.Q., c. S-8) apply to the municipal housing bureau of the new *Municipalité de Saint-Isidore-de-Clifton* as if it had been incorporated by letters patent under section 57 of that Act.

The members of the bureau shall be the members of the Office d'habitation de la *Municipalité de Saint-Isidore-d'Auckland*.

16. The municipality shall inherit the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to any proceeding in the place and stead of those former municipalities.

17. The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of each of the former municipalities shall remain in force in the territory for which they were drawn up, until they are amended, cancelled or revoked, and insofar as they are compatible with this Order in Council.

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

19. From the coming into force of this Order, the use of the Centre communautaire of the former *Partie est du Canton de Clifton* shall be changed and the services of the municipal library shall be relocated in that place.

20. From the coming into force of this Order, the municipal court of the *Ville d'East Angus* shall become, without any other formality, the municipal court of the new municipality, in accordance with section 18.2 of the Act respecting municipal courts (R.S.Q., c. C-72.01).

21. An annual tax credit shall be granted on all the taxable immovables in the sector made up of the territory of the former *Partie est du Canton de Clifton* for the first 4 complete fiscal years following the coming into force of this Order in Council.

That credit shall be \$0.17 per \$100 of assessment the first year, \$0.14 per \$100 of assessment the second year, \$0.10 per \$100 of assessment the third year and \$0.07 per \$100 of assessment the fourth and last year.

22. In accordance with the attestation of conformity issued for the establishment of a solid waste elimination site under the Environment Quality Act (R.S.Q., c. Q-2) in respect of a site situated on lot 8 of Rang 8 of the official cadastre of the *Canton d'Auckland*, the new municipality may continue to operate that site.

23. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

OFFICIAL DESCRIPTION OF THE LIMITS OF  
THE TERRITORY OF THE MUNICIPALITÉ DE  
SAINT-ISIDORE-DE-CLIFTON IN THE  
MUNICIPALITÉ RÉGIONALE DE COMTÉ DU  
HAUT-SAINT-FRANÇOIS

The present territory of Municipalité de la partie est du Canton de Clifton and of Municipalité de Saint-Isidore-d'Auckland, in the Municipalité régionale de comté du Haut-Saint-François comprising, in reference to the cadastres of the townships of Auckland and Clifton, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the south line of the cadastre of the Canton de Ditton with the line dividing the cadastres of the townships of Auckland and Emberton; thence, successively, the following lines and demarcations: southerly, the said line dividing the cadastres; in a general southwesterly direction, the irregular border line Canada/United States to its meeting point with the line dividing lots 17 from ranges 7 and 6 of the cadastre of the Canton d'Auckland; westerly, the line dividing the said ranges to the line dividing the cadastres of the townships of Auckland and Clifton, that line crossing a railway, a public road (Saint-Malo-Saint-Isidore) and Rivière Clifton that it meets; southerly, part of the latter line dividing the cadastres to its meeting point with the line dividing the cadastres of the townships of Clifton and Auckland from the cadastre of the Canton de Hereford, that line crossing Chemin Bank, route 253 and the Chemin du Lac that it meets; westerly, part of the line dividing the cadastres of the townships of Clifton and Hereford to the line dividing ranges 4 and 5 of the cadastre of the Canton de Clifton; in reference to that cadastre, northerly, part of the latter line dividing the ranges to the apex of the northeastern corner of lot 17 of Rang 5, that line extended across Rivière Ascot and route 206 that it meets, passing by the west side of the right of way of Chemin Robinson; westerly, the line dividing lots 18 and 17 in ranges 5 and 6, that line crossing Ruisseau Pope and a public road (chemin des 5<sup>e</sup> et 6<sup>e</sup> Rangs) that it meets; northerly, part of the line dividing ranges 6 and 7 to the north line of the said cadastre, that line crossing a public road (chemin de Martinville) and Ruisseau de la Truite; finally, easterly, successively, part of the said north line of the said cadastre and the line dividing the cadastre of the Canton d'Auckland from the cadastres of the townships of New-

port and Ditton to the starting point; the said limits define the territory of the Municipalité de Saint-Isidore-de-Clifton.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 3 November 1997

Prepared by: JEAN-PIERRE LACROIX,  
*Land surveyor*

I-37/1

1915

Gouvernement du Québec

**O.C. 1607-97, 10 December 1997**

Amalgamation of Village de Saint-Denis and Paroisse de Saint-Denis

WHEREAS each of the municipal councils of Village de Saint-Denis and Paroisse de Saint-Denis adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

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

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

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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

THAT the application be granted and that a local municipality resulting from the amalgamation of Village de Saint-Denis and Paroisse de Saint-Denis be constituted, under the following conditions:

1. The name of the new municipality is "Municipalité de Saint-Denis-sur-Richelieu".
2. The description of the territory of the new municipality is the description drawn up by the Minister of

Natural Resources on 10 November 1997; that description is attached as a Schedule to this Order in Council.

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

4. The new municipality is part of the Municipalité régionale de comté de La Vallée-du-Richelieu.

5. A provisional council shall remain in office until the first general election. It shall be composed of all the members of both councils existing when this Order in Council comes into force. The quorum shall be half of the members in office plus one. The current mayors shall alternate each month as mayor and deputy mayor of the provisional council. A drawing of lots shall determine which mayor will act as mayor for the first month of the provisional council.

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

6. The first general election shall be held on the first Sunday of November 1998. The second general election shall be held on the first Sunday in November 2001.

7. The council of the new municipality shall be composed of seven members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats shall be numbered from 1 to 6.

8. For the first and second general elections, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Village de Saint-Denis shall be eligible for seats 1, 3 and 5 and only those persons who would be eligible under that Act, if such election were an election of the council members of the former Paroisse de Saint-Denis, shall be eligible for seats 2, 4 and 6.

9. Any budget adopted by each of the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new municipality and the expenditures and revenues shall be accounted for separately as if the former municipalities continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budgets of each of the former municipalities in proportion to their standardized real estate values, established in accordance with the Regu-

lation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992 amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as appearing in their financial statements for the last fiscal year completed before this Order in Council comes into force.

The portion of the subsidy paid under the Programme d'aide au regroupement municipal (PAFREM) related to the first year of the amalgamation shall constitute a reserve to be paid into the general fund of the new municipality for the first fiscal year in which the new municipality does not apply separate budgets.

10. The terms and conditions for apportioning the cost of shared services provided for in the intermunicipal agreements in force before the coming into force of this Order in Council shall continue to be applied until the end of the last fiscal year for which the former municipalities adopted separate budgets.

11. Any surplus, including reserve funds, accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget shall be used for the benefit of all the taxable immovables in the sector made up of the territory of that former municipality.

12. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget shall remain charged to all the taxable immovables in the sector made up of the territory of that former municipality.

13. Until the council decides otherwise, all expenses related to the sewer service shall remain charged to the users of the sewer network and shall be reimbursed by means of a compensation rate that the new municipality shall fix annually.

14. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Municipalité de Saint-Denis-sur-Richelieu".

That municipal bureau shall succeed to the municipal housing bureau of the former Village de Saint-Denis, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) apply to the municipal housing bureau of the new Municipalité de Saint-Denis-sur-Richelieu as if it had been incorporated by letters patent under section 57 of that Act.

15. A tax credit shall be granted for all the taxable immovables in the sector made up of the territory of the

former Paroisse de Saint-Denis for the first complete fiscal year following the coming into force of this Order in Council. That credit shall be \$0.06 per \$100 of assessment.

16. Any debt or gain that may result from legal proceedings or a transaction in respect of an act performed by a former municipality shall be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

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

The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of the former municipalities shall remain in force in the territory for which they were drawn up, until they are amended, cancelled or repealed, provided that they are consistent with this Order in Council.

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

19. In accordance with the Order in Council amending the agreement concerning the Cour municipale de la Ville de Mont-Saint-Hilaire, made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale de la Ville de Mont-Saint-Hilaire will have jurisdiction over the territory of the new municipality.

20. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

OFFICIAL DESCRIPTION OF THE LIMITS OF  
THE TERRITORY OF THE MUNICIPALITÉ DE  
SAINT-DENIS-SUR-RICHELIEU, IN THE  
MUNICIPALITÉ RÉGIONALE DE COMTÉ DE LA  
VALLÉE-DU-RICHELIEU

The current territory of Paroisse de Saint-Denis and Village de Saint-Denis, in the Municipalité régionale de comté de La Vallée-du-Richelieu, comprising, in reference to the cadastre of Paroisse de Saint-Denis, the lots or parts of lots and their present and future subdivisions as well as the roads, routes, streets, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting

point of the centre line of Rivière Richelieu with the northwest extension of the line dividing the cadastres of the parishes of Saint-Denis and Saint-Ours; thence, successively, the following lines and demarcations: south-easterly, the said extension and part of the said line dividing the cadastres to the apex of the east angle of lot 437 of the cadastre of Paroisse de Saint-Denis, that line extended across route 133 and Chemin du Rang Amyot that it meets; in reference to that cadastre, in a general southerly direction, successively, the east line of lots 437, 436, 435, 432, 431, 430, 429, 428, 424, 422, 421, 420 and 419, that line across Rivière Amyot that it meets; southeasterly, part of the northeast line of lot 476 to the apex of the east angle of the said lot, that line crossing Rivière Amyot that it meets; southwesterly, the southeast line of lots 476, 475, 477, 478 and 479; south-easterly, part of the northeast line of lot 482 to the apex of the east angle of the said lot; southwesterly, the southeast line of lots 482, 483, 484, 485, 488, 489, 490 and part of the southeast line of lot 494 to the apex of the north angle of lot 663; southeasterly, successively, the northeast line of lot 663, crossing Chemin du 4<sup>e</sup> rang des Grand Bois Est that it meets and the northeast line of lot 685, crossing Chemin du 5<sup>e</sup> rang Jalbert that it meets; successively southerly, northwesterly and southerly, part of the broken line dividing the cadastre of Paroisse de Saint-Denis from the cadastre of Paroisse de La Présentation to the apex of the south angle of lot 602 of the first above-mentioned cadastre, partially along the southwest side of the right-of-way of Chemin des Seizes bordering to the northeast lot 50 of the cadastre of Paroisse de la Présentation, and extended across route 137 that it meets; northwesterly, the southwest line of lot 602 of the cadastre of Paroisse de Saint-Denis; in reference to that cadastre, northerly, the east side of the right-of-way of Chemin du 4<sup>e</sup> rang des Grands Bois Ouest to the southeast extension of the line dividing lots 585 and 587; northwesterly, the said extension and the line dividing the said lots; southwesterly, part of the northwest line of lot 587 to the apex of the north angle of lot 588; successively, southeasterly and southwesterly, the northeast and southeast lines of lot 588; northwesterly, the line dividing lots 588 and 586 from lot 592 to the apex of the east angle of lot 589; southerly, the east line of lot 589, 590, 591, 283, 282 and 281; southeasterly, part of the line dividing lots 279 and 594 to the apex of the east angle of lot 279; southerly, the east line of lots 279 and 278; northwesterly, part of the line dividing lots 278 and 596 to the apex of the east angle of lot 277; south-erly, the line dividing lots 277 and 596; northwesterly, part of the line dividing the cadastres of the parishes of Saint-Denis and Saint-Charles, extended across Chemin du Rang Amyot Ouest and Rivière Amyot that it meets, and its extension to the centre line of Rivière Richelieu; finally, in a general northerly direction, the centre line of the said river downstream, passing to the southeast of

island 313 of the cadastre of Paroisse de Saint-Antoine and to the northwest of island 728 of the cadastre of Paroisse de Saint-Denis to the starting point; the said limits describe the territory of the Municipalité de Saint-Denis-sur-Richelieu.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 10 November 1997

Prepared by: JEAN-PIERRE LACROIX,  
*Land surveyor*

D-127/1

1916

Gouvernement du Québec

### **O.C. 1610-97, 10 December 1997**

An Act respecting municipal territorial organization  
(R.S.Q., c. O-9)

Amalgamation of Village de Ferme-Neuve and  
Paroisse de Ferme-Neuve

WHEREAS each of the municipal councils of Village de Ferme-Neuve and Paroisse de Ferme-Neuve adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

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

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

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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

THAT the application be granted and that a local municipality resulting from the amalgamation of Village de Ferme-Neuve and Paroisse de Ferme-Neuve be constituted, under the following conditions:

1. The name of the new municipality is "Municipalité de Ferme-Neuve".

2. The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 31 October 1997; that description is attached as a Schedule to this Order in Council.

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

4. The new municipality is part of the Municipalité régionale de comté d'Antoine-Labelle.

5. A provisional council shall remain in office until the first general election. It shall be composed of all the members of both councils existing when this Order in Council comes into force. The quorum shall be half of the members in office plus one. The current mayors shall alternate every two months as mayor of the provisional council. The mayor of the former Village de Ferme-Neuve shall serve for the first 2-month period.

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

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

6. The first general election shall be held on the first Sunday of the fourth month following the month in which this Order in Council comes into force. If that date falls on the first Sunday of January, the first general election shall be postponed to the first Sunday in February. The second general election shall be held on the first Sunday in November 2001.

The council of the new municipality shall be composed of seven members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats shall be numbered from 1 to 6.

7. For the first general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Village de Ferme-Neuve shall be eligible for seats 1, 2 and 3 and only those persons who would be eligible under that Act, if such election were an election of the council members of the former Paroisse de Ferme-Neuve, shall be eligible for seats 4, 5 and 6.



8. Any budget adopted by each of the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new municipality and the expenditures and revenues shall be accounted for separately as if the former municipalities continued to exist. Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budgets of each of the former municipalities in proportion to their standardized real estate values, established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992 amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as appearing in their financial statements for the last fiscal year ending before the one in which they adopted separate budgets.

9. If section 8 applies, the portion of the subsidy paid under the Programme d'aide au regroupement municipal (PAFREM) related to the first year following the year this Order in Council comes into force, less the expenditures recognized by the council as resulting from the amalgamation and financed with that portion of the subsidy, shall constitute a reserve to be paid into the general fund of the new municipality in the first year where no separate budgets are applied.

10. The terms and conditions for apportioning the cost of shared services provided for in the intermunicipal agreements in force before the coming into force of this Order in Council shall continue to be applied until the end of the last fiscal year for which the former municipalities adopted separate budgets.

11. The working fund of the former Village de Ferme-Neuve shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets. The part of the fund that is not allocated then shall be added to the surplus accumulated on behalf of that former municipality and shall be used in accordance with section 12.

12. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality. It may be allocated to the carrying out of public works, to tax reductions applicable to all the taxable immovables of that sector or for the repaying of debts chargeable to that sector.

13. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget shall remain charged to all the

taxable immovables in the sector made up of the territory of that former municipality.

14. The balance in principal and interest of the loans taken out under By-laws 165, 167, 184 and 270 of the former Village de Ferme-Neuve and By-law 252 of the former Paroisse de Ferme-Neuve shall become chargeable to the users of the water and sewer networks of the new municipality and shall be repaid by means of a compensation rate to be fixed by the council of the new municipality each year.

The taxation clause in each of those by-laws shall be amended accordingly. The new municipality may amend those by-laws according to law if it carries out work to extend those networks.

15. The balance in principal and interest of the loan taken out under By-law 218 of the former Paroisse de Ferme-Neuve shall become, in a proportion of 75 %, chargeable to the taxable immovables in the sector made up of the territory of the former Village de Ferme-Neuve and it shall be repaid by means of a compensation rate to be fixed by the council of the new municipality each year.

The taxation clause of By-law 218 shall be amended accordingly.

16. The balance in principal and interest of the amounts due to the Société québécoise d'assainissement des eaux under the agreement signed by the Gouvernement du Québec and the former Village de Ferme-Neuve shall become chargeable to the users of the water and sewer network of the new municipality and shall be repaid by means of a compensation rate to be fixed by the council of the new municipality each year.

17. Any tax imposed under By-laws 213 and 215 of the former Village de Ferme-Neuve shall be replaced by a tax imposed on all the taxable immovables of the new municipality.

The taxation clauses in By-laws 213 and 215 shall be amended accordingly.

18. The annual repayment of the instalments in principal and interest of all the loans taken out under by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in sections 14, 15 and 16 shall remain charged to the sector made up of the territory of the former municipality that made the loans, in accordance with the taxation clauses in those by-laws. If the new municipality decides to amend the taxation clauses in those by-laws

according to law, those amendments may affect only the taxable immovables in the sector made up of the territory of that former municipality.

19. The surplus amounts from the loan taken out under By-law 270 by the former Village de Ferme-Neuve with respect to the works carried out by the Société québécoise d'assainissement des eaux shall be used to pay the annual instalments in principal and interest of that loan or, if the securities were issued for a term shorter than the term fix originally, to reduce the balance of the loan.

If the surplus amounts are used to pay the annual instalments of the loan, the rate of the tax imposed to pay them shall be reduced so that the revenue from the tax is equal to the balance of the loan, less the surplus amounts used.

20. Any debt or gain that may result from legal proceedings or a transaction in respect of an act performed by a former municipality shall be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

21. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Municipalité de Ferme-Neuve".

That municipal bureau shall succeed to the Office municipal d'habitation de Ferme-Neuve, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) apply to the municipal housing bureau of the new municipality as if it had been incorporated by letters patent under section 57 of that Act.

The members of the bureau shall be the members of the Office municipal d'habitation de Ferme-Neuve.

22. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new town in order to replace all the zoning and subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the town, provided that such a by-law comes into force within 4 years of the coming into force of this Order in Council.

Such a by-law must be approved, in accordance with the Act respecting elections and referendums in municipi-

palities, by the qualified voters of the whole territory of the new municipality.

23. All the movable and immovable property belonging to the former municipalities shall become the property of the new municipality.

24. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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#### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE FERME-NEUVE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ D'ANTOINE-LABELLE

The current territory of Paroisse de Ferme-Neuve and Village de Ferme-Neuve, in the Municipalité régionale de comté d'Antoine-Labelle, comprising, in reference to the cadastres of the townships of Fontbrune, Gravel, Major, Moreau, Pope and Würtele the lots or parts of lots and their present and future subdivisions as well as the roads, routes, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northwest angle of the cadastre of the Canton de Fontbrune; thence, successively, the following lines and demarcations: southeasterly, the northeast line of the said cadastre, then part of the northeast line of the Canton de Gravel to the dividing line between ranges 5 and 4 of the said township; in that township, southwesterly, part of the said dividing line between the ranges to the dividing line between lots 21 and 22 of Rang 4 of the cadastre of the said township; southeasterly, the said dividing line between the lots in ranges 4, 3 and 2 and the dividing line between lots 21B and 22A of Rang 1; easterly, a straight line perpendicular to the right bank of Rivière du Lièvre to the centre line of the said river; in a general southeasterly direction, the said centre line of the river downstream to its meeting point with the straight line perpendicular to the left bank of the river and whose point of origin is the northwest end of the dividing line between lots 21 and 22B of Rang 1 of the cadastre of the Canton de Moreau; southeasterly, the said straight line to its point of origin, then in the cadastre of the Canton de Moreau, the line dividing lot 21 of Rang 1 from lots 22B and 22A or Rang 1 and 22 of Rang 2; southwesterly, part of the dividing line between ranges 1 and 2 to the dividing line between lots 11 and 12 of Rang 2; southeasterly, the said dividing line between the lots, then a straight line across Lac Moreau to the northwest end of the dividing line between lots 11 and 12 of Rang 4 and the said dividing line between the lots in ranges 4 and 5;

southwesterly, part of the dividing line between ranges 5 and 6 to the dividing line between the cadastres of the townships of Würtele and Moreau; southeasterly, part of the said dividing line between the cadastres to the line dividing the cadastres of the townships of Würtele and Campbell; westerly, part of the latter dividing line between the cadastres to the dividing line between ranges 4 and 3 of the cadastre of the Canton de Würtele; in that township, northerly, part of the said dividing line between the ranges to the dividing line between lots 5 and 4 of Rang 3; westerly, the said dividing line between the lots in ranges 3 and 2; northerly, part of the dividing line between ranges 2 and 1 to the dividing line between lots 13 and 12 of Rang 1; westerly, the said dividing line between the lots and its extension to the centre line of Rivière du Lièvre; in a general southerly direction, the centre line of the said river downstream to the extension of the dividing line between lots 28 and 27 of Rang 2 of the cadastre of the Canton de Pope; in that township, westerly, the said extension and the said dividing line between the lots in ranges 2, 3, 4 and 5, that line extended across route 309 that it meets; in the original survey, the north line of lot 27 of Rang 6 and its extension to the extended west line of Rang 7; northerly, the proposed west line of the said Rang 7 to the dividing line between the cadastres of the townships of Major and Pope; westerly, part of the said dividing line between the cadastres to the line dividing the cadastres of the townships of Major and Fontbrune from the cadastres of the townships of Sicotte and Baskatong, and from the townships of Briand and Gay; finally, northerly, the said dividing line between the cadastres and townships to the starting point; the said limits describe the territory of the Municipalité de Ferme-Neuve.

Ministère des Ressources naturelles  
Service de l'arpentage  
Charlesbourg, 31 October 1997

Prepared by: \_\_\_\_\_  
JEAN-PIERRE LACROIX,  
*Land surveyor*

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

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