

# Gazette officielle du Québec

## Part 2 Laws and Regulations

Volume 130  
21 January 1998  
No. 3

### Summary

Table of Contents  
Acts 1997  
Regulations and other acts  
Draft Regulations  
Index

Legal deposit — 1<sup>st</sup> Quarter 1968  
Bibliothèque nationale du Québec  
© Éditeur officiel du Québec, 1998

All rights reserved in all countries. No part of this publication may be translated, used or reproduced by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.



## Table of Contents

Page

### Acts 1997

160	An Act to amend the Act respecting safety in sports and other legislative provisions . . . . .	139
166	An Act to amend the General and Vocational Colleges Act and other legislative provisions . . . . .	157
169	An Act to amend the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons . . . . .	177
170	An Act to amend the Act respecting financial assistance for students . . . . .	181
171	An Act respecting the Ministère des Régions . . . . .	187
173	An Act to establish the special local activities financing fund and to amend the Act respecting municipal taxation . . . . .	205
175	An Act to again amend various legislative provisions concerning municipal affairs . . . . .	213
176	An Act to amend the Act respecting the Ministère de la Santé et des Services sociaux and the Act respecting the Régie de l'assurance-maladie du Québec . . . . .	271
178	An Act to abolish certain bodies . . . . .	275
179	An Act to again amend the Act respecting the conservation and development of wildlife . . . . .	291
183	An Act respecting the budget of Ville de Montréal . . . . .	297
185	An Act respecting the election of the first commissioners of the new school boards and amending various legislative provisions . . . . .	301
197	An Act respecting the Agence de développement Station Mont-Tremblay . . . . .	309
248	An Act to amend the Act respecting the Fédération des commissions scolaires du Québec . . . . .	315
256	An Act respecting Ville de Blainville . . . . .	319
259	An Act respecting the Fondation du Centre hospitalier de l'Université de Montréal . . . . .	323
260	An Act respecting Ville d'Otterburn Park . . . . .	329
261	An Act respecting Ville de Shawinigan . . . . .	333
407	An Act respecting the temporary replacement of the chief electoral officer . . . . .	339
	List of Bills sanctioned . . . . .	137

### Regulations and other acts

17-98	Professional Code — Engineers — Other terms and conditions for permits to be issued (Amend.) . . . . .	343
18-98	Professional Code — Diplomas issued by designated teaching establishments which give access to permits or specialist's certificates (Amend.) . . . . .	344
20-98	Devices which compensate for a physical deficiency (Amend.) . . . . .	345
	Bingo Rules (Amend.) . . . . .	347

### Draft Regulations

	Casino games . . . . .	349
	Occupational health and safety, An Act respecting... — Industrial establishments — Revocation . . . . .	350
	Professional Code — Respiratory therapists — Other terms and conditions for the issue of permits . . . . .	350
	Rates and terms and conditions of payment of the annual duty payable of the Régie de l'énergie . . . . .	351



**PROVINCE OF QUÉBEC**

2nd SESSION

35th LEGISLATURE

QUÉBEC, 19 DECEMBER 1997

## OFFICE OF THE LIEUTENANT-GOVERNOR

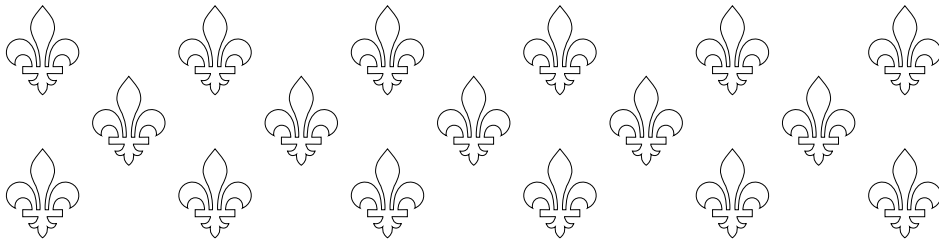
*Québec, 19 December 1997*

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

161	An Act to again amend the Taxation Act, the Act respecting the Québec sales tax and other legislative provisions	171	An Act respecting the Ministère des Régions
165	An Act to amend the Taxation Act, the Act respecting the Ministère du Revenu, the Act to facilitate the payment of support and the Act respecting the Québec Pension Plan	173	An Act to establish the special local activities financing fund and to amend the Act respecting municipal taxation
166	An Act to amend the General and Vocational Colleges Act and other legislative provisions	175	An Act to again amend various legislative provisions concerning municipal affairs
168	An Act to amend the Act respecting the Caisse de dépôt et placement du Québec	176	An Act to amend the Act respecting the Ministère de la Santé et des Services sociaux and the Act respecting the Régie de l'assurance-maladie du Québec
169	An Act to amend the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons	179	An Act to again amend the Act respecting the conservation and development of wildlife
170	An Act to amend the Act respecting financial assistance for students	180	An Act to amend the Education Act and various legislative provisions
		183	An Act respecting the budget of Ville de Montréal

- 185 An Act respecting the election of the first commissioners of the new school boards and amending various legislative provisions
- 197 An Act respecting the Agence de développement Station Mont-Tremblant (*modified title*)
- 198 An Act respecting Municipalité régionale de comté de Maria-Chapdelaine
- 224 An Act respecting the adoption of Rémi Julien
- 226 An Act respecting Ville de Varennes
- 248 An Act to amend the Act respecting the Fédération des commissions scolaires du Québec
- 253 An Act respecting the Association de villégiature du Mont Sainte-Anne
- 256 An Act respecting Ville de Blainville
- 259 An Act respecting the Fondation du Centre hospitalier de l'Université de Montréal
- 260 An Act respecting Ville d'Otterburn Park
- 261 An Act respecting Ville de Shawinigan
- 407 An Act respecting the temporary replacement of the chief electoral officer (*modified title*)

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



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 160  
(1997, chapter 79)

**An Act to amend the Act respecting  
safety in sports and other legislative  
provisions**

---

---

**Introduced 30 October 1997  
Passage in principle 12 November 1997  
Passage 17 December 1997  
Assented to 18 December 1997**

---

**Québec Official Publisher  
1997**

## EXPLANATORY NOTES

*This bill abolishes the Régie de la sécurité dans les sports du Québec and transfers its powers and functions to the Minister of Municipal Affairs, except for those concerning professional combat sports events which are expressly assigned to the Régie des alcools, des courses et des jeux.*

*The bill strikes out the provisions concerning licences to operate sports centres and abolishes the limited period of approval of safety regulations made by a sports federation or an unaffiliated sports body, as well as the power of the Régie de la sécurité dans les sports to extend the application of a safety regulation of a federation to an unaffiliated sports body formed to organize or practise the same sport.*

*In addition, the bill transfers the regulatory powers relating to combat sports events to the Régie des alcools, des courses et des jeux.*

*The bill also strikes out the provisions requiring a person who wishes to participate, in particular, as an organizer or contestant in a sports event involving motorized vehicles, a swimming and water sports event or a skiing event to hold a licence.*

*Lastly, the Minister of Municipal Affairs is conferred the power to adopt standards in order to ensure the safety of participants and spectators during the practice of a sport even if safety regulations of a sports federation or an unaffiliated sports body exist.*

## LEGISLATION AMENDED BY THIS BILL :

- Highway Safety Code (R.S.Q., chapter C-24.2);
- Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., chapter R-6.1);
- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- Act respecting safety in sports (R.S.Q., chapter S-3.1).



## **Bill 160**

### **AN ACT TO AMEND THE ACT RESPECTING SAFETY IN SPORTS AND OTHER LEGISLATIVE PROVISIONS**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### **ACT RESPECTING SAFETY IN SPORTS**

**1.** Section 1 of the Act respecting safety in sports (R.S.Q., chapter S-3.1) is amended

(1) by striking out paragraph 1 ;

(2) by striking out the words “as a legal person” in the second and third lines of paragraph 4.

**2.** Section 2 of the said Act is amended by replacing the words “a sport mentioned in section 40” in the first and second lines by the words “combat sports”.

**3.** The heading of Chapter II of the said Act is replaced by the following heading :

“FUNCTIONS AND POWERS OF THE MINISTER”.

**4.** Division I of Chapter II of the said Act is repealed.

**5.** The said Act is amended by striking out, after section 19, the following heading :

“**DIVISION II**

“FUNCTIONS AND POWERS OF THE BOARD”.

**6.** Section 20 of the said Act is amended

(1) by replacing the word “board” in the first line of the first paragraph by the words “Minister of Municipal Affairs” ;

(2) by replacing the word “It” in the first line of the second paragraph by the words “The Minister” ;

(3) by replacing the words “; for that purpose it” in the second line of the second paragraph by the words “and, for that purpose,”;

(4) by striking out subparagraph 7 of the second paragraph.

**7.** Section 21 of the said Act is amended

(1) by replacing the words “board may, in carrying out its functions” in the first line by the words “Minister may, in carrying out the functions of the Minister”;

(2) by striking out the words “, if a sports federation or unaffiliated sports body has no safety regulations” in the second and third lines of paragraph 2;

(3) by striking out paragraph 3.

**8.** Section 22 of the said Act is amended

(1) by replacing the words “board, at the request of the Minister or on its own initiative,” in the first line by the word “Minister”;

(2) by striking out the words “or be detrimental to the good reputation of any category of sports contemplated in section 40” in the third and fourth lines.

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

(1) by replacing the words “board, every time it holds an inquiry, shall give notice thereof” in the first line of the first paragraph by the words “Minister shall, whenever an inquiry is held, give notice” and by replacing the word “its” in the third line of that paragraph by the word “the”;

(2) by striking out the second paragraph.

**10.** Section 25 of the said Act is amended

(1) by replacing the word “board” in the first line of the first paragraph by the word “Minister”;

(2) by striking out the words “any premises where any person is participating in a sports event or acting at a sports event in any capacity referred to in section 41 or 43,” in the first, second and third lines of subparagraph 1 of the second paragraph;

(3) by striking out the words “and any sports centre” in the fourth line of subparagraph 1 of the second paragraph;

(4) by replacing the word “he” in the second line of subparagraph 2 of the second paragraph by the words “the person”;

(5) by striking out subparagraph 3 of the second paragraph;

(6) by striking out the words “of any person participating in a sports event or acting at a sports event in any capacity referred to in section 41 or 43,” in the first and second lines of subparagraph 4 of the second paragraph;

(7) by striking out the words “a sports centre or” in the third line of subparagraph 4 of the second paragraph;

(8) by replacing the word “he” in the fourth line of subparagraph 4 of the second paragraph by the words “the owner, operator or person”;

(9) by striking out the words “of any person participating in a sports event or acting at a sports event in any capacity referred to in section 41 or 43, or” in the first, second and third lines of subparagraph 5 of the second paragraph;

(10) by striking out the words “a sports centre or” in the third and fourth lines of subparagraph 5 of the second paragraph;

(11) by replacing the words “he install a measuring device and transmit to him” in the fourth and fifth lines of subparagraph 5 of the second paragraph by the words “the owner or operator install a measuring device and transmit to the authorized person”;

(12) by striking out subparagraph 6 of the second paragraph;

(13) by striking out the words “of any person participating in a sports event or acting at a sports event in any capacity referred to in section 41 or 43 or” in the first and second lines of subparagraph 8 of the second paragraph;

(14) by replacing the words “a sports centre or premises where a sport can be practised that he provide him” in the third and fourth lines of subparagraph 8 of the second paragraph by the words “premises where a sport can be practised that the owner or operator provide the authorized person”;

(15) by replacing the word “board” in the first line of the third paragraph by the word “Minister”;

(16) by replacing the word “board” in the second line of the third paragraph by the word “Minister”.

**11.** Section 27 of the said Act is amended

(1) by replacing the word “board” in the second line of the first paragraph by the word “Minister”;

(2) by replacing the word “board” in the first line of the second paragraph by the word “Minister”;

(3) by striking out the words “, for a period of not more than five years” in the second line of the second paragraph;

(4) by replacing the word “board” in the first line of the third paragraph by the word “Minister”;

(5) by replacing the word “it” in the second line of the third paragraph by the word “Minister”;

(6) by replacing the word “board” in the fourth line of the third paragraph by the word “Minister”;

(7) by replacing the words “board, the board” in the second line of the fourth paragraph by the words “Minister, the latter”;

(8) by replacing the word “board” in the third line of the fifth paragraph by the word “Minister”.

**12.** Section 28 of the said Act is repealed.

**13.** Section 29 of the said Act, amended by section 675 of chapter 43 of the statutes of 1997, is again amended by replacing the words “him that he may apply for a review by the board” in the fourth and fifth lines by the words “the person that an application for a review by the Minister may be filed”.

**14.** Section 29.1 of the said Act is amended by replacing the word “board” in the first line by the word “Minister”.

**15.** Section 30 of the said Act is amended

(1) by replacing the word “board” in the first line by the word “Minister”;

(2) by replacing the words “it requires” in the second line by the words “required by the latter”;

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

**16.** Chapter IV of the said Act is repealed.

**17.** Chapter V of the said Act is replaced by the following chapter :

**“CHAPTER V****“PROFESSIONAL COMBAT SPORTS**

**“40.** No person may act as an organizer of a combat sports event unless the person holds a yearly licence and a valid permit for the event issued by the Régie des alcools, des courses et des jeux established by the Act respecting the Régie des alcools, des courses et des jeux (chapter R-6.1).

**“41.** No person may act as a contestant, manager, trainer, corner attendant, official or printer in connection with a sports event unless the person holds a yearly licence issued therefor by the board.

However, a person who is not domiciled in Québec and who acts as an official or judge in connection with a sports event must hold a valid official's permit for the event.

**“42.** All applicants must, upon making an application for a licence or permit, establish that they fulfil the conditions provided for in this chapter as well as any other condition prescribed by regulation.

**“43.** All applicants who are natural persons must be of full age. Where the applicant is a legal person, all the directors must meet the requirements determined by regulation. The application must be accompanied with a deposit and a civil liability insurance policy of the nature and for the amount prescribed by regulation.

**“44.** The board shall issue the licence or permit in the name of the applicant on payment of the prescribed fees. Licences or permits cannot be transferred.

**“45.** Every organizer holding a permit that is valid for a sports event shall pay duties to the board for an amount that is either a percentage of the gross receipts of the sports event or an amount, determined by regulation, less any amount required by regulation as fees for the issue of the permit.

Duties are paid according to the terms and at the time determined by regulation.

For the purposes of this section, gross receipts are the receipts derived from the sale of tickets and from broadcasting or rebroadcasting rights, less applicable taxes.

**“46.** The board may refuse to issue a licence or permit

(1) where the applicant has been convicted of a penal or indictable offence related to a sports event;

(2) where the applicant is unable to establish the competence and integrity required to engage in the activity for which the licence or permit is applied for,

owing to previous conduct in connection with an activity referred to in section 40 or 41 ;

(3) where the board has reasonable grounds to believe that the licence or permit must be refused to ensure that, in the public interest, professional combat sports are engaged in with competence and integrity and that their good reputation is maintained ;

(4) where the board has reasonable grounds to believe that the application is being made for the benefit of another person.

The grounds for refusal referred to in subparagraph 1 of the first paragraph shall remain valid for five years after the expiry of the term of imprisonment fixed in the sentence and, in the case of the imposition of a fine only or of a suspended sentence, five years from the date of conviction, unless the applicant has been granted a pardon.

**“46.1.** The board may suspend or cancel a licence or permit and, where applicable, confiscate the deposit of the holder

(1) where the holder is convicted of a penal or indictable offence related to a sports event ;

(2) where the board has reasonable grounds to believe that the holder is not engaging in the activities for which the licence or permit was issued with competence and integrity ;

(3) where the board has reasonable grounds to believe that it is necessary to suspend or cancel the licence or permit and, where applicable, to confiscate the holder’s deposit to ensure, in the public interest, that professional combat sports are engaged in with competence and integrity and that their good reputation is maintained.

The board may also suspend or cancel a licence or permit and, where applicable, confiscate the holder’s deposit in cases determined pursuant to paragraphs 4 and 5 of section 55.3.

**“46.2.** A physician designated by the board may, for medical reasons, suspend forthwith the licence or permit of a contestant in the cases prescribed by regulation.

**“46.2.1.** Whenever a provision of this chapter or of a regulation respecting combat sports events is not complied with, the board or any person authorized therefor may, forthwith,

(1) prohibit a sports event or part thereof ;

(2) order a sports event stopped ;

(3) order the confiscation, in whole or in part, of the purse or remuneration intended for a contestant.

The confiscated purse or remuneration shall be remitted to a non-profit sports organization designated by the board.

**“46.2.2.** A person authorized by the president of the board shall ascertain compliance with the provisions of this chapter and of a regulation respecting combat sports events.

The person so authorized may, for inspection purposes,

(1) at any reasonable time, enter any premises where a sports event is being held or any sports facility to conduct tests, take photographs and make recordings, and examine the equipment and installations found on the premises as well as those used to engage in a combat sport ;

(2) take, in the cases and according to the procedure prescribed by regulation of the board, breath or urine samples from contestants who are participating in a sports event ;

(3) require any person acting at or in connection with a sports event in any capacity referred to in section 40 or 41 to carry out or order the testing, verification or analysis of any material, equipment or installation to ensure that it meets the requirements of this chapter and of a regulation respecting combat sports events ;

(4) examine and make copies of the books, registers, accounts, records and other documents of any person acting at or in connection with a sports event in any capacity referred to in section 40 or 41 ;

(5) require any information relevant to the application of the provisions of this chapter and of a regulation respecting combat sports events, and the production of any related document ;

(6) require any person acting in any capacity referred to in section 40 or 41 at or in connection with a sports event to provide the authorized person with the necessary means to carry out an inspection ;

(7) require any person on the premises of the inspection to accompany the person designated on the premises and to provide reasonable assistance.

**“46.2.3.** The person authorized by the board to act for the purposes of section 46.2.1 or 46.2.2 must, on request, produce identification and show the certificate of the board attesting the person’s capacity.

**“46.2.4.** In the cases determined by regulation, only a person designated and remunerated by the board may act as an official at a sports event.

**“46.2.5.** The board may, in the exercise of its functions,

(1) gather, analyse and disseminate information on safety in professional combat sports;

(2) participate in the preparation of safety training methods for persons who work in the field of professional combat sports.

**“46.2.6.** The board, at the request of the Minister or on its own initiative, may inquire or designate a person to inquire into any situation that could endanger the safety of a person engaging in a professional combat sport or be detrimental to the good reputation of such a sport.

The board, whenever an inquiry is held, shall give notice in a newspaper circulated in the place where the inquiry is held, of the date, time and place the sittings will begin.”

**18.** Sections 46.4, 46.6 and 46.7 of the said Act are amended by replacing the word “board” wherever it appears by the word “Minister”.

**19.** Section 46.8 of the said Act is amended

(1) by replacing the words “board at its” in the first line of paragraph 2 by the words “Minister at the Minister’s”;

(2) by replacing the word “board” in the second line of paragraph 2 by the word “Minister”.

**20.** Section 46.9 of the said Act is amended by replacing the word “board” in the second line by the word “Minister”.

**21.** Section 46.11 of the said Act is amended by replacing the word “board” in the fourth line by the word “Minister”.

**22.** Section 46.12 of the said Act is amended by replacing the words “He is responsible for seeing to it that the standards prescribed by regulation of the board” in the first and second lines of the second paragraph by the words “The operator is responsible for seeing to it that the standards prescribed by regulation of the Minister”.

**23.** Section 46.13 of the said Act is amended

(1) by replacing the word “board” in the first line by the word “Minister”;

(2) by replacing the words “it may indicate to ensure the safety of Alpine skiers on the premises of the ski centre he operates” in the second and third lines by the words “the Minister may indicate to ensure the safety of Alpine skiers on the premises of the ski centre”.



**24.** The heading of Division I of Chapter VI of the said Act, replaced by section 678 of chapter 43 of the statutes of 1997, is amended by replacing the word “BOARD” by the word “MINISTER”.

**25.** Section 47 of the said Act, amended by section 679 of chapter 43 of the statutes of 1997, is again amended by replacing the word “board” in the third line by the word “Minister”.

**26.** Section 48 of the said Act, amended by section 680 of chapter 43 of the statutes of 1997, is again amended by replacing the words “secretary of the board” in the first line by the word “Minister”.

**27.** Section 49 of the said Act, amended by section 681 of chapter 43 of the statutes of 1997, is again amended by replacing the word “board” in the second line by the word “Minister”.

**28.** Section 50 of the said Act, replaced by section 682 of chapter 43 of the statutes of 1997, is amended by replacing the word “board” in the first line by the word “Minister”.

**29.** Section 53 of the said Act, amended by section 684 of chapter 43 of the statutes of 1997, is replaced by the following section :

**“53.** A copy of the decision of the Minister shall be sent to the interested parties by registered or certified mail.”

**30.** Section 53.1 of the said Act, amended by section 686 of chapter 43 of the statutes of 1997, is again amended

(1) by replacing the figure “44.2” in the second line by the figure “46”;

(2) by replacing the figure “44.3” in the fourth line by the figure “46.1”;

(3) by replacing the words “5 and 5.1 of section 54” in the fourth and fifth lines by the words “4 and 5 of section 55.3”;

(4) by replacing the figure “45” in the sixth line by the figure “46.2.1”.

**31.** Section 54 of the said Act is amended

(1) by striking out subparagraphs 2 to 7 of the first paragraph;

(2) by striking out the words “, of sports centres” in the third line of subparagraph 8 of the first paragraph;

(3) by striking out the second paragraph.

**32.** Section 55 of the said Act, amended by section 688 of chapter 43 of the statutes of 1997, is again amended

- (1) by replacing the word “board” in the first line by the word “Minister”;
- (2) by striking out the words “when safety regulations of a sports federation or an unaffiliated sports body do not exist” in the second and third lines of paragraph 1;
- (3) by striking out paragraphs 2, 5, 5.1 and 6;
- (4) by replacing the word “its”, in paragraph 8, by the words “the Minister’s”;
- (5) by striking out paragraph 10.

**33.** Section 55.1 of the said Act is amended

- (1) by replacing the word “board” in the first line by the word “Minister”;
- (2) by replacing the word “it” in the second line by the words “the Minister”.

**34.** Section 55.2 of the said Act is amended

- (1) by replacing the word “board” in the first line by the word “Minister”;
- (2) by striking out the words “of sports events, of sports centres,” in the third line.

**35.** The said Act is amended by inserting, after section 55.2, the following section:

**“55.3.** The board may, by regulation approved by the Government,

- (1) determine the form and content of a permit relating to a combat sports event and the terms and conditions of its issuance;
- (2) determine the conditions a person applying for a permit relating to a sports event must fulfil, the information and documents to be furnished, the fees payable, the terms and conditions of payment of the fees and of the duties referred to in section 45, the time when they must be paid and the percentage of the gross receipts derived from a sports event or the amount on the basis of which the duties referred to in the first paragraph of section 45 are established;
- (3) determine the amount and nature of the deposit and of the liability-insurance policy required of a person applying for a sports event organizer’s licence or for a licence to act as an official at a sports event;
- (4) determine the cases of licence cancellation or suspension, and the duration thereof;
- (5) determine the cases in which a deposit may be confiscated and the use that is to be made of any confiscated deposit;

(6) fix the tariff of fees for officials at the holding of a sports event, and specify the cases where only a person designated and remunerated by the board may be an official ;

(7) establish standards relating to the equipment a person must use to engage in a combat sport at a sports event ;

(8) establish standards concerning the organization and holding of a sports event ;

(9) establish standards concerning the tenor of contracts entered into by the persons referred to in section 40 or 41, in particular with respect to their duration and the respective obligations of the parties, including those related to the purse and remuneration ;

(10) prescribe the nature and frequency of the medical examination required of contestants who participate in a combat sports event ;

(11) establish a health committee or any other committee necessary for the purposes of Chapter V and determine its composition and functions ;

(12) determine the cases in which a person authorized by the board under section 46.2.2 may take breath or urine samples from contestants participating in a sports event, and the procedure according to which the sample may be taken ;

(13) exempt classes of persons from the application of Chapter V or of a regulation respecting combat sports events, or of any provision thereof.

The duties payable under section 45 may vary according to the categories or classes of licences or permits or the capacity of the premises where sports events are held, as prescribed by the regulation.”

**36.** Sections 56 and 57 of the said Act are repealed.

**37.** Section 59 of the said Act, amended by section 875 of chapter 43 of the statutes of 1997, is again amended by striking out the words “or operates a sports centre” in the first and second lines.

**38.** Section 60 of the said Act is amended

(1) by inserting the words “of the Minister,” after the word “order” in the first line of the first paragraph ;

(2) by replacing the word “it” in the second line of the first paragraph by the words “the Minister or the board” ;

(3) by replacing the word “board” in the second line of the second paragraph by the word “Minister”.

**39.** Section 60.1 of the said Act is amended

(1) by inserting the words “Minister or the” after the words “by the” in the first line;

(2) by replacing the words “his powers under section 25” in the third line by the words “the authorized person’s powers under sections 25 and 46.2.2”.

**40.** Section 61 of the said Act is amended by replacing the word “board” in the third line by the word “Minister”.

**41.** Section 62 of the said Act is amended by inserting, after the word “regulations,” in the first line of the first paragraph, the words “the Minister or, in the case of repeated offences against Chapter V and the regulations of the board,”.

**42.** Section 65 of the said Act is amended

(1) by inserting the words “or the regulations” after the word “Act” in the first line of the first paragraph;

(2) by replacing the words “chairman or secretary of the board” in the first line of the second paragraph by the words “Minister or, in the case of penal proceedings for an offence against a provision of Chapter V or of a regulation respecting combat sports events, of the president or the secretary of the board”.

**43.** Section 73 of the said Act is amended by inserting the words “, except Chapter V and section 55.3 the application of which is under the authority of the Minister of Public Security” after the word “Act” in the second line.

#### HIGHWAY SAFETY CODE

**44.** Section 422 of the Highway Safety Code (R.S.Q., chapter C-24.2) is amended by replacing the words “Régie de la sécurité dans les sports du Québec” in the third and fourth lines by the words “Minister of Municipal Affairs”.

#### ACT RESPECTING THE RÉGIE DES ALCOOLS, DES COURSES ET DES JEUX

**45.** Section 2 of the Act respecting the Régie des alcools, des courses et des jeux (R.S.Q., chapter R-6.1) is amended by inserting the words “, Chapter V of the Act respecting safety in sports (chapter S-3.1)” after the words “(chapter P-9.1)” in the third line of the first paragraph.

**46.** Section 11 of the said Act is amended by inserting the words

“, person authorized or designated by the board or by its president” after the word “board” in the first line of the first paragraph.

**47.** Section 13 of the said Act is amended by inserting the words “the persons authorized or designated by the board or its president,” after the word “board,” in the second line.

**48.** Section 23 of the said Act is amended

(1) by inserting the word “, cancelling” after the word “suspending” in the first line of paragraph 1 ;

(2) by inserting, after paragraph 5, the following paragraph :

“(5.1) regulating professional combat sports, maintaining the good reputation of those sports and ensuring the safety and integrity of participants and spectators;”.

**49.** Section 32.1 of the said Act, enacted by section 57 of chapter 51 of the statutes of 1997, is amended by replacing the words “or cancelling” in the first line of the first paragraph by the words “, cancelling or revoking”.

**50.** Section 32.2 of the said Act, enacted by section 57 of chapter 51 of the statutes of 1997, is amended by replacing the words “or cancellation” in the first line of the second paragraph by the words “, cancellation or revocation”.

**51.** Section 33 of the said Act, amended by section 58 of chapter 51 of the statutes of 1997, is again amended

(1) by replacing the word “or” in the fifth line of the first paragraph by a comma ;

(2) by inserting the words “or Chapter V of the Act respecting safety in sports (chapter S-3.1)” after the words “(chapter S-13)” in the sixth line of the first paragraph.

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

**52.** Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10), amended by Orders in Council 556-96 and 557-96 dated 15 May 1996, 821-96 dated 3 July 1996, 1051-96 dated 28 August 1996, 1493-96 dated 4 December 1996, 1589-96 dated 18 December 1996, 629-97 dated 13 May 1997, 788-97 dated 18 June 1997 and 1105-97 dated 28 August 1997, and by section 35 of chapter 26 of the statutes of 1997, by section 33 of chapter 27 of the statutes of 1997, by section 13 of chapter 36 of the statutes of 1997, by section 631 of chapter 43 of the statutes of 1997, by section 57 of chapter 50 of the statutes of 1997 and by section 121 of chapter 63 of the statutes of 1997, is again amended by striking out, wherever they appear, the words “the Régie de la sécurité dans les sports”.

## TRANSITIONAL AND FINAL PROVISIONS

**53.** The term of office of the commissioners of the Régie de la sécurité dans les sports du Québec ends on 1 April 1998.

**54.** The members of the personnel of the Régie de la sécurité dans les sports du Québec become the employees of the Ministère des Affaires municipales or of another department, or of the Régie des alcools, des courses et des jeux, to the extent determined by the Government.

**55.** The records and other documents of the Régie de la sécurité dans les sports du Québec become the records and documents of the Ministère des Affaires municipales.

However, the records and documents which concern mainly professional combat sports become records and documents of the Régie des alcools, des courses et des jeux.

**56.** The Minister of Municipal Affairs shall include in the Minister's annual report for the fiscal year 1997-98 the activities carried on by the Régie de la sécurité dans les sports du Québec during that fiscal year.

**57.** Matters commenced before the Régie de la sécurité dans les sports du Québec are continued before the Minister of Municipal Affairs or, as the case may be, before the Régie des alcools, des courses et des jeux, without further formality.

**58.** The Attorney General or, as the case may be, the Régie des alcools, des courses et des jeux becomes, without continuance of suit, party to any proceeding brought by or against the Régie de la sécurité dans les sports du Québec.

**59.** Unless the context indicates otherwise, in any other Act and in any regulation, order in council, ministerial order, proclamation, order, contract or other document, a reference to the Régie de la sécurité dans les sports du Québec is a reference to the Minister of Municipal Affairs or the Régie des alcools, des courses et des jeux, depending on whether this Act confers the function concerned on the Minister of Municipal Affairs or on the Régie des alcools, des courses et des jeux.

In addition, any reference to the chairman or secretary of the Régie de la sécurité dans les sports du Québec in relation to a function conferred on the Minister or the Régie des alcools, des courses et des jeux by this Act is a reference to the Minister or the president or secretary of the Régie des alcools, des courses et des jeux, as the case may be.

**60.** Any act, in particular, a regulation or decision, of the Government or the Régie de la sécurité dans les sports du Québec or of its chairman or secretary which is performed for the purposes of a function conferred by this

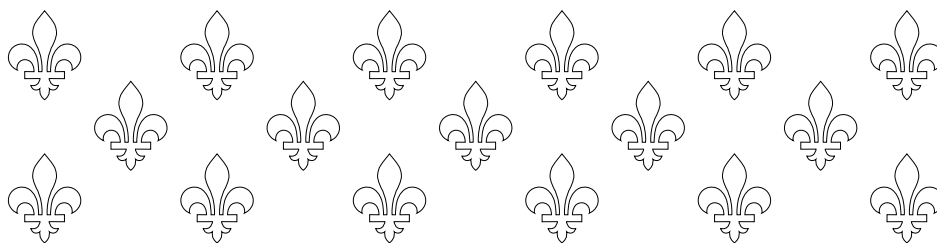
Act on the Minister of Municipal Affairs or the Régie des alcools, des courses et des jeux or its president or secretary, is deemed to be an act of the Minister, the Régie des alcools, des courses et des jeux or its president or secretary, as the case may be.

**61.** Until the date of coming into force of the first regulation made under subparagraph 2 of the first paragraph of section 55.3 of the Act respecting safety in sports, enacted by section 35 of this Act, the duties payable to the Régie des alcools, des courses et des jeux under section 45 of the Act respecting safety in sports, enacted by section 17 of this Act, by an organizer holding a permit that is valid for a sports event are equal to \$2,334.50 or the amount that is 5% of the gross receipts of the sports event, within the meaning of that section 45, whichever is greater, less the amount of the fees prescribed by regulation for the issue of the permit.

**62.** This Act comes into force on 1 April 1998.







---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 166  
(1997, chapter 87)

**An Act to amend the General and  
Vocational Colleges Act and other  
legislative provisions**

---

---

**Introduced 11 November 1997  
Passage in principle 19 November 1997  
Passage 19 December 1997  
Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**

## EXPLANATORY NOTES

*This bill grants the Government the power to establish, on the recommendation of the Minister of Education and after consultation with the Conseil supérieur de l'éducation, regional general and vocational colleges made up of one or more constituent colleges. The mission of a regional college will be to organize the college-level instruction provided by its constituent colleges while the mission of a constituent college will be to implement the programs of college studies assigned to it by the regional college.*

*Moreover, this bill provides that colleges will be authorized to charge tuition fees for programs leading to an Attestation of College Studies, except in the cases and to the extent determined by the budgetary rules.*

*Finally, the bill amends various provisions to facilitate the management of colleges and the administration of the Act, notably by conferring new powers on the Government regarding the letters patent establishing colleges.*

## LEGISLATION AMENDED BY THIS BILL :

- Act respecting the accreditation and financing of students' associations (R.S.Q., chapter A-3.01);
- General and Vocational Colleges Act (R.S.Q., chapter C-29);
- Act respecting private education (R.S.Q., chapter E-9.1).

## Bill 166

### AN ACT TO AMEND THE GENERAL AND VOCATIONAL COLLEGES ACT AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### GENERAL AND VOCATIONAL COLLEGES ACT

**1.** The General and Vocational Colleges Act (R.S.Q., chapter C-29) is amended by inserting, before section 1, the following heading :

#### “CHAPTER I

“COLLEGES”.

**2.** Section 1 of the said Act is repealed.

**3.** Section 2 of the said Act is amended by inserting the words “of Education and after consultation with the Conseil supérieur de l’éducation” after the word “Minister” in the first line.

**4.** Section 3 of the said Act is amended by replacing the word “six” in the second line by the word “five”.

**5.** Section 4 of the said Act is amended

(1) by inserting the words “or on its own initiative” after the word “college” in the first line ;

(2) by adding the following paragraphs :

“A draft of the supplementary letters patent shall be published in the *Gazette officielle du Québec*.

The draft supplementary letters patent shall be accompanied by a notice stating that the supplementary letters patent cannot be issued before the expiry of a period of 45 days and that any interested person may, within that period, submit comments to the person designated in the notice.”

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

(1) by replacing the part of the first paragraph which precedes subparagraph *a* by the following :

**“6.** A college is a legal person; it may, in particular,”;

(2) by striking out the second paragraph;

(3) by replacing the words “Nor may it” in the first line of the third paragraph by the words “However, a college may not”;

(4) by striking out the words “or create a servitude on any of its immovables” in the second line of the third paragraph;

(5) by striking out the words “of the Government or” in the fourth paragraph.

**7.** Section 6.0.1 of the said Act is amended

(1) by replacing the words “requests from” in the third line of subparagraph *c* of the first paragraph by the words “needs of”;

(2) by striking out the words “during normal college teaching hours” in the second and third lines of subparagraph *c* of the first paragraph;

(3) by striking out the words “the realization of profit or” in the second paragraph.

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

(1) by inserting the words “of governors” after the word “board” in the first line of the first paragraph;

(2) by replacing the words “the Société régionale de développement de la main-d’oeuvre” in the last two lines of subparagraph *a* of the first paragraph by the words “labour market partners”;

(3) by replacing the words “in accordance with the college by-laws” in the second and third lines of subparagraph *d* of the first paragraph by the words “cast at a general meeting called by the director general of the college or the person designated by the director general and presided over by the president of the parents’ association, if any, representing the greatest number of parents”;

(4) by striking out the second sentence of the third paragraph.

**9.** The said Act is amended by inserting, after section 8, the following section:

**“8.1.** Where a college implements programs of studies in two or more locations, the board in office may, if approved by at least two-thirds of the board members, change the number of representatives of each of the groups referred to in the first paragraph of section 8 and determine the number of representatives to be elected or appointed to represent each location.

However, the board of governors may not comprise more than 25 members and its composition is subject to the following rules :

(a) the total number of seats for representatives of parents, staff members and students referred to in subparagraphs *d* to *f* of the first paragraph of section 8 must be lower than the total number of seats for representatives of other groups referred to in that paragraph ;

(b) the number of representatives of each of the groups referred to in the first paragraph of section 8 must not be lower than the number provided for in that paragraph.

Where the number of representatives of a group referred to in the first paragraph of section 8 is reduced, the board members who represent that group shall remain in office until the expiry of their terms.”

**10.** Section 10 of the said Act is amended by replacing the first paragraph by the following paragraph :

“**10.** A person shall cease to be a member of the board upon losing the qualifications for appointment or election.”

**11.** Section 12 of the said Act is amended

(1) by inserting the words “and the academic dean” after the word “principal” in the second line of the third paragraph ;

(2) by adding the following paragraph :

“Notwithstanding the second paragraph, the director general may vote on any matter concerning the employment status, remuneration, fringe benefits or other conditions of employment of the academic dean. Moreover, the academic dean may vote on any matter concerning the employment status of the director general.”

**12.** Section 18.0.1 of the said Act is amended

(1) by replacing subparagraph *a* of the first paragraph by the following subparagraph :

“(a) establish standards, conditions and a procedure for the alienation of a college immovable and determine the cases or circumstances in which the alienation must be effected at a nominal price fixed by the Minister;”;

(2) by replacing the words “subparagraph *b* of the first paragraph” in the first line of the second paragraph by the words “this section”;

(3) by replacing the word “he” in the first line of subparagraph *b* of the second paragraph by the words “or alienations of immovables it”.

**13.** Section 18.0.2 of the said Act is amended by striking out paragraph *d*.

**14.** Section 19 of the said Act is amended

(1) by replacing the part of paragraph *a* which follows the word “internal” by the word “management”;

(2) by inserting the words “, or continued enrollment in a program,” after the word “admission” in the first line of paragraph *e*.

**15.** Section 19.1 of the said Act is amended by inserting the words “or 24.5” after the words “section 19” in the fourth line.

**16.** Section 24 of the said Act is amended by replacing the first paragraph by the following paragraph:

**“24.** A college may not charge tuition fees to a full-time student who is resident in Québec for the instruction the college provides within the scope of a program leading to a Diploma of College Studies or, in the cases and to the extent determined by the budgetary rules, within the scope of a program leading to an Attestation of College Studies.”

**17.** Section 24.1 of the said Act, replaced by section 12 of chapter 79 of the statutes of 1996, is amended

(1) by inserting the words “resident in Québec” after the word “student” in the second line of the first paragraph;

(2) by replacing the words “college studies program” in the third and fourth lines of the first paragraph by the words “program leading to a Diploma of College Studies”;

(3) by adding, after the second paragraph, the following paragraph:

“This section also applies to students resident in Québec who are full-time students, within the meaning of the second paragraph of section 24, in a program leading to an Attestation of College Studies referred to in the first paragraph of that section or for which the Gouvernement du Québec or any of its departments or agencies defrays the tuition fees directly or indirectly.”

**18.** Section 24.2 of the said Act is amended

(1) by replacing the words “of college studies” in the third line by the words “referred to in the first paragraph of section 24”;

(2) by adding the following paragraph:

“In addition, a college must, in accordance with the budgetary rules established by the Minister, charge tuition fees to a student who is not resident in Québec.”

**19.** Section 24.4 of the said Act, amended by section 14 of chapter 79 of the statutes of 1996, is again amended

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

“(d) define the expression “resident in Québec” for the purposes of this Act;”;

(2) by striking out the words “and paragraph *d* of this section,” in the second line of paragraph *e*.

**20.** Section 24.5 of the said Act is replaced by the following section :

“**24.5.** No college may, except by by-law, prescribe the payment of any type of fee.

Admission or registration fees for college instruction services and other fees pertaining to those services are subject to approval by the Minister.”

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

(1) by replacing the words “in the case of” in paragraph *c* by the words “, barring exceptional circumstances,”;

(2) by adding the following paragraph :

“The Minister may authorize in writing any office holder at the Ministère de l'Éducation to exercise the powers and functions conferred by the budgetary rules relating to subsidies referred to in this section ; sections 11 and 12.1 of the Act respecting the Ministère de l'Éducation (chapter M-15) do not apply to such authorizations.”

**22.** The said Act is amended by inserting, after section 26, the following section :

“**26.0.1.** The budgetary rules may also pertain to the tuition fees chargeable to students who are not resident in Québec and provide for exceptions applicable to certain classes of such students. The Minister may, by way of exception, exempt students from the payment of tuition fees.”

**23.** The said Act is amended by replacing section 30 by the following sections :

**“30.** On the petition of a college or on its own initiative, the Government may, on the recommendation of the Minister after consultation with the Conseil supérieur de l’éducation, by letters patent under the Great Seal, amalgamate two or more colleges to form a new college.

The letters patent shall state the name and the location of the seat of the new college resulting from the amalgamation and shall designate the first five board members appointed under subparagraph *a* of the first paragraph of section 8; the letters patent may contain any other provision consistent with this Act.

The letters patent of the new college come into force on the date of publication of a notice of their issue in the *Gazette officielle du Québec* or on any later date fixed by the Government.

The rights and obligations of the amalgamated colleges become the rights and obligations of the new college.

**“30.0.1.** On the petition of a college or on its own initiative, the Government may, on the recommendation of the Minister after consultation with the Conseil supérieur de l’éducation, by order, revoke the letters patent of a college.

The order comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.

The rights and obligations of the college become the rights and obligations of the Government or of an educational institution designated by the Government.

**“30.0.2.** A draft of the letters patent referred to in section 30 or of the order referred to in section 30.0.1 shall be published in the *Gazette officielle du Québec*.

The draft shall be accompanied by a notice stating that the letters patent or order cannot come into force before the expiry of a period of 45 days and that any interested person may, within that period, submit comments to the person designated in the notice.”

**24.** Section 30.1 of the said Act is amended by replacing the word “corporation” in the third line by the words “legal person”.

**25.** Section 30.7 of the said Act is amended by replacing the first paragraph by the following paragraph:

**“30.7.** The Société is a legal person.”

**26.** Sections 31 to 34 of the said Act are replaced by the following:



**“CHAPTER II****“REGIONAL COLLEGES****“DIVISION I****“ESTABLISHMENT**

**“31.** The Government, on the recommendation of the Minister after consultation with the Conseil supérieur de l'éducation, may, by letters patent under the Great Seal, establish regional general and vocational colleges made up of one or more constituent colleges charged with implementing programs of college studies.

On the petition of a college or on its own initiative, the Government may, after consultation with the Conseil supérieur de l'éducation, in the same manner, replace an existing college with a regional college and a constituent college of a regional college or simply with a constituent college.

The letters patent shall state the name and the location of the seat of the regional college, designate the first members of the board of governors of the regional college appointed under subparagraphs *a* to *c* of the first paragraph of section 33, state the name and address of each constituent college, identify its immovables and designate the first members of its governing board appointed under subparagraphs *a* and *b* of the second paragraph of section 48; the letters patent may contain any other provision consistent with this chapter.

The letters patent may also vary the distribution of functions and powers under this chapter between the regional college and a constituent college. In the case described in the second paragraph, the different groups represented on the governing board of the existing college must be consulted.

The letters patent of the regional college come into force on the fifteenth day following the date of publication of a notice of their issue in the *Gazette officielle du Québec* or on any later date fixed by the Government.

In the cases described in the second and fourth paragraphs, a draft of the letters patent must be published in the *Gazette officielle du Québec*.

The draft letters patent shall be accompanied by a notice stating that the letters patent cannot be issued before the expiry of a period of 45 days and that any interested person may, within that period, submit comments to the person designated in the notice.

The rights and obligations of a college replaced by a regional college and a constituent college of a regional college or by a constituent college become the rights and obligations of the regional college.

**“32.** A regional college is a legal person.

Sections 4, 5, 30 and 30.0.1, adapted as required, apply to a regional college.

## **“DIVISION II**

### **“BOARD OF GOVERNORS**

**“33.** A regional college shall be administered by a board of governors composed of the following persons, who shall become members of the board upon their appointment or election :

(a) one representative for the territory principally served by each constituent college of the regional college, appointed by the Minister after consultation with socio-economic groups in that territory ;

(b) three persons appointed by the Minister, including one from among the persons proposed by university-level teaching institutions, one from among the persons proposed by the school boards in the territory principally served by the regional college and one from among the persons proposed by the regional council of labour market partners in the region where the regional college is located ;

(c) two persons appointed by the Minister from within enterprises in the territory principally served by the regional college which operate in economic sectors corresponding to programs of technical studies implemented by different constituent colleges, where applicable ;

(d) two persons holding a Diploma of College Studies who are not members of the regional college staff and who completed their college studies at different constituent colleges, where applicable, one in a program of pre-university studies and the other in a program of technical studies, appointed by the members of the board in office ;

(e) two parents of students attending different constituent colleges, where applicable, who are not members of the regional college staff, elected by a majority vote of their peers throughout the regional college cast at a general meeting called by the director general of the regional college or the person designated by the director general and presided over by the president of the parents' association, if any, representing the greatest number of parents ;

(f) two students attending different constituent colleges, where applicable, one registered in a program of pre-university studies and the other in a program of technical studies, appointed in accordance with section 32 of the Act respecting the accreditation and financing of students' associations (chapter A-3.01) ;

(g) two teachers assigned to different constituent colleges, where applicable, one member of the non-teaching professional staff and one member of the support staff of the regional college, each elected by their peers throughout the regional college.

The director general of the regional college and the director of each constituent college shall also be members of the board of governors.

In the case of a new regional college, the first two members appointed under subparagraph *d* of the first paragraph shall be chosen from among holders of a Diploma of College Studies having completed their college studies at a college in the territory principally served by the new regional college.

**“34.** The composition of the board of governors is also subject to the following rules :

(a) subject to the number of representatives to be appointed under subparagraphs *d* and *f* of the first paragraph of section 33, each constituent college must be represented by at least one of its students or one of its graduates holding a Diploma of College Studies ;

(b) subject to the number of representatives to be appointed under subparagraph *g* of the first paragraph of section 33, each constituent college must be represented by at least one staff member assigned to that constituent college ;

(c) where a regional college comprises more than two constituent colleges, the board of governors shall determine, subject to paragraphs *a* and *b*, which constituent colleges are to be represented under each of subparagraphs *d* to *g* of the first paragraph of section 33.

**“35.** Board members appointed under subparagraphs *a* to *d* of the first paragraph of section 33 shall hold office for not more than three years, those elected under subparagraph *g* of that paragraph, for three years, those elected under subparagraph *e* of that paragraph, for two years, and those appointed under subparagraph *f* of that paragraph, for one year.

Their term of office shall not be renewed consecutively more than once.

**“36.** Sections 10 to 15 and 21, adapted as required, apply to the board of governors and to the chair of the board of governors of a regional college.

For the purposes of section 12, “academic dean” means the director of a constituent college.

**“DIVISION III****“EXECUTIVE COMMITTEE AND DIRECTOR GENERAL**

**“37.** The board of governors shall form an executive committee composed of at least five of the board members, including the director general who shall preside over the committee, and the director of each constituent college.

Section 21 applies to the executive committee.

**“38.** The executive committee is in charge of the ordinary administration of the regional college.

It shall exercise, in addition, the functions and powers delegated to it by by-law by the board of governors.

**“39.** After consulting with the governing board and the academic council of each constituent college, the board of governors shall appoint a director general for a term of not less than three nor more than five years. For the appointment of the first director general, consultation with the governing boards and academic councils is not required.

The board of governors may renew the appointment of the director general after consulting with the governing board and the academic council of each constituent college.

The director general shall see to it that the decisions of the board of governors and the executive committee are carried out.

**“40.** The board of governors shall designate a person to exercise the functions and powers of the director general if the director general is absent or unable to act.

**“41.** Sections 20.1 and 20.2, adapted as required, apply to the director general of a regional college.

**“DIVISION IV****“MISSION AND POWERS**

**“42.** The mission of a regional college is to organize the college-level general and vocational instruction provided by its constituent colleges in a manner that fosters cooperation among the constituent colleges and ensures complementarity among their respective activities.

In the pursuit of its mission, a regional college shall

(a) distribute among its constituent colleges the programs leading to a Diploma of College Studies for which it has received the authorization of the

Minister as well as the programs leading to an Attestation of College Studies which it is authorized to establish;

(b) admit students to programs of college studies or make agreements with another educational institution or another organization concerning such programs, in conformity with such general standards as may be established by the Minister;

(c) allocate to its constituent colleges the human, physical and financial resources of the regional college, reserving the resources it determines to be necessary for its own needs.

**“43.** A regional college shall exercise the same powers as those conferred on a college by subparagraphs *b* to *h* of the first paragraph of section 6. The second and third paragraphs of that section apply to the exercise of such powers.

A regional college may also exercise the powers conferred on a college by sections 6.1 and 7.

**“44.** Subject to the provisions of this Act, the College Education Regulations and the regulations under sections 18.0.1, 18.0.2 and 18.1, a regional college may make by-laws concerning

(a) its internal management;

(b) the appointment, functions and powers of its staff;

(c) the management of its property;

(d) the composition and powers of the executive committee and the term of office of executive committee members;

(e) the special conditions for admission to or continued enrollment in programs applicable to all or certain classes of students, subject to the restrictions or conditions concerning the exercise of that power set out in the College Education Regulations and to any special conditions for admission to a program of studies established by the Minister under the College Education Regulations;

(f) the pursuit of its objects.

The regional college shall forward to the Minister, upon adoption, a copy of every by-law made under this section or section 24.5 and of every amendment thereto.

Likewise, the regional college shall forward to the Minister a copy of every by-law or policy it is required to establish under ministerial regulations as well as every policy that a constituent college is required to establish under the College Education Regulations.

**“45.** A regional college may require of its constituent colleges, on the date and in the form determined by the regional college, such information or documents as it considers necessary for the exercise of its functions and powers.

If a constituent college neglects or refuses to comply with the law or a government or ministerial regulation or a by-law of the regional college, the regional college shall demand formally that the constituent college comply therewith; failing compliance by the constituent college, the regional college shall take appropriate action to ensure that the law, regulations and by-laws are complied with, such as substituting its decisions for the decisions of the constituent college.

**“46.** Sections 18 to 18.1, 24 to 29.8 and 30.1 to 30.10, adapted as required, apply to a regional college.

For the purposes of section 27, if a constituent college of a regional college receives a sum of money or a direct or indirect benefit pursuant to section 59, the regional college must disclose it in a schedule appended to its financial statements, indicating the object for which the sum of money or benefit was granted.

For the purposes of sections 29 to 29.7, the terms “college” and “board” include a constituent college and the governing board of such a college, respectively.

## **“DIVISION V**

### **“CONSTITUENT COLLEGES**

#### **“§1. — *Mission***

**“47.** Constituent colleges are educational institutions whose mission is to implement the programs of college studies assigned to them by the regional college.

The mission of constituent colleges is also to contribute to the social and cultural development of the region they serve.

#### **“§2. — *Governing board***

**“48.** A governing board shall be established in every constituent college.

The governing board shall be composed of the following persons, who shall become members of the board upon their appointment or election :

(a) three persons appointed by the Minister, including one from among the persons proposed by university-level teaching institutions, one from among the persons proposed by the school boards in the territory principally served

by the constituent college and one from among the persons proposed by the regional council of labour market partners in the region where the constituent college is located;

(b) three persons appointed by the Minister from within enterprises in the territory principally served by the constituent college which operate in economic sectors corresponding to programs of technical studies implemented by the constituent college, where applicable;

(c) two parents of students attending the constituent college who are not members of the regional college staff, elected by a majority vote of their peers within the constituent college cast at a general meeting called by the director of the constituent college or the person designated by the director and presided over by the president of the parents' association, if any, representing the greatest number of parents;

(d) two students attending the constituent college, one registered in a program of pre-university studies and the other in a program of technical studies, where applicable, appointed in accordance with section 32 of the Act respecting the accreditation and financing of students' associations (chapter A-3.01);

(e) two teachers, one member of the non-teaching professional staff and one member of the support staff assigned to the constituent college, each elected by their peers within the constituent college.

The director of the constituent college and the person appointed under subparagraph *a* of the first paragraph of section 33 shall also be members of the governing board.

**“49.** The board of governors of the regional college may, if approved by at least two-thirds of the board members and after consultation with the governing board concerned, change the number of representatives of each of the groups referred to in the second paragraph of section 48.

However, the governing board may not comprise more than 21 members and its composition is subject to the following rules:

(a) the total number of seats for representatives of parents, staff members and students referred to in subparagraphs *c* to *e* of the second paragraph of section 48 must not exceed the total number of seats for representatives of other groups;

(b) the number of representatives of each of the groups referred to in the second paragraph of section 48 must not be lower than the number provided for in that paragraph.

Where the number of representatives of a group referred to in the second paragraph of section 48 is reduced, the board members who represent that group shall remain in office until the expiry of their terms.

**“50.** Board members appointed under subparagraphs *a* and *b* of the second paragraph of section 48 shall hold office for not more than three years, those elected under subparagraph *e* of that paragraph, for three years, those elected under subparagraph *c* of that paragraph, for two years, and those appointed under subparagraph *d* of that paragraph, for one year.

Their term of office shall not be renewed consecutively more than once.

**“51.** Sections 10 to 15 and 21, adapted as required, apply to the governing board and to the chair of the governing board.

For the purposes of section 12, “director general” means the director of the constituent college.

“§3. — *Academic council*

**“52.** The governing board shall establish an academic council, determine its composition and establish rules concerning the formation and powers of the council and the term of office of council members.

However, the composition and formation of the academic council are also subject to the rules provided in the second paragraph of section 17, adapted as required.

**“53.** Sections 17.0.1, 17.0.2 and 21, adapted as required, apply to the academic council.

“§4. — *Functions and powers*

**“54.** The governing board is responsible for approving the conditions for the application of the College Education Regulations established by the Government under section 18 and the policies that must be adopted under the Regulations.

**“55.** The governing board is responsible for approving, to the extent provided for in the College Education Regulations, the objectives, standards and learning activities of the programs of college studies assigned to the constituent college by the regional college and the conditions for the implementation of those programs.

**“56.** The governing board shall establish rules for the organization and administration of student activities.

**“57.** The governing board may exercise the functions and powers provided for in sections 6.0.1, 17.1 and 17.2, adapted as required.

However, for the purposes of sections 17.1 and 17.2, only a regional college may request that the Minister grant special status to a program of technical studies or apply to the Minister for authorization to establish a



college centre for technology transfer. Moreover, the governing board may not exercise the powers conferred on colleges by the second paragraphs of sections 17.1 and 17.2 unless it is so authorized by the regional college.

**“58.** The governing board may, in the name and within the scope of the budget estimates of the regional college, enter into a contract with a person or organization for the procurement of goods or services pursuant to section 57.

Revenue from the supply of goods and services referred to in section 57 shall be credited to the appropriations granted to the constituent college.

**“59.** The governing board may, in the name of the regional college, solicit gifts, legacies, subsidies or other voluntary contributions from any person or any public or private organization wishing to assist in the carrying out of the mission of the constituent college.

The governing board may not, however, solicit gifts, legacies, subsidies or other contributions to which conditions incompatible with the exercise of the powers and duties of the constituent college are attached.

The contributions received shall be deposited in a designated fund created for such purpose by the regional college; the funds making up the fund and the interest accrued shall be appropriated to the constituent college.

The regional college shall keep separate books and accounts for the operations of the fund.

The management of the fund is subject to the supervision of the governing board; the regional college shall, at the request of the governing board, allow the records of the fund to be examined and provide the governing board with any account, report or information relating to the fund.

**“60.** The governing board shall adopt the annual budget estimates of the constituent college and submit them to the regional college for approval.

The budgetary estimates shall maintain a balance between expenditures, on the one hand, and the financial resources allocated to the constituent college by the regional college and the constituent college's own revenue, on the other.

The approved budget of the constituent college constitutes separate appropriations within the budget of the regional college and expenditures for the constituent college shall be charged to such appropriations.

In the event that the constituent college closes, its surplus or deficit and its funds, if any, shall be transferred to the regional college.

**“61.** The governing board shall advise the regional college

(a) on any matter the regional college is required to submit to the governing board ;

(b) on any matter likely to facilitate the proper operation of the constituent college ;

(c) on any matter likely to improve the organization of the services provided by the regional college.

**“62.** The governing board shall be consulted by the regional college

(a) on the by-laws or policies adopted by the regional college ;

(b) on the budget of the regional college.

**“63.** The governing board shall furnish to the regional college, on the date and in the form specified by the regional college, any information required by the regional college for the exercise of its functions.

**“64.** The governing board may delegate all or any of its functions and powers to the regional college for an agreed period.

The regional college shall inform the Minister of any delegation pursuant to the first paragraph.

**“65.** The governing board shall prepare an annual report on the activities of the constituent college and forward a copy to the regional college on the date determined by the regional college.

**“§5. — Director**

**“66.** After consulting with the governing board and the academic council of the constituent college, the board of governors of the regional college shall appoint the director of the constituent college for a term of not less than three nor more than five years. For the appointment of the first director of the constituent college, consultation with the governing board and the academic council is not required.

The board of governors may renew the appointment of the director after consulting with the governing board and the academic council of the constituent college.

**“67.** The board of governors of the regional college shall designate a person to exercise the functions and powers of the director of the constituent college if the director is absent or unable to act.

**“68.** In no case may the director of a constituent college, on pain of forfeiture of office, have a direct or indirect interest in any enterprise that places the director’s personal interest in conflict with that of the regional

college or the constituent college. However, forfeiture shall not be incurred where such interest devolves to the director by succession or gift, provided the director renounces or disposes of it with dispatch.

Section 20.2, adapted as required, applies to the director of a constituent college.

**“69.** The director of the constituent college, under the authority of the director general of the regional college, is the academic and administrative director of the constituent college and shall see to the implementation of the provisions governing the college.

**“70.** The director of the constituent college shall also exercise the functions and powers delegated by the board of governors of the regional college.

### **“CHAPTER III**

#### **“FINAL PROVISIONS**

**“71.** No person or body other than a regional college, a constituent college or a college established under this Act may use the terms “regional general and vocational college”, “regional college”, “constituent college”, “general and vocational college”, “general college” or “vocational college” or give the impression that the person or body operates a regional college, a constituent college or a college governed by this Act, unless so authorized by the Minister.

Every person or body that contravenes a provision of this section is liable to a fine of not more than \$1,000.

**“72.** The Minister of Education is responsible for the administration of this Act.”

**27.** The English text of the said Act is amended by replacing the word “principal” wherever it appears in sections 8, 12, 16, 20, 20.1 and 20.2 by the words “director general”.

#### **OTHER AMENDING PROVISIONS**

**28.** Section 2 of the Act respecting the accreditation and financing of students’ associations (R.S.Q., chapter A-3.01), amended by section 70 of chapter 21 of the statutes of 1996, is again amended by inserting the words “as well as regional colleges and their constituent colleges” after the word “colleges” in the first line of subparagraph 1 of the first paragraph.

**29.** The Act respecting private education (R.S.Q., chapter E-9.1) is amended by inserting, after section 84, the following section :

**“34.1.** The budgetary rules may also provide for the additional financial contribution chargeable to students who are not resident in Québec, within the meaning of government regulations, and provide for exceptions applicable to certain classes of such students. The Minister may, by way of exception, exempt students from the payment of the additional financial contribution.”

**30.** Section 90 of the said Act is replaced by the following section :

**“90.** The amount of the additional financial contribution referred to in section 93 chargeable by an accredited institution to a student who is not resident in Québec, within the meaning of government regulations, shall be deducted from the amount of subsidies intended for that student.”

**31.** Section 93 of the said Act is amended by replacing the second paragraph by the following paragraph :

“The institution must, however, in accordance with the budgetary rules established by the Minister of Education, charge an additional financial contribution to a student who is not resident in Québec within the meaning of government regulations.”

**32.** Section 111 of the said Act, amended by section 43 of chapter 58 of the statutes of 1997, is again amended by adding, after paragraph 8, the following paragraph :

“(9) define the expression “resident in Québec” for the purposes of this Act.”

**33.** Section 112 of the said Act is amended by replacing paragraph 5 by the following paragraph :

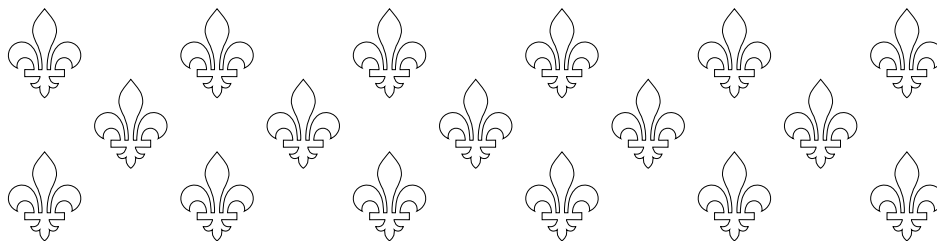
“(5) establish rules for determining the financial contribution referred to in section 93;”.

**34.** In any Act other than the General and Vocational Colleges Act and in any regulation, order in council or order, unless the context indicates otherwise, the words “general and vocational college” and the word “college” where it designates a general and vocational college include a regional college.

#### FINAL PROVISIONS

**35.** In the event of the replacement of the Collège de Joliette, the opinion of the Conseil supérieur de l'éducation concerning the establishment of a college-level institution in the southern part of Lanaudière is valid as an opinion given to the Minister of Education for the purposes of section 31 of the General and Vocational Colleges Act enacted by section 26 of this Act.

**36.** The provisions of this Act come into force on the date or dates to be fixed by the Government.



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 169  
(1997, chapter 89)

**An Act to amend the Act respecting the  
legal publicity of sole proprietorships,  
partnerships and legal persons**

---

---

**Introduced 13 November 1997  
Passage in principle 4 December 1997  
Passage 19 December 1997  
Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**

### **EXPLANATORY NOTES**

*The object of this bill is to facilitate the implementation of a single business number for enterprises operating in Québec. To that end, the Inspector General of Financial Institutions is given the power to register not only legal persons, but natural persons, partnerships and groups as well.*

*The Inspector General is also authorized to make agreements with government departments or bodies for the delegation, subject to stipulated conditions and limits, of the power to register a natural person, partnership, group or legal person. All government departments and bodies are empowered to enter into such an agreement.*

*This bill also withdraws the legislative provisions which concern the powers of the clerk of the Superior Court as regards registration.*

## Bill 169

### AN ACT TO AMEND THE ACT RESPECTING THE LEGAL PUBLICITY OF SOLE PROPRIETORSHIPS, PARTNERSHIPS AND LEGAL PERSONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** Section 8 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., chapter P-45) is replaced by the following section :

“**8.** The registration of a natural person, a partnership, a group or a legal person shall be effected by the Inspector General of Financial Institutions upon presentation of a declaration of registration or, in the case of a legal person constituted in Québec under the Act applicable to legal persons of its kind, upon the deposit of its constituting act in the register of sole proprietorships, partnerships and legal persons.”

**2.** Section 9 of the said Act is amended by replacing the words “to the clerk of the Superior Court or to the Inspector General, as the case may be,” in the first and second lines of the first paragraph by the words “to the Inspector General”.

**3.** Section 17 of the said Act is amended by replacing paragraph 2 by the following paragraph :

“(2) be drawn up in duplicate;”.

**4.** Section 18 of the said Act is amended by replacing the words “The clerk of the Superior Court or the Inspector General, as the case may be,” at the beginning of the first paragraph by the words “The Inspector General”.

**5.** Section 20 of the said Act is replaced by the following section :

“**20.** The Inspector General, when refusing to register a registrant pursuant to section 18 or 19, shall inform the registrant of the reasons for refusal.”

**6.** Section 21 of the said Act is amended by replacing the words “The clerk of the Superior Court or the Inspector General, as the case may be,” at the beginning of the first paragraph by the words “The Inspector General”.

**7.** Section 22 of the said Act is replaced by the following section :

**“22.** The Inspector General shall, after registering a registrant upon presentation of a declaration of registration, return to the registrant a copy of the declaration and deposit the second copy in the register.”

**8.** The said Act is amended by inserting, after section 73, the following section :

**“73.1.** The Inspector General may enter into a written agreement to delegate to a government department or body all or part of the Inspector General’s power to register a natural person, a partnership, a group or a legal person. The delegation may, in particular, pertain to the exercise of the Inspector General’s powers and duties under sections 74, 78 and 80.

The exercise of the Inspector General’s power delegated under the agreement is subject to the conditions and limits stipulated in the agreement.

Any government department or body is competent to enter into such an agreement with the Inspector General.”

**9.** Section 74 of the said Act is amended by striking out the words “at the offices of the clerks of the Superior Court or” in the first and second lines of the second paragraph.

**10.** Section 78 of the said Act is amended by replacing the words “The clerk of the Superior Court or the Inspector General” at the beginning by the words “The Inspector General”.

**11.** Section 80 of the said Act is amended by replacing the words “The clerk of the Superior Court or the Inspector General” at the beginning by the words “The Inspector General”.

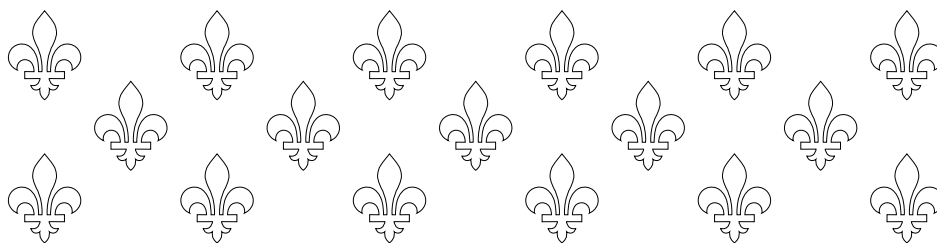
**12.** Section 90 of the said Act is amended by striking out the words “the clerk of the Superior Court or” in the first line of the second paragraph.

**13.** Section 91 of the said Act is amended by striking out the words “ and, where applicable, on the clerk of the Superior Court” in the fourth and fifth lines of the first paragraph.

**14.** Section 96 of the said Act is amended by striking out the words “and, where applicable, to the clerk of the Superior Court” at the end of the first paragraph.

**15.** This Act comes into force on 1 January 1998, except for section 8 which comes into force on 19 December 1997.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 170  
(1997, chapter 90)

## **An Act to amend the Act respecting financial assistance for students**

---

---

**Introduced 12 November 1997**  
**Passage in principle 4 December 1997**  
**Passage 19 December 1997**  
**Assented to 19 December 1997**

---

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

## EXPLANATORY NOTES

*This bill amends the loans and bursaries program established by the Act respecting financial assistance for students.*

*It provides, in particular, for new rules for computing the amount of a loan and for the borrower's obligation to pay interest on the balance of authorized loans from the time the borrower ceases to be a full-time student.*

*In addition, the bill provides for the repayment by the Minister of Education, in certain cases and on certain conditions, of the portion of the loan determined by regulation, if the borrower completes a program of studies within the time prescribed and obtains official certification thereof.*

*Lastly, the bill authorizes the Government to determine, by regulation, among the obligations of a borrower, those that are assumed by the Minister when the borrower is in a precarious financial situation.*

## Bill 170

### AN ACT TO AMEND THE ACT RESPECTING FINANCIAL ASSISTANCE FOR STUDENTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The title of the Act respecting financial assistance for students (R.S.Q., chapter A-13.3) is replaced by the following title :

“Act respecting financial assistance for education expenses”.

**2.** Section 4 of the said Act, amended by section 1 of chapter 79 of the statutes of 1996, is again amended by inserting, after subparagraph 10 of the first paragraph, the following subparagraph :

“(10.1) he has been successively, for at least two years, excluding any period during which he was in full-time attendance at an educational institution, in situations described in subparagraphs 9 and 10;”

**3.** Section 14 of the said Act, amended by section 4 of chapter 79 of the statutes of 1996, is replaced by the following section :

“**14.** The amount of the loan shall be computed, for and up to the first portion fixed by regulation, by subtracting the amount determined as the contribution of the student from the amount determined as allowable expenses and, for the second portion, by subtracting from the amount determined as allowable expenses the following amounts :

(1) the amount determined as the contribution of the student and, where applicable, the amount determined as the contribution of the student’s parents, sponsor or spouse ;

(2) the amount of the first portion of the loan fixed by regulation.

The amount obtained under the first paragraph shall not exceed the maximum amount of a loan established pursuant to section 13 or the balance of financial assistance that may be granted to the student in the form of a loan.”

**4.** Section 23 of the said Act is replaced by the following section :

“**23.** For the purposes of this subdivision, “period of exemption” means the period beginning on the date on which the borrower obtains a first loan or on which the borrower resumes being a full-time student, and ending on the date determined in accordance with the regulations.”

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

(1) by replacing the words “his period of exemption” in the third and fourth lines of the first paragraph by the words “the additional period ending on the date determined by regulation”;

(2) by inserting the words “and provided the person is in a precarious financial situation within the meaning of the regulation” after the word “Minister” in the first line of subparagraph 2 of the second paragraph.

**6.** The said Act is amended by adding, after section 24, the following section:

**“24.1.** A private educational institution that receives a cancellation notice in respect of a services contract from a student who has received financial assistance in the form of a loan shall inform the Minister.

The Minister may, in such a case, order the educational institution to remit the amounts referred to in section 74 of the Act respecting private education (chapter E-9.1) to the financial institution so that they may be applied to the repayment of the loan.”

**7.** The said Act is amended by inserting, after section 25, the following section:

**“25.1.** The Minister shall reimburse, at the request of the borrower, the portion of the loan determined by regulation, in the cases and on the conditions provided for therein, if the borrower has completed a program of studies within the time prescribed and has obtained official certification thereof.”

**8.** Section 40 of the said Act is amended

(1) by inserting the words “except in the case provided for in the third paragraph,” after the word “However,” in the first line of the second paragraph;

(2) by adding, after the second paragraph, the following paragraph:

“Where, as a result of the Minister’s decision, the amount of a loan already contracted is reduced and the amount of the bursary is increased, the additional amount of bursary shall be paid to the financial institution so that it may be applied to the repayment of the loan, up to the amount of that reduction.”

**9.** Section 42 of the said Act is amended

(1) by adding, at the end of the first paragraph, the words “or unless the Minister has informed the person of the Minister’s intention to offset the amount against the amount of a bursary or to require the financial institution to withhold the amount, in the Minister’s favour, upon payment of an authorized loan”;

(2) by adding, at the end of the first paragraph, the following sentence: “Interest shall be payable on the amount at the rate fixed by regulation from the time the amount becomes payable.”

**10.** The said Act is amended by inserting, after section 42, the following section:

**“42.1.** A person who, without entitlement, has received financial assistance in the form of a loan or a bursary, as a result of a false declaration, must reimburse to the Minister without delay the amount received without entitlement.

The Minister shall reimburse to the financial institution the amount of financial assistance in the form of a loan that is claimed by the Minister from the borrower.

Interest shall be payable on the amount owed at the rate fixed by regulation, from the time the financial assistance is paid by the Minister or the financial institution.

Sections 30 and 31 apply in respect of an amount owed under this section.”

**11.** Section 43 of the said Act is amended by adding, at the end of paragraph 2, the words “or unless the Minister has informed the person of the Minister’s intention to offset the amount against the amount of a bursary or to require the financial institution to withhold the amount, in the Minister’s favour, upon payment of an authorized loan”.

**12.** Section 57 of the said Act, amended by section 11 of chapter 79 of the statutes of 1996, is again amended

(1) by inserting, after subparagraph 9 of the first paragraph, the following subparagraph:

“(9.1) fix the amount of the first portion of a loan for the purposes of a computation under section 14;”;

(2) by inserting, after subparagraph 13 of the first paragraph, the following subparagraph:

“(13.1) determine, in respect of each level of instruction, each cycle and certain programs of studies identified by the Government, for the purposes of section 24, the date on which the additional period ends and, for the purposes of sections 23 and 25, the date on which the period of exemption ends, according to the time when the borrower completes or abandons a program of studies;”;

(3) by inserting the words “require the capitalization of the interest accrued for any period determined by the Government and provide for” after the word “loan,” in the first line of subparagraph 15 of the first paragraph;

(4) by replacing subparagraph 16 of the first paragraph by the following subparagraph :

“(16) define, for the purposes of sections 24 and 25, “precarious financial situation”, determine the borrower’s obligations that are to be assumed by the Minister in such a situation and, for the purposes of section 25, determine the time when repayment of a loan must begin and the terms and conditions applicable to such repayment;”;

(5) by inserting, after subparagraph 16 of the first paragraph, the following subparagraph :

“(16.1) determine, for the purposes of section 25.1, the cases in which the borrower qualifies for a reimbursement, prescribe the time within which the borrower must complete a program of studies and determine the part of the loan to be so reimbursed by the Minister and the terms and conditions applicable to such reimbursement;”;

(6) by adding, after subparagraph 24 of the first paragraph, the following subparagraph :

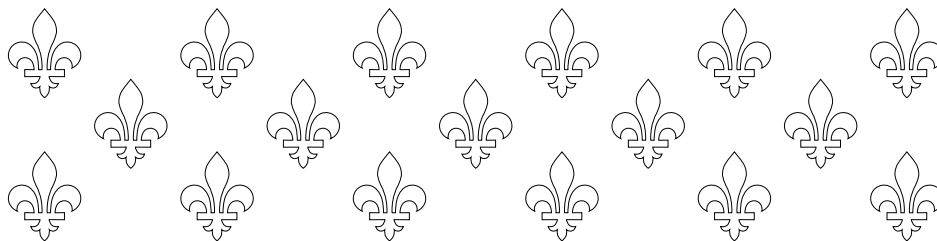
“(25) fix the rate of interest applicable to the amounts owed to the Minister under sections 42 and 42.1.”

**13.** The provisions introduced by sections 2 and 3 of this Act are applicable in respect of the years of allocation subsequent to their coming into force.

The other provisions introduced by this Act and the first regulations made thereunder are applicable to the juridical situations in progress at the time of their coming into force.

**14.** In any Act or statutory instrument, any reference to the Act respecting financial assistance for students is a reference to the Act respecting financial assistance for education expenses, unless the context indicates otherwise.

**15.** The provisions of this Act come into force on the date or dates to be fixed by the Government.



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 171  
(1997, chapter 91)

## **An Act respecting the Ministère des Régions**

---

---

**Introduced 13 November 1997**  
**Passage in principle 2 December 1997**  
**Passage 19 December 1997**  
**Assented to 19 December 1997**

---

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

## EXPLANATORY NOTES

*This bill creates a new government department for the regions to be known as the “Ministère des Régions”, under the direction of the minister designated as the Minister of Regions.*

*The bill defines the areas in which the Minister will act, together with the main ministerial powers and functions relating to local and regional development.*

*The bill provides for the accreditation of local development centres and regional development councils. The mandate of each local development centre will, among other actions, require the development of a local action plan and a strategy for the development of entrepreneurship, including entrepreneurship in the third sector. The mandate of each regional development council, on the other hand, will consist primarily in promoting concerted action among all the regional partners and in developing a regional strategic plan.*

*In addition, the bill provides for the establishment of a regional development fund, dedicated to the financing of the measures provided for by agreement, and the financing of any other activity pursued by a regional development council.*

*Lastly, the bill contains provisions concerning the internal organization of the Ministère des Régions, together with transitional and consequential amendments.*

### LEGISLATION AMENDED BY THIS BILL :

- Cities and Towns Act (R.S.Q., chapter C-19);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Act respecting the Communauté urbaine de l’Outaouais (R.S.Q., chapter C-37.1);
- Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);
- Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3);



- Executive Power Act (R.S.Q., chapter E-18);
- Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30);
- Government Departments Act (R.S.Q., chapter M-34);
- Act respecting the Société du parc industriel et portuaire Québec-Sud (R.S.Q., chapter S-16.01);
- Act to amend various legislative provisions concerning municipal affairs (1997, chapter 53);
- Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, chapter 63).



## **Bill 171**

### **AN ACT RESPECTING THE MINISTÈRE DES RÉGIONS**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### **CHAPTER I**

##### **MINISTER'S RESPONSIBILITIES**

**1.** The mission of the Minister of Regions is to promote and support local and regional economic, social and cultural development while encouraging the communities involved to take responsibility for regional and local development in partnership with the State.

More particularly, the Minister shall endeavour to increase the effectiveness of initiatives aimed at stimulating local and regional development by promoting the harmonization, simplification and accessibility of entrepreneurial support services.

In deciding on any course of action, the Minister shall consider local and regional particularities as well as rural particularities and endeavour to stimulate job creation. The Minister shall act in cooperation with and facilitate the involvement of on-site partners.

**2.** The Minister shall formulate and propose to the Government orientations and policies conducive to local and regional development and oversee their implementation.

The Minister shall make agreements with government departments and bodies to establish modes of collaboration which facilitate the formulation and implementation of such orientations and policies.

**3.** The Minister shall, subject to conditions determined by the Minister within the scope of government orientations and policies, provide financial and technical support for the realization of actions aimed at local and regional development.

To that end, the Minister is responsible, in conjunction with the recognized local and regional authorities, for the funds made available to such authorities. The Minister shall also administer the other sums entrusted to the Minister for the carrying out of local or regional development projects.

**4.** The Minister shall advise the Government and government departments and bodies on any matter relating to local and regional development.

The Minister shall ensure that government action is coherent and concordant, and, to that end, the Minister shall be involved in the development of measures and the making of ministerial decisions relating to local and regional development, and shall give an opinion as Minister of Regions whenever appropriate.

The Minister shall obtain the necessary information for exercising such responsibilities from the government departments and bodies concerned.

**5.** The Minister shall, in addition, assume any other responsibility assigned by the Government.

**6.** In the exercise of ministerial responsibilities, the Minister may

(1) enter into agreements with any person, association, partnership or body, concerning any matter under the Minister's authority ;

(2) facilitate the development and signing of agreements, particularly between regional development councils and government departments and bodies ;

(3) enter into agreements in accordance with the law with a government other than that of Québec, a department of such a government, an international organization, or a body under the authority of such a government or organization ;

(4) conduct or commission research, studies and analyses and make the findings public.

**7.** The Minister shall lay before the National Assembly an activity report for each fiscal year of the Government within six months of the end of the fiscal year or, if the Assembly is not sitting, within 30 days of resumption. The report shall reflect the contents of the activity reports sent to the Minister by the local centres and the regional councils pursuant to sections 15 and 23.

The Minister shall also lay before the National Assembly, every three years, a report on the fulfilment of the objects pursued by and on the achievements of each local development centre.

## **CHAPTER II**

### **LOCAL AND REGIONAL AUTHORITIES**

#### **DIVISION I**

##### **LOCAL DEVELOPMENT CENTRES**

**8.** A local development centre is a non-profit organization, constituted under Part III of the Companies Act (R.S.Q., chapter C-38), accredited by the

Minister to act in that capacity subject to the conditions determined by the Minister within the scope of government orientations and policies, after obtaining the advice of the municipal body party to the agreement referred to in section 12.

The constituting instrument of a local development centre shall describe the objects pursued by local development centres.

**9.** The name of a local development centre shall include the words “local development centre” or the acronym “LDC”.

No person or body may use a name which includes the words “local development centre” or the acronym “LDC” unless it is accredited as such under this Act.

**10.** The board of directors of a local development centre shall include representatives of the different sectors of the community to be served by the centre, in particular business, including the industrial, manufacturing and commercial sectors, labour, including labour unions, as well as the farming community, municipal authorities, the cooperative sector, community groups and institutional organizations.

In addition, the following persons shall be non-voting members of the board of directors :

- (1) the head of the local development centre ;
- (2) the Assistant Deputy Minister of Regions for the region concerned, or the representative of that Assistant Deputy Minister ;
- (3) the director of the local employment centre.

The Member of the National Assembly for any electoral division whose territory is under the jurisdiction of the local development centre has the right to take part in the different proceedings, without the right to vote.

No sector represented on the board of directors may hold the majority of the seats on the board or hold a number of seats which prevents a suitable balance in the representation of the different sectors, according to the needs of the community concerned. Each board member has one vote only. The same rules apply to the executive committee, if any.

Board members shall be designated by the people in the sector they originate from and represent.

**11.** Local development centres shall be distributed as follows :

- (1) the territory of a regional country municipality may only be served by one local centre ; the territory of an urban community may be served by two or more, if need be ;

(2) the territories of two or more municipalities may be served by one local centre ;

(3) the territory of a local municipality comprised within the territory of an urban community may either be served by a local centre exclusively or be served by a local centre that also serves the territory of another local municipality comprised within the urban community or of an adjacent regional county municipality ;

(4) the territory of a local municipality not comprised within the territory of a regional county municipality or an urban community may either be served by a local centre exclusively or be served by a local centre that also serves the territory of another local municipality or of an adjacent regional county municipality.

**12.** The Minister shall enter into an agreement with each local development centre and the municipal body referred to in section 11 whose territory it serves determining the conditions to be met by the centre, and the role and responsibilities of each of the parties.

The municipal body party to the agreement holds the powers required for the carrying out of the agreement.

**13.** The mandate of a local development centre consists primarily in

(1) grouping, coordinating and providing funding to existing entrepreneurial support services ;

(2) developing a local plan of action to stimulate the economy and create employment which is in keeping with the strategic plan established by the regional development council serving its territory and with the general agreement to which the regional development council is a party, and in seeing to the implementation of such plan ;

(3) formulating a strategy, consistent with national and regional orientations, strategies and objectives, for the development of entrepreneurship, including entrepreneurship in the third sector ;

(4) acting as an advisory committee for the benefit of the local employment centre serving its territory.

With the authorization of the Minister, a local development centre shall also carry out any other mandate from government departments and bodies concerned by local development.

**14.** A local development centre shall administer the funds entrusted to it pursuant to the agreement referred to in section 12.

**15.** A local development centre must, annually, file a report on its activities with the Minister on the date and in the manner determined by the Minister, together with its financial statements for the preceding fiscal year.

The report shall contain any other information required by the Minister. The financial statements shall be filed together with the auditor's report.

The activity report, the financial statements and the auditor's report shall also be transmitted to the municipal body party to the agreement referred to in section 12.

## **DIVISION II**

### **REGIONAL DEVELOPMENT COUNCILS**

**16.** A regional development council is a non-profit organization, constituted under Part III of the Companies Act, accredited by the Minister to act in that capacity subject to the conditions determined by the Minister within the scope of government orientations and policies.

The constituting instrument of a regional development council shall describe the objects pursued by regional development councils.

**17.** The name of a regional development council shall include the words "regional development council" or the acronym "RDC".

No person or body may use a name which includes the words "regional development council" or the acronym "RDC" unless it is accredited as such under this Act.

**18.** Only one regional development council may be accredited per administrative region of Québec. The regional development council is the primary interlocutor of the Government for the region represented by the council.

**19.** The Minister shall enter into an agreement with each regional development council, determining the conditions to be met by the council, and the role and responsibilities of each of the parties.

**20.** The mandate of a regional development council consists primarily in promoting concerted action among partners in the region and giving advice to the Minister on all matters concerning the development of the region.

In order to fulfil its mandate, the council shall develop a strategic plan identifying overall development objectives for the region (referred to as "lines of development") and more specific objectives (referred to as "development priorities"). The plan must be consistent with the manpower strategies and objectives identified by the regional council of labour market partners serving the same territory.

Based on the strategic plan, the regional council shall enter into a general regional development agreement with the Government determining the lines of development and development priorities for the region as agreed by the parties.

The council shall also enter into specific agreements with government departments or bodies and possibly with other partners to provide for the implementation of the general agreement or for measures to adjust government action in the field of regional development in light of regional particularities.

The regional council shall carry out any other mandate received from the Minister.

**21.** A regional development council shall administer the funds entrusted to it by the Government under an agreement for the carrying out of any regional development project under the authority of the Minister.

**22.** A regional development council shall follow up its action and evaluate it periodically.

**23.** A regional development council must, annually, file a report on its activities with the Minister on the date and in the manner determined by the Minister, together with its financial statements for the preceding fiscal year.

The report shall contain any other information required by the Minister. The financial statements shall be filed together with the auditor's report.

### CHAPTER III

#### REGIONAL DEVELOPMENT FUND

**24.** A regional development fund is hereby established.

The fund shall be dedicated to the financing of the measures provided for in the specific agreements entered into between a regional development council, a government department or body and, where applicable, any other partner.

The fund may also be dedicated to the financing of any other activity pursued by a regional development council.

**25.** The Government shall fix the date on which the fund begins to operate and determine its assets and liabilities and the nature of the activities financed by and the costs that may be charged to the fund.

The particulars of the management of the fund shall be determined by the Conseil du trésor.

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



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

(2) the sums paid into the fund by the Minister of Finance as advances taken out of the consolidated revenue fund;

(3) the sums paid into the fund by the Minister of Finance as borrowings from the financing fund established under section 69.1 of the Financial Administration Act (R.S.Q., chapter A-6);

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

**27.** The management of the sums making up the fund shall be entrusted to the Minister of Finance. Such sums shall be paid to the order of, and deposited with the financial institutions determined by, the Minister of Finance.

Notwithstanding section 13 of the Financial Administration Act, the Minister of Regions shall keep the books of account of the fund and record the financial commitments chargeable to it. In addition, the Minister of Regions shall certify that the commitments and the payments arising therefrom do not exceed and are consistent with the available balances.

**28.** The Minister of Finance may, with the authorization of and subject to the conditions determined by the Government, advance to the fund sums taken out of the consolidated revenue fund.

Conversely, the Minister of Finance may advance to the consolidated revenue fund, on a short-term basis and subject to the conditions determined by the Minister of Finance, any part of the sums making up the fund that is not required for its operation.

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

**29.** The Minister of Regions may, as the manager of the fund, borrow from the Minister of Finance sums taken out of the financing fund established under section 69.1 of the Financial Administration Act.

**30.** The sums required for the payment of the remuneration and expenses relating to employment benefits and other conditions of employment of the persons who, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), are assigned to the operation of the fund shall be taken out of the fund.

**31.** Any surplus accumulated by the fund shall be paid into the consolidated revenue fund on the dates and to the extent determined by the Government.

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

**33.** The fiscal year of the fund ends on 31 March.

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

**35.** The Minister shall, not later than (*insert here the date occurring five years after the date on which the fund begins to operate as fixed under section 25*), submit to the Government an assessment report stating whether or not it is advisable to maintain the fund.

The Minister shall lay the report before the National Assembly within 30 days of its submission or, if the Assembly is not sitting, within 30 days of resumption.

#### CHAPTER IV

##### TABLE QUÉBEC-RÉGIONS

**36.** A consultative committee “Table Québec-régions” shall advise the Minister on any matter within its purview which is submitted to it by the Minister.

**37.** The composition of the consultation committee shall be determined by the Minister.

#### CHAPTER V

##### ORGANIZATION OF THE DEPARTMENT

**38.** The Ministère des Régions shall be under the direction of the Minister of Regions appointed under the Executive Power Act (R.S.Q., chapter E-18).

**39.** The Government shall appoint, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), a person as Deputy Minister of the Ministère des Régions.

**40.** Under the direction of the Minister, the Deputy Minister shall administer the department.

In addition, the Deputy Minister shall exercise any other function assigned by the Government or the Minister.

**41.** In exercising deputy ministerial functions, the Deputy Minister shall have the authority of the Minister.

**42.** The Deputy Minister may, in writing and to the extent indicated, delegate to a public servant or the holder of a position the exercise of deputy ministerial functions under this Act.

The Deputy Minister may, in the instrument of delegation, authorize the subdelegation of the functions indicated and in that case shall specify the title of the public servant or holder of a position to whom the functions may be subdelegated.

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

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

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

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

**45.** The Government may allow that the required signature be affixed by means of an automatic device to the documents determined by the Government, subject to the conditions determined by the Government.

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

**46.** Any document or copy of a document emanating from the department or forming part of its records and signed or certified by a person referred to in the second paragraph of section 44 is authentic.

**47.** An intelligible written transcription of a decision or other data stored by the department in a computer or in any other computer-generated medium is a document of the department and is proof of its contents where certified true by a person referred to in the second paragraph of section 44.

## CHAPTER VI

### AMENDING, TRANSITIONAL AND FINAL PROVISIONS

**48.** The words “a non-profit organization having economic promotion and development as its object that acts in its territory and has been designated by

the Government” in the provisions listed below are replaced by the words “the local development centre accredited under the Act respecting the Ministère des Régions (1997, chapter 91) serving its territory”:

— section 466.2 of the Cities and Towns Act (R.S.Q., chapter C-19), enacted by section 4 of chapter 53 of the statutes of 1997;

— article 627.2 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), enacted by section 15 of chapter 53 of the statutes of 1997;

— article 688.10 of the said Code, enacted by section 17 of chapter 53 of the statutes of 1997;

— section 84.5.1 of the Act respecting the Communauté urbaine de l’Outaouais (R.S.Q., chapter C-37.1), enacted by section 26 of chapter 53 of the statutes of 1997;

— section 121.5 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2), enacted by section 31 of chapter 53 of the statutes of 1997;

— section 96.0.1.1 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3), enacted by section 35 of chapter 53 of the statutes of 1997.

**49.** Section 466.2 of the Cities and Towns Act and article 627.2 of the Municipal Code of Québec are further amended by adding the following paragraph:

“If two or more local development centres serve the territory of a municipality, the municipality shall, in the by-law adopted for the purposes of the first paragraph, establish rules governing the allotment of the funds between those centres.”

Section 84.5.1 of the Act respecting the Communauté urbaine de l’Outaouais, section 121.5 of the Act respecting the Communauté urbaine de Montréal and section 96.0.1.1 of the Act respecting the Communauté urbaine de Québec are further amended by adding the following paragraph:

“If two or more local development centres serve the territory of the Community, the Community shall, in the by-law adopted for the purposes of the first paragraph, establish rules governing the allotment of the funds between those centres.”

**50.** The word “organization” in the provisions listed below is replaced by the words “local development centre”:

— the first paragraph of section 466.3 of the Cities and Towns Act (R.S.Q., chapter C-19), enacted by section 4 of chapter 53 of the statutes of 1997;

— the first paragraph of article 627.3 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), enacted by section 15 of chapter 53 of the statutes of 1997;

— the first paragraph of article 688.11 of the said Code, enacted by section 17 of chapter 53 of the statutes of 1997;

— the first paragraph of section 84.5.2 of the Act respecting the Communauté urbaine de l'Outaouais (R.S.Q., chapter C-37.1), enacted by section 26 of chapter 53 of the statutes of 1997;

— the first paragraph of section 121.6 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2), enacted by section 31 of chapter 53 of the statutes of 1997;

— the first paragraph of section 96.0.1.2 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3), enacted by section 35 of chapter 53 of the statutes of 1997.

**51.** Section 4 of the Executive Power Act (R.S.Q., chapter E-18), amended by section 47 of chapter 21 and paragraph 9 of section 43 of chapter 29 of the statutes of 1996, by section 44 of chapter 58 and paragraph 11 of section 128 of chapter 63 of the statutes of 1997, is again amended by adding, at the end, the following paragraph:

“(34) A Minister of Regions.”

**52.** Division III of the Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30), consisting of sections 3.23 to 3.29, is repealed.

**53.** Section 4 of the said Act is amended by replacing the words “Divisions II and III” in the third and fourth lines by the words “Division II”.

**54.** Section 4.1 of the said Act is replaced by the following section:

“**4.1.** The minister responsible for the administration of Division II shall table in the National Assembly a report on the activities of the department in the area of Canadian intergovernmental affairs for each fiscal year within six months of the end of that fiscal year if the Assembly is in session or, if it is not, within 30 days of the opening of the next session or of resumption.”

**55.** Section 1 of the Government Departments Act (R.S.Q., chapter M-34), amended by section 19 of chapter 13, section 60 of chapter 21 and paragraph 17 of section 43 of chapter 29 of the statutes of 1996 and by section 52 of chapter 58 and paragraph 13 of section 128 of chapter 63 of the statutes of 1997, is again amended by replacing paragraph 34 by the following paragraphs:

“(33) The Ministère de la Famille et de l'Enfance, presided over by the Minister of Child and Family Welfare;

“(34) The Ministère des Régions, presided over by the Minister of Regions.”

**56.** Section 6 of the Act respecting the Société du parc industriel et portuaire Québec-Sud (R.S.Q., chapter S-16.01) is amended by replacing the words “responsible for the administration of Division III of the Act respecting the Ministère du Conseil exécutif (chapter M-30)” by the words “designated by the Government”.

**57.** Sections 55 and 56 of the Act to amend various legislative provisions concerning municipal affairs (1997, chapter 53) are amended by replacing the word “organization” in the second paragraph by the words “local development centre”.

**58.** Section 21 of the Act respecting the Ministère de l’Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, chapter 63) is amended by replacing subparagraph 1 of the third paragraph by the following subparagraph :

“(1) the Deputy Minister of Regions, or an Assistant Deputy Minister of the Ministère des Régions designated by the Deputy Minister ;”.

**59.** Section 40 of the said Act is amended by replacing subparagraph 1 of the third paragraph by the following subparagraph :

“(1) the Deputy Minister of the Ministère des Régions or a regional representative of the Ministère des Régions designated by the Deputy Minister of Regions ;”.

**60.** In any other Act and in any regulation, order in council, ministerial order, proclamation, order, contract, agreement, accord or other document, any reference to sections 3.23 to 3.29 of the Act respecting the Ministère du Conseil exécutif is a reference to the corresponding provisions of this Act.

**61.** Regional authorities recognized by the Government under section 3.27 of the Act respecting the Ministère du Conseil exécutif are deemed to be regional development councils recognized under this Act.

Such recognition may be modified or replaced subject to conditions determined by the Government, or terminated by the Government.

**62.** Agreements entered into between a regional authority and the Minister under section 3.28 of the Act respecting the Ministère du Conseil exécutif are deemed to be agreements entered into under this Act.

Such agreements may, with the authorization of the Government, be modified, replaced or terminated by the Minister.

**63.** Regional development plans, programs and projects developed under Division III of the Act respecting the Ministère du Conseil exécutif and the

sums allocated for their implementation shall continue to be administered by the Minister. Such plans, programs and projects may be modified or terminated by the Government or by the Minister, according to whether they received government or ministerial approval.

**64.** Financial assistance and grants received under Division III of the Act respecting the Ministère du Conseil exécutif are deemed to be financial assistance and grants received under this Act.

**65.** The appropriations for the fiscal year 1997-98 allocated to the regional development program shall be transferred, to the extent determined by the Government, to the Ministère des Régions.

**66.** The Government may determine the extent to which the responsibilities under this Act are to be exercised by the Minister of State for Greater Montréal in the territory determined by the Government.

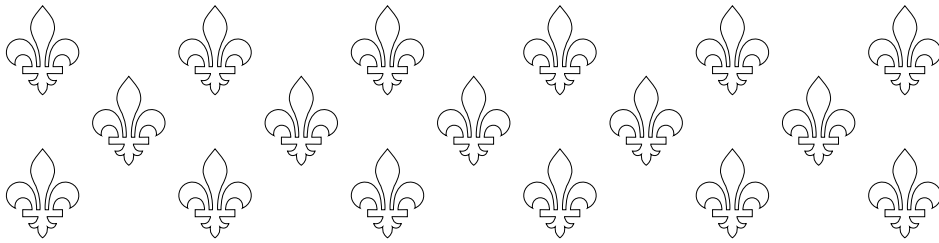
**67.** The Minister of State for Natural Resources and Minister responsible for Regional Development and, as concerns the administrative regions of Montréal and Laval, the Minister of State for Greater Montréal are responsible for the administration of Division I of Chapter II, which comprises sections 8 to 15, until (*insert here the date of coming into force of section 52*).

**68.** The Minister of Regions is responsible for the administration of this Act.

**69.** The provisions of this Act come into force on the date or dates to be fixed by the Government, except Division I of Chapter II, which comprises sections 8 to 15, and section 67 which come into force on 19 December 1997.







---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 173  
(1997, chapter 92)

**An Act to establish the special local  
activities financing fund and to amend  
the Act respecting municipal taxation**

---

---

**Introduced 12 November 1997  
Passage in principle 28 November 1997  
Passage 19 December 1997  
Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**

**EXPLANATORY NOTES**

*This bill establishes a special local activities financing fund at the Ministère des Affaires municipales.*

*The fund is to be made up mainly of contributions to be paid, for each of the years 1998 and 1999, by the local municipalities and sums taken out of the revenues from the special tax imposed on telecommunication, gas and electricity distribution systems.*

*The bill provides that the Government may make those amounts payable for the year 2000.*

*Lastly, the bill provides that the activities of the fund will begin on 1 January 1998.*

**LEGISLATION AMENDED BY THIS BILL :**

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

## Bill 173

### AN ACT TO ESTABLISH THE SPECIAL LOCAL ACTIVITIES FINANCING FUND AND TO AMEND THE ACT RESPECTING MUNICIPAL TAXATION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** A special local activities financing fund is hereby established at the Ministère des Affaires municipales.

The fund provides financing for government expenditures relating to activities of a local nature.

**2.** The activities of the fund shall begin on 1 January 1998. The Government shall determine the assets and liabilities of the fund, the nature of the activities to be financed and the costs chargeable to the fund.

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

(1) the sums paid into it by the local municipalities pursuant to sections 4 to 6;

(2) the sums paid into it by the Minister of Revenue pursuant to section 7;

(3) the sums paid into it by a minister out of the appropriations allocated for that purpose by Parliament;

(4) the sums paid into it by the Minister of Finance pursuant to sections 10 and 11;

(5) any interest and any amount referred to in section 14 and in the second paragraph of section 15, respectively;

(6) interest earned on the sums referred to in paragraphs 1, 2 and 5.

**4.** Ville de Montréal, Ville de Québec, Ville de Hull, Ville de Sherbrooke, Ville de Chicoutimi and Ville de Trois-Rivières shall pay, for each of the years 1998 and 1999, the amounts appearing in Division I of the schedule.

**5.** Every local municipality, other than those referred to in section 4, shall pay, for each of the years 1998 and 1999, an amount corresponding to 5.78% of the expenditures, excluding those related to the costs of financing, appearing

in its budget for the fiscal year 1997 as adjusted by the Minister of Municipal Affairs, as the case may be, before 23 October 1997.

The expenditures of the municipalities mentioned in Division II of the schedule that relate to the supply and to the production of electricity do not form part of the expenditures on which the calculation of the amount payable under the first paragraph is based.

The obligation provided for in the first paragraph does not apply to northern, Cree or Naskapi villages, Paroisse de Notre-Dame-des-Anges, Municipalité de Saint-Benoît-du-Lac or Paroisse de Saint-Louis-de-Gonzague-du-Cap-Tourmente.

**6.** The Government may make the contribution fixed under sections 4 and 5 applicable for the year 2000.

**7.** The Minister of Revenue shall pay into the fund, for each of the years 1998 and 1999, as well as for the year 2000 if the Government makes the contribution fixed under sections 4 and 5 applicable for that year, out of the revenues under section 230 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) collected by the Minister in the 12-month period before 1 July, hereinafter called the “reference period for the year”, a sum that is the total obtained by adding \$16,100,000 and the amount by which the revenues collected in the reference period for the year 1998 exceed the revenues collected during the reference period for the year 1997.

For the purpose of establishing the gross amount to be apportioned for a municipal fiscal year, within the meaning of the Regulation respecting the apportionment of revenues from the tax paid by operators of certain systems (R.R.Q., 1981, chapter F-2.1, r.12.1), the sum to be paid by the Minister of Revenue into the fund for the year corresponding to the fiscal year shall be subtracted, as in the case of the sums withheld under the second paragraph of section 230 of the Act respecting municipal taxation, from the revenues collected during the reference period for the year.

**8.** The Minister of Municipal Affairs shall send to each local municipality referred to in section 5 a request for payment that specifies the amount to be paid by the local municipality.

**9.** The payment provided for in section 4 or in section 5 shall be made to the Minister of Municipal Affairs in two instalments during the year in respect of which it is due.

The first instalment shall be sent to the Minister before 31 March and be equal, for the municipalities referred to in section 5, to one third of the amount and, for the municipalities referred to in section 4, to the amount shown in Division III of the schedule.

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

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

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

**11.** The Minister of Municipal Affairs may, as the manager of the fund, borrow from the Minister of Finance sums taken out of the financing fund of the Ministère des Finances.

**12.** The management of the sums paid into the fund shall be entrusted to the Minister of Finance. Such sums shall be paid to the order of the Minister of Finance and deposited with the financial institutions designated by the Minister.

Notwithstanding section 13 of the Financial Administration Act (R.S.Q., chapter A-6), the Minister of Municipal Affairs shall keep the books of account for and record the financial commitments chargeable to the fund. The Minister of Municipal Affairs shall also certify that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances. However, the Government may, on the conditions it determines, entrust another minister with those functions to the extent required to enable the latter to manage activities coming under that minister's responsibility.

**13.** No local municipality may refuse to make a payment required under section 5 on the ground of a contestation on its part of the amount specified in the request for payment.

**14.** Any amount due and outstanding is subject to interest, from its due date, at the rate determined pursuant to the first paragraph of section 28 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31). The interest collected shall be paid into the fund.

**15.** Notwithstanding any provision of an Act or statutory instrument but subject to the Act respecting subsidies for the payment in capital and interest of loans of public or municipal bodies (R.S.Q., chapter S-37.01), the Government may, without further formality, fix or revise the amount or date of payment of any sum paid by the Government or of any sum paid by a minister or by a body that is a mandatary of the Government to a local municipality to set off all or part of an instalment not paid by the municipality pursuant to this Act.

The sum corresponding to the amount of the set-off shall be paid into the fund.

**16.** Sections 22 to 27, 33, 35, 45 to 49, 49.2, 49.6, 51, 56, 57 and 70 to 72 of the Financial Administration Act (R.S.Q., chapter A-6), adapted as required, apply to the fund.

**17.** The fiscal year of the fund ends on 31 March.

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

**19.** Any expenditure relating to an activity or cost referred to in section 2 and incurred from 1 April 1997 may be charged to the fund.

**20.** Section 67 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended by replacing the words “or radio” in the second line of the first paragraph by the words “, radio or wireless telecommunication”.

**21.** Section 20 has effect for the purposes of any municipal fiscal year from the fiscal year 1997.

**22.** The revenues from the tax provided for in section 221 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) paid by a person who operates or has operated a wireless telecommunication system do not form part of the revenues referred to in section 230 and in paragraph 4 of section 262 of that Act.

The Minister of Revenue shall send the revenues to the Minister of Municipal Affairs according to the terms and conditions agreed upon by them. The Minister of Municipal Affairs shall distribute the revenues, as determined by the Government, to local municipalities.

**23.** Sections 1 to 19 and 24 of this Act shall cease to have effect on the date determined by the Government.

Any surplus in the fund on the date on which the sections mentioned in the first paragraph cease to have effect shall be paid into the consolidated revenue fund.

**24.** Notwithstanding the first paragraph of section 556 of the Cities and Towns Act (R.S.Q., chapter C-19) and the second paragraph of article 1061 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), a loan by-law the sole object of which is the payment of sums to employees who leave their employment under a retirement program requires only the approval of the Minister of Municipal Affairs.

The first paragraph ceases to apply on 1 January 2001.

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

**26.** This Act comes into force on 19 December 1997.

## SCHEDULE

DIVISION I (*section 4*)

Ville de Montréal	\$46,832,347
Ville de Québec	\$ 8,602,136
Ville de Sherbrooke	\$ 2,891,576
Ville de Hull	\$ 2,776,643
Ville de Chicoutimi	\$ 1,280,860
Ville de Trois-Rivières	\$ 1,313,854

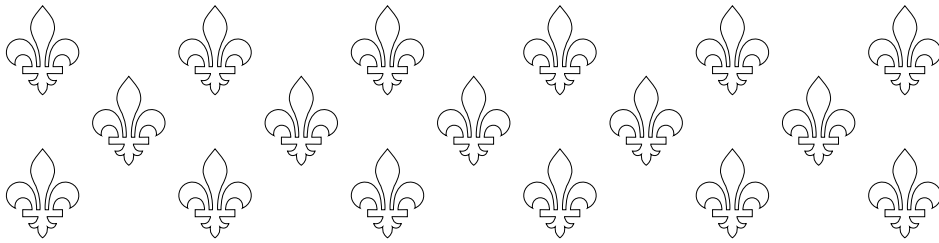
DIVISION II (*section 5*)

Ville d'Alma; Ville d'Amos; Ville de Baie-Comeau; Ville de Coaticook;  
Ville de Joliette; Ville de Jonquière; Ville de Magog; Ville de Westmount.

DIVISION III (*section 9*)

Ville de Montréal	\$29,658,933
Ville de Québec	\$ 4,830,153
Ville de Sherbrooke	\$ 1,559,386
Ville de Hull	\$ 1,623,622
Ville de Chicoutimi	\$ 983,579
Ville de Trois-Rivières	\$ 823,843





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 175  
(1997, chapter 93)

**An Act to again amend various  
legislative provisions concerning  
municipal affairs**

---

---

**Introduced 13 November 1997  
Passage in principle 27 November 1997  
Passage 18 December 1997  
Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**

## EXPLANATORY NOTES

*This bill amends various municipal laws. As concerns land use planning and development, the bill institutes a system for the revision every five years of municipal planning programs and by-laws, subject to a simplified procedure for consulting qualified voters. The bill also broadens the rules governing the information required at the time an application for a building permit is made. It empowers regional county municipalities and local municipalities to adopt provisions in by-laws that relate to the planting and felling of trees in private forests, amends the Forest Act so that those municipalities are considered to be in the same category as holders of a forest management agreement, and provides that a regional county municipality must in all cases examine a zoning by-law to determine whether it complies with government policy concerning the preservation of agricultural activities in agricultural areas.*

*The bill changes the rules that govern the decision-making process within the council of regional county municipalities. In addition, it introduces a provision granting Ville de Québec a right of veto within the council of the Communauté urbaine de Québec.*

*New rules are set out in the bill to govern the dissolution of commercial development associations. The membership of the boards of directors of the associations is also modified by the bill. Amendments are made to the rules governing financing by municipalities and urban communities of promotional and economic organizations designated by the Government.*

*The bill requires the treasurer of a municipality to issue a certificate indicating that funds are available at the time an employee is to be hired by an authorized officer. It also requires the mayor to report each year all contracts involving an expenditure in excess of \$5,000 entered into by a municipality with a population of fewer than 50,000 persons, and all contracts involving an expenditure in excess of \$10,000 entered into by a municipality with a population of over 50,000 persons.*

*As concerns the powers of municipalities, the bill introduces amendments to define their power to construct private conduits and sewer outlets and authorizes municipalities to enter into agreements with school boards or educational institutions for the establishment of libraries. Under the bill, municipalities may also create financial*

*reserves for specific purposes. In addition, the bill grants certain powers regarding management of lands in the public domain. It empowers an executive committee created by a special Act that has the power to authorize expenditures to allow an officer to incur an expenditure and to enter into a contract as a result. The bill also empowers local municipalities to create limited partnerships with Hydro-Québec and enables school boards to invest sums in mutual funds in which municipalities invest. Lastly, the bill amends the Act respecting elections and referendums in municipalities to allow municipalities to test new voting procedures in by-elections and referendums.*

*The bill empowers intermunicipal management boards to enter into certain types of intermunicipal agreements. The Communauté urbaine de Québec is granted powers already available to municipalities and that pertain to transfers of certain types of property and to the financing of its working fund. Northern villages and the Kativik Regional Government are made subject to the same rules as other Québec municipalities as concerns the alienation of movable and immovable property, the awarding of municipal contracts and penal proceedings that may be instituted in cases of offences under the law, a by-law or an order. In addition, the bill grants to Northern villages the property leasing powers that other municipalities currently have. Generally, new provisions will allow Northern villages and the Kativik Regional Government to accept delegations of power from the Government and to subdelegate those powers.*

*The bill introduces several amendments to existing provisions. In particular, it lengthens the time limit for publication by the clerk of a municipality governed by the Cities and Towns Act of a notice of the sale of an immovable for non-payment of taxes, and broadens the publication requirement for calls for public tenders relating to construction, supply or services contracts involving an expenditure in excess of \$100,000. The bill also clarifies the rules allowing a person to be exempted from a special tax imposed for loan repayment if the person pays in a single instalment.*

*As concerns municipal taxation, the bill widens the exemption applicable to trusts in respect of duties on transfers of immovables, sets out clearly the public nature of the graphic register, changes the rule that determines in whose name a trailer belonging to an owner other than the owner of the land on which it is situated is to be entered on the assessment roll, and permits charges payable on the filing of an application for review in matters of real estate assessment to be paid by cheque or other negotiable instrument. The bill also extends to the year 2000 a temporary provision relating to the*

*application of the sales tax to parking spaces situated in the territory of Ville de Montréal. For 1998 only, it allows for the sending of a tax account that takes the place of a notice of assessment in municipalities having rolls that expire in 1998. Lastly, the bill excludes gas distribution networks from the special tax regime applicable to them where the link between the network structures and the consumer is effected essentially by means of vehicle transport.*

*In addition, the bill makes adjustments to certain rules governing the constitution, annexation or amalgamation of municipalities. It also amends the Act respecting the remuneration of elected municipal officers to eliminate, from 1998, automatic indexing of the minimum remuneration of elected officers and the indexing formula imposed on municipalities that grant indexing in a remuneration by-law. As well, the Act is amended to allow for reimbursement of certain expenses incurred by the officers in the performance of their duties. The Act respecting the Société d'habitation du Québec is amended to allow municipal housing bureaus to be amalgamated.*

*Lastly, the bill introduces consequential amendments to ensure coherence with other existing provisions, provides for the desynchronization of the real estate assessment rolls and the rolls of rental values of the municipalities whose territory is comprised in that of Municipalité régionale de comté de Nicolet-Yamaska, validates, on certain conditions, the neighbourhood revitalization programs complementary to the Programme de revitalisation des vieux quartiers established by the Société d'habitation du Québec, and contains a provision concerning the fixing or revising by the Régie du logement of the rent payable for dwellings situated in the Olympic Village. As well, it amends the Act respecting the Régie de l'énergie to enable customers of municipal electricity networks to file complaints concerning electricity rates with the Régie.*

#### **LEGISLATION AMENDED BY THIS BILL :**

- Act respecting land use planning and development (R.S.Q., chapter A-19.1);
- Cities and Towns Act (R.S.Q., chapter C-19);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Act respecting the Commission municipale (R.S.Q., chapter C-35);
- Act respecting the Communauté urbaine de l'Outaouais (R.S.Q., chapter C-37.1);

- Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);
- Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3);
- Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70);
- Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1);
- Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- Forest Act (R.S.Q., chapter F-4.1);
- Act respecting the Ministère des Ressources naturelles (R.S.Q., chapter M-25.2);
- Act respecting municipal territorial organization (R.S.Q., chapter O-9);
- Act respecting the Société d’habitation du Québec (R.S.Q., chapter S-8);
- Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001);
- Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);
- Charter of the City of Montréal (1959-60, chapter 102);
- Act respecting the Société de transport de la Ville de Laval (1984, chapter 42);
- Act respecting the Société de transport de la rive sud de Montréal (1985, chapter 32);
- Act to amend the Act to preserve agricultural land and other legislative provisions in order to promote the preservation of agricultural activities (1996, chapter 26);

- Act respecting the Régie de l'énergie (1996, chapter 61);
- Act to establish an administrative review procedure for real estate assessment and to amend other legislative provisions (1996, chapter 67);
- Act respecting mixed enterprise companies in the municipal sector (1997, chapter 41);
- Act respecting the implementation of the Act respecting administrative justice (1997, chapter 43).

## Bill 175

### AN ACT TO AGAIN AMEND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

- 1.** Section 6 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1), amended by section 21 of chapter 14 of the statutes of 1996, is again amended by inserting the words “12.1 or” after the words “adopt by-laws under subparagraph” in the fourth line of subparagraph 2 of the third paragraph.
- 2.** Section 48 of the said Act, amended by section 9 of chapter 25 of the statutes of 1996, is again amended by striking out the words “, by a majority vote of its members,” in the first paragraph.
- 3.** Section 53.5 of the said Act is amended by striking out the words “, by a majority vote of its members,” in the second line of the first paragraph.
- 4.** Section 56.3 of the said Act, amended by section 16 of chapter 25 of the statutes of 1996, is again amended by striking out the words “, by a majority vote of its members,” in the first paragraph.
- 5.** Section 56.6 of the said Act, amended by section 18 of chapter 25 of the statutes of 1996, is again amended by striking out the words “, by a majority vote of its members,” in the first paragraph.
- 6.** Section 56.13 of the said Act, amended by section 19 of chapter 25 of the statutes of 1996, is again amended by striking out the words “, by a majority vote of its members,” in the second line of the first paragraph.
- 7.** Section 56.15 of the said Act is amended by striking out the second sentence of the second paragraph.
- 8.** Section 62 of the said Act, replaced by section 26 of chapter 25 of the statutes of 1996, is amended by striking out the words “, by a majority vote of its members,” in the first and second lines of the first paragraph.
- 9.** Section 64 of the said Act, replaced by section 26 of chapter 25 of the statutes of 1996, is amended by replacing the words “a by-law adopted by a

majority vote of its members” in the first and second lines of the first paragraph by the word “by-law”.

**10.** The said Act is amended by inserting, after section 110.3, the following :

**“DIVISION VI.0.1**

**“REVISION OF PLANNING PROGRAM**

**“110.3.1.** The council of the municipality may, from the fifth anniversary of the coming into force of the first planning program or of the latest revised planning program, as the case may be, revise the planning program in accordance with the process set out in sections 109.1 to 109.8, 109.9 and 110 to 110.3, adapted as required.

Where, however, to comply with the obligation under section 110.10.1 to adopt on the same day the by-law revising the planning program and the by-law that replaces the zoning or subdivision by-law, the council is required to readopt the by-law revising the planning program without amendment, sections 109.1 to 109.4 shall not apply to the readopted by-law.

Furthermore, where, pursuant to section 110.10.1, the council adopts on the same day the by-law revising the planning program and the by-law that replaces the zoning or subdivision by-law, the issue and transmission of the certificate of conformity under section 109.7 or 109.9 in respect of the by-law revising the planning program may not be effected as long as the issue and transmission under section 137.3 or 137.5 cannot be effected in respect of any other by-law so adopted on the same day. The issue and transmission are effected on the same day in respect of all the by-laws.”

**11.** The heading of Division VI.1 of Chapter III of Title I of the said Act is amended by replacing the words “AMENDMENTS TO” by the words “AMENDMENT TO OR REVISION OF”.

**12.** The said Act is amended by inserting, after the heading of Division VI.1 of Chapter III of Title I of the said Act, the following :

“§1. — *Concordance by-laws*”.

**13.** Section 110.4 of the said Act is amended

(1) by inserting the words “or revising” after the word “amending” in the first line of the first paragraph ;

(2) by inserting the words “amended or revised planning” after the words “with the” in the third line of the first paragraph ;

(3) by inserting the words “or revised” after the word “amended” in the first line of the third paragraph.



**14.** Section 110.5 of the said Act is amended

(1) by inserting the words “or revising” after the word “amending” in the first line of the second paragraph;

(2) by inserting the words “or revised” after the word “amended” in the fifth line of the second paragraph.

**15.** Section 110.6 of the said Act, amended by section 51 of chapter 25 of the statutes of 1996, is again amended

(1) by inserting the words “or revising” after the word “amending” in the first line of the first paragraph;

(2) by adding, after the second paragraph, the following paragraph:

“If the by-law revising the planning program that came into force is the by-law adopted on the same day as the by-law that replaces the zoning or subdivision by-law, pursuant to section 110.10.1, the council is exempted from being required to indicate that the zoning or subdivision by-law need not be amended to bring it into conformity with the planning program.”

**16.** Section 110.8 of the said Act is amended by inserting the words “or revised” after the word “amended” in the third line of the second paragraph.

**17.** The said Act is amended by inserting, after section 110.9, the following heading:

“§2. — *Equipment and infrastructures in the amended or revised planning program*”.

**18.** Section 110.10 of the said Act is amended

(1) by inserting the words “or revising” after the word “amending” in the second line;

(2) by inserting the words “or revised” after the word “amended” in the third line.

**19.** The said Act is amended by inserting, after section 110.10, the following:

“§3. — *Replacement of the zoning or subdivision by-law*

“**110.10.1.** To replace the zoning or subdivision by-law, the council of the municipality shall, on pain of nullity, adopt the replacement by-law on the same day as it adopts the by-law revising the planning program.

The zoning or subdivision by-law must be in conformity with the revised planning program, as provided by the by-laws adopted on the same day.”

**20.** Section 111 of the said Act, replaced by section 53 of chapter 25 of the statutes of 1996, is amended by inserting the words “or revision” after the word “amendment” in the second line.

**21.** Section 112.6 of the said Act, enacted by section 53 of chapter 25 of the statutes of 1996, is amended by inserting the words “or revising” after the word “amending” in the third line of subparagraph 1 of the first paragraph.

**22.** Section 112.7 of the said Act, enacted by section 53 of chapter 25 of the statutes of 1996, is amended

- (1) by striking out the words “the amendment” in the fourth line of paragraph 1 ;
- (2) by inserting the words “or revision” after the word “amendment” in the third line of paragraph 3 ;
- (3) by inserting the words “or revised” after the word “amended” in the fifth line of paragraph 3 ;
- (4) by adding, at the end, the following paragraph :

“For the purposes of subparagraph 3 of the first paragraph, no account shall be taken of a zoning or subdivision by-law which, under the third paragraph of section 110.6, has not been the subject of a resolution indicating that it need not be amended to bring it into conformity with the planning program.”

**23.** Section 113 of the said Act, amended by section 54 of chapter 25 of the statutes of 1996 and by section 67 of chapter 26 of the statutes of 1996, is again amended

- (1) by inserting, after subparagraph 12 of the second paragraph, the following subparagraph :

“(12.1) to regulate or restrict the planting or felling of trees to ensure protection of the forest cover and promote sustainable development of private forests ;” ;

- (2) by inserting, after the third paragraph, the following paragraph :

“For the purposes of subparagraph 12.1 of the second paragraph, the zoning by-law may establish rules that vary according to the parts of the territory it determines.”

**24.** Section 114 of the said Act is amended

- (1) by inserting the words “adopt or” after the words “given to” in the first line of the first paragraph ;

(2) by replacing the words “amending by-law” in the third and fourth lines of the first paragraph by the words “by-law that is the subject of the notice of motion”;

(3) by replacing the second paragraph by the following paragraphs:

“The first paragraph ceases to be applicable to the works or use in question on the date occurring two months after the filing of the notice of motion if the by-law has not been adopted by that date or, if the by-law has been adopted, on the date occurring four months after the date of its adoption if the by-law is not in force on that date.

Where, however, within two months after the filing of the notice of motion, the amending by-law is the subject, under section 128, of a second draft by-law, the first paragraph ceases to be applicable to the works or use in question on the date occurring four months after the filing of the notice of motion if the by-law has not been adopted by that date or, if the by-law has been adopted, on the date occurring four months after the date of its adoption if the by-law is not in force on that date.”

**25.** Section 117 of the said Act is amended

(1) by inserting the words “adopt or” after the words “given to” in the first line of the first paragraph;

(2) by replacing the words “amending by-law” in the second and third lines of the first paragraph by the words “by-law that is the subject of the notice of motion”;

(3) by replacing the second paragraph by the following paragraphs:

“The first paragraph ceases to be applicable to the subdivision in question on the date occurring two months after the filing of the notice of motion if the by-law has not been adopted by that date or, if the by-law has been adopted, on the date occurring four months after its date of adoption if the by-law is not in force on that date.

Where, however, within two months after the filing of the notice of motion, the amending by-law is the subject, under section 128, of a second draft by-law, the first paragraph ceases to be applicable to the subdivision in question on the date occurring four months after the filing of the notice of motion if the by-law has not been adopted by that date or, if the by-law has been adopted, on the date occurring four months after its date of adoption if the by-law is not in force on that date.”

**26.** Section 119 of the said Act, amended by section 56 of chapter 25 of the statutes of 1996 and by section 875 of chapter 43 of the statutes of 1997, is again amended by inserting the figure “12.1,” after the figure “12,” in the second line of paragraph 2.

**27.** Section 120 of the said Act, amended by section 875 of chapter 43 of the statutes of 1997, is again amended

(1) by inserting, after subparagraph 1 of the first paragraph, the following subparagraph:

“(1.1) the applicant has provided the information required by the officer to complete the form referred to in section 120.1;”;

(2) by striking out the second, third and fourth paragraphs.

**28.** The said Act is amended by inserting, after section 120, the following sections:

“**120.1.** In the case of work for which a building permit is required pursuant to paragraph 1 of section 119, the officer designated under paragraph 7 of that section shall, in accordance with the regulation under section 120.2, transmit to the recipient the form containing the information, prescribed by the regulation, that relates to the carrying out of the work.

“**120.2.** The Government may, by regulation,

(1) prescribe the form and content of the form referred to in section 120.1;

(2) prescribe the computer-drawn equivalent of such a form;

(3) designate the recipient of the form;

(4) prescribe the period within which the form, or its computer-drawn equivalent, must be transmitted to the recipient;

(5) prescribe the cases in which the form need not be filled out and transmitted.

“**120.3.** Paragraph 1.1 of section 120 and sections 120.1 and 120.2, adapted as required, apply notwithstanding any inconsistent provision of any charter or special Act applicable to a municipality.”

**29.** Section 123 of the said Act, replaced by section 57 of chapter 25 of the statutes of 1996, is amended

(1) by inserting the words “or replace” after the word “amend” in the first line of subparagraph 4 of the first paragraph;

(2) by adding, at the end of the second paragraph, the following: “Moreover, if, in order to fulfil the obligation under section 110.10.1 to adopt, on the same day, the by-law revising the planning program and the by-law that replaces the zoning or subdivision by-law, the council must readopt the replacement by-law without amendment, sections 123 to 127 do not apply in respect of the

readopted by-law. For the purposes of section 134, that by-law is deemed to have been the subject of a draft by-law as provided in section 124.”;

(3) by replacing the words “or amendment of the planning program” in the fourth and fifth lines of subparagraph 2 of the third paragraph by the words “of the original planning program or of the amendment to or revision of the planning program”.

**30.** Section 126 of the said Act, replaced by section 57 of chapter 25 of the statutes of 1996, is amended by replacing the word “fifth” in the second line of subparagraph 1 of the third paragraph and in the fourth line of subparagraph 2 of that paragraph by the word “sixth”.

**31.** Section 130 of the said Act, replaced by section 57 of chapter 25 of the statutes of 1996 and amended by section 4 of chapter 77 of the statutes of 1996, is again amended

(1) by replacing the word “fifth” in the second line of the third paragraph by the word “sixth”;

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

“For the purposes of the first seven paragraphs and of sections 133 to 137, a provision that changes the limits of a zone or a sector of a zone so as to amend the rules adopted pursuant to a power referred to in the fifth or sixth paragraph that are applicable to that zone or sector is considered to be a provision referred to in the fifth or sixth paragraph, as the case may be.”

**32.** The said Act is amended by inserting, after section 136, the following section:

**“136.0.1.** Any by-law adopted under section 134 that, pursuant to section 110.10.1, replaces the zoning or subdivision by-law must be approved by all qualified voters in accordance, having regard to any adaptation under the third paragraph, with the Act respecting elections and referendums in municipalities (chapter E-2.2).

Where, however, to comply with the obligation under section 110.10.1 to adopt on the same day the by-law revising the planning program and the by-law that replaces the zoning or subdivision by-law, the council is required to readopt without amendment a by-law that has received the approval of the qualified voters, the readopted by-law is deemed to have received that approval without having been subject to the process set out in the Act respecting elections and referendums in municipalities.

The 45-day and 120-day periods provided, respectively, by sections 535 and 568 of that Act shall begin to run on the day after either the day referred to in subparagraph 1 or 2 or the later of those days, according to whether, from among the sections of this Act mentioned in those subparagraphs, only one

section mentioned in only one subparagraph applies in respect of the by-law or more than one section mentioned in both subparagraphs applies thereto:

(1) the day on which the regional county municipality approves the by-law under section 137.3 or the day the municipality receives a copy of the notice of the Commission, provided for in section 137.5, according to which the by-law conforms to the objectives of the development plan and to the provisions of the complementary document;

(2) the day on which the by-law is deemed, under section 137.13, to be in conformity with the planning program.”

**33.** Section 137.2 of the said Act, amended by section 58 of chapter 25 of the statutes of 1996, is again amended

(1) by inserting the words “or replacing” after the word “amending” in the first and sixth lines of the first paragraph;

(2) by inserting the words “; the second case applies mandatorily where, under the third paragraph of section 136.0.1, the beginning of the periods provided for in sections 535 and 568 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is delayed” after the word “by-law” in the fourth line of the second paragraph.

**34.** Section 137.3 of the said Act, amended by section 59 of chapter 25 of the statutes of 1996, is again amended by adding, at the end of the third paragraph, the following: “Furthermore, where, pursuant to section 110.10.1, the council of the municipality adopts on the same day the by-law revising the planning program and the by-law that replaces the zoning or subdivision by-law, the issue and transmission in respect of the by-law approved by the council of the regional county municipality may not be effected as long as the issue and transmission provided for in this section or in any of sections 109.7, 109.9 and 137.5 cannot be effected in respect of any other by-law so adopted on the same day; the issue and transmission in such a case are effected on the same day in respect of all the by-laws.”

**35.** Section 137.4.1 of the said Act, enacted by section 61 of chapter 25 of the statutes of 1996, is amended by adding, after the third paragraph, the following paragraph:

“The first three paragraphs do not apply in respect of a by-law that replaces a by-law in force.”

**36.** Section 137.5 of the said Act, amended by section 62 of chapter 25 of the statutes of 1996, is again amended by adding, at the end of the fourth paragraph, the following: “Furthermore, where, pursuant to section 110.10.1, the council of the municipality adopts on the same day the by-law revising the planning program and the by-law that replaces the zoning or subdivision by-law, the issue and transmission in respect of the by-law that is the subject of

the notice of the Commission may not be effected as long as the issue and transmission provided for in this section or in any of sections 109.7, 109.9 and 137.3 cannot be effected in respect of any other by-law so adopted on the same day; the issue and transmission in such a case are effected on the same day in respect of all the by-laws.”

**37.** Section 137.9 of the said Act is amended

(1) by striking out the word “concordance” in the first line of the first paragraph;

(2) by replacing the words “or 110.5” in the third line of the first paragraph by the words “, 110.5 or 110.10.1”;

(3) by adding, after the second paragraph, the following paragraph:

“Where, to comply with the obligation under section 110.10.1 to adopt on the same day the by-law revising the planning program, the by-law that replaces the zoning by-law and the by-law that replaces the subdivision by-law, the council is required to readopt without amendment the first by-law and one of the latter two by-laws that was deemed to be in conformity with the planning program under section 137.13, sections 137.10 to 137.14 do not apply in respect of the latter by-law. The latter by-law is deemed to be in conformity with the planning program as soon as it is readopted.”

**38.** Section 137.12 of the said Act is amended

(1) by inserting the words “or 110.10.1” after the figure “110.5” in the second line of the second paragraph;

(2) by inserting the words “or revised” after the word “amended” in the third line of the second paragraph.

**39.** Section 137.16 of the said Act, amended by section 67 of chapter 25 of the statutes of 1996, is again amended by adding, after the second paragraph, the following paragraph:

“Furthermore, where, pursuant to section 110.10.1, the by-law was adopted on the same day as the by-law revising the planning program, it shall come into force on the same day as the latter by-law.”

**40.** Section 145.14 of the said Act is amended by adding, at the end, the following paragraph:

“The council may, when it replaces a planning by-law, include the comprehensive development programme in the by-law adopted as a replacement by-law instead of effecting the inclusion by way of amendment.”

**41.** Section 201 of the said Act is replaced by the following section:

**“201.** The decisions of the council are made on the basis of a majority of votes cast representing a majority of the total population of the municipalities whose territories form part of the territory of the regional county municipality.

However, any decision in respect of which only certain council members are qualified to take part in the deliberations and in the vote is made on the basis of a majority of votes cast representing a majority of the total population of the municipalities represented by those members.

For the purposes of the first two paragraphs, the sole representative of a municipality is awarded the entire population of the municipality; each representative of the same municipality is awarded an equal share of the population of that municipality.”

**42.** Section 203 of the said Act is amended by replacing the second paragraph by the following paragraph:

“However, the veto may be lifted by the council at a later sitting.”

**43.** Section 234.1 of the said Act is amended by adding, after the second paragraph, the following paragraph:

“Where, to comply with the obligation under section 110.10.1 to adopt on the same day the by-law revising the planning program and the by-law that replaces the zoning or subdivision by-law, the council of the municipality is required to readopt a by-law without amendment and this Act requires the transmission after its readoption of a copy of the by-law to a person and that person had already received a copy of the by-law after its previous adoption, the sender may transmit to the person, instead of the copy of the by-law, a notice indicating that the text of the readopted by-law is identical to the text of the by-law adopted previously and specifying the dates of previous adoption and readoption.”

**44.** Section 237.2 of the said Act is amended

(1) by replacing the word “and” in the seventh line of the second paragraph by a comma;

(2) by inserting the words “, to the by-law revising the planning program and to the by-law that replaces the zoning or subdivision by-law” after the word “document” in the ninth line of the second paragraph.

**45.** Section 267.2 of the said Act, enacted by section 97 of chapter 44 of the statutes of 1997, is amended



(1) by replacing the words “of Municipal Affairs” in the first line by the words “designated in accordance with the first paragraph of section 267”;

(2) by inserting the words “case of” after the words “in the” in the first line.

#### CITIES AND TOWNS ACT

**46.** Section 29.14 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended by adding, after subparagraph 4 of the second paragraph, the following subparagraph:

“(5) adopt a by-law for the purpose of exercising any power under section 71 of the Act respecting the lands in the public domain (chapter T-8.1).”

**47.** The said Act is amended by inserting, after section 29.14, the following sections:

**“29.14.1.** Every municipality that participates in a program or enters into an agreement under section 29.13 may, to the extent provided for by the program or agreement, institute penal proceedings for an offence committed in its territory under a legislative or regulatory provision the application of which is the subject of the program or agreement.

The fine belongs to the municipality if it instituted the proceedings, and must be paid into a fund established by the regional county municipality whose territory contains that of the municipality under article 688.7 of the Municipal Code of Québec (chapter C-27.1). The Minister of Natural Resources may authorize payment into such other fund the Minister determines.

Proceedings referred to in the first paragraph may be instituted in a municipal court having jurisdiction in the territory in which the offence was committed. The costs relating to proceedings instituted before a municipal court belong to the municipality in which the court has jurisdiction, except any part of the costs remitted by the collector to another prosecuting party under article 366 of the Code of Penal Procedure (chapter C-25.1) and any costs remitted to the defendant or imposed on the municipality under article 223 of that Code.

**“29.14.2.** The municipality may institute any proceeding and exercise any power assigned to the Minister of Natural Resources under sections 60 to 66 of the Act respecting the lands in the public domain (chapter T-8.1) to the extent provided for by the program or agreement.”

**48.** Section 73.2 of the said Act, enacted by section 9 of chapter 27 of the statutes of 1996, is amended by inserting, after the first paragraph, the following paragraph:

“The hiring requires, to be valid, a certificate issued by the treasurer indicating that there are sufficient funds available for that purpose. If the hiring extends beyond one fiscal year, a certificate must be issued for the

portion of the expenditures to be made during the first fiscal year and thereafter at the beginning of each fiscal year during which the hiring is effective.”

**49.** Section 99 of the said Act, amended by section 12 of chapter 77 of the statutes of 1996 and by section 65 of chapter 41 of the statutes of 1997, is again amended by replacing the first sentence of the third paragraph by the following sentence: “The council may invest the moneys mentioned in the first paragraph in the purchase of shares in an unincorporated mutual fund which is managed by a financial institution, and all the shares of which are held by municipalities, by bodies referred to in section 18 of the Act respecting the Pension Plan of Elected Municipal Officers, by school boards or by two or more of such entities.”

**50.** Section 413 of the said Act, amended by section 153 of chapter 2 of the statutes of 1996, is again amended by striking out the first three paragraphs of paragraph 25.

**51.** The said Act is amended by inserting, after section 413, the following section:

“**413.1.** The municipality may, at the expense of the owner, construct private conduits, water intakes and sewer outlets and connect private conduits with public conduits. For that purpose, the council may, by by-law,

(1) prescribe that all works to effect the connection be performed by the municipality or be performed under the supervision of its representative;

(2) prescribe that the owner deposit before the works begin a sum fixed by the council to ensure immediate payment of the total cost of the works;

(3) prescribe the mode, materials and time of construction and connection.

Any sum owed by the owner under the first paragraph constitutes a prior claim on the immovable in respect of which the works are performed, of the same nature and with the same rank as the claims described in paragraph 5 of article 2651 of the Civil Code of Québec. The cost is secured by a legal hypothec on the immovable.”

**52.** The said Act is amended by inserting, after section 454, the following sections:

“**454.1.** Any municipality, including Ville de Montréal and Ville de Québec, may, with Hydro-Québec, constitute a limited partnership governed by the Civil Code of Québec having, among other objects, the object of producing electricity.

“**454.2.** Hydro-Québec must furnish, at all times, at least half of the contribution to the common stock of the partnership referred to in section 454.1, and must be the partnership’s general partner.”

**53.** The said Act is amended by inserting, after section 458.17, the following sections :

“**458.17.1.** Subject to section 458.17.2, sections 458.3 to 458.13, adapted as follows and as otherwise necessary, apply to a petition for dissolution :

(1) the register is to be open to receive signatures from persons who are in favour of dissolution of the association ;

(2) the petition is deemed to be disapproved if the number of persons required for the holding of a poll is not attained.

“**458.17.2.** If the petition for dissolution is approved, the clerk must send it to the board of directors of the association together with a certificate to the effect that the petition has been approved in accordance with the law.

The board of directors must, in accordance with the Companies Act (chapter C-38), file with the Inspector General of Financial Institutions an application for dissolution of the association.”

**54.** Section 458.19 of the said Act is amended by striking out the last sentence of the first paragraph.

**55.** Section 458.24 of the said Act is replaced by the following section :

“**458.24.** The board of directors is composed of nine persons. Six persons are elected by the general meeting from among the members of the association ; one person is designated by the municipal council from among its members or from among the officers or employees of the municipality ; and two persons are designated by the elected members of the board or directors. The latter two persons may not vote on financial matters.”

**56.** Section 466.3 of the said Act, enacted by section 4 of chapter 53 of the statutes of 1997, is amended

(1) by replacing the words “it shall determine by by-law” in the third line of the first paragraph by the words “shall be determined by a by-law it adopts or according to rules prescribed in the by-law” ;

(2) by adding, after the third paragraph, the following paragraph :

“The second and third paragraphs do not apply to Ville de Laval.”

**57.** Section 468.52 of the said Act, amended by section 209 of chapter 2 of the statutes of 1996, is again amended by replacing the first paragraph by the following paragraph :

**“468.52.** A management board and a municipality may enter into an agreement under which one provides services to the other or the management board is delegated jurisdiction by the municipality. Sections 468 to 468.9, 468.53 and 469, adapted as required, apply to the agreement.”

**58.** The said Act is amended by inserting, after section 468.52, the following section :

**“468.52.1.** Management boards may enter into an agreement under which one management board provides services to the other or delegates part of its jurisdiction to the other, provided that the management board delegating jurisdiction is authorized to do so. That authorization must be set out in the agreement under which the management board was established, or be granted by all the municipalities that are parties to the agreement.

An agreement under the first paragraph is valid only for the shortest of the unexpired periods of the agreements under which the management boards were established.

Sections 468 to 468.9, 468.53 and 469, adapted as required, apply to any agreement entered into under the first paragraph.”

**59.** The said Act is amended by inserting, after section 471.0.2, the following section :

**“471.0.2.1.** The municipality may enter into, alone or jointly with any other municipality, agreements with any other school board or any educational institution to jointly establish and maintain public libraries in the territory of the municipality or in a contiguous territory.”

**60.** Section 474.1 of the said Act, amended by section 210 of chapter 2 of the statutes of 1996, is again amended by inserting, after the second paragraph, the following paragraphs :

“In the case of a municipality having fewer than 50,000 inhabitants, the mayor shall also table a list of all contracts involving an expenditure exceeding \$5,000 entered into by the municipality since the last sitting of the council at which the mayor made a report of the financial position of the municipality in accordance with the first paragraph. In the case of a municipality having 50,000 inhabitants or more, that obligation applies to contracts involving an expenditure exceeding \$10,000.

The mayor shall also table a list of all contracts involving an expenditure exceeding \$1,000 entered into within that period with the same contracting party, if those contracts involve a total expenditure exceeding the applicable amount under the third paragraph.

The list shall indicate, for each contract, the date it was entered into, the name of each contracting party, the amount of the consideration and the object of the contract.”

**61.** Section 474.8 of the said Act, replaced by section 182 of chapter 2 of the statutes of 1996, is amended by adding, at the end, the following sentence: “The obligation under the third, fourth and fifth paragraphs of section 474.1 also applies to the mayor of Ville de Montréal; however, the mayor shall table the list as provided in that third paragraph at a sitting of the council held in the month of October or November each year, and the contracts referred to in that paragraph are the contracts entered into since the last meeting at which such a list was tabled.”

**62.** Section 477.2 of the said Act, amended by section 209 of chapter 2 of the statutes of 1996, is again amended by adding, at the end, the following paragraph:

“Where the executive committee is empowered to authorize an expenditure under a special Act, the first five paragraphs, adapted as follows, apply to the executive committee:

- (1) the delegation by the executive committee is made by resolution;
- (2) the application for authorization referred to in the third paragraph is made by the executive committee;
- (3) the report mentioned in the fifth paragraph must also be transmitted to the executive committee within five days following the authorization.”

**63.** Section 513 of the said Act, amended by section 31 of chapter 27 of the statutes of 1996, is again amended by replacing the figure “15” in the first line of the first paragraph by the figure “30”.

**64.** Section 547.1 of the said Act is amended by replacing the first and second paragraphs by the following paragraphs:

**547.1.** Any by-law that, pursuant to section 547, imposes a special tax for the establishment of a sinking fund, and that is not based on the value of the immovable, may provide that the ratepayer on whose immovable the tax is imposed may exempt his immovable from the tax by paying in one instalment that portion of the capital which, upon maturity of the loan, would have been provided by the tax imposed on that immovable.

The share payable is calculated according to the assessment roll in force at the time the ratepayer makes the payment, taking account, where applicable, of taxes paid under the by-law before the payment.

The payment must be made before the date indicated in the by-law.”

**65.** The said Act is amended by inserting, after section 569, the following :

“§31.1. — *Financial reserves*

“**569.1.** The council may, by by-law, establish for the benefit of the entire territory of the municipality or of a specific sector a financial reserve for a specific purpose for the financing of expenditures other than capital expenditures.

The duration of existence of a reserve must be determined, unless the fixing of such a limit would be incompatible with the purpose for which the reserve is established.

“**569.2.** A financial reserve shall be made up of the sums allocated to it each year and interest earned on the sums.

A reserve established for the benefit of the entire territory of the municipality may be made up of sums from the portion of the general fund of the municipality allocated for that purpose by the council, or of sums from a special tax provided for in the budget for that purpose and imposed on the taxable immovables in the entire territory of the municipality.

A reserve established for the benefit of a specific sector may be made up only of sums from a special tax provided for in the budget for that purpose and imposed on the taxable immovables situated in that sector.

“**569.3.** The by-law establishing a financial reserve must be submitted for approval to the qualified voters of the entire territory of the municipality or of the sector for whose benefit the reserve is established. The by-law must set out

- (1) the purpose for which the reserve is established ;
- (2) the projected amount of the reserve ;
- (3) the mode of financing of the reserve ;
- (4) in the case of a reserve of specified duration, the duration of the existence of the reserve ;
- (5) the allocation of the amount, if any, by which income exceeds expenditures at the end of the existence of the reserve.

The by-law shall also state that the reserve is established for the benefit of the entire territory of the municipality or for the benefit of a specific sector, and shall, in the latter case, describe the limits of the sector.

“**569.4.** All expenditures necessary for the carrying out of the purpose for which the reserve was established must have been made on or before the date on which the reserve ceases to exist.

The treasurer must file not later than at the last sitting of the council before that time a statement of the income and expenditures of the reserve.

The council shall allocate the amount, if any, by which the reserve's income exceeds its expenditures in accordance with the provisions of the by-law under which the reserve was established. If there is no such provision, any amount in excess shall be paid into the general fund.

**“569.5.** A by-law establishing a financial reserve may not provide for a projected amount that, if added to the projected amounts of reserves already established by by-law and still in existence, results in an amount exceeding 15% of the other appropriations provided for in the budget of the fiscal year during which the by-law establishing the reserve is adopted.

**“569.6.** The sums allocated to a financial reserve established under this subdivision must be invested in accordance with section 99.”

**66.** Section 573 of the said Act, amended by section 35 of chapter 27 of the statutes of 1996 and by section 7 of chapter 53 of the statutes of 1997, is again amended by replacing the words “circulated in the territory of the municipality” in the third paragraph of subsection 1 by the words “that is circulated in the territory of the municipality or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec”.

#### MUNICIPAL CODE OF QUÉBEC

**67.** Article 10 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), amended by section 228 of chapter 2 of the statutes of 1996, is again amended

(1) by striking out the second sentence of the second paragraph;

(2) by striking out the second sentence of the third paragraph.

**68.** Article 14.12 of the said Code is amended by adding, after subparagraph 4 of the second paragraph, the following subparagraph:

“(5) adopt a by-law for the purpose of exercising any power under section 71 of the Act respecting the lands in the public domain (chapter T-8.1).”

**69.** The said Code is amended by inserting, after article 14.12, the following articles:

**“14.12.1.** Every municipality that participates in a program or enters into an agreement under article 14.11 may, to the extent provided for by the program or agreement, institute penal proceedings for an offence committed in its territory against a legislative or regulatory provision the application of which is the subject of the program or agreement.

The fine belongs to the municipality if it instituted the proceedings, and must be paid into a fund established under article 688.7 by the regional county municipality whose territory contains that of the municipality. The Minister of Natural Resources may authorize payment into such other fund the Minister determines.

Proceedings referred to in the first paragraph may be instituted in a municipal court having jurisdiction in the territory in which the offence was committed. The costs relating to proceedings instituted before a municipal court belong to the municipality in which the court has jurisdiction, except any part of the costs remitted by the collector to another prosecuting party under article 366 of the Code of Penal Procedure (chapter C-25.1) and any costs remitted to the defendant or imposed on the municipality under article 223 of that Code.

**“14.12.2.** The municipality may institute any proceeding and exercise any power assigned to the Minister of Natural Resources under sections 60 to 66 of the Act respecting the lands in the public domain (chapter T-8.1) to the extent provided for by the program or agreement.”

**70.** Article 124 of the said Code, amended by section 244 of chapter 2 of the statutes of 1996, is again amended by striking out the words “passed by the affirmative vote of two-thirds of its members” in the first and second lines of the first paragraph.

**71.** Article 125 of the said Code is amended by striking out the words “passed by a majority of its members” in the first line of the second paragraph.

**72.** Article 144 of the said Code is amended by striking out the words “by the Minister of Municipal Affairs” in the second line.

**73.** Article 165.1 of the said Code, enacted by section 54 of chapter 27 of the statutes of 1996, is amended by inserting, after the first paragraph, the following paragraph:

“The hiring requires, to be valid, a certificate issued by the secretary-treasurer indicating that there are sufficient funds available for that purpose. If the hiring extends beyond one fiscal year, a certificate must be issued for the portion of the expenditures to be made during the first fiscal year and thereafter at the beginning of each fiscal year during which the hiring is effective.”

**74.** Article 203 of the said Code, amended by section 455 of chapter 2 of the statutes of 1996, by section 24 of chapter 77 of the statutes of 1996 and by section 66 of chapter 41 of the statutes of 1997, is again amended by replacing the first sentence of the second paragraph by the following sentence: “The council may invest the moneys mentioned in the first paragraph in the purchase of shares in an unincorporated mutual fund which is managed by a financial institution, and all the shares of which are held by municipalities, by bodies referred to in section 18 of the Act respecting the Pension Plan of Elected Municipal Officers, by school boards or by two or more such entities.”



**75.** The said Code is amended by inserting, after article 524.3, the following article:

**“524.3.1.** Any local municipality may enter into, alone or jointly with any other local municipality, agreements with any other school board or any educational institution to jointly establish and maintain public libraries in the territory of the municipality or in a contiguous territory.”

**76.** The said Code is amended by inserting, after article 557, the following articles:

**“557.1.** Any local municipality may, with Hydro-Québec, constitute a limited partnership governed by the Civil Code of Québec having, among other objects, the object of producing electricity.

**“557.2.** Hydro-Québec must furnish, at all times, at least half of the contribution to the common stock of the partnership referred to in article 557.1, and must be the partnership’s general partner.”

**77.** Article 563 of the said Code, amended by section 455 of chapter 2 of the statutes of 1996, is again amended by striking out paragraph 1.

**78.** The said Code is amended by inserting, after article 563, the following article:

**“563.0.1.** Any local municipality may, at the expense of the owner, construct private conduits, water intakes and sewer outlets and connect private conduits with public conduits. For that purpose, the council may, by by-law,

(1) prescribe that all works to effect the connection be performed by the municipality or be performed under the supervision of its representative;

(2) prescribe that the owner deposit before the works begin a sum fixed by the council to ensure immediate payment of the total cost of the works;

(3) prescribe the mode, materials and time of construction and connection.

Any sum owed by the owner under the first paragraph constitutes a prior claim on the immovable in respect of which the works are performed, of the same nature and with the same rank as the claims described in paragraph 5 of article 2651 of the Civil Code of Québec. The cost is secured by a legal hypothec on the immovable.”

**79.** Article 621 of the said Code, amended by section 455 of chapter 2 of the statutes of 1996, is again amended by replacing the first paragraph by the following paragraph:

**“621.** A management board and a municipality may enter into an agreement under which one provides services to the other or the management board is delegated jurisdiction by the municipality. Articles 569 to 578, 622 and 623, adapted as required, apply to the agreement.”

**80.** The said Code is amended by inserting, after article 621, the following article:

**“621.1.** Management boards may enter into an agreement under which one management board provides services to the other or delegates part of its jurisdiction to the other, provided that the management board delegating jurisdiction is authorized to do so. That authorization must be set out in the agreement under which the management board was established, or be granted by all the municipalities that are parties to the agreement.

An agreement under the first paragraph is valid only for the shortest of the unexpired periods of the agreements under which the management boards were established.

Articles 569 to 578, 622 and 623, adapted as required, apply to any agreement entered into under the first paragraph.”

**81.** Article 627.3 of the said Code, enacted by section 15 of chapter 53 of the statutes of 1997, is amended by replacing the words “it shall determine by by-law” in the third line of the first paragraph by the words “shall be determined by a by-law it adopts or according to rules prescribed in the by-law”.

**82.** The said Code is amended by inserting, after article 650, the following articles:

**“650.1.** Subject to article 650.2, articles 636 to 646, adapted as follows and as otherwise necessary, apply to a petition for dissolution:

(1) the register is to be open to receive signatures from persons who are in favour of dissolution of the association;

(2) the petition is deemed to be disapproved if the number of persons required for the holding of a poll is not attained.

**“650.2.** If the petition for dissolution is approved, the secretary-treasurer must send it to the board of directors of the association together with a certificate to the effect that the petition has been approved in accordance with the law.

The board of directors must, in accordance with the Companies Act (chapter C-38), file with the Inspector General of Financial Institutions an application for dissolution of the association.”

**83.** Article 652 of the said Code is amended by striking out the last sentence of the first paragraph.

**84.** Article 657 of the said Code is replaced by the following article :

“**657.** The board of directors is composed of nine persons. Six persons are elected by the general meeting from among the members of the association ; one person is designated by the municipal council from among its members or from among the officers or employees of the municipality ; and two persons are designated by the elected members of the board or directors. The latter two persons may not vote on financial matters.”

**85.** Article 678.0.1 of the said Code, amended by section 319 of chapter 2 of the statutes of 1996, is again amended by striking out the words “, by a resolution adopted by a majority vote of two-thirds of the members of its council,” in the first and second lines of the first paragraph.

**86.** Article 678.1 of the said Code is amended

(1) by replacing the word “which” in the fifth line of the first paragraph by the words “whose representative or the majority of whose representatives, as the case may be,”;

(2) by striking out the second and third paragraphs.

**87.** Article 688 of the said Code is amended by striking out the fourth paragraph.

**88.** Article 688.6 of the said Code is repealed.

**89.** Article 688.11 of the said Code, enacted by section 17 of chapter 53 of the statutes of 1997, is amended

(1) by inserting the words “or according to rules prescribed in the by-law” after the word “municipality” in the fifth line of the first paragraph;

(2) by striking out the fifth paragraph.

**90.** Article 935 of the said Code, amended by section 455 of chapter 2 of the statutes of 1996, by section 85 of chapter 27 of the statutes of 1996 and by section 18 of chapter 53 of the statutes of 1997, is again amended by replacing the words “circulated in the territory of the municipality” in the third paragraph of subparagraph 1 of the first paragraph by the words “that is circulated in the territory of the municipality or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec”.

**91.** Article 955 of the said Code, amended by section 395 of chapter 2 of the statutes of 1996 and by section 91 of chapter 27 of the statutes of 1996, is again amended by inserting, after the second paragraph, the following paragraphs :

“In the case of a municipality having fewer than 50,000 inhabitants, the mayor shall also table a list of all contracts involving an expenditure exceeding \$5,000 entered into by the municipality since the last sitting of the council at which the mayor made a report of the financial position of the municipality in accordance with the first paragraph. In the case of a municipality having 50,000 inhabitants or more, that obligation applies to contracts involving an expenditure exceeding \$10,000.

The mayor shall also table a list of all contracts involving an expenditure exceeding \$1,000 entered into within that period with the same contracting party, if those contracts involve a total expenditure exceeding the applicable amount under the third paragraph.

The list shall indicate, for each contract, the date it was entered into, the name of each contracting party, the amount of the consideration and the object of the contract.”

**92.** Article 975 of the said Code, amended by section 400 of chapter 2 of the statutes of 1996, is again amended by striking out the fourth paragraph.

**93.** Article 1072.1 of the said Code is amended by replacing the first and second paragraphs by the following paragraphs :

“**1072.1.** Where the tax imposed is not based on the value of the immovable, the by-law may provide that the ratepayer on whose immovable the tax is imposed may exempt the immovable from the tax by paying in one instalment that portion of the capital which, upon maturity of the loan, would have been provided by the tax imposed on that immovable.

The share payable is calculated according to the assessment roll in force at the time the ratepayer makes the payment, taking account, where applicable, of taxes paid under the by-law before the payment.

The payment must be made before the date indicated in the by-law.”

**94.** The said Code is amended by inserting, after article 1094, the following :

## “CHAPTER VI

### “FINANCIAL RESERVES

“**1094.1.** Any local municipality may, by by-law, establish for the benefit of the entire territory of the municipality or of a specific sector a financial reserve for a specific purpose for the financing of expenditures other than capital expenditures.

The duration of existence of a reserve must be determined, unless the fixing of such a limit would be incompatible with the purpose for which the reserve is established.

**“1094.2.** A financial reserve shall be made up of the sums allocated to it each year and interest earned on the sums.

A reserve established for the benefit of the entire territory of the municipality may be made up of sums from the portion of the general fund of the municipality allocated for that purpose by the council, or of sums from a special tax provided for in the budget for that purpose and imposed on the taxable immovables in the entire territory of the municipality.

A reserve established for the benefit of a specific sector may be made up only of sums from a special tax provided for in the budget for that purpose and imposed on the taxable immovables situated in that sector.

**“1094.3.** The by-law establishing a financial reserve must be submitted for approval to the qualified voters of the entire territory of the municipality or of the sector for whose benefit the reserve is established. The by-law must set out

- (1) the purpose for which the reserve is established;
- (2) the projected amount of the reserve;
- (3) the mode of financing of the reserve;
- (4) in the case of a reserve of specified duration, the duration of the existence of the reserve;
- (5) the allocation of the amount, if any, by which income exceeds expenditures at the end of the existence of the reserve.

The by-law shall also state that the reserve is established for the benefit of the entire territory of the municipality or for the benefit of a specific sector, and shall, in the latter case, describe the limits of the sector.

**“1094.4.** All expenditures necessary for the carrying out of the purpose for which the reserve was established must have been made on or before the date on which the reserve ceases to exist.

The secretary-treasurer must file not later than at the last sitting of the council before that time a statement of the income and expenditures of the reserve.

The council shall allocate the amount, if any, by which the reserve's income exceeds its expenditures in accordance with the provisions of the by-law under which the reserve was established. If there is no such provision, any amount in excess shall be paid into the general fund.

**“1094.5.** A by-law establishing a financial reserve may not provide for a projected amount that, if added to the projected amounts of reserves already

established by by-law and still in existence, results in an amount exceeding 15% of the other appropriations provided for in the budget of the fiscal year during which the by-law establishing the reserve is adopted.

**1094.6.** The sums allocated to a financial reserve established under this chapter must be invested in accordance with article 203.”

#### ACT RESPECTING THE COMMISSION MUNICIPALE

**95.** Section 63 of the Act respecting the Commission municipale (R.S.Q., chapter C-35), amended by section 472 of chapter 2 of the statutes of 1996, is again amended by replacing the figure “15” in the first line of the first paragraph by the figure “30”.

#### ACT RESPECTING THE COMMUNAUTÉ URBAINE DE L’OUTAOUAIS

**96.** Section 36.3.2 of the Act respecting the Communauté urbaine de l’Outaouais (R.S.Q., chapter C-37.1), enacted by section 110 of chapter 27 of the statutes of 1996, is amended by replacing the second paragraph by the following paragraph:

“Those sections also apply in respect of acts performed or expenses incurred, for the purposes of meals, at a meeting of the Council or another authority of the Community or another municipal body, or at any other meeting held in connection with such a meeting, to the extent that no member of the Council or of the authority concerned was excluded from the meeting for any cause other than the member’s disqualification.”

**97.** Section 83 of the said Act, amended by section 111 of chapter 27 of the statutes of 1996 and by section 24 of chapter 53 of the statutes of 1997, is again amended by replacing the words “circulated in the territory of the Community” in the second paragraph by the words “that is circulated in the territory of the Community or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec”.

**98.** Section 84.5.2 of the said Act, enacted by section 26 of chapter 53 of the statutes of 1997, is amended

(1) by replacing the words “by-law of the Community” in the fourth line of the first paragraph by the words “a by-law of the Community or according to rules prescribed in the by-law”;

(2) by striking out the second and third paragraphs.

**99.** Section 169.0.9 of the said Act, enacted by section 117 of chapter 27 of the statutes of 1996, is amended by replacing the second paragraph by the following paragraph:

“Those sections also apply in respect of acts performed or expenses incurred, for the purposes of meals, at a meeting of the board of directors or another authority of the Corporation or another municipal body, or at any other meeting held in connection with such a meeting, to the extent that no member of the board of directors or of the authority concerned was excluded from the meeting for any cause other than the member’s disqualification.”

#### ACT RESPECTING THE COMMUNAUTÉ URBAINE DE MONTRÉAL

**100.** Section 25.1 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2), enacted by section 120 of chapter 27 of the statutes of 1996, is amended by replacing the second paragraph by the following paragraph :

“Those sections also apply in respect of acts performed or expenses incurred, for the purposes of meals, at a meeting of the executive committee or another authority of the Community or another municipal body, or at any other meeting held in connection with such a meeting, to the extent that no member of the executive committee or of the authority concerned was excluded from the meeting for any cause other than the member’s disqualification.”

**101.** Section 120.0.3 of the said Act, amended by section 123 of chapter 27 of the statutes of 1996 and by section 29 of chapter 53 of the statutes of 1997, is again amended by replacing the words “circulated in the territory of the Community” in the second paragraph by the words “that is circulated in the territory of the Community or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec”.

**102.** Section 121.6 of the said Act, enacted by section 31 of chapter 53 of the statutes of 1997, is amended

(1) by replacing the words “by-law of the Community” in the fourth line of the first paragraph by the words “a by-law of the Community or according to rules prescribed in the by-law”;

(2) by striking out the second and third paragraphs.

**103.** Section 267.1 of the said Act, enacted by section 130 of chapter 27 of the statutes of 1996, is amended by replacing the second paragraph by the following paragraph :

“Those sections also apply in respect of acts performed or expenses incurred, for the purposes of meals, at a meeting of the board of directors or another authority of the corporation or another municipal body, or at any other meeting held in connection with such a meeting, to the extent that no member of the board of directors or of the authority concerned was excluded from the meeting for any cause other than the member’s disqualification.”

## ACT RESPECTING THE COMMUNAUTÉ URBAINE DE QUÉBEC

**104.** Section 39.1 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3), amended by section 549 of chapter 2 of the statutes of 1996, is again amended by adding, at the end of the first paragraph, the following sentence: “However, the negative votes cast by the representative of Ville de Québec suffice for a decision to be negative.”

**105.** Section 70.8.1 of the said Act, enacted by section 133 of chapter 27 of the statutes of 1996, is amended by replacing the second paragraph by the following paragraph:

“Those sections also apply in respect of acts performed or expenses incurred, for the purposes of meals, at a meeting of the Council, the executive committee or a select or special committee of the Community or another municipal body, or at any other meeting held in connection with such a meeting, to the extent that no member of the Council, the executive committee or the select or special committee concerned was excluded from the meeting for any cause other than the member’s disqualification.”

**106.** Section 84 of the said Act is amended by adding, after paragraph *i*, the following paragraph:

“(j) transfer by onerous title or lease rights and licences in respect of processes devised by it as well as know-how in its fields of competence and any material allowing such know-how or data concerning its territory to be used, and transfer them by gratuitous title or make a loan for use of them to the Government or any of its ministers or a body thereof, a municipality, an urban community, a school board or any other non-profit organization.”

**107.** Section 85 of the said Act is amended by inserting, at the end of paragraph 1, the following paragraph:

“The Community may also constitute the fund or contribute to a fund that has already been constituted by allocating thereto all or part of the accumulated surplus of its general fund. The total of the sum thereby allocated and of the nominal value of the treasury bills, notes or other securities referred to in the first paragraph shall not exceed \$12,500,000.”

**108.** Section 92.0.2 of the said Act, amended by section 134 of chapter 27 of the statutes of 1996 and by section 33 of chapter 53 of the statutes of 1997, is again amended by replacing the words “circulated in the territory of the Community” in the second paragraph by the words “that is circulated in the territory of the Community or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec”.

**109.** Section 96.0.1.2 of the said Act, enacted by section 35 of chapter 53 of the statutes of 1997, is amended



(1) by replacing the words “by-law of the Community” in the fourth line of the first paragraph by the words “a by-law of the Community or according to rules prescribed in the by-law”;

(2) by striking out the second and third paragraphs.

**110.** Section 187.15.1 of the said Act, enacted by section 142 of chapter 27 of the statutes of 1996, is amended by replacing the second paragraph by the following paragraph:

“Those sections also apply in respect of acts performed or expenses incurred, for the purposes of meals, at a meeting of the board of directors or another authority of the Société or another municipal body, or at any other meeting held in connection with such a meeting, to the extent that no member of the board of directors or of the authority concerned was excluded from the meeting for any cause other than the member’s disqualification.”

#### ACT RESPECTING MUNICIPAL AND INTERMUNICIPAL TRANSIT CORPORATIONS

**111.** Section 40 of the Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70), amended by section 36 of chapter 53 of the statutes of 1997, is again amended by replacing the words “circulated in the territory of the corporation” in the second paragraph by the words “that is circulated in the territory of the corporation or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec”.

#### ACT RESPECTING DUTIES ON TRANSFERS OF IMMOVABLES

**112.** Section 20 of the Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) is amended by replacing subparagraph *c* of the first paragraph by the following subparagraph:

“(c) the deed relates to the transfer of an immovable by a transferor who is a physical person or a trust to a transferee that is a trust where the latter trust has been established for the exclusive benefit of the transferor;”.

#### ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

**113.** Section 659.2 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2), enacted by section 53 of chapter 77 of the statutes of 1996, is amended by inserting, at the end of the first paragraph, the following sentence: “The agreement may provide that it also applies to polling held after the general election for which the agreement was entered into; in such case, the agreement shall provide for its period of application.”

**114.** Section 659.3 of the said Act, enacted by section 53 of chapter 77 of the statutes of 1996, is amended by replacing the words “an election” in the first line by the word “polling”.

## ACT RESPECTING MUNICIPAL TAXATION

**115.** Section 40 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is replaced by the following section :

“**40.** Property that was a trailer before becoming an immovable, if it is not owned by the owner of the land on which it is located, constitutes, together with the other immovables situated on the site, a separate unit of assessment entered on the roll in the name of its owner.

Where, however, the land is composed of camping sites referred to in section 1 of the Tourist Establishments Act (chapter E-15.1), such a unit of assessment is entered on the roll in the name of the owner of the land.”

**116.** Section 66 of the said Act is amended by inserting, after the fourth paragraph, the following paragraph :

“The first four paragraphs do not apply in respect of a system of gas distribution where the link between the structures forming part of the system and the immovables of consumers is effected essentially by means of vehicle transport.”

**117.** Section 79 of the said Act, amended by section 6 of chapter 67 of the statutes of 1996 and by section 260 of chapter 43 of the statutes of 1997, is again amended

(1) by inserting the words “, except the graphic register the preparation and updating of which are provided for by the regulation under paragraph 1 of section 263 and by the Manuel d’évaluation foncière du Québec to which the regulation refers” after the figure “78” in the fourth line of the first paragraph ;

(2) by replacing the words “Administrative Tribunal of Québec” in the last sentence of the second paragraph by the word “Tribunal”.

**118.** Section 80.1 of the said Act, amended by section 7 of chapter 67 of the statutes of 1996 and by section 261 of chapter 43 of the statutes of 1997, is again amended by replacing the words “Administrative Tribunal of Québec” in the second paragraph by the word “Tribunal”.

**119.** Section 174.2 of the said Act, amended by section 37 of chapter 67 of the statutes of 1996 and by section 286 of chapter 43 of the statutes of 1997, is again amended by adding, after paragraph 8, the following paragraph :

“(9) to give effect to a recognition granted by the Commission under section 236.1 or to a revocation thereof.”

**120.** Section 177 of the said Act is amended by replacing paragraph 7 by the following paragraph :

“(7) those contemplated in paragraph 17 of section 174 and in paragraph 9 of section 174.2 take effect from the date fixed in the recognition granted by the Commission pursuant to paragraph 10 of section 204, section 208.1 or section 236.1, as the case may be, or in the revocation of such recognition.”

**121.** Section 236 of the said Act, amended by section 28 of chapter 14 of the statutes of 1996, by section 65 of chapter 16 of the statutes of 1996, by section 70 of chapter 21 of the statutes of 1996, by section 101 of chapter 44 of the statutes of 1997 and by section 46 of chapter 58 of the statutes of 1997, is again amended by replacing, in the French text, the word “charité” in the first line of paragraph 8 by the word “bienfaisance”.

**122.** Section 263.2 of the said Act, enacted by section 60 of chapter 67 of the statutes of 1996 and amended by section 294 of chapter 43 of the statutes of 1997, is again amended by inserting, after the second paragraph, the following paragraph :

“The sum shall be payable in legal tender or by certified cheque, postal money order, bank money order or certified payment authorization drawn on a savings and credit union, to the order of the municipal body responsible for assessment.”

**123.** Section 495.1 of the said Act is amended by replacing the words “section 65 of the Licences Act (chapter L-3)” in the first line by the words “section 541 of the Act respecting the Québec sales tax (chapter T-0.1)”.

#### FOREST ACT

**124.** Section 104 of the Forest Act (R.S.Q., chapter F-4.1) is amended

(1) by striking out the word “local” in the first line of subparagraph 1 of the first paragraph ;

(2) by striking out the words “in cases where the contractor is a regional county municipality and” in the first line of subparagraph 2 of the first paragraph ;

(3) by striking out the second paragraph.

**125.** Section 106 of the said Act is amended by striking out the word “local” in the second line of the fourth paragraph.

#### ACT RESPECTING THE MINISTÈRE DES RESSOURCES NATURELLES

**126.** Section 17.14 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., chapter M-25.2) is amended

(1) by replacing the words “the powers provided for in the first paragraph to the extent determined” in the third and fourth lines of the second paragraph by the words “or carry out the Minister’s powers and responsibilities under the Act respecting the lands in the public domain (chapter T-8.1) to the extent and according to the terms and conditions set out”;

(2) by inserting, after the second paragraph, the following paragraph:

“Where the Minister entrusts the management of any land in the public domain to a legal person in accordance with the second paragraph, the Minister may, to the extent and according to the terms and conditions set out in the program, determine which powers under section 71 of the Act respecting the lands in the public domain (chapter T-8.1) may be exercised by the legal person by means of by-laws.”

#### ACT RESPECTING MUNICIPAL TERRITORIAL ORGANIZATION

**127.** Section 38 of the Act respecting municipal territorial organization (R.S.Q., chapter O-9) is amended by replacing subparagraph 6 of the second paragraph by the following subparagraph:

“(6) the name of the person who will be the first clerk or secretary-treasurer of the municipality;”.

**128.** Section 59 of the said Act is replaced by the following section:

“**59.** The Minister shall, upon a request by the representative or the regional county municipality, appoint a conciliator for the purposes of the apportionment of the assets and liabilities relating to the territory of the municipality. The Minister may grant them a time for the making of such a request; upon a request by the representative or the regional county municipality, the Minister may grant an extension.

The first paragraph does not apply if the application for constitution contains the apportionment and if the application has been approved by the regional county municipality; the first paragraph does not apply as soon as the Minister receives a copy of an apportionment agreement entered into between the representative and the regional county municipality.”

**129.** Section 60 of the said Act is amended by striking out the first paragraph.

**130.** Section 67 of the said Act is amended

(1) by inserting, after subparagraph 4 of the first paragraph, the following subparagraphs:

“(4.1) the place of the first sitting of the council composed of the persons elected in the first election referred to in subparagraph 4;

“(4.2) the name of the person who is the first clerk or secretary-treasurer of the municipality;”;

(2) by inserting, after the first paragraph, the following paragraph:

“The appointment made under subparagraph 4.2 of the first paragraph has the same effect as an appointment by the council of the municipality.”

**131.** Section 70.1 of the said Act is replaced by the following section:

“**70.1.** The clerk or secretary-treasurer shall fix the date and time of the first sitting of the council.

Not later than the third day preceding the date fixed for the sitting, the clerk or secretary-treasurer shall give public notice, in the territory of the municipality and in accordance with the law governing the municipality, of the date, place and time of the sitting. The notice must also contain a mention of any matter which a member of the council has requested be included for discussion.

If the clerk or secretary-treasurer refuses or is unable to act or if the office of clerk or secretary-treasurer is vacant, the Minister shall, as needed, fix the date and time of the first sitting of the council and appoint a person charged with carrying out the obligations set out in the second paragraph. If the sitting cannot be held in the place determined by the constituting order, the Minister shall fix another place; for the purposes of section 318 of the Cities and Towns Act (chapter C-19), the charter of the municipality is, in such a case, deemed not to designate the place of the first sitting.”

**132.** Section 86 of the said Act, amended by section 751 of chapter 2 of the statutes of 1996, is again amended by replacing subparagraph 7 of the first paragraph by the following subparagraph:

“(7) the name of the person who will be the first clerk or secretary-treasurer of the municipality;”.

**133.** Section 108 of the said Act is amended

(1) by inserting, after subparagraph 5 of the first paragraph, the following subparagraphs:

“(5.1) the place of the first sitting of the provisional council;

“(5.2) the name of the person who is the first clerk or secretary-treasurer of the municipality;”;

(2) by inserting, after the first paragraph, the following paragraph:

“The appointment made under subparagraph 5.2 of the first paragraph has the same effect as an appointment by the council of the municipality.”

**134.** Section 110.1 of the said Act is replaced by the following section:

**“110.1.** The clerk or secretary-treasurer shall fix the date and time of the first sitting of the provisional council.

Not later than the third day preceding the date fixed for the sitting, the clerk or secretary-treasurer shall give public notice, in the territory of the municipality and in accordance with the law governing the municipality, of the date, place and time of the sitting. The notice must also contain a mention of any matter which a member of the provisional council has requested be included for discussion.

If the clerk or secretary-treasurer refuses or is unable to act or if the office of clerk or secretary-treasurer is vacant, the Minister shall, as needed, fix the date and time of the first sitting of the provisional council and shall appoint a person charged with carrying out the obligations set out in the second paragraph. If the sitting cannot be held in the place determined by the constituting order, the Minister shall fix another place; for the purposes of section 318 of the Cities and Towns Act (chapter C-19), the charter of the municipality is, in such a case, deemed not to designate the place of the first sitting.”

**135.** Section 133 of the said Act, amended by section 40 of chapter 53 of the statutes of 1997, is again amended by inserting the words “in the territory affected by the annexation” after the word “voters” in the second line of the first paragraph.

**136.** Section 134 of the said Act is amended

(1) by replacing the word “concerned” in the third line of the first paragraph by the words “affected by the annexation”;

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

“However, the duties of the clerk or secretary-treasurer provided for in that Act shall be carried out by the clerk or secretary-treasurer of the annexing municipality; the clerk or secretary-treasurer of the municipality whose territory is affected by the annexation shall, upon request, send any relevant document or information.”

**137.** Section 154 of the said Act is replaced by the following section:

**“154.** The Minister shall, upon a request by either municipality, appoint a conciliator for the purposes of the apportionment of the assets and liabilities relating to the territory of the municipality affected by the annexation. The Minister may grant them a time for the making of such a request; upon a request by either municipality, the Minister may grant an extension.

The first paragraph does not apply if the annexation by-law contains the apportionment and if the by-law has been approved by the municipality whose

territory is affected by the annexation; the first paragraph does not apply as soon as the Minister receives a copy of an apportionment agreement entered into between the municipalities.”

**138.** Section 155 of the said Act is amended by striking out the first paragraph.

**139.** The said Act is amended by inserting, after the heading of Division VI of Chapter V of Title II, the following section :

“**160.1.** The Minister may, at any time after receiving the first of the copies sent under sections 131 and 139, give notice in writing to the annexing municipality that the annexation by-law will not receive approval from the Minister.”

**140.** Section 204 of the said Act is amended by replacing the words “for a” in the second line of the first paragraph by the words “for an extension or”.

**141.** Section 210.28 of the said Act is amended by adding, at the end of the fourth paragraph, the following sentence : “However, any person who continues to carry on the functions of warden notwithstanding the expiry of the person’s mandate as warden shall constitute, in the polling under section 210.26, the representative to whom are allocated, in place of the representative designated under section 210.27, where applicable, the votes of the mayor of the municipality on the council of the regional county municipality.”

**142.** Section 210.38 of the said Act is amended

(1) by replacing the words “and the description of the territory prepared by the Minister of Natural Resources” in the second and third lines of the first paragraph by the words “, the description of the territory prepared by the Minister of Natural Resources, the place of the first sitting of the council and the name of the person who is the first secretary-treasurer of the regional county municipality”;

(2) by striking out the words “for any council decision or” in the third line of the second paragraph;

(3) by striking out the words “, except decisions made pursuant to articles 10, 678.0.1 and 678.1 of the Municipal Code of Québec (chapter C-27.1) and paragraph 2 of section 210.39 of this Act” in the third, fourth and fifth lines of the second paragraph;

(4) by adding, after the third paragraph, the following paragraph :

“The appointment of the secretary-treasurer made under the first paragraph has the same effect as an appointment by the council of the regional county municipality.”

**143.** Section 210.39 of the said Act is replaced by the following section :

**“210.39.** The Government may, at the request of the regional county municipality, amend the constituting order with regard to the number of representatives, the number of votes, the power of veto or the majority required for the election of the warden.”

**144.** Section 210.42 of the said Act is replaced by the following section :

**“210.42.** The secretary-treasurer shall fix the date and time of the first sitting of the council.

Not later than the third day preceding the date fixed for the sitting, the secretary-treasurer shall publish, in a newspaper circulated in the territory of the regional county municipality, a notice of the date, place and time of the sitting. The notice must also contain a mention of the election of the warden and any other matter which a member of the council has requested be included for discussion.

If the secretary-treasurer refuses or is unable to act or if the office of secretary-treasurer is vacant, the Minister shall, as needed, fix the date and time of the first sitting of the council and shall appoint a person charged with carrying out the obligations set out in the second paragraph. If the sitting cannot be held in the place determined by the constituting order, the Minister shall fix another place.”

#### ACT RESPECTING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

**145.** The Act respecting the Société d’habitation du Québec (R.S.Q., chapter S-8) is amended by inserting, after section 58, the following section :

**“58.1.** Municipal housing bureaus may, where authorized by the Minister, be amalgamated.

Bureaus which propose to amalgamate may enter into an agreement for that purpose setting out the terms and conditions of the amalgamation and the manner in which it will be carried out and containing the information required by subsection 1 of section 57 and any other information required for the carrying out of the amalgamation and for the administration and operation of the new bureau.

Any bureaus having entered into such an agreement may, by a joint petition, request the Lieutenant-Governor to issue letters patent confirming the amalgamation.

The petition must include

(1) favorable recommendations from the Corporation and from each municipality having requested the constitution of the petitioning bureaus ;



(2) an authenticated copy of the agreement and of the resolution of the board of directors of each of the petitioning bureaus authorizing the entering into of the agreement;

(3) the authorization of the Minister.

The Lieutenant Governor may, on the conditions set out in the petition, issue letters patent to constitute the bureau resulting from the amalgamation as an association with legal personality. Subsections 1 and 2 of section 57, adapted as required, apply to the constitution of the new bureau. As of the date of issue of the letters patent, the petitioning bureaus shall be amalgamated and shall form a single bureau under the name stated in the letters patent. The bureau is the agent of each municipality having requested the constitution of the amalgamated bureaus.

The newly constituted bureau shall possess all the property, rights, privileges and franchises, and be subject to all the contracts, liabilities, disabilities and duties of each of the bureaus so amalgamated.

All rights of creditors against the property of the amalgamated bureaus, and all liens upon their property shall be unimpaired by the amalgamation. All debts and obligations of the bureaus shall, from the date of issue of the letters patent, attach to the newly constituted bureau, and may be enforced against it and be made executory to the same extent as if such debts and obligations had been contracted by it.

Subsections 3 to 6 of section 57 and section 58, adapted as required, apply to the bureau resulting from the amalgamation.”

#### ACT RESPECTING THE REMUNERATION OF ELECTED MUNICIPAL OFFICERS

**146.** Section 5 of the Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001), amended by section 155 of chapter 27 of the statutes of 1996, is again amended by striking out the second, third, fourth and fifth paragraphs.

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

**“12.** The minimum annual remuneration which a mayor is entitled to receive is established in relation to the number of inhabitants of the territory of the municipality included in the population brackets established in the second paragraph.

The amounts per inhabitant applicable to each population bracket of a municipality which serve to establish the minimum annual remuneration of the municipality’s mayor are the following:

(1) 1 to 5,000 inhabitants: \$0.881;

- (2) 5,001 to 15,000 inhabitants: \$0.791 ;
- (3) 15,001 to 50,000 inhabitants: \$0.489 ;
- (4) 50,001 to 100,000 inhabitants: \$0.211 ;
- (5) 100,001 to 300,000 inhabitants: \$0.084 ;
- (6) 300,001 inhabitants or more: \$0.004.”

**148.** Section 13 of the said Act is amended by replacing the third and fourth paragraphs by the following paragraph :

“Notwithstanding the first paragraph, any amount by which the minimum annual remuneration of the mayor exceeds the amount that would be computed on the basis of the population figure before the increase is limited to \$1,890.”

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

“**16.** Notwithstanding sections 12, 13 and 15, the annual remuneration which the mayor and a councillor are entitled to receive shall not be less than \$2,470 and \$823, respectively.”

**150.** Section 22 of the said Act, amended by section 164 of chapter 27 of the statutes of 1996, is again amended

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

“**22.** No member of the council of a municipality may receive an annual expense allowance greater than \$11,868.”;

(2) by striking out the third paragraph.

**151.** Section 30.0.2 of the said Act, enacted by section 169 of chapter 27 of the statutes of 1996, is amended by replacing the second paragraph by the following paragraph :

“Those sections also apply in respect of acts performed or expenses incurred, for the purposes of meals, at a sitting of the council or another organ of the municipality, a mandatory body thereof or a supramunicipal body, or at any meeting held in connection with such a sitting, to the extent that no member of the council or of the organ concerned was excluded from the sitting or meeting for any cause other than the member’s disqualification.”

**152.** Section 30.0.3 of the said Act, enacted by section 169 of chapter 27 of the statutes of 1996, is again amended by inserting the words “, other than expenses referred to in the second paragraph of section 30.0.2,” after the word “expenses”.

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK  
REGIONAL GOVERNMENT

**153.** Section 18 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1), amended by section 1032 of chapter 2 of the statutes of 1996, is again amended

(1) by replacing the words “, erect and maintain on the said immovable property a public hall and all other buildings which it may require for municipal purposes and dispose thereof for valuable consideration, by auction, by public tenders, or in any other manner approved by the Minister when not further required” in the second, third, fourth, fifth and sixth lines of paragraph *a* of subsection 1 by the words “; erect and maintain on the said immovable property a public hall and all other buildings which it may require for municipal purposes; alienate for valuable consideration any movable or immovable property; the secretary-treasurer shall publish each month a notice indicating all property of a value exceeding \$10,000 that has been alienated by the municipality otherwise than by auction or by public tenders; the notice shall describe each property and indicate, in respect of each, the alienation price and the identity of the purchaser”;

(2) by inserting, after paragraph *a* of subsection 1, the following paragraph :

“(a.1) lease its property, although such power does not enable the municipality to acquire or build property principally for leasing purposes;”.

**154.** Section 149 of the said Act, amended by section 1105 of chapter 2 of the statutes of 1996, is replaced by the following section :

“**149.** Penal proceedings for an offence under a provision of this Act or of a by-law of the municipality may be instituted by the municipality.”

**155.** Section 168.1 of the said Act, amended by section 1105 of chapter 2 of the statutes of 1996, is replaced by the following section :

“**168.1.** Where jurisdiction is delegated to a municipality under an agreement entered into under any of sections 168, 351.1, 351.2 and 353, the municipality has every power required to implement the agreement.”

**156.** The said Act is amended by inserting, after section 168.1, the following section :

“**168.2.** A municipality may accept the delegation of any power of the Government or of a minister or government body, where such delegation is permitted by law, and may exercise that power.

The municipality may, by agreement, delegate all or part of that power to the Regional Government. The agreement must first have received the approval of the Government, the minister or the body that delegated the power to the municipality.”

**157.** Section 204 of the said Act, amended by section 1105 of chapter 2 of the statutes of 1996, is again amended

(1) by replacing the figure “\$25 000” in the first line of subsection 1 by the figure “\$100,000”;

(2) by inserting the words “, subject to the third paragraph,” after the word “than” in the third line of subsection 1;

(3) by adding, after the second paragraph of subsection 1, the following paragraphs :

“A call for public tenders relating to a construction, supply or services contract involving an expenditure of \$100,000 or more must be published by means of an electronic tendering system accessible both to contractors and suppliers having an establishment in Québec and to contractors and suppliers having an establishment in a province or territory covered by an intergovernmental trade liberalization agreement applicable to the municipality and in a newspaper that is circulated in the territory of the municipality or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec.

For the purposes of the third paragraph,

(1) “**construction contract**” means a contract regarding the construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering work, including site preparation, excavation, drilling, seismic investigation, the supply of products and materials, equipment and machinery if these are included in and incidental to a construction contract, as well as the installation and repair of fixtures of a building, structure or other civil engineering work;

(2) “**supply contract**” means a contract for the purchase, lease or rental of movable property that may include the cost of installing, operating and maintaining property, except a contract in respect of property related to cultural or artistic fields as well as computer software for educational purposes, and subscriptions;

(3) “**services contract**” means a contract for supplying services that may include the supply of parts or materials required to supply the services, except a contract in respect of services related to cultural or artistic fields that can, under an Act or a regulation, be provided only by a physician, dentist, nurse, pharmacist, veterinary surgeon, engineer, land surveyor, architect, chartered accountant, advocate or notary.

A contract which, as a result of an exception provided for in subparagraph 2 or 3 of the fourth paragraph, is not a supply contract or a services contract for the purposes of the third paragraph, is not a contract for the supply of equipment or materials or for the supply of services, as the case may be, for the purposes of the first and second paragraphs and of section 204.1.”;

(4) by inserting, after subsection 2, the following subsection :

“(2.1) A call for public tenders relating to a contract referred to in the third paragraph of subsection 1 may stipulate that only bids submitted by contractors and suppliers having an establishment in Québec or by contractors and suppliers having an establishment in a province or territory covered by an intergovernmental trade liberalization agreement applicable to the municipality will be considered.

The call for tenders referred to in the first paragraph may also stipulate that the goods concerned must be produced in a territory comprising Québec and any province or territory referred to in that paragraph.”;

(5) by replacing the words “The municipality” in the first line of subsection 8 by the words “Subject to section 204.1.1, the municipality”.

**158.** Section 204.1 of the said Act, amended by section 1105 of chapter 2 of the statutes of 1996, is again amended

(1) by replacing the figure “\$5 000” in the fourth line of the first paragraph by the figure “\$20,000”;

(2) by replacing the figure “\$25 000” in the fourth line of the first paragraph by the figure “\$100,000”;

(3) by replacing the word “No” in the first line of the second paragraph by the words “Subject to section 204.1.1, no”.

**159.** The said Act is amended by inserting, after section 204.1, the following sections :

**204.1.1.** The council may choose to use a system of bid weighting and evaluating whereby each bid obtains a number of points based on the price as well as on the quality or quantity of goods, services or work, the delivery procedure, servicing, the experience and financial capacity required of the insurer, supplier or contractor or on any other criteria directly related to the procurement.

Where the council chooses to use such a system, the call for tenders or any document to which it refers shall mention all the requirements and all criteria that will be used for evaluating the bids, as well as the weighting and evaluation methods based on those criteria.

In such a case, the council shall not award the contract to a person other than the person whose bid was received within the time fixed and obtained the highest score.

For the purposes of subsection 9 of section 204, the bid having received the highest score shall be considered to be the lowest tender.

**“204.1.2.** The council may establish a qualification process which shall not discriminate on the basis of the province or country of origin of the goods, services, insurers, suppliers or contractors.

However, where the council establishes a qualification process solely for the purpose of awarding a contract referred to in the third paragraph of subsection 1 of section 204, the process may discriminate as permitted in the case of a call for public tenders in relation to such a contract under subsection 2.1 of section 204.

The municipality shall invite the interested parties to obtain their qualification or the qualification of their goods or services, by causing the secretary-treasurer to publish a notice to that effect in accordance with the rules set out in the third paragraph of subsection 1 of section 204.

**“204.1.3.** A call for tenders may stipulate that the goods, services, insurers, suppliers or contractors concerned by or able to satisfy the call for tenders must first be certified, qualified or registered by an organization accredited by the Standards Council of Canada or first be certified or qualified under the process provided for in section 204.1.2.

The first paragraph does not apply where, under the process provided for in section 204.1.2, only one insurer, supplier or contractor has become qualified.

**“204.1.4.** Subject to subsections 2.1 and 9 of section 204, no call for public tenders or document to which it refers shall discriminate on the basis of the province or country of origin of the goods, services, insurers, suppliers or contractors.

**“204.1.5.** An insurance contract awarded by tender for a period of less than five years may, upon termination, be renewed without calling for tenders for one or several terms which, added to the initial term, must in no case exceed five years. Premiums may, after the initial term, be modified for the duration of a new term.”

**160.** Section 204.3 of the said Act is amended

(1) by adding the words “, or to any contract involving the supply of equipment or materials entered into with another municipality or the Regional Government” after the word “thereof” in the fourth line;

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

“Sections 204 and 204.1 do not apply to any contract to devise energy saving measures for the municipality if the contract involves professional services and the performance of work, or the supply of equipment, materials or services other than professional services.”

**161.** The said Act is amended by inserting, after section 204.3, the following section:

**“204.4.** The Minister may, on the conditions he determines, authorize a municipality to award a contract without calling for tenders or authorize the municipality to award a contract after calling for tenders by written invitation rather than by publication in a newspaper.

The first paragraph does not apply where calls for tenders are required to be public under an intergovernmental trade liberalization agreement applicable to the municipality.”

**162.** Section 334 of the said Act is replaced by the following section :

**“334.** Penal proceedings for an offence under a provision of this Act or an order of the Regional Government may be instituted by the Regional Government.”

**163.** The said Act is amended by inserting, after section 351.1, the following section :

**“351.2.** The Regional Government may accept the delegation of any power of the Government or of a minister or government body, where such delegation is permitted by law, and may exercise that power.

The Regional Government may, by agreement, delegate all or part of that power to a municipality. The agreement must first have received the approval of the Government, the minister or the body that delegated the power to the Regional Government.”

**164.** Section 353.1 of the said Act, amended by section 1105 of chapter 2 of the statutes of 1996, is replaced by the following section :

**“353.1.** Where jurisdiction is delegated to the Regional Government under an agreement entered into under section 168 or 168.2, the Regional Government has every power required to implement the agreement.”

**165.** Section 356 of the said Act is replaced by the following section :

**“356.** The Regional Government may alienate for valuable consideration any movable or immovable property.

Subject to the first paragraph, the administrative committee may sell any movable or immovable property the value of which, according to the manager’s report, does not exceed \$10,000. The Minister may, from time to time, increase that amount.

Each month the secretary shall publish a notice indicating all property of a value exceeding \$10,000 that has been alienated otherwise than by auction or by public tenders; the notice shall describe each property and indicate, in respect of each, the alienation price and the identity of the purchaser.”

**166.** Section 358 of the said Act is amended

(1) by replacing the figure “\$25 000” in the first line of subsection 1 by the figure “\$100,000”;

(2) by inserting the words “, subject to the third paragraph,” after the word “than” in the third line of subsection 1;

(3) by adding, after the second paragraph of subsection 1, the following paragraphs:

“A call for public tenders relating to a construction, supply or services contract involving an expenditure of \$100,000 or more must be published by means of an electronic tendering system accessible both to contractors and suppliers having an establishment in Québec and to contractors and suppliers having an establishment in a province or territory covered by an intergovernmental trade liberalization agreement applicable to the Regional Government and in a newspaper that is circulated in the Territory or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec.

For the purposes of the third paragraph,

(1) “**construction contract**” means a contract regarding the construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering work, including site preparation, excavation, drilling, seismic investigation, the supply of products and materials, equipment and machinery if these are included in and incidental to a construction contract, as well as the installation and repair of fixtures of a building, structure or other civil engineering work;

(2) “**supply contract**” means a contract for the purchase, lease or rental of movable property that may include the cost of installing, operating and maintaining property, except a contract in respect of property related to cultural or artistic fields as well as computer software for educational purposes, and subscriptions;

(3) “**services contract**” means a contract for supplying services that may include the supply of parts or materials required to supply the services, except a contract in respect of services related to cultural or artistic fields that can, under an Act or a regulation, be provided only by a physician, dentist, nurse, pharmacist, veterinary surgeon, engineer, land surveyor, architect, chartered accountant, advocate or notary.

A contract which, as a result of an exception provided for in subparagraph 2 or 3 of the fourth paragraph, is not a supply contract or a services contract for the purposes of the third paragraph, is not a contract for the supply of equipment or materials or for the supply of services, as the case may be, for the purposes of the first and second paragraphs and of section 358.1.”;



(4) by inserting, after subsection 2, the following subsection :

“(2.1) A call for public tenders relating to a contract referred to in the third paragraph of subsection 1 may stipulate that only bids submitted by contractors and suppliers having an establishment in Québec or by contractors and suppliers having an establishment in a province or territory covered by an intergovernmental trade liberalization agreement applicable to the Regional Government will be considered.

The call referred to in the first paragraph may also stipulate that the property that is the subject of the call must be produced in a territory comprising Québec and any other province or territory referred to in that paragraph.”;

(5) by replacing the words “The Regional” in the first line of subsection 8 by the words “Subject to section 358.1.1, the Regional”.

**167.** Section 358.1 of the said Act is amended

(1) by replacing the figure “\$5 000” in the fourth line of the first paragraph by the figure “\$20,000”;

(2) by replacing the figure “\$25 000” in the fourth line of the first paragraph by the figure “\$100,000”;

(3) by replacing the words “The Regional” in the first line of the second paragraph by the words “Subject to section 358.1.1, the Regional”.

**168.** The said Act is amended by inserting, after section 358.1, the following sections :

**“358.1.1.** The council may choose to use a system of bid weighting and evaluating whereby each bid obtains a number of points based on the price as well as on the quality or quantity of goods, services or work, the delivery procedure, servicing, the experience and financial capacity required of the insurer, supplier or contractor or on any other criteria directly related to the procurement.

Where the council chooses to use such a system, the call for tenders or any document to which it refers shall mention all the requirements and all criteria that will be used for evaluating the bids, as well as the weighting and evaluation methods based on those criteria.

In such a case, the council shall not award the contract to a person other than the person whose bid was received within the time fixed and obtained the highest score.

For the purposes of subsection 9 of section 358, the bid having received the highest score shall be considered to be the lowest tender.

**“358.1.2.** The council may establish a qualification process which shall not discriminate on the basis of the province or country of origin of the goods, services, insurers, suppliers or contractors.

However, where the council establishes a qualification process solely for the purpose of awarding a contract referred to in the third paragraph of subsection 1 of section 358, the process may discriminate as permitted in the case of a call for public tenders in relation to such a contract under subsection 2.1 of section 358.

The Regional Government shall invite the interested parties to obtain their qualification or the qualification of their goods or services, by causing the secretary to publish a notice to that effect in accordance with the rules set out in the third paragraph of subsection 1 of section 358.

**“358.1.3.** A call for tenders may stipulate that the goods, services, insurers, suppliers or contractors concerned by or able to satisfy the call for tenders must first be certified, qualified or registered by an organization accredited by the Standards Council of Canada or first be certified or qualified under the process provided for in section 358.1.2.

The first paragraph does not apply where, under the process provided for in section 358.1.2, only one insurer, supplier or contractor has become qualified.

**“358.1.4.** Subject to subsections 2.1 and 9 of section 358, no call for public tenders or document to which it refers shall discriminate on the basis of the province or country of origin of the goods, services, insurers, suppliers or contractors.

**“358.1.5.** An insurance contract awarded by tender for a period of less than five years may, upon termination, be renewed without calling for tenders for one or several terms which, added to the initial term, must in no case exceed five years. Premiums may, after the initial term, be modified for the duration of a new term.”

**169.** Section 358.3 of the said Act is amended

(1) by adding the words “, or to any contract involving the supply of equipment or materials entered into between a municipality and the Regional Government” after the word “thereof” in the fourth line;

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

“Sections 358 and 358.1 do not apply to any contract to devise energy saving measures for the Regional Government if the contract involves professional services and the performance of work, or the supply of equipment, materials or services other than professional services.”

**170.** The said Act is amended by inserting, after section 358.3, the following section :

**“358.4.** The Minister may, on the conditions he determines, authorize the Regional Government to award a contract without calling for tenders or authorize the Regional Government to award a contract after calling for tenders by written invitation rather than by publication in a newspaper.

The first paragraph does not apply where calls for tenders are required to be public under an intergovernmental trade liberalization agreement applicable to the Regional Government.”

**171.** Section 410 of the said Act, amended by section 66 of chapter 77 of the statutes of 1996, is again amended by replacing the word “third” in the second paragraph by the word “second”.

#### CHARTER OF THE CITY OF MONTRÉAL

**172.** Article 107 of the Charter of the City of Montréal (1959-60, chapter 102), replaced by section 15 of chapter 77 of the statutes of 1977 and amended by section 7 of chapter 40 of the statutes of 1980, by section 849 of chapter 57 of the statutes of 1987, by section 9 of chapter 87 of the statutes of 1988, by section 68 of chapter 27 of the statutes of 1992, by section 5 of chapter 82 of the statutes of 1993, by section 3 of chapter 53 of the statutes of 1994, by section 82 of chapter 34 of the statutes of 1995, by section 174 of chapter 27 of the statutes of 1996 and by section 52 of chapter 53 of the statutes of 1997, is again amended by replacing the words “circulated in the territory of the city” in the first paragraph of subarticle 3.1 by the words “that is circulated in the territory of the city or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec”.

#### ACT RESPECTING THE SOCIÉTÉ DE TRANSPORT DE LA VILLE DE LAVAL

**173.** Section 70 of the Act respecting the Société de transport de la Ville de Laval (1984, chapter 42), amended by section 80 of chapter 34 of the statutes of 1995, by section 84 of chapter 71 of the statutes of 1995 and by section 42 of chapter 53 of the statutes of 1997, is again amended by replacing the words “circulated in the territory of the corporation” in the second paragraph by the words “that is circulated in the territory of the corporation or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec”.

#### ACT RESPECTING THE SOCIÉTÉ DE TRANSPORT DE LA RIVE SUD DE MONTRÉAL

**174.** Section 91 of the Act respecting the Société de transport de la rive sud de Montréal (1985, chapter 32), amended by section 81 of chapter 34 of the statutes of 1995, by section 85 of chapter 71 of the statutes of 1995 and by

section 47 of chapter 53 of the statutes of 1997, is again amended by replacing the words “circulated in the territory of the corporation” in the second paragraph by the words “that is circulated in the territory of the corporation or, if it is not circulated therein, that is a publication specialized in the field and sold mainly in Québec”.

ACT TO AMEND THE ACT TO PRESERVE AGRICULTURAL LAND  
AND OTHER LEGISLATIVE PROVISIONS IN ORDER TO PROMOTE  
THE PRESERVATION OF AGRICULTURAL ACTIVITIES

**175.** Section 78 of the Act to amend the Act to preserve agricultural land and other legislative provisions in order to promote the preservation of agricultural activities (1996, chapter 26) is amended by adding, at the end, the following paragraph:

“A by-law adopted under section 237.2 of the Act respecting land use planning and development shall not operate to prevent the examination by the regional county municipality of the conformity of a by-law referred to in the first paragraph with governmental policy referred to in the third paragraph. The fifth paragraph applies in such a case, as if no development plan were in force in the territory concerned.”

ACT RESPECTING THE RÉGIE DE L'ÉNERGIE

**176.** Section 98 of the Act respecting the Régie de l'énergie (1996, chapter 61) is amended by striking out the words “fixed by the Régie” in the third and fourth lines.

ACT TO ESTABLISH AN ADMINISTRATIVE REVIEW PROCEDURE  
FOR REAL ESTATE ASSESSMENT AND TO AMEND OTHER  
LEGISLATIVE PROVISIONS

**177.** Section 68 of the Act to establish an administrative review procedure for real estate assessment and to amend other legislative provisions (1996, chapter 67) is amended by replacing the words “fiscal year 1997” in the third line of the first paragraph by the words “fiscal years 1997 to 2000”.

ACT RESPECTING MIXED ENTERPRISE COMPANIES IN THE  
MUNICIPAL SECTOR

**178.** Section 35 of the Act respecting mixed enterprise companies in the municipal sector (1997, chapter 41) is amended by striking out the second sentence of the second paragraph.

ACT RESPECTING THE IMPLEMENTATION OF THE ACT  
RESPECTING ADMINISTRATIVE JUSTICE

**179.** Section 185 of the Act respecting the implementation of the Act respecting administrative justice (1997, chapter 43) is repealed.

**180.** Section 833 of the said Act is amended by replacing the second paragraph by the following paragraph:

“All proceedings already before the Commission municipale du Québec in matters relating to the environment shall be continued before the territory and environment division of the Administrative Tribunal. All proceedings already before the Régie des marchés agricoles et alimentaires du Québec in matters relating to compensation or refund of real estate taxes shall be continued before the immovable property division of the Administrative Tribunal.”

**181.** Section 840 of the said Act is amended by striking out the words “or in respect of decisions of the Commission municipale” in the third and fourth lines.

#### TRANSITIONAL AND FINAL PROVISIONS

**182.** The real estate assessment rolls and the rolls of rental values of the municipalities mentioned in Schedule A that are to replace the rolls in force since 1 January 1995, will apply for the municipal fiscal year 1998. The fiscal year 1998 is considered, in respect of those annual rolls, to be the third fiscal year in which a roll applies.

The real estate assessment rolls and the rolls of rental values of the municipalities mentioned in Schedule B that are to replace the rolls in force since 1 January 1995, will apply for the municipal fiscal years 1998 and 1999. The fiscal year 1999 is considered, in respect of those biennial rolls, to be the third fiscal year in which a roll applies.

For the purpose of determining for which municipal fiscal years future rolls of a municipality must be drawn up, in accordance with sections 14 and 14.1 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), the annual rolls referred to in the first paragraph are deemed to have been drawn up for the fiscal years 1996, 1997 and 1998 and the biennial rolls referred to in the second paragraph are deemed to have been drawn up for the fiscal years 1997, 1998 and 1999.

**183.** No municipal neighbourhood revitalization program complementary to the Programme de revitalisation des vieux quartiers, implemented by the Société d'habitation du Québec and approved by the Government under Order in Council 442-96 dated 17 April 1996, as amended, that is adopted by by-law of the municipality and approved by the Société d'habitation du Québec before 1 February 1998, may not be invalidated on the ground that the Minister of Municipal Affairs did not authorize the municipality to prepare such a program and to adopt it by by-law as prescribed by section 3.1.1 of the Act respecting the Société d'habitation du Québec (R.S.Q., chapter S-8).

No act performed by a municipality pursuant to a resolution or a by-law adopted under section 542.1 of the Cities and Towns Act (R.S.Q., chapter C-19), as it read before 23 December 1996, for the purpose of adopting a municipal neighbourhood revitalization program complementary to the

Programme de revitalisation des vieux quartiers referred to in the first paragraph may, if the complementary program is adopted by a by-law approved by the Société d'habitation du Québec before 1 February 1998, be invalidated on the ground that the act was performed in the absence of compliance with the requirements of section 3.1.1 of the Act respecting the Société d'habitation du Québec.

No agreement relating to the management of a municipal neighbourhood revitalization program, entered into between the Société d'habitation du Québec and a municipality pursuant to section 5 of the program approved by Order in Council 442-96 dated 17 April 1996, may be invalidated on the ground that it was entered into before the municipality had adopted its program by by-law and before the program had been approved by the Société d'habitation du Québec.

**184.** For the period during which the Olympic Village, within the meaning of the Act respecting the Olympic Village (1976, chapter 43), and the adjacent land acquired by the Régie des installations olympiques under the deed of sale signed before notary Yvon Delorme on 10 January 1997 under minute 8454 and registered in Montréal under number 4903663, are exempt from municipal and school real estate taxes, the taxes are nonetheless deemed to have been imposed on the Olympic Village and the land, for the purpose of the fixing or revising by the Régie du logement of the rent payable for dwellings in the Olympic Village, as if the Olympic Village and the land had been taxable during that period.

**185.** Any municipality whose real estate assessment roll and roll of rental value cease to apply at the end of the municipal fiscal year 1998 may for that fiscal year, notwithstanding section 81 of the Act respecting municipal taxation and section 12.1 of the Regulation respecting the form or minimum content of various documents relative to municipal taxation, send a tax account in the place of a notice of assessment provided all information required to be contained in the notice of assessment appears in the tax account.

**186.** Sections 1, 23, 26 and 30 and paragraph 1 of section 31 have effect from 18 September 1996.

**187.** Sections 114 and 117 of the Act respecting land use planning and development, amended respectively by sections 24 and 25, apply to the works, use or subdivision referred to in a by-law that was not adopted but in respect of which a notice of motion was given less than two months before 19 December 1997.

**188.** Section 27 and section 28, where the latter enacts sections 120.1 and 120.3 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1), have effect from the coming into force of the first regulation made under section 120.2 of that Act enacted by section 28.

**189.** Paragraph 2 of section 31 has effect from 1 November 1996.

**190.** Any provision of an order relating to the majority required for a decision to be made by the council of a regional county municipality is without effect.

**191.** Any provision of a by-law adopted under a provision struck out by section 50 or by section 77 and in force on 19 December 1997 shall retain its effects to the extent that it could be adopted under section 413.1 of the Cities and Towns Act, enacted by section 51, or article 563.0.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), enacted by section 78, until the coming into force of a by-law adopted under that section 413.1 or that article 563.0.1.

Every prior claim or legal hypothec constituted under a provision struck out by section 50 is continued.

**192.** The persons composing the board of directors of a commercial development association shall be elected or designated in accordance with section 458.24 of the Cities and Towns Act, enacted by section 55, or with article 657 of the Municipal Code of Québec, enacted by section 84, before 19 March 1998.

**193.** Sections 56 and 81, paragraph 1 of section 89 and sections 98, 102 and 109 have effect from 19 June 1997.

**194.** Sections 58 and 80 have effect from 1 November 1997.

**195.** For the purposes of section 61, the contracts in respect of which the mayor's obligation applies are, for the first tabling in October or November 1998, the contracts entered into after 30 November 1997.

**196.** No payment by a single instalment made after 23 August 1989 and before 19 December 1997 by the owner or occupant of an immovable so as to be exempted from payment of the compensation imposed in a by-law for the purpose of repaying a loan may be invalidated for the sole reason that section 547.1 of the Cities and Towns Act and article 1072.1 of the Municipal Code of Québec did not allow such a payment except in respect of a real estate tax.

So long as a municipal by-law that came into force before 19 December 1997 and that contains a provision enacted under section 547.1 of the Cities and Towns Act or article 1072.1 of the Municipal Code of Québec has not been amended pursuant to the third paragraph of that section or that article, amended by sections 64 and 93, respectively, the date before which the instalment must be made is the date provided in the second paragraph of that section 547.1 and that article 1072.1, as they read on 18 December 1997.

**197.** Any agreement entered into between a municipality, the Minister of Municipal Affairs and the chief electoral officer before 19 December 1997 under section 659.2 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) for the purposes of a general election



and, in the case of Ville de Hull, under section 83 of chapter 34 of the statutes of 1995 for the purposes of the general election of 1995, may be amended to provide that it also applies to polling held after that general election; in such a case, the agreement shall stipulate its period of application.

The agreement entered into for the purposes of the general election of 1995 in Ville de Hull is deemed to be entered into under section 659.2 of the Act respecting elections and referendums in municipalities.

**198.** Section 115 has effect for the purposes of any municipal fiscal year from the fiscal year 1999.

**199.** Section 116 applies to a taxation year, within the meaning of the Taxation Act (R.S.Q., chapter I-3), that ends after 14 May 1992.

**200.** Section 121 applies to a taxation year, within the meaning of section 1 of the Taxation Act, that ends after 30 November 1991.

**201.** Section 123 has effect from 1 July 1992.

**202.** Sections 108 and 110.1 of the Act respecting municipal territorial organization (R.S.Q., chapter O-9) apply as they read before their amendment by sections 133 and 134 in respect of an amalgamation the application for which, transmitted pursuant to section 92 of that Act, was received by the Minister of Municipal Affairs before 19 December 1997.

**203.** Section 135 has effect from 1 January 1989.

**204.** Paragraph 1 of section 136 has effect from 17 December 1993.

**205.** Section 146 has effect from 1 January 1998.

**206.** Every process for the awarding of a contract by a Northern village or by the Kativik Regional Government that was commenced before (*insert here the date of the coming into force of sections 157 to 161 and 166 to 170*) in accordance with a provision amended on that date by this Act is continued according to that provision and according to any provision of the same Act that refers or is related thereto, notwithstanding its amendment by this Act.

**207.** This Act comes into force on 19 December 1997. However, sections 157 to 161 and 166 to 170 come into force on the date to be fixed by the Government for the coming into force of paragraph 3 of section 18 of chapter 53 of the statutes of 1997.

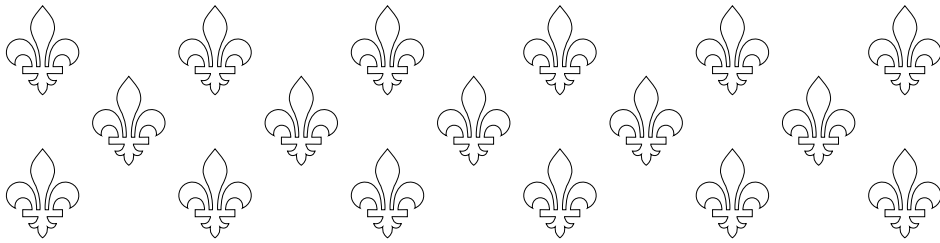


## SCHEDULE A

Municipalité de La Visitation-de-Yamaska  
Municipalité de Nicolet-Sud  
Paroisse de Saint-Elphège  
Municipalité de Sainte-Monique  
Paroisse de Sainte-Perpétue  
Paroisse de Saint-Jean-Baptiste-de-Nicolet  
Paroisse de Saint-Zéphirin-de-Courval

## SCHEDULE B

Municipalité d'Aston-Jonction  
Municipalité de Grand-Saint-Esprit  
Municipalité de Saint-Célestin  
Village de Saint-Célestin  
Municipalité de Sainte-Eulalie  
Municipalité de Saint-Léonard-d'Aston  
Municipalité de Saint-Wenceslas



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 176  
(1997, chapter 94)

**An Act to amend the Act respecting  
the Ministère de la Santé et des Services  
sociaux and the Act respecting the Régie  
de l'assurance-maladie du Québec**

---

---

**Introduced 13 November 1997  
Passage in principle 12 December 1997  
Passage 19 December 1997  
Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**

**EXPLANATORY NOTES**

*This bill amends the Act respecting the Ministère de la Santé et des Services sociaux for the purpose of enabling the Government to authorize the Minister to delegate to an organization, by agreement, the exercise of functions assigned to the Minister by this Act or by another Act under the Minister's administration.*

*The bill also amends the Act respecting the Régie de l'assurance-maladie du Québec to enable the Régie to exercise any function delegated to it pursuant to an agreement with a minister.*

**LEGISLATION AMENDED BY THIS BILL :**

- Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., chapter M-19.2);
- Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., chapter R-5).

## Bill 176

### AN ACT TO AMEND THE ACT RESPECTING THE MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX AND THE ACT RESPECTING THE RÉGIE DE L'ASSURANCE-MALADIE DU QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., chapter M-19.2) is amended by inserting, before section 10, the following section :

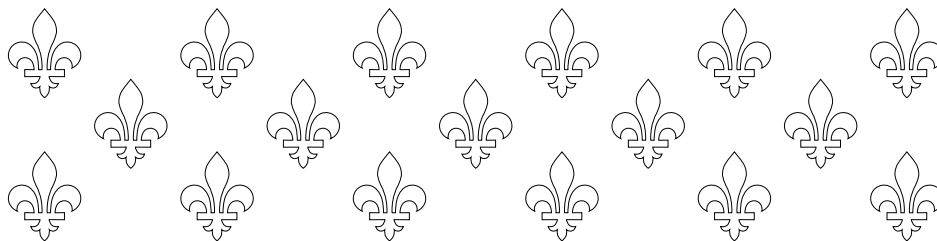
“**9.2.** The Government may authorize the Minister to delegate to an organization, by agreement, the exercise of functions assigned to the Minister by this Act or by another Act under the Minister’s administration.”

**2.** Section 2 of the Act respecting the Régie de l’assurance-maladie du Québec (R.S.Q., chapter R-5) is amended by adding, at the end, the following paragraph :

“The Board shall also exercise any function delegated to the Board pursuant to an agreement with a minister.”

**3.** This Act comes into force on 19 December 1997.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 178  
(1997, chapter 83)

## **An Act to abolish certain bodies**

---

---

**Introduced 13 November 1997**  
**Passage in principle 2 December 1997**  
**Passage 11 December 1997**  
**Assented to 18 December 1997**

---

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

## EXPLANATORY NOTES

*The purpose of this bill is to repeal legislative provisions establishing or authorizing the establishment of certain bodies.*

*The provisions concerned relate to the Office des autoroutes du Québec, the Comité d'études musicales, the Comité d'études dramatiques, the Bureau d'examineurs des mesureurs de bois, the Bureau des examinateurs en tuyauterie, the Bureau des examinateurs électriciens, the Régie des télécommunications, the Société de la Maison des sciences et des techniques, the Société québécoise des transports, any legal person whose capital stock is controlled by the Société québécoise des transports, and the Conseil de la recherche et du développement en transport.*

*The bill also contains consequential amendments and transitional provisions.*

## LEGISLATION AMENDED BY THIS BILL :

- Building Act (R.S.Q., chapter B-1.1);
- Cities and Towns Act (R.S.Q., chapter C-19);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Telegraph and Telephone Companies Act (R.S.Q., chapter C-45);
- Act respecting the Conservatoire de musique et d'art dramatique (R.S.Q., chapter C-62);
- James Bay Region Development Act (R.S.Q., chapter D-8);
- Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);
- Hydro-Québec Act (R.S.Q., chapter H-5);
- Act respecting piping installations (R.S.Q., chapter I-12.1);
- Act respecting certain public utility installations (R.S.Q., chapter I-13);



- Act respecting electrical installations (R.S.Q., chapter I-13.01);
- Master Electricians Act (R.S.Q., chapter M-3);
- Master Pipe-Mechanics Act (R.S.Q., chapter M-4);
- Cullers Act (R.S.Q., chapter M-12.1);
- Consumer Protection Act (R.S.Q., chapter P-40.1);
- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12);
- Transport Act (R.S.Q., chapter T-12);
- Act respecting roads (R.S.Q., chapter V-9);
- Act respecting the Régie de l'énergie (1996, chapter 61) .

**LEGISLATION REPEALED BY THIS BILL :**

- Autoroutes Act (R.S.Q., chapter A-34);
- Act respecting the Régie des télécommunications (R.S.Q., chapter R-8.01);
- Act respecting the Société de la Maison des sciences et des techniques (R.S.Q., chapter S-11.02);
- Act respecting the Société québécoise des transports (R.S.Q., chapter S-22.1).



## **Bill 178**

### **AN ACT TO ABOLISH CERTAIN BODIES**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### **DIVISION I**

##### **ABOLITION OF CERTAIN BODIES**

###### **AUTOROUTES ACT**

**1.** The Autoroutes Act (R.S.Q., chapter A-34), amended by chapter 2 of the statutes of 1996, is repealed.

###### **ACT RESPECTING THE CONSERVATOIRE DE MUSIQUE ET D'ART DRAMATIQUE**

**2.** Division III of the Act respecting the Conservatoire de musique et d'art dramatique (R.S.Q., chapter C-62) is repealed.

**3.** Section 12 of the said Act is amended by striking out the words “assisted by each of the committees, the Comité d'études musicales and the Comité d'études dramatiques,” in the third and fourth lines.

**4.** Section 17 of the said Act is amended by striking out the words “, upon the recommendation of the committee concerned,” in the second and third lines.

###### **ACT RESPECTING PIPING INSTALLATIONS**

**5.** Section 2 of the Act respecting piping installations (R.S.Q., chapter I-12.1) is amended by replacing paragraph 4 by the following paragraph :

“(4) the word “Régie” designates the Régie du bâtiment du Québec, established by section 87 of the Building Act (R.S.Q., chapter B-1.1);”.

**6.** The heading of Division II of the said Act is replaced by the following heading :

“RÉGIE DU BÂTIMENT”.

**7.** Section 3 of the said Act is repealed.

**8.** Section 4 of the said Act is amended

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

“**4.** The functions of the Régie du bâtiment shall, in particular, be”;

(2) by replacing the words “attend to the administrative details of the board of examiners” in the second line of paragraph 1 by the words “see to the administration of this Act”;

(3) by replacing the words “the activities of the board of examiners whenever they are required to do so by the Minister” in the first and second lines of paragraph 2 by the words “its activities pertaining to the application of this Act whenever required by the Minister”;

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

“The Régie du bâtiment may delegate to a member of its board of directors or of its personnel or to a committee composed of members of its board of directors or of its personnel, in writing and to the extent specified, the functions assigned to the Régie by this Act.”

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

“**12.** The Régie du bâtiment may suspend the licence issued under the Building Act (chapter B-1.1) of any person who fails to make alterations to plumbing installations effected contrary to the regulations.”

**10.** Section 22 of the said Act is amended by replacing the words “Each member of the board of examiners” in the first line by the words “The Régie du bâtiment”, and by replacing the word “him” in the fifth line by the words “the Régie or the inspector”.

**11.** The said Act is amended by replacing the words “examiners” or “board of examiners” by the words “Régie du bâtiment”, with the necessary adaptations, wherever the words occur in paragraph *b* of paragraph 2 of section 2, section 13 as amended by section 15 of chapter 74 of the statutes of 1996, section 20, section 20.1 enacted by section 17 of chapter 74 of the statutes of 1996, section 20.2 enacted by section 17 of chapter 74 of the statutes of 1996, section 21 and paragraphs *d* and *e* of section 24.

#### ACT RESPECTING ELECTRICAL INSTALLATIONS

**12.** Section 2 of the Act respecting electrical installations (R.S.Q., chapter I-13.01), amended by section 18 of chapter 74 of the statutes of 1996, is again amended by replacing paragraph 7 by the following paragraph:

“(7) the word “Régie” means the Régie du bâtiment du Québec, established by section 87 of the Building Act (chapter B-1.1);”.

**13.** Section 15 of the said Act is amended by striking out the word “examiners,” in the first line.

**14.** Section 16 of the said Act is amended by replacing the words “Every examiner” in the first line by the words “The Régie du bâtiment”, and by replacing the word “him” in the fourth line by the words “the Régie or the inspector”.

**15.** Section 17 of the said Act is amended

(1) by replacing the words “the examiners” in the second line by the words “the Régie du bâtiment, the members of the board of directors of the Régie du bâtiment”;

(2) by replacing the words “of the examiners” in the fifth line by the words “of the Régie”.

**16.** The heading of Division III of the said Act is replaced by the following heading:

“RÉGIE DU BÂTIMENT”.

**17.** Section 18 of the said Act is repealed.

**18.** Section 19 of the said Act, amended by section 23 of chapter 74 of the statutes of 1996, is again amended

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

“**19.** The functions of the Régie du bâtiment shall, in particular, be”;

(2) by replacing the words “attend to the details of the administration of the board of examiners” in the third and fourth lines of subparagraph 4 of the first paragraph by the words “see to the administration of this Act”;

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

“The Régie shall keep in its archives a record in which an entry is made respecting each licence issued by the Régie, and draw up reports on its activities relating to the application of this Act whenever required by the Minister.”;

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

“The Régie may delegate to a member of its board of directors or of its personnel or to a committee composed of members of its board of directors or of its personnel, in writing and to the extent specified, the functions assigned to the Régie by this Act.”

**19.** Section 35 of the said Act, amended by section 310 of chapter 43 of the statutes of 1997, is again amended

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

“**35.** The Régie du bâtiment may suspend the licence of any person who fails to make alterations to electrical installations effected contrary to the regulations.”;

(2) by replacing the words “The board of examiners may” in the first line of the second paragraph by the words “The Régie may also”;

(3) by replacing the words “The board of examiners” in the first line of the third paragraph by the words “The Régie”.

**20.** The said Act is amended by replacing the words “examiners”, “board of examiners” or “board of examining electricians” by the words “Régie du bâtiment”, with the necessary adaptations, wherever the words occur in section 3 as amended by section 19 of chapter 74 of the statutes of 1996, section 4 enacted by section 20 of chapter 74 of the statutes of 1996, sections 5, 6 and 7, section 9 as amended by section 22 of chapter 74 of the statutes of 1996 and by section 307 of chapter 43 of the statutes of 1997, sections 10.1, 13, 14, 24, 27, 29 and 30, section 34 as amended by section 27 of chapter 74 of the statutes of 1996 and by section 309 of chapter 43 of the statutes of 1997, section 35.1 as amended by section 311 of chapter 43 of the statutes of 1997, section 35.2 as amended by section 312 of chapter 43 of the statutes of 1997 and sections 38 and 41.

#### CULLERS ACT

**21.** The heading of Division III of the Cullers Act (R.S.Q., chapter M-12.1) is replaced by the following heading :

“FUNCTIONS OF MINISTER”.

**22.** Sections 6 to 15 of the said Act are repealed.

**23.** Sections 16, 17, 18 and 19 of the said Act, sections 20 and 22 of the said Act, as amended by sections 350 and 351 of chapter 43 of the statutes of 1997, and sections 23, 24, 26 and 27 of the said Act which will be repealed by the coming into force of section 352 of chapter 43 of the statutes of 1997, are amended by replacing the word “board”, with the necessary adaptations, wherever it occurs by the word “Minister”.

**24.** Section 31 of the said Act is repealed.

## ACT RESPECTING THE RÉGIE DES TÉLÉCOMMUNICATIONS

**25.** The Act respecting the Régie des télécommunications (R.S.Q., chapter R-8.01), amended by chapters 2 and 20 of the statutes of 1996 and by chapter 43 of the statutes of 1997, is repealed.

## ACT RESPECTING THE SOCIÉTÉ DE LA MAISON DES SCIENCES ET DES TECHNIQUES

**26.** The Act respecting the Société de la Maison des sciences et des techniques (R.S.Q., chapter S-11.02) is repealed.

## ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE DES TRANSPORTS

**27.** The Act respecting the Société québécoise des transports (R.S.Q., chapter S-22.1) is repealed.

## TRANSPORT ACT

**28.** Division IV of the Transport Act (R.S.Q., chapter T-12) is repealed.

## DIVISION II

## AMENDING PROVISIONS

## BUILDING ACT

**29.** Section 230 of the Building Act (R.S.Q., chapter B-1.1) is amended by replacing paragraph 2 by the following paragraph :

“(2) by substituting “the Building Code referred to in section 13 of the Building Act (chapter B-1.1)” for “the electricity code, approved by the Régie du bâtiment du Québec” in subparagraph *a* of paragraph 6, amended by section 34 of chapter 83 of the statutes of 1997”.

**30.** Section 245 of the said Act is amended by replacing paragraph 2 by the following paragraph :

“(2) by substituting “the Building Code referred to in section 13 of the Building Act (chapter B-1.1)” for “the Plumbing Code applied by the Régie du bâtiment du Québec” in the second paragraph of paragraph 6, amended by section 35 of chapter 83 of the statutes of 1997”.

## TELEGRAPH AND TELEPHONE COMPANIES ACT

**31.** Section 9 of the Telegraph and Telephone Companies Act (R.S.Q., chapter C-45) is amended by striking out the words “, with the approval of the Régie des télécommunications,” in the first line of the third paragraph.

ACT TO SECURE THE HANDICAPPED IN THE EXERCISE  
OF THEIR RIGHTS

**32.** Section 68 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1) is repealed.

**33.** Section 72 of the said Act is amended

(1) by replacing the words “sections 67 and 68” in the third line by the words “section 67”;

(2) by striking out the words “and of the telephone services” in the fourth line;

(3) by striking out the words “or the telephone undertaking” in the sixth and seventh lines;

(4) by replacing the words “section 67 or 68” in the eighth line by the words “section 67”.

MASTER ELECTRICIANS ACT

**34.** Section 1 of the Master Electricians Act (R.S.Q., chapter M-3), amended by section 43 of chapter 29 of the statutes of 1996, is again amended

(1) by replacing the words “the Bureau des examinateurs électriciens du Québec” in the first and second lines of paragraph 2 by the words “the Régie du bâtiment”;

(2) by replacing the words “the Bureau des examinateurs” in the second and third lines of subparagraph *a* of paragraph 6 by the words “the Régie du bâtiment”.

MASTER PIPE-MECHANICS ACT

**35.** Section 1 of the Master Pipe-Mechanics Act (R.S.Q., chapter M-4), amended by section 43 of chapter 29 of the statutes of 1996, is again amended by replacing the words “the board of examiners” in the second line of the second paragraph of paragraph 6 by the words “the Régie du bâtiment”.

**36.** Section 19 of the said Act is amended by replacing the words “, the Act respecting pressure vessels (chapter A-20.01) upon prosecution brought by the board of examiners set up under these acts” in the third, fourth and fifth lines of paragraph 1 by the words “or of the Act respecting pressure vessels (chapter A-20.01)”.



ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES  
RETIREMENT PLAN

**37.** The Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended

(1) by striking out the words “the Société québécoise des transports” in paragraph 1 of Schedule I as amended by Orders in Council 556-96 and 557-96 dated 15 May 1996, 821-96 dated 3 July 1996, 1051-96 dated 28 August 1996, 1493-96 dated 4 December 1996, 1589-96 dated 18 December 1996, 629-97 dated 13 May 1997, 788-97 dated 18 June 1997 and 1105-97 dated 28 August 1997, by section 35 of chapter 26 of the statutes of 1997 and by section 13 of chapter 36 of the statutes of 1997;

(2) by striking out the words “the Office des autoroutes” and “the Société québécoise des transports” in Schedule III.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

**38.** The Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) is amended

(1) by striking out the words “the Régie des télécommunications” in paragraph 2 of Schedule I as amended by section 860 of chapter 2 of the statutes of 1996 and by section 14 of chapter 36 of the statutes of 1997;

(2) by striking out the words “the Office des autoroutes du Québec” in paragraph 3 of Schedule I;

(3) by striking out the words “the Office des autoroutes du Québec” in Schedule IV.

ACT RESPECTING ROADS

**39.** Section 7 of the Act respecting roads (R.S.Q., chapter V-9) is amended by replacing paragraph 1 by the following paragraph:

“(1) to autoroutes that are State property;”.

**40.** Section 8 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**8.** The Government may, by order, identify the autoroutes of the State. It may, in the same manner, declare that a road is an autoroute.”

ACT RESPECTING THE RÉGIE DE L'ÉNERGIE

**41.** Section 16 of the Act respecting the Régie de l'énergie (1996, chapter 61) is amended

(1) by replacing the word “or” in the fifth line of the second paragraph by the words “, under paragraph 18 of section 415 of the Cities and Towns Act (chapter C-19), under paragraph 7 of article 557 of the Municipal Code of Québec (chapter C-27.1), under section 2 of the Act respecting certain public utility installations (chapter I-13),”;

(2) by adding, at the end of the second paragraph, the words “or under any municipal charter”.

**42.** Section 163 of the said Act is repealed.

#### OTHER LEGISLATIVE PROVISIONS

**43.** The words “Régie des télécommunications” are replaced by the words “Régie de l’énergie” wherever they appear in the following legislative provisions:

(1) paragraph 18 of section 415 of the Cities and Towns Act (R.S.Q., chapter C-19) as amended by section 155 of chapter 2 of the statutes of 1996;

(2) paragraph 7 of article 557 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) as amended by section 302 of chapter 2 of the statutes of 1996;

(3) section 2 of the Act respecting certain public utility installations (R.S.Q., chapter I-13).

The same applies, unless the context indicates otherwise, in any municipal charter.

**44.** All references to the Act respecting the Régie des télécommunications are struck out, with the necessary adaptations, in the following legislative provisions:

(1) section 42 of the James Bay Region Development Act (R.S.Q., chapter D-8);

(2) sections 39.8 and 48.1 of the Hydro-Québec Act (R.S.Q., chapter H-5);

(3) paragraph *c* of section 5 of the Consumer Protection Act (R.S.Q., chapter P-40.1).

#### DIVISION III

#### MISCELLANEOUS AND TRANSITIONAL PROVISIONS

**45.** All assets of the Conseil de la recherche et du développement en transport, including all amounts contained in the research fund of the Conseil, shall become the property of the Association québécoise du transport et des

routes. The Minister of Transport is authorized, without further formality, to perform any act required for the transfer of the assets of the Conseil to the Association.

**46.** As of 18 December 1997, the term of office of the members of the board of directors of the Société québécoise des transports and of the board of directors of any legal person whose issued capital stock is controlled by the Société shall be revoked and the Minister of Transport or the person designated by the Minister of Transport shall be authorized to exercise alone :

(1) all the powers that those boards of directors may exercise in respect of such legal persons including, in particular, the powers necessary for their management, administration and dissolution ;

(2) all the powers of the meeting of the shareholders of any legal person whose issued capital stock is controlled by the Société québécoise des transports.

**47.** The Minister of Transport shall, as liquidator, pay into the consolidated revenue fund the proceeds of the liquidation of the Société québécoise des transports and of any legal person whose capital stock is controlled by the Société. The Minister shall, where applicable, transmit the notices required under articles 358, 359 and 364 of the Civil Code of Québec.

**48.** The Minister of Finance shall pay out of the consolidated revenue fund any obligation contracted by the Société québécoise des transports or by any legal person whose capital stock is controlled by the Société.

**49.** The following bodies shall become a party to proceedings, without continuance of suit :

(1) the Régie du bâtiment du Québec, in the case of proceedings to which the Bureau des examinateurs en tuyauterie, the Bureau des examinateurs électriciens or any of the examiners are parties ;

(2) the Attorney General, in the case of proceedings to which the Bureau d'examineurs des mesureurs de bois is a party ;

(3) the Régie de l'énergie, in the case of proceedings to which the Régie des télécommunications is a party.

**50.** Proceedings shall be continued

(1) before the Régie du bâtiment du Québec, in the case of proceedings commenced before the Bureau des examinateurs en tuyauterie or the Bureau des examinateurs électriciens ;

(2) before the Minister of Natural Resources, in the case of proceedings commenced before the Bureau d'examineurs des mesureurs de bois ;

(3) before the Régie de l'énergie, in the case of proceedings commenced before the Régie des télécommunications.

**51.** Paragraph 3 of section 230 and paragraphs 1 and 3 of section 245 of the Building Act (R.S.Q., chapter B-1.1) come into force on 18 December 1997.

**52.** The first paragraph of section 293 of the Building Act comes into force on 18 December 1997 to the extent that it applies to the Bureau des examinateurs électriciens and the Bureau des examinateurs en tuyauterie.

**53.** Any decision or regulation made or approved by the Bureau des examinateurs en tuyauterie or the Bureau des examinateurs électriciens shall continue to have effect until repealed, amended or replaced by a decision or regulation made under the Act respecting piping installations (R.S.Q., chapter I-12.1) or the Act respecting electrical installations (R.S.Q., chapter I-13.01), as the case may be.

**54.** Any holder of a licence issued by the Bureau d'examineurs des mesureurs de bois is deemed to be the holder of a licence issued by the Minister under the Cullers Act (R.S.Q., chapter M-12.1).

**55.** In any text, unless the context indicates otherwise,

(1) a reference to the Bureau des examinateurs en tuyauterie, the Bureau des examinateurs électriciens, the board of examining electricians, the Bureau des examinateurs or the board of examiners or to the examiners of such bodies shall be read as a reference to the Régie du bâtiment du Québec ;

(2) a reference to the Bureau d'examineurs des mesureurs de bois or to the board of examiners for cullers shall be read as a reference to the Minister of Natural Resources.

**56.** The records and documents of

(1) the Bureau des examinateurs en tuyauterie and the Bureau des examinateurs électriciens shall become the records and documents of the Régie du bâtiment du Québec ;

(2) the Bureau d'examineurs des mesureurs de bois shall become the records and documents of the Minister of Natural Resources ;

(3) the Régie des télécommunications shall become the records and documents of the Régie de l'énergie ;

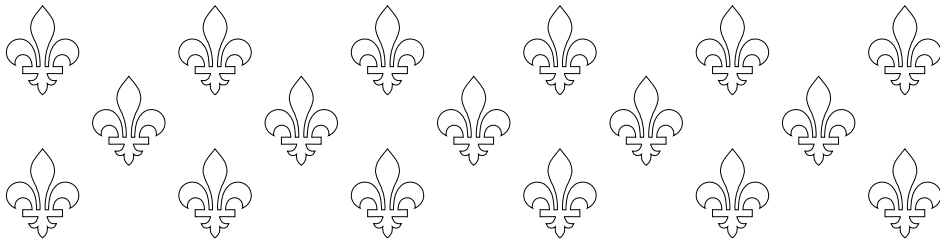
(4) the Société québécoise des transports shall become the records and documents of the Minister of Transport ;

(5) any legal person referred to in section 45 of this Act shall become the records and documents of the Minister of Transport from the date of liquidation ;

(6) the Office des autoroutes du Québec shall become the records and documents of the Minister of Transport.

**57.** This Act comes into force on 18 December 1997, except section 27 and paragraph 4 of section 56 which come into force on 1 April 1998, sections 29 and 30 which come into force on the date or dates of coming into force of the provisions they amend, and sections 25, 31, 32 and 33, paragraph 1 of section 38, sections 41, 42, 43 and 44, paragraph 3 of section 49, paragraph 3 of section 50 and paragraph 3 of section 56 which come into force on the date to be fixed by the Government.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 179  
(1997, chapter 95)

**An Act to again amend the Act  
respecting the conservation and  
development of wildlife**

---

---

**Introduced 28 November 1997  
Passage in principle 10 December 1997  
Passage 19 December 1997  
Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**

## EXPLANATORY NOTES

*This bill again amends the Act respecting the conservation and development of wildlife, mainly to allow the Minister to certify a non-profit legal person to act as the representative of all the agencies that manage controlled zones, or as the representative of all the agencies that manage controlled zones belonging to one or more classes of zones defined by regulation.*

*The bill also provides that every agency that manages a controlled zone and that is represented by such a legal person must pay part of the fees it collects pursuant to this Act to the legal person as a contribution toward the financing of the legal person. That obligation applies for a period of three years which may be extended by the Government. The terms and conditions of the payment of fees are to be determined by regulation of the Government.*

*In addition, the bill will allow the Minister to issue a licence authorizing a person, for scientific, educational or wildlife management purposes, to disregard a provision of a regulation concerning aquaculture and fish-breeding zones. The regulatory powers of the Government regarding controlled zones, wildlife sanctuaries and wildlife preserves are also amended to allow the fees payable by persons travelling in or pursuing an activity in those areas to vary according to the period or the class of licence concerned.*

## LEGISLATION AMENDED BY THIS BILL :

- Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);
- Act respecting off-highway vehicles (1996, chapter 60).



## Bill 179

### AN ACT TO AGAIN AMEND THE ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** Section 4 of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1) is amended

(1) by replacing the word “Government” in the first line of the first paragraph by the word “Minister”;

(2) by inserting the word “ministerial” after the word “Any” in the first line of the second paragraph.

**2.** Section 47 of the said Act is amended by replacing the words “or of the first paragraph of section 56 or of the regulations made pursuant to that section” in the third and fourth lines of the first paragraph by the words “of the first paragraph of section 56 or of the regulations under that section or of any of paragraphs 1 to 5 of section 73”.

**3.** Section 106.1 of the said Act is amended by inserting the words “shall, subject to section 106.6,” after the word “and” in the third line.

**4.** The said Act is amended by inserting, after section 106.2, the following sections :

**“106.3.** The Minister may, on the conditions determined by the Minister, certify a non-profit legal person to act as the representative of all the agencies that are parties to a memorandum of agreement, or of all such agencies that manage a controlled zone belonging to one or more classes of zones defined by regulation and specified by the Minister.

**“106.4.** The functions of a legal person certified under section 106.3 shall consist in

(1) consulting the agencies that are parties to the memorandum of agreement and on whose behalf the legal person acts as the representative;

(2) promoting consultation among the agencies;

(3) exercising any other function necessary to fulfil its role as representative as may be assigned to the legal person by the Minister.

“**106.5.** In order to be certified by the Minister, a non-profit legal person must have a membership comprising at least 50% plus one of all the agencies that are parties to a memorandum of agreement, or of all such agencies that manage a controlled zone belonging to one or more classes of zones defined by regulation, as the case may be.

The Minister shall publish notice of the certification in the *Gazette officielle du Québec*. The certification takes effect from the date of publication.

“**106.6.** Every agency that is a party to a memorandum of agreement and on whose behalf a legal person certified by the Minister acts as the representative must pay to the legal person, for a period of three years from the date determined by the Government, a part of the fees that devolve to the agency under this Act as a contribution toward the financing of the legal person.

The Government shall determine by regulation the part of the fees to be paid and the terms and conditions of payment.

The Government may extend the period during which the financing requirement provided for in the first paragraph is applicable.

“**106.7.** The Minister shall send a copy of the notice of certification to each agency that is a party to a memorandum of agreement and on whose behalf the legal person is to act as the representative, in which the Minister shall indicate the part of the fees to be paid under section 106.6 and the terms and conditions of payment.

“**106.8.** The fiscal year of a legal person certified by the Minister ends on 30 November.

The legal person must, each year, within four months after the end of its fiscal year, send a report to the Minister on its activities together with a financial statement audited by an accountant. The annual report must also contain any other information required by the Minister.

“**106.9.** The Minister may cancel the certification of a legal person if

(1) membership in the legal person falls below the number required for certification; or

(2) the legal person fails to comply with the conditions prescribed by the Minister at the time of certification or does not fulfil the obligations set out in section 106.8.

The Minister shall publish notice of the cancellation in the *Gazette officielle du Québec*; the cancellation takes effect on the date of publication.

The Minister shall send a copy of the notice of cancellation to each agency on whose behalf the legal person acted as the representative.

**“106.10.** The Minister shall, not later than six months before the expiry of the three-year period referred to in the first paragraph of section 106.6 or of the extension determined by the Government under the third paragraph of that section, make a report to the Government on the application of sections 106.3 to 106.9 and, if necessary, on the advisability of extending that period.

The report shall be tabled in the National Assembly by the Minister within 15 days if the Assembly is sitting or, if it is not sitting, within 15 days after resumption.”

**5.** Section 110 of the said Act is amended by inserting the words “or licences” after the words “of persons” in the second line of the second paragraph, and by replacing the words “stay, or the sector” in the third and fourth lines of the second paragraph by the words “stay or the sector, or the period”.

**6.** Section 121 of the said Act is amended by inserting the words “or licences” after the words “of persons” in the third line of paragraph 1, and by inserting the words “the period during which or” after the words “carried on or” in the sixth line of paragraph 1.

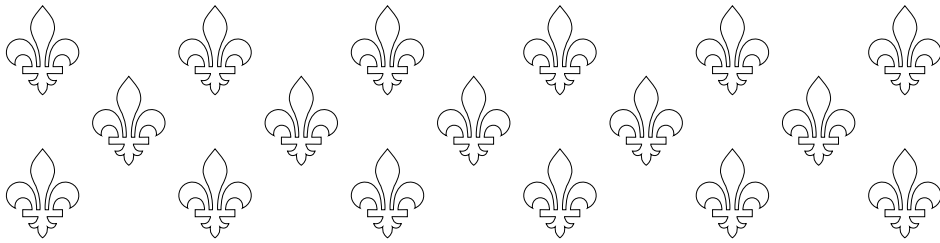
**7.** Section 125 of the said Act is amended by inserting the words “or licences” after the words “of persons” in the third line of paragraph 1, and by inserting the words “the period during which or” after the words “carried on or” in the sixth line of paragraph 1.

**8.** Section 83 of the Act respecting off-highway vehicles (1996, chapter 60) is repealed.

**9.** A regulation made under section 106.6 of the Act respecting the conservation and development of wildlife, enacted by section 4 of this Act, is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., chapter R-18.1).

**10.** This Act comes into force on 19 December 1997.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 183  
(1997, chapter 97)

## **An Act respecting the budget of Ville de Montréal**

---

---

**Introduced 28 November 1997**  
**Passage in principle 5 December 1997**  
**Passage 19 December 1997**  
**Assented to 19 December 1997**

---

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

**EXPLANATORY NOTES**

*This bill authorizes Ville de Montréal to adopt for the fiscal year 1998 a budget in which the balance between probable revenue and probable expenditure is contingent upon an anticipated increase in revenue and an anticipated decrease in expenditure amounting to not less than a total sum of \$125,000,000.*

*If, during that fiscal year, the balance is not achieved in the manner provided for in the budget so adopted, the city must amend the budget in order to achieve that balance.*

## Bill 183

### AN ACT RESPECTING THE BUDGET OF VILLE DE MONTRÉAL

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** Notwithstanding any inconsistent legislative provision, Ville de Montréal may, for the fiscal year 1998, prepare and adopt a budget in which the balance between probable revenue and probable expenditure is contingent upon an anticipated increase in revenue and an anticipated decrease in expenditure amounting to not less than a total sum of \$125,000,000.

In addition, for the same fiscal year, the amount to be provided for as an appropriation for contingent expenditure and voted as such in accordance with the second paragraph of article 664 of the Charter of the City of Montréal (1959-60, chapter 102) shall be equal to 1% of the city's probable revenue.

The by-laws and resolutions necessary to levy taxes, fix rates and collect revenue and the certificates issued by the director of finance of Ville de Montréal in relation to the budget provided for in this section shall be validly adopted and issued.

**2.** The budget, the by-laws and the resolutions mentioned in article 670 of the Charter of the City of Montréal, adopted by the council of the city on 16 December 1997 in respect of the fiscal year 1998, may not be invalidated on the ground that they were not adopted before 15 December 1997, notwithstanding article 675 of the Charter of the city.

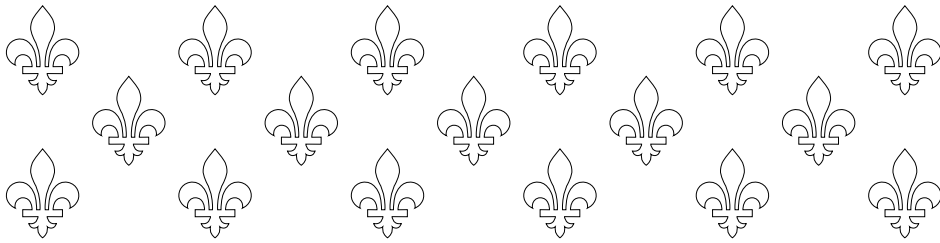
**3.** If, during the fiscal year 1998, the balance between probable revenue and probable expenditure is not achieved in the manner set out in the budget adopted as provided in section 1, the city shall amend the budget in order to achieve that balance.

**4.** Section 1 has effect from 25 November 1997.

**5.** This Act comes into force on 19 December 1997.







---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 185  
(1997, chapter 98)

**An Act respecting the election of the first  
commissioners of the new school boards  
and amending various legislative  
provisions**

---

---

**Introduced 4 December 1997  
Passage in principle 18 December 1997  
Passage 19 December 1997  
Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**

## EXPLANATORY NOTES

*This bill establishes special rules applicable to the election of the first commissioners of the new French language and English language school boards.*

*In particular, the bill gives the Government the power to fix, by order, the polling date and the dates of the proceedings required for the polling to be held.*

*The bill empowers the Commission de la représentation to divide the territory of any new school board into electoral divisions in cases where the provisional council fails to do so in accordance with the rules established in the bill or where three or more members of the provisional council who oppose the division as adopted by the provisional council so request.*

*The bill gives the chief electoral officer the power to appoint the returning officers and to establish the rules governing the establishment and revision of the first list of electors of the new school boards and the location of polling stations and the choice of materials required for voting.*

*More specifically, the bill requires the chief electoral officer to take all measures required to inform the electors of the manner in which they may exercise their right to vote. The chief electoral officer must, in particular, send a notice to each address informing all electors who are entitled to choose to vote at the election of the commissioners of an English language school board of the manner in which they may make such a choice.*

*Lastly, the bill contains necessary consequential amendments.*

## LEGISLATION AMENDED BY THIS BILL :

- Health Insurance Act (R.S.Q., chapter A-29);
- Education Act (R.S.Q., chapter I-13.3);
- Act to amend the Education Act, the Act respecting school elections and other legislative provisions (1997, chapter 47).

## Bill 185

### AN ACT RESPECTING THE ELECTION OF THE FIRST COMMISSIONERS OF THE NEW SCHOOL BOARDS AND AMENDING VARIOUS LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The Act respecting school elections (R.S.Q., chapter E-2.3) applies to the election of the first commissioners of the new school boards referred to in paragraph 2 of section 509 of the Education Act (R.S.Q., chapter I-13.3), subject to the provisions of this Act.

**2.** The Government shall fix, by order, the polling date and the dates of the proceedings required for the holding of the poll.

The order shall come into force on the date of its publication in the *Gazette officielle du Québec*.

**3.** The provisional council shall, on or before 31 January 1998, divide the territory of the new school board into electoral divisions on the favourable vote of at least three quarters of the council members entitled to vote.

The provisional council shall, on or before 3 February 1998, transmit to the chief electoral officer the resolution voted under the first paragraph together with the description of the electoral divisions effected according to the parameters determined by the chief electoral officer.

The scale prescribed by section 6 of the Act respecting school elections is applicable by reference to the number of students who, as of 30 September 1997, resided or were placed in the territory concerned by the election and were admitted to educational services provided in schools to receive instruction in the language of the French language or English language school board.

In the case of a dissentient school board established pursuant to section 515.7 of the Education Act, the number of electoral divisions shall be three.

**4.** The provisional council may, on the favourable vote of at least three quarters of the council members entitled to vote, establish two, four or six electoral divisions in excess of the number provided by the third paragraph of section 3, without exceeding twenty-one divisions, where the council considers it justified owing to

- (1) the particularly large size of the territory of the new school board;
- (2) the number of local municipalities whose territory is comprised within the territory of the new school board;
- (3) the isolated location of the territory of a local municipality in the territory of the new school board.

**5.** Within seven days after the adoption of a resolution under section 3, but not later than 3 February 1998, three or more members of the provisional council entitled to vote may notify the Commission de la représentation established by section 524 of the Election Act (R.S.Q., chapter E-3.3) of their opposition to the resolution of the provisional council. The Commission de la représentation may alter the division of the territory of the new school board into electoral divisions in keeping with, so far as possible, the principle of effective representation of electors and the boundaries of electoral divisions of the existing school boards referred to in paragraph 1 of section 509 of the Education Act.

**6.** If the provisional council does not fulfil its obligations under section 3, the Commission de la représentation established by section 524 of the Election Act shall divide the territory of the new school board into electoral divisions which take into account, so far as is possible, the principle of effective representation of electors and the boundaries of electoral divisions of the existing school boards referred to in paragraph 1 of section 509 of the Education Act.

**7.** The returning officer shall be appointed by and shall act under the authority of the chief electoral officer.

The returning officer shall ensure that the election is properly conducted and, for that purpose, shall see to the training of the other election officers and shall direct their work.

**8.** If the returning officer is unable to exercise the returning officer's functions, the election clerk shall replace the returning officer and shall so notify the chief electoral officer, who may, in that case, appoint another person as the returning officer.

**9.** The chief electoral officer shall establish all the rules applicable to the establishment and revision of the list of electors which may depart from the provisions of the Act respecting school elections, except the provisions of sections 12 to 19 and 40 of the said Act.

For the purposes of sections 15 and 40 of the said Act, the date of admission to educational services is 1 March 1998.

In the case of a dissentient school board, subparagraphs 2 and 3 of the first paragraph and the second paragraph of section 508.38 of the Education Act

apply, except that the date of 30 September provided therein shall be replaced by 1 March 1998.

**10.** The chief electoral officer shall be charged with taking all measures required to inform the electors of the manner in which they may exercise their right to vote.

The chief electoral officer shall, in particular, send a notice to each address containing the information relating to the electors entered on the list of electors for that address or, where applicable, stating that no elector is entered on the list for that address. The notice shall also inform all electors entitled to choose to vote at the election of the commissioners of an English language school board or, as the case may be, of a dissentient school board having jurisdiction in the territory in which they are domiciled of the manner in which they may make that choice. The notice shall also enable those electors to make that choice.

For those purposes, the provisional councils are required to transmit to the chief electoral officer, on or before 16 March 1998, the name, sex, date of birth and domiciliary address of the parents of each child admitted to educational services provided in schools. The second paragraph of section 68.1 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1) does not apply to that transmission.

**11.** A single board of revisors shall be established for each French language school board and for the part of the territory of any school board that coincides with the territory of the French language school board.

The board of revisors shall be composed of one person designated by the returning officer of the French language school board, one person designated by the returning officer of the English language school board the greater part of whose territory coincides with the territory of the French language school board and a president appointed under an agreement between the returning officers of the two school boards or, failing agreement, by the chief electoral officer.

**12.** The chief electoral officer shall establish all the rules governing the location of polling stations and the materials required for voting which may depart from the provisions of the Act respecting school elections.

**13.** Section 127 of the Act respecting school elections does not apply to the election of the first commissioners of the new school boards or to any by-election held before the next general election.

**14.** The existing school boards must allow their premises, including their schools, to be used free of charge for the purposes of this Act.

Furthermore, the chief electoral officer and the Commission de la représentation may, after consulting the existing school boards, require the services of their personnel.

**15.** The first commissioners shall take office on 1 July 1998.

The commissioners representing parents' committees referred to in paragraph 2 of section 512 of the Education Act shall become, as of 1 July 1998, members of the council of commissioners of the new school board until their replacement by persons elected in accordance with section 145 of that Act.

**16.** Upon the expiry of the time for contesting an election, the returning officer shall remit all documents relating to the election to the director general of the new school board for conservation purposes.

**17.** The returning officer shall transmit to the director general of the new school board the names of the candidates declared elected and the official results of the poll for entry by the director general in the Minutes of Proceedings of the school board.

The director general of the new school board shall, as soon as possible, give public notice of the names of the candidates elected and of the electoral divisions represented by them.

**18.** The chief electoral officer shall, after the polling is held, add to the permanent list of electors the changes made to the list of electors for school elections during the revision process and an entry indicating the choice made by an elector to vote at the election of the commissioners of an English language school board or, as the case may be, of a dissentient school board.

The list of electors to be used in any by-election before the general election subsequent to the election of the first commissioners of the new school boards shall be prepared by the chief electoral officer on the basis of the permanent list of electors and shall contain an entry indicating, where applicable, the choice made by an elector in any of those elections to vote at the election of the commissioners of an English language school board or, as the case may be, of a dissentient school board.

#### MISCELLANEOUS AMENDING PROVISIONS

**19.** Section 65.0.1 of the Health Insurance Act (R.S.Q., chapter A-29) is amended by adding the following paragraph:

“Furthermore, the Régie shall transmit to the chief electoral officer, upon request, all the Québec residential addresses known to it. The second paragraph of section 68.1 of the Act respecting Access to documents held by public bodies and the Protection of personal information does not apply to the first transmission of such information.”

**20.** Section 528, sections 529 to 530 and the first paragraph of section 530.2 of the Education Act (R.S.Q., chapter I-13.3), enacted, amended or replaced by sections 44 to 46 of chapter 47 of the statutes of 1997, are repealed.

**21.** Section 7 of the Schedule to the Act to amend the Education Act, the Act respecting school elections and other legislative provisions (1997, chapter 47) is repealed.

#### FINAL PROVISIONS

**22.** If the proclamation of the Governor General under the Great Seal of Canada declaring that paragraphs 1 to 4 of section 93 of the Constitution Act, 1867 do not apply in respect of Québec is published before 1 January 1998, the fourth paragraph of section 3 and the third paragraph of section 9 of this Act shall be repealed as of the date of publication of the proclamation.

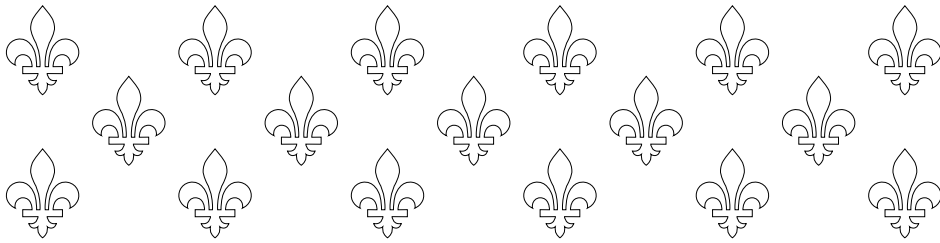
Similarly, the second paragraph of section 10 and the first and second paragraphs of section 18 shall be amended by striking out the words “or, as the case may be, of a dissentient school board”.

**23.** The sums required for the carrying out of this Act shall be taken out of the consolidated revenue fund; however, the Government may determine that a reasonable part of the sums required shall be payable by the school boards.

**24.** The provisions of this Act come into force on 19 December 1997.







---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 197  
(1997, chapter 100)

**An Act respecting the Agence  
de développement Station  
Mont-Tremblant**

---

---

**Introduced 13 November 1997  
Passage in principle 9 December 1997  
Passage 19 December 1997  
Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**

## EXPLANATORY NOTES

*This bill establishes the Agence de développement Station Mont-Tremblant. The affairs of the agency will be administered by a board of directors made up of five members, of whom two shall be appointed by Municipalité de Mont-Tremblant, two by Station Mont-Tremblant, limited partnership, and one appointed jointly by the municipality and the partnership.*

*The object of the agency is to undertake and finance the construction of municipal infrastructures and, for those purposes, the agency is granted the power to enter into contracts and acquire movable and immovable property for the achievement of its objects, alienate movable or immovable property, gratuitously, in favour of Municipalité de Mont-Tremblant, alienate, with the authorization of Municipalité de Mont-Tremblant, movable and immovable property in return for payment and solicit and receive gifts, legacies, subsidies or other contributions.*

*Lastly, the bill provides that the agency is authorized to borrow in order to finance work that relates to the construction of municipal infrastructures.*

## Bill 197

### AN ACT RESPECTING THE AGENCE DE DÉVELOPPEMENT STATION MONT-TREMBLANT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### CHAPTER I

#### ESTABLISHMENT AND ORGANIZATION

- 1.** For the purposes of this Act, the word “agreement” designates the agreement made on 12 December 1997 between Municipalité de Mont-Tremblant and Station Mont-Tremblant, limited partnership, and to which resolution 1997-795 passed on 12 December 1997 by that municipality refers.
- 2.** An agency to be known as the Agence de développement Station Mont-Tremblant is hereby established.
- 3.** The agency is a legal person.
- 4.** The agency shall have its head office in the territory of Municipalité de Mont-Tremblant.

Notice of the location or any change of location of the head office is published in the *Gazette officielle du Québec*.

- 5.** The affairs of the agency shall be administered by a board of directors made up of five members appointed for a term not exceeding three years, of whom two shall be appointed by Municipalité de Mont-Tremblant, two by Station Mont-Tremblant, limited partnership, and one appointed jointly by the municipality and the limited partnership. In the case of disagreement as to the appointment of the latter member, the provisions of the agreement shall apply.
- 6.** The board of directors shall designate a chair from among its members.
- 7.** The members of the board of directors shall receive no remuneration. They are, however, entitled to the reimbursement of expenses incurred in the performance of their duties on the conditions and to the extent determined by the agency.
- 8.** The resignation of a member shall not take effect before the agency is notified.

- 9.** The quorum at meetings of the board of directors is three members.
- 10.** The chair shall call, at least once every three months, a meeting of the board of directors, preside over the meeting and see to it that it is properly conducted.
- Two members of the board of directors may requisition the chair to call a special meeting. The special meeting must be held within five days after the requisition is received.
- 11.** Each member of the board of directors present at a meeting of the board has one vote and is required to vote, unless the member is prevented from voting on account of a personal interest.
- 12.** If all members of the board of directors agree, a meeting of the board may be held by any means of communication, such as the telephone, that permits all persons participating in the meeting to communicate orally with each other. The participants are, in such a case, deemed to have attended the meeting.
- 13.** The agency may hire employees, including a director general, and determine their functions. The agency may make a by-law determining the standards and scales of remuneration, employment benefits and other terms of employment of the employees of the agency.
- 14.** The agency may prescribe rules of internal management for the conduct of its business.
- 15.** Any member of the board of directors of the agency having a direct or indirect interest in an enterprise causing the personal interest of the member to conflict with that of the agency must, on pain of forfeiture of office, disclose it in writing to the other board members and abstain from participating in any discussion or decision involving the enterprise in which the member has the interest or in any part of a meeting of the board of directors during which the member's interest is discussed.

Neither the director general nor any employee of the agency may, on pain of forfeiture of office, have a direct or indirect interest in an enterprise causing that person's interest to conflict with that of the agency.

Forfeiture under the first or second paragraph is not incurred if the interest devolves to the person by succession or gift, provided the person renounces it or disposes of it with dispatch.

- 16.** Section 15 does not apply where

(1) the interest of the person arises from the fact that the person is an employee or an executive officer of Station Mont-Tremblant, limited partnership, or of an affiliated company;

(2) the interest of the person consists in holding less than 10% of the securities issued by Station Mont-Tremblant, limited partnership, or of an affiliated company;

(3) the interest of the person arises from the fact that the person is a member of the council of Municipalité de Mont-Tremblant or an officer or employee of the municipality.

**17.** The minutes of the meetings of the board of directors, approved by the board and signed by the chair or the secretary, are authentic. The same applies to any document or copy of a document emanating from the agency or forming part of its records if certified true by the director general or a person authorized by the board of directors.

## CHAPTER II

### OBJECTS AND POWERS OF THE AGENCY

**18.** The object of the agency is to carry out and finance, in accordance with the agreement, the construction of municipal infrastructures in a territory whose description shall be published by the Minister of Municipal Affairs in the *Gazette officielle du Québec*.

**19.** The agency may, in particular, for the purposes set out in section 18,

(1) enter into contracts with any person for the carrying out of its objects;

(2) acquire movable or immovable property for the carrying out of its objects;

(3) alienate movable or immovable property, gratuitously, in favour of Municipalité de Mont-Tremblant;

(4) with the authorization of Municipalité de Mont-Tremblant, alienate movable or immovable property in return for payment;

(5) solicit and receive gifts, legacies, subsidies or other contributions provided that any condition that may be attached thereto is compatible with the objects of the agency.

**20.** The infrastructures constructed by the agency under this Act shall become the property of Municipalité de Mont-Tremblant from the completion of the work, in accordance with the provisions of the agreement.

### CHAPTER III

#### MISCELLANEOUS PROVISIONS

**21.** The agency may borrow the amount of \$10,600,000 for the purposes specified in the agreement.

The agency may increase its borrowings to \$12,100,000 subject to the conditions determined in the agreement.

**22.** Municipalité de Mont-Tremblant may carry out the agreement and exercise the rights and fulfil the obligations arising from the agreement. The municipality is empowered, in particular, to make the payments determined in the agreement to the agency, out of the proceeds of the general real estate taxes it levies.

Municipalité de Mont-Tremblant and Station Mont-Tremblant, limited partnership, may amend the agreement with the authorization of the Minister of Municipal Affairs.

**23.** Municipalité de Mont-Tremblant may acquire, by agreement or by expropriation, the immovables required for the carrying out of the work covered by the agreement.

**24.** Article 14.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) does not apply to the agreement.

**25.** This Act and the agreement apply notwithstanding the Municipal Aid Prohibition Act (R.S.Q., chapter I-15).

**26.** The fiscal year of the agency ends on 31 December each year.

**27.** After all the obligations of the agency have been fulfilled, the agency must file an application for dissolution with the Minister of Municipal Affairs.

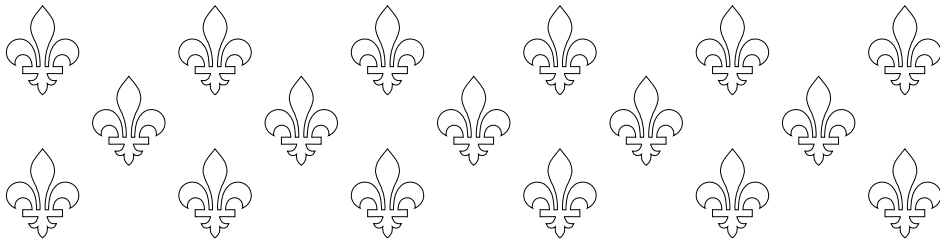
Notice of the application must be published in the *Gazette officielle du Québec* at least 30 days before being filed with the Minister.

The dissolution of the agency is effected by an order of the Minister.

Any remaining assets of the agency shall devolve to Municipalité de Mont-Tremblant.

Notice of the dissolution of the agency shall be published by the secretary-treasurer of the municipality in the *Gazette officielle du Québec*. The dissolution of the agency entails the termination of the agreement.

**28.** This Act comes into force on 19 December 1997.



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 248

(Private)

**An Act to amend the Act respecting the  
Fédération des commissions scolaires du  
Québec**

---

---

**Introduced 4 November 1997**

**Passage in principle 19 December 1997**

**Passage 19 December 1997**

**Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**





## Bill 248

(Private)

### AN ACT TO AMEND THE ACT RESPECTING THE FÉDÉRATION DES COMMISSIONS SCOLAIRES DU QUÉBEC

WHEREAS it is in the interest of the Québec Federation of School Commissions, established by chapter 140 of the statutes of 1960-61, that certain restrictions preventing the federation from fully applying Part III of the Companies Act (R.S.Q., chapter C-38) be removed;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** Section 9*b* of the Act respecting the Fédération des commissions scolaires du Québec (1960-61, chapter 140), enacted by section 1 of chapter 82 of the statutes of 1984, is amended

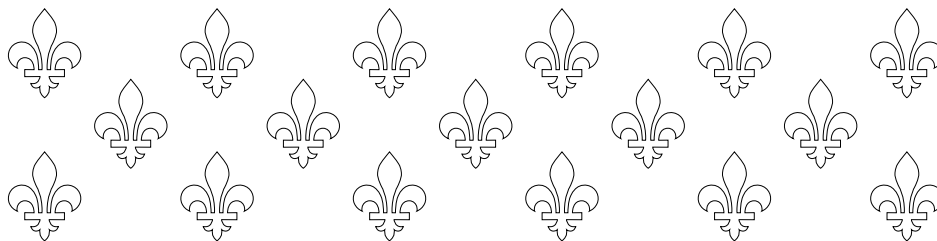
(1) by replacing the words “a Catholic school board in the exercise of its powers” at the end of the first paragraph by the words “its members or any other body or person requiring its services”;

(2) by striking out the words “, subparagraph *f* of the second paragraph of section 31 and section 44” in the second paragraph;

(3) by striking out the words “school board,” in the third and fourth lines of the fourth paragraph.

**2.** This Act comes into force on 19 December 1997.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 256

(Private)

## **An Act respecting Ville de Blainville**

---

---

**Introduced 13 November 1997**

**Passage in principle 19 December 1997**

**Passage 19 December 1997**

**Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**



## **Bill 256**

(Private)

### **AN ACT RESPECTING VILLE DE BLAINVILLE**

WHEREAS it is in the interest of Ville de Blainville that certain powers be granted to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

- 1.** Ville de Blainville is authorized to establish and operate an equestrian competition centre on the immovable described in the schedule. It may also use the immovable for any other purpose of a municipal nature.
- 2.** The city may administer the centre or entrust any person with its administration. It may enter into an agreement for that purpose.
- 3.** The board of directors of any legal person entrusted by the city with the administration of the centre shall be made up of at least two members of the city council ; the office of chair or vice-chair of the board of directors shall be held by one of those members.
- 4.** No illegality or irregularity may result from the fact that Ville de Blainville had work carried out, between 8 June 1988 and 20 August 1995, by the Société du Parc Équestre de Blainville and by the Société hippique de Blainville on the immovable referred to in section 1.
- 5.** This Act does not affect cases pending on 17 March 1997.
- 6.** This Act has effect from 18 April 1988.
- 7.** This Act comes into force on 19 December 1997.

## SCHEDULE

## DESCRIPTION

1. "Lot THREE HUNDRED AND TWENTY-EIGHT of the official subdivision of original lot SEVEN HUNDRED AND EIGHTY-FOUR (784-328) in the official plan and book of reference of Paroisse de Sainte-Thérèse-de-Blainville."

2. "Lot ONE HUNDRED AND TWENTY of the official subdivision of original lot SEVEN HUNDRED AND EIGHTY-FIVE (785-120) in the official plan and book of reference of Paroisse de Sainte-Thérèse-de-Blainville."

3. "Lot TWO HUNDRED AND ELEVEN of the official subdivision of original lot SEVEN HUNDRED AND EIGHTY-SIX (786-211) in the official plan and book of reference of Paroisse de Sainte-Thérèse-de-Blainville."

4. "Lot ONE HUNDRED AND ELEVEN of the official subdivision of original lot SEVEN HUNDRED AND EIGHTY-SEVEN (787-111) in the official plan and book of reference of Paroisse de Sainte-Thérèse-de-Blainville."

5. "Lot SIXTY-FIVE of the official subdivision of original lot SEVEN HUNDRED AND EIGHTY-EIGHT (788-65) in the official plan and book of reference of Paroisse de Sainte-Thérèse-de-Blainville."

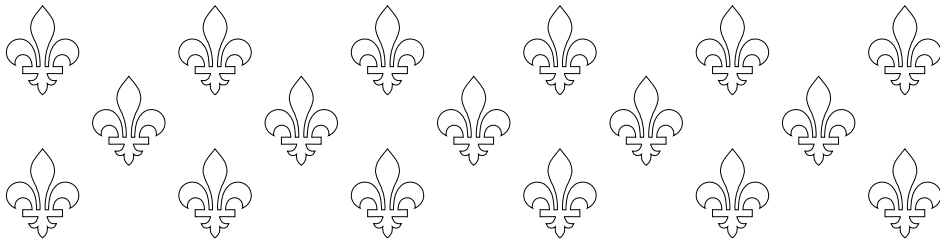
6. "Lot ONE HUNDRED AND FORTY-NINE of the official subdivision of original lot SEVEN HUNDRED AND EIGHTY-NINE (789-149) in the official plan and book of reference of Paroisse de Sainte-Thérèse-de-Blainville."

7. "Lot TWO HUNDRED AND FIFTY-SIX of the official subdivision of original lot SEVEN HUNDRED AND NINETY (790-256) in the official plan and book of reference of Paroisse de Sainte-Thérèse-de-Blainville."

8. "Lot THREE HUNDRED AND THIRTY-FOUR of the official subdivision of original lot EIGHT HUNDRED AND THIRTY-ONE (831-334) in the official plan and book of reference of Paroisse de Sainte-Thérèse-de-Blainville."

9. "Lot THIRTY-FOUR of the official subdivision of original lot EIGHT HUNDRED AND FORTY-SEVEN (847-34) in the official plan and book of reference of Paroisse de Sainte-Thérèse-de-Blainville."

10. "Lot THIRTY-NINE of the official subdivision of original lot EIGHT HUNDRED AND FORTY-SEVEN (847-39) in the official plan and book of reference of Paroisse de Sainte-Thérèse-de-Blainville."



---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 259

(Private)

**An Act respecting the Fondation du  
Centre hospitalier de l'Université  
de Montréal**

---

---

**Introduced 13 November 1997**

**Passage in principle 19 December 1997**

**Passage 19 December 1997**

**Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**





## Bill 259

(Private)

### **AN ACT RESPECTING THE FONDATION DU CENTRE HOSPITALIER DE L'UNIVERSITÉ DE MONTRÉAL**

WHEREAS, on 1 October 1996, Hôtel-Dieu de Montréal, Hôpital Notre-Dame and Hôpital Saint-Luc were amalgamated to form a new public institution designated under the name of Centre hospitalier de l'Université de Montréal by letters patent issued under the Act respecting health services and social services (R.S.Q., chapter S-4.2);

Whereas three separate foundations responsible for the collection, administration and investment of gifts, namely, the Fondation Hôtel-Dieu de Montréal, the Notre-Dame Hospital Foundation and the Fondation de l'Hôpital Saint-Luc, were attached to the three amalgamated institutions;

Whereas the Fondation Hôtel-Dieu de Montréal and the Notre-Dame Hospital Foundation are non-profit legal persons incorporated on 15 November 1974 and 8 June 1972, respectively, under the Canada Corporations Act (R.S.C., 1970, chapter C-32), and the Fondation de l'Hôpital Saint-Luc is a non-profit legal person incorporated on 18 December 1979 under the Companies Act (R.S.Q., chapter C-38);

Whereas it is expedient that only one juridical entity act as a foundation attached to the Centre hospitalier de l'Université de Montréal;

Whereas the Acts incorporating those foundations, namely, the Canada Corporations Act and the Companies Act, do not authorize the amalgamation of legal persons each incorporated under one of those jurisdictions;

Whereas, on 9 July 1997, the Fondation du Centre hospitalier de l'Université de Montréal was incorporated under Part III of the Companies Act in order to be attached to the Centre hospitalier de l'Université de Montréal;

Whereas, on 4 November 1997, the Fondation Hôtel-Dieu de Montréal, the Notre-Dame Hospital Foundation and the Fondation de l'Hôpital Saint-Luc agreed to transfer their assets to the Fondation du Centre hospitalier de l'Université de Montréal;

Whereas the aforementioned transfer does not entitle the Fondation du Centre hospitalier de l'Université de Montréal to receive the mandates, gifts or legacies promised, committed, given or granted to the Fondation Hôtel-Dieu de Montréal, the Notre-Dame Hospital Foundation or the Fondation de

l'Hôpital Saint-Luc and does not enable it to fully assume its role as a foundation attached to the Centre hospitalier de l'Université de Montréal;

Whereas it is expedient that the Fondation du Centre hospitalier de l'Université de Montréal be substituted for all legal purposes for the Fondation Hôtel-Dieu de Montréal, the Notre-Dame Hospital Foundation and the Fondation de l'Hôpital Saint-Luc to receive in their place and stead the mandates, gifts or legacies promised, committed, given or granted to those foundations;

Whereas the directors and members of the Fondation Hôtel-Dieu de Montréal, the Notre-Dame Hospital Foundation and the Fondation de l'Hôpital Saint-Luc have undertaken to dissolve those legal persons or to change their names or objects upon the passage of this Act;

Whereas the directors and members of the Fondation Hôtel-Dieu de Montréal, the Notre-Dame Hospital Foundation and the Fondation de l'Hôpital Saint-Luc have agreed, by resolution, to the passage of this Act;

#### THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The mandates, gifts or legacies promised, committed, given or granted to the Fondation Hôtel-Dieu de Montréal, the Notre-Dame Hospital Foundation or the Fondation de l'Hôpital Saint-Luc are deemed to devolve upon the Fondation du Centre hospitalier de l'Université de Montréal.

**2.** The Fondation du Centre hospitalier de l'Université de Montréal is substituted for all legal purposes for the Fondation Hôtel-Dieu de Montréal, the Notre-Dame Hospital Foundation and the Fondation de l'Hôpital Saint-Luc to receive the mandates, gifts or legacies promised, committed, given or granted to those foundations.

**3.** The Fondation du Centre hospitalier de l'Université de Montréal may, in the place and stead of the Fondation Hôtel-Dieu de Montréal, the Notre-Dame Hospital Foundation and the Fondation de l'Hôpital Saint-Luc, exercise any judicial or other remedy, claim any right, require any payment or the performance of any obligation or other charge, and sign any legal or other document in relation to any mandate, gift or legacy promised, committed, given or granted to any of them.

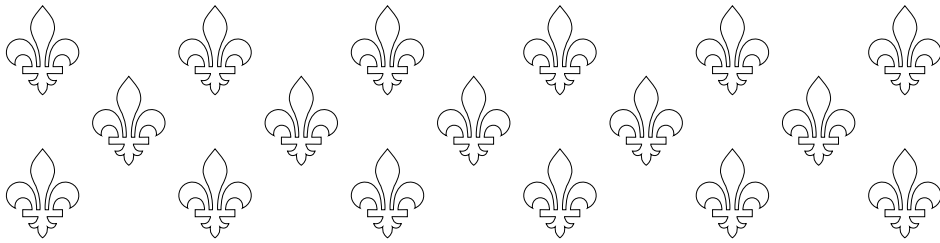
**4.** The mandates, gifts or legacies referred to in this Act may derive from a judgment, a judicial order, a will, a deed of gift, a contract or any other document of any nature whatsoever, whether in notarial form or not.

**5.** Notwithstanding the third paragraph of section 271 of the Act respecting health services and social services (R.S.Q., chapter S-4.2), the funds may validly be transferred directly by the Fondation Hôtel-Dieu de Montréal, the Notre-Dame Hospital Foundation and the Fondation de l'Hôpital Saint-Luc to the Fondation du Centre hospitalier de l'Université de Montréal.

**6.** The collection, administration or transfer of any gift or contribution by the Fondation Hôtel-Dieu de Montréal and the Notre-Dame Hospital Foundation and the transfer thereof to third persons in connection with their objects or activities shall not be invalid solely by reason of the fact that they were legal persons incorporated elsewhere than in Québec.

**7.** This Act comes into force on 28 February 1998.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 260

(Private)

## **An Act respecting Ville d’Otterburn Park**

---

---

**Introduced 13 November 1997**

**Passage in principle 19 December 1997**

**Passage 19 December 1997**

**Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**



## Bill 260

(Private)

### AN ACT RESPECTING VILLE D'OTTERBURN PARK

WHEREAS it is expedient to validate the imposition and levy of certain taxes imposed by Ville d'Otterburn Park on immovables in its territory;

Whereas it is in the interest of Ville d'Otterburn Park that certain powers be granted to it;

#### THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The taxes provided for in loan by-laws Nos. 208, 217, 218, 220, 231, 239, 260, 311, E-315, E-325, E-329, E-333, E-335, E-339, E-340, E-347, E-348, E-349, E-355, E-361, E-364, E-365, E-370, E-371, E-372, E-373, E-374, E-375 and E-381 of Ville d'Otterburn Park, imposed and levied by the city, may not be invalidated on the ground that they were not imposed and levied in accordance with the law or the by-laws with respect to

(1) the taxation rate and base, the territory subject to the taxation and the duration of the time period during which the taxes were collected;

(2) the amount and use of the sums collected;

(3) the application of the provisions relating to the payment in one instalment of the part of the loan principal that pertains to an immovable; or

(4) any unauthorized use of the city's general fund.

**2.** In addition to the grounds in section 1, By-law No. 208 may not be invalidated on the ground that it had not been signed by the mayor and clerk of the city before it was brought into force.

**3.** In addition to the grounds in section 1, By-law Nos. E-333 and E-339 may not be invalidated on the ground that certain work carried out under the by-laws was not expressly authorized therein.

**4.** Resolutions Nos. 95-311 and 97-315, adopted by the council, and the tax levied pursuant to those resolutions, may not be invalidated on the ground that the council was not empowered to adopt such resolutions to provide that the payment of interest on temporary borrowings for the period exceeding 15 months after the date of completion of the work was a charge on all the

owners in the territory of the city, without first amending the loan by-laws concerned.

Resolution No. 97-066, adopted by the council, may not be invalidated on the ground that the council was not empowered to adopt such a resolution to postpone the date on which the taxes levied pursuant to certain loan by-laws became due.

**5.** The council may, under the procedure set out in section 565 of the Cities and Towns Act (R.S.Q., chapter C-19), amend By-law No. 239 to change its purpose and replace the special tax provided for in the by-law.

**6.** Any amendment to a special tax provided for in By-laws Nos. 239, 260, 311 and E-315 has effect from 1 January 1997.

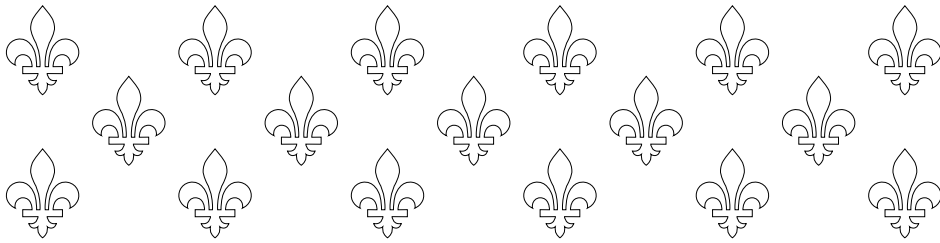
**7.** Sections 1 to 4 have effect in respect of any fiscal year preceding 1998.

**8.** This Act does not affect cases pending on 18 August 1997.

**9.** The clerk shall enter a reference to this Act in the register of by-laws of the city at the end of each by-law to which the Act applies.

**10.** This Act comes into force on 19 December 1997.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 261

(Private)

## **An Act respecting Ville de Shawinigan**

---

---

**Introduced 18 November 1997**

**Passage in principle 19 December 1997**

**Passage 19 December 1997**

**Assented to 19 December 1997**

---

**Québec Official Publisher  
1997**



## **Bill 261**

(Private)

### **AN ACT RESPECTING VILLE DE SHAWINIGAN**

WHEREAS it is in the interest of Ville de Shawinigan that certain powers be granted to the city ;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

- 1.** Ville de Shawinigan is authorized to establish and operate a convention centre.
- 2.** The city may contribute to the construction, establishment and financing of a convention centre. For those purposes, the city may conclude an agreement with any person and lend money or grant any form of assistance to that person, notwithstanding the Municipal Aid Prohibition Act (R.S.Q., chapter I-15).
- 3.** The city may assume the management of a convention centre or conclude an agreement with a third person entrusting that responsibility to that person.
- 4.** The city may acquire the immovable described in Schedule A and transfer or lease it to enable the construction of an accommodation and catering establishment and a parking lot ancillary to the convention centre.
- 5.** Notwithstanding the Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1) and the Municipal Aid Prohibition Act, the city may become surety for a non-profit organization having as its object the construction of industrial buildings on the immovables described in Schedule B.
- 6.** The city may, by by-law, acquire, develop, maintain or manage any railway siding within its territory in order to promote its industrial development.
- 7.** The city is deemed to have had, since 2 September 1997, the powers granted to it by sections 1 to 4 of this Act, and since 3 September 1996, to have had the powers granted to it by section 5 of this Act.
- 8.** This Act does not affect any case pending on 2 September 1997.
- 9.** This Act comes into force on 19 December 1997.

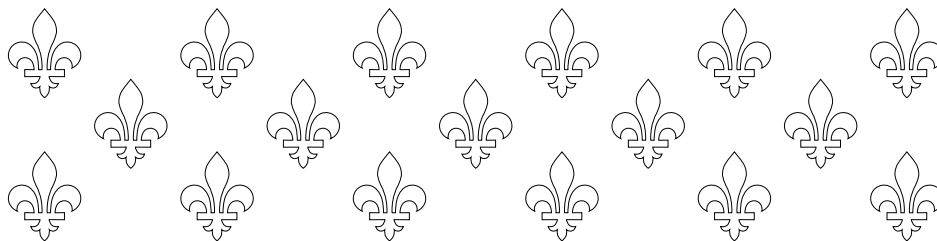
## SCHEDULE A

The subdivision 1715 of lot 628 (628-1715) and the subdivision 1443 of lot 628 (628-1443) of the cadastre of the parish of Sainte-Flore, in the territory of the municipality of Ville de Shawinigan, registration division of Shawinigan.

## SCHEDULE B

The lots or parts of lots 604 to 615 of the cadastre of the parish of Sainte-Flore, in the territory of the municipality of Ville de Shawinigan, registration division of Shawinigan, and owned on 3 September 1996 by the said city.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 407  
(1997, chapter 99)

## **An Act respecting the temporary replacement of the chief electoral officer**

---

---

**Introduced 18 December 1997**  
**Passage in principle 18 December 1997**  
**Passage 19 December 1997**  
**Assented to 19 December 1997**

---

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

**EXPLANATORY NOTE**

*This bill provides that the person who, on 18 December 1997, performs the duties of the chief electoral officer may be designated again, in the manner set out in section 483 of the Election Act, for an additional period not exceeding six months.*



## **Bill 407**

### **AN ACT RESPECTING THE TEMPORARY REPLACEMENT OF THE CHIEF ELECTORAL OFFICER**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

- 1.** Notwithstanding section 483 of the Election Act (R.S.Q., chapter E-3.3), the person who, on 18 December 1997, performs the duties of the chief electoral officer may, at the expiry of the period provided therein, be designated in the same manner for a single additional period not exceeding six months.
- 2.** This Act comes into force on 19 December 1997.



## Regulations and other acts

Gouvernement du Québec

### O.C. 17-98, 7 January 1998

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

#### Engineers

— **Other terms and conditions for permits to be issued**  
— **Amendments**

Regulation to amend the Regulation respecting other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec

WHEREAS under paragraph *i* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Ordre des ingénieurs du Québec may, by regulation, determine the other terms and conditions for issuing permits, specialist's certificates or special authorizations, in particular the obligation to serve the periods of professional training and to pass the professional examinations it determines; the regulation may also fix standards of equivalence applicable to the terms and conditions determined therein;

WHEREAS under that section of the Code, the Bureau made the Regulation respecting other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec, approved by Order in Council 287-94 dated 23 February 1994;

WHEREAS it is expedient to amend the Regulation;

WHEREAS under that section of the Code, the Bureau made the Regulation to amend the Regulation respecting other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in the *Gazette officielle du Québec* of 19 March 1997, with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS under section 95 of the Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec, attached to this Order in Council, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec(\*)

Professional Code  
(R.S.Q., c. C-26, s. 94, par. *i*)

1. The Regulation respecting other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec is amended by inserting the following after section 8:

“8.1 A candidate or engineer-in-training who holds a diploma recognized by the Government or a diploma obtained upon completion of a program of study agreed to by the Canadian Council of Engineers and who brings out experience acquired outside of Canada is considered to have acquired experience equivalent to that obtained in Canada when all of the following conditions are met:

(1) the experience was acquired while employed by a firm of which the head office or the head office of the parent firm is in Canada;

(2) the experience was acquired under the supervision of an engineer or of a member having full rights to practise of a Canadian professional corporation of engineers;

\* The Regulation respecting other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec, approved by Order in Council 287-94 dated 23 February 1994 (1994, *G.O.* 2, 1158), was amended once by the Regulation approved by Order in Council 64-96 dated 16 January 1996 (1996, *G.O.* 2, 1002).

(3) he demonstrates to the evaluator of the experience a good knowledge of local Canadian conditions, notably with regard to law, standards, economy, climate, resources and technology.”.

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

1993

Gouvernement du Québec

## O.C. 18-98, 7 January 1998

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

### **Diplomas issued by designated teaching establishments which give access to permits or specialist's certificates — Amendments**

Regulation to amend the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders

WHEREAS under section 2 of the Professional Code (R.S.Q., c. C-26), subject to inconsistent provisions of a special act, the Professional Code applies to all professional orders and to their members;

WHEREAS under the first paragraph of section 42 of the Professional Code, subject to the provisions of any special act, no person may obtain a permit from a professional order unless he holds, in particular, a diploma recognized as valid for such purpose by regulation of the Government made under the first paragraph of section 184 of the Professional Code;

WHEREAS under section 184 of the Professional Code, as it read in 1983, the Government made, by Order in Council 1139-83 dated 1 June 1983, the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders;

WHEREAS it is expedient to further amend the Regulation;

WHEREAS pursuant to the first paragraph of section 184 of the Professional Code, the Government may, by regulation and after obtaining the advice of the Office des professions du Québec, in accordance with subparagraph 7 of the third paragraph of section 12 of the Code,

and of the order concerned, determine the diplomas issued by the educational institutions it indicates which give access to a permit issued by a professional order;

WHEREAS under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office des professions du Québec must, in particular, advise the Government on any diploma giving access to a permit issued by a professional order, after consultation, in particular, with the educational institutions and the order concerned, the Fédération des cégeps in the case of a college-level diploma and the Minister of Education;

WHEREAS the consultations required under the above-mentioned provisions of the Professional Code were made;

WHEREAS in accordance with the above-mentioned provisions of the Professional Code, the Government obtained, through the Minister responsible for the administration of legislation respecting the professions, the advice of the Office des professions du Québec and of the professional orders concerned, that is, the Ordre professionnel des comptables en management accrédités du Québec and the Ordre professionnel des comptables généraux licenciés du Québec;

WHEREAS in accordance with the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 27 August 1997 with a notice indicating that the Government could make the Regulation upon the expiry of 45 days following the publication of the draft and asking any person having comments to make to send them to the Chairman of the Office des professions du Québec before the expiry of that 45-day period;

WHEREAS following that publication, the Chairman received no comments regarding these diplomas;

WHEREAS it is expedient to make the Regulation attached hereto respecting both professional orders;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders(\*)**

Professional Code  
(R.S.Q., c. C-26, s. 184, 1st par.)

**1.** The Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders is amended by adding the following after paragraph 1 of section 1.25:

“(m) Bachelor of Commerce, B. Comm., obtained upon completion of the Bachelor of Commerce Programme, Accounting Concentration, from McGill University.”.

**2.** Section 1.28 is amended by adding the following paragraphs after paragraph i:

“(j) bachelier en administration des affaires (B.A.A.), obtained upon completion of the programme de baccalauréat en administration des affaires, cheminement Sciences comptables, at Université Laval;

(k) Bachelor of Commerce, B. Comm., obtained upon completion of the Bachelor of Commerce Programme, Major in Accounting, from McGill University.”.

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

1994

\* The Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369) to replace the revised regulation (R.R.Q., 1981, c. C-26, r. 1) was last amended by the Regulation made by Order in Council 1070-95 dated 9 August 1995 (1995, *G.O.* 2, 2677). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

Gouvernement du Québec

**O.C. 20-98**, 7 January 1998

Health Insurance Act  
(R.S.Q., c. A-29)

**Devices which compensate for a physical deficiency — Amendments**

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act

WHEREAS under subparagraph *h* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with the Régie de l'assurance-maladie du Québec or upon its recommendation, make regulations to determine the services and the prostheses, orthopedic devices, locomotor or posture assists, medical supplies or other equipment that compensate for a physical deficiency indicated therein and that must be considered to be insured services for the purposes of the fifth paragraph of section 3, and determine the amount that may be assumed on behalf of a beneficiary indicated therein;

WHEREAS under section 69.0.1 of the Health Insurance Act, regulations adopted under subparagraph *h* of the first paragraph of section 69 of that Act following a contract with a supplier pursuant to section 3.1 of the Act are not subject to the provisions concerning the obligation of publication and the date of coming into force which are set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS the Government made the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act by Order in Council 612-94 dated 27 April 1994 and that it is expedient to amend it;

WHEREAS the Régie de l'assurance-maladie du Québec has been consulted on the amendments;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, upon recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act<sup>(\*)</sup>**

**Price**

Health Insurance Act  
(R.S.Q., c. A-29, s. 3, 5th par. and s. 69, 1st par., subpar. *h*)

**1.** The Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act is amended by substituting for the list under the title "BATTERIES FOR POWER WHEEL CHAIRS" in Subdivision 5 of Division I of Part I of Chapter V of Title Two:

"LIQUID-TYPE DEEP-CYCLE  
BATTERIES-GROUP 22

BATTERIES POWER (IBERVILLE) LTÉE **Price**

Model: 22NF \$49.00  
Manufacturer: Trojan

Warranty period: 12 months

Model: 22F \$49.00  
Manufacturer: Trojan

Warranty period: 12 months

LA CIE DE BATTERIES  
COMMERCIALES R.M. LTÉE

Model: 22NF \$52.50  
Manufacturer: Crown Battery Mfg. Co. Ltd.

Warranty period: 12 months

POWER BATTERY SALES LTD.  
(BATTERIES PUISSANTES)

Model: 22NF \$54.98  
Manufacturer: M.K. Battery

Warranty period: 12 months

Model: 22F  
Manufacturer: M.K. Battery

\$58.98

Warranty period: 12 months

LIQUID-TYPE DEEP-CYCLE  
BATTERIES-GROUP 24

LA COMPAGNIE DE BATTERIES  
COMMERCIALES R.M. LTÉE

Model: 24T-36 \$52.50  
Manufacturer: Crown Battery Mfg. Co. Ltd.

Warranty period: 12 months

POWER BATTERY SALES LTD.  
(BATTERIES PUISSANTES)

Model: 24-DC \$49.86  
Manufacturer: M.K. Battery

Warranty period: 12 months

LIQUID-TYPE DEEP-CYCLE  
BATTERIES-GROUP U1

LA COMPAGNIE DE BATTERIES  
COMMERCIALES R.M. LTÉE

Model: U1-DC \$42.50  
Manufacturer: Crown Battery Mfg. Co. Ltd.

Warranty period: 12 months

POWER BATTERY SALES LTD.  
(BATTERIES PUISSANTES)

Model: U1-DC \$43.73  
Manufacturer: M.K. Battery

Warranty period: 12 months".

**2.** This Regulation comes into force on 1 February 1998.

1995

\* The Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act, made by Order in Council 612-94 dated 27 April 1994, was last amended by the Regulation made by Order in Council 668-97 dated 13 May 1997 (1997, *G.O.* 2, 1973). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

**M.O., 1998****Order of the Minister of Public Security  
dated 14 January 1998**

An Act respecting lotteries, publicity contests  
and amusement machines  
(R.S.Q., c. L-6)

Rules to amend the Bingo Rules

The Minister of Public Security,

CONSIDERING subparagraphs *i.2*, *i.3* of the first paragraph and the second paragraph of section 20 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., c. L-6), amended by section 2 of Chapter 54 of the Statutes of 1997, the Régie des alcools, des courses et des jeux may make rules relating to the matters mentioned therein respecting lottery schemes;

CONSIDERING the third paragraph of that section, the Minister of Public Security must approve the rules made by the Régie des alcools, des courses et des jeux under that legislative provision;

CONSIDERING the fourth paragraph of that section, any rules made by the Régie des alcools, des courses et des jeux pursuant to subparagraphs *i.2* and *i.3* of the first paragraph of section 20 are not subject to the publication requirement prescribed by section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING section 12 of that Act, a proposed regulation may be made or approved without being published, where the authority making or approving it is of the opinion that the urgency of the situation requires it;

CONSIDERING section 13 of that Act, the reason justifying the absence of such publication shall be published with the regulation;

CONSIDERING 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 urgency of the situation requires it;

CONSIDERING section 18 of that Act, the reason justifying such coming into force shall be published with the regulation;

CONSIDERING the urgency due to the following circumstances:

— since the coming into force of the Bingo Rules, on 23 October 1997, it appears that it is impossible for certain handicapped persons, particularly for visually handicapped persons, to participate in bingos considering that their handicap prevents them from playing with at least 9 bingo cards as required in section 39 of the Rules and it is expedient to remedy the situation as soon as possible;

— with the 1 % increase of the Québec sales tax (Q.S.T.), on 1 January 1998, non-profit organizations cannot respect the provisions of subparagraph 1 of the first paragraph of section 62 of the Rules which provide that they must include the tax in the costs related to all the services offered by the holder of a bingo hall operator's licence and those related to the bingo equipment for the purposes of the calculation of the net revenues derived from a bingo event, and it is expedient to allow the organizations to exclude, as soon as possible, the tax so that they will not have to bear financial losses which might stop them from achieving their purpose;

— since the coming into force of the Rules, for the purposes of the calculation of the net revenues derived from a bingo event, certain non-profit organizations have some difficulties to meet, for the payment of the salaries paid to all the personnel directly involved in the setting up and operation of a bingo, the 9 % standard of the value of the prizes offered and it is expedient to remedy the situation as soon as possible;

— to avoid that the suppliers of bingo material have to bear financial losses because of the coming into force of section 105 of the Bingo Rules, on 21 January 1998, it is expedient to allow the various holders of bingo licences to use, until 21 April 1998, bingo paper on which the logo of the Régie des alcools, des courses et des jeux does not appear provided that the paper was printed and that the bingo booklets were bound before 21 January 1998;

CONSIDERING that the Board, at its sitting of 12 January 1998, made the Rules to amend the Bingo Rules attached hereto;

ORDERS:

THAT the Rules to amend the Bingo Rules, attached hereto, be approved.

Given at Sainte-Foy on 14 January 1998.

PIERRE BÉLANGER

---

## Rules to amend the Bingo Rules (\*)

An Act respecting lotteries, publicity contests and amusement machines  
(R.S.Q., c. L-6, s. 20, 1st par., subpars. i.2, i.3 and 2nd par.; 1997, c. 54, s. 2)

**1.** Section 10 is amended by substituting “0,50 \$” for “0,150 \$” in the second paragraph of the French text.

**2.** Section 39 is amended

(1) by substituting the following for the first paragraph:

“**39.** A holder of in-hall bingo licence shall require that a player purchase a booklet containing at least 9 cards before being admitted to the bingo hall. Notwithstanding the foregoing, the holder may not require that a player who is a handicapped person within the meaning of paragraph *g* of the Act to secure the handicapped in the exercise of their rights (R.S.Q., c. E-20.1), purchase more than one card before being admitted to the bingo hall.”.

(2) by adding the following after the second paragraph:

“For the purposes of the first paragraph, upon payment of the price of the number of cards that he uses, the player who is a visually handicapped person may play bingo with his own cards specifically designed for his use.”.

**3.** Section 62 is amended

(1) by substituting the word “excluded” for the word “included” in subparagraph 1 of the first paragraph; and

(2) by substituting “9 % of the value of the total sales of bingo paper up to a maximum of \$500” for “9 % of the value of the prizes offered” in subparagraph 3 of the first paragraph.

**4.** Section 69 is amended by deleting subparagraph 8 of the second paragraph.

**5.** Section 80 is amended by substituting the number “29” for the number “28”.

**6.** Section 98 is amended by substituting the number “69” for the number “71” at the end.

**7.** Section 105 is amended by substituting “21 April 1998 provided that the paper was printed and that the bingo booklets were bound before 21 January 1998” for “21 January 1998” at the end.

**8.** These Rules come into force on the date of their publication in the *Gazette officielle du Québec*.

2000

\* The Bingo Rules were approved by Order of the Minister of Public Security dated 29 September 1997 (1997, *G.O.* 2, 5116).



## Draft Regulations

### Notice of the Régie des alcools, des courses et des jeux relating to the By-law amending the By-law respecting casino games

In accordance with the second paragraph of section 13 of the Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1), the Régie des alcools, des courses et des jeux is publishing its notice relating to the By-law amending the By-law respecting casino games.

GHISLAIN K.-LAFLAMME, *lawyer*,  
*President-director general of the Régie des alcools,*  
*des courses et des jeux*

### Notice of the Régie des alcools, des courses et des jeux relating to the By-law amending the By-law respecting casino games

The Régie des alcools, des courses et des jeux, following examination of the By-law amending the By-law respecting casino games, which was forwarded to it on September 9th, 1997, by the Société des loteries du Québec, issues the following notice:

Concerning the By-law amending the By-law respecting casino games, the Régie is favorable to this By-law and has no further comment to make.

### Draft Regulation

An Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1)

#### Casino games — 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 By-Law amending the By-Law respecting casino games, adopted by the Société des loteries du Québec, the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

This Draft Regulation provides that from now on the holder of a valid winning Keno ticket must present it for payment at the location and within the time period indi-

cated on the ticket because the delay stipulated in the Regulation presently in force can no longer be respected as the Casino de Montréal operates on a 24-hour basis.

Additional information can be obtained by asking Me Lynne Roiter, vice-president, Corporate Affairs, Loto-Québec, at telephone number (514) 499-5190 or at Fax number (514) 873-8999.

Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to Me Lynne Roiter, Vice-president, Corporate Affairs, Loto-Québec, 500, rue Sherbrooke Ouest, Office 2000, Montreal (Quebec) H3A 3G6.

The comments will be forwarded by the company to the minister of Finance, who is responsible for the application of the Act respecting the Société des loteries du Québec.

MICHEL CRÊTE,  
*President and Managing Director*

### By-law to amend the By-law respecting casino games (\*)

An Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1, s. 13)

**1.** The By-law respecting casino games is amended by substituting the following for section 86:

“**86.** The holder of a valid ticket must, if it is a winning ticket, present it for payment at the location and within the time period indicated on the ticket. The payment is made to the holder of a valid winning ticket.”.

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

1996

\* The By-law respecting casino games, approved by Order in Council 1253-93 dated 1 September 1993 (1993, *G.O.* 2, 5130) was last amended by the By-law approved by Order in Council 745-96 dated 19 June 1996 (1996, *G.O.* 2, 2779). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

## Draft Regulation

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

### Industrial establishments

#### — Revocation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act, (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), that the Regulation to revoke the Regulation respecting industrial establishments, the text of which appears below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval upon the expiry of 60 days following this publication.

The purpose of the Draft Regulation is to revoke the Regulation respecting industrial establishments which in fact was not enforced because of its obsolescence. Such a revocation should have no impact on the health and safety of workers. The revocation of the Regulation may be expected not to have any significant financial impact on businesses.

Further information may be obtained by contacting Mr. Gordon Perreault, Commission de la santé et de la sécurité du travail, 524 Bourdages, Québec (Québec) G1K 7E2, tel.: (418) 646-7270; fax: (418) 528-2376.

Any interested person having comments to make on the matter is asked to send them in writing before the expiry of the 60-day period, to Mr. Alain Albert, Vice-chairman, Programmation and Consultants, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 14<sup>e</sup> étage, Montréal (Québec) H3B 3J1.

TREFFLÉ LACOMBE,

*Chairman of the board and Chief  
Executive Officer of the Commission  
de la santé et de la sécurité du travail*

## Regulation to revoke the Regulation respecting industrial establishments(\*)

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, ss. 223 and 310)

**1.** The Regulation respecting industrial establishments is revoked.

\* The Regulation respecting industrial establishments (R.R.Q., 1981, c. S-2.1, r. 8) has not been amended since its revision.

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

1997

## Draft Regulation

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

### Respiratory therapists

#### — Other terms and conditions for the issue of permits

#### — 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 other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec”, made by the Bureau of the Ordre professionnel des inhalothérapeutes du Québec, the text of which appears below, may be submitted to the Government, which may approve it, with or without amendments, upon the expiry of 45 days following this publication.

According to the Ordre professionnel des inhalothérapeutes du Québec, it is necessary to amend sections 7, 12 and 18 of the Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec, in order to allow the Order to continue, until August 4th 2000, to administer a professional examination as an additional condition for holders of the diploma giving access to the permit of the Order. The Order is indeed concerned by the decision of the Ministère de l'Enseignement supérieur et des Sciences to postpone for one year, that is, until 1999, the administration of the comprehensive examination for diploma awarding purposes. The Order is of the opinion that the expiry of the Regulation on August 4th 1998 will create a legal vacuum jeopardizing the public's protection.

Furthermore, the Order is of the opinion that transitory sections should be added in order to avoid a situation that could be detrimental to the graduates of 1998. Indeed, the amendments would create an obligation for the candidates admissible to the exam to pass it within two years of its diploma. The number of times the candidate who fails the exam could resume it remains the same. However, once this number is reached, the candidate could resume the exam only if he (she) is authorized and demonstrates that he (she) has completed, successfully, additional courses.

Further information may be obtained by contacting Andrée Lacoursière, Assistant executive director of the Ordre professionnel des inhalothérapeutes, 1610, rue Sainte-Catherine Ouest, bureau 409, Montréal (Québec) H3H 2S2, telephone no: (514) 931-2900 or 1-800-561-0029; fax no: (514) 931-3621.

Any interested person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, complexe de la Place-Jacques-Cartier, 320, rue Saint-Joseph Est, 1<sup>er</sup> étage, Québec (Québec) G1K 8G5. Those comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may be also forwarded to the professional order that has made the Regulation, as well as to interested persons, departments and agencies.

ROBERT DIAMANT,  
*Chairman of the Office des  
professions du Québec*

## **Regulation to amend the Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec\***

Professional Code  
(R.S.Q., c. C-26, s. 94, par. i)

**1.** The Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec is amended by the addition of the following paragraphs at the end of section 7:

“All candidates who qualify for the examination must pass it within two years of obtaining the recognition of equivalence or one of the diplomas contemplated in paragraph (1) of section 1.

Nevertheless, a candidate who can demonstrate to the committee that he or she could not sit for the examination within the specified time because of illness, accident, pregnancy, or superior force, shall be granted an extension equal to the time during which he or she was unable to sit for the examination, to a maximum of one year.”.

\* The Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec, approved by Order in Council 1019-94 dated July 06, 1994 (1994, *G.O.* 2, 2682), has been amended by regulation approved by Order in Council 573-97 dated April 30, 1997 (1997, *G.O.* 2, 1947). The Regulation has not been amended since.

**2.** Section 12 of the Regulation is replaced with the following:

“A candidate who fails the professional examination must rewrite it the next time the examination is held. No candidate may rewrite an examination more than twice.

If a candidate fails a third time, the examination committee may, upon the candidate’s written request and after having evaluated whether the candidate’s weaknesses can be corrected through an additional training period, decide that the candidate may rewrite the examination after such an additional training period.

A candidate who has obtained permission to write the examination a fourth time must follow the procedure prescribed in section 9, and must produce a certificate to the effect that he or she has successfully completed the additional training period required by the committee.”

**3.** Section 18 of the Regulation is amended by the substitution of “2001” for “1998”.

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

1999

## **Draft Regulation**

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

### **Rates and terms and conditions of payment of the annual duty payable to the Régie**

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 rates and terms and conditions of payment of the annual duty payable to the Régie de l’énergie, 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 determine the terms and conditions of payment of the annual duty payable to the Régie de l’énergie by distributors of electric power, natural gas, petroleum products and steam.

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 Mr. Jacques Lebuis, Associate Deputy Minister for Energy, ministère des

Ressources naturelles, 5700, 4<sup>e</sup> Avenue Ouest, B-401, Charlesbourg (Québec) G1H 6R1.

GUY CHEVRETTE,  
Minister of State for Natural Resources and  
Minister of Natural Resources

## Regulation respecting the rates and terms and conditions of payment of the annual duty to the Régie de l'énergie

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

**1.** The rates of the annual duty for the fiscal period of the Régie de l'énergie ending on 31 March 1999 shall be determined by dividing, according to forms of energy, the estimated expenditures of the Régie approved by the Government for that fiscal period by the following:

(1) the sum, in gigajoules, of the volumes of electric power transmitted and distributed by each distributor of electric power in the preceding fiscal period, excluding the volume of electric power sold to another such distributor;

(2) the sum, in gigajoules, of the volumes of natural gas transported and delivered by each distributor of natural gas in the preceding fiscal period;

(3) the sum of the volumes of fuel and diesel fuel delivered by each distributor of petroleum products, refined in Québec, traded with a Québec refiner or imported in the preceding fiscal period;

(4) the sum of the volumes of steam distributed by pipes for heating purposes by each distributor of steam in the preceding fiscal period.

For the purposes of the first paragraph, shall be excluded from the estimated expenditures, for each form of energy, the difference between the sum, for each form of energy, of the fees paid in accordance with the Regulation made under paragraph 2 of section 112 of the Act respecting the Régie de l'énergie (1996, c. 61) during the preceding fiscal period and of the duty paid by the distributors during that fiscal period, and the expenses incurred by the Régie, for each form of energy, in that fiscal period.

The annual duty payable by the distributor of a form of energy is the product of the rate multiplied by the volumes referred to in the first paragraph and ascribable to the distributor.

**2.** The rates of the annual duty for each subsequent fiscal period shall be determined by dividing, for each form of energy, the adjusted estimated expenditures by the following:

(1) the sum of the volumes of electric power transmitted and distributed by each distributor of electric power during the preceding fiscal period, excluding the volume of electric power sold to another such distributor;

(2) the sum of the volumes of natural gas transported and delivered by each distributor of natural gas in the preceding fiscal period;

(3) the sum of the volumes of fuel and diesel fuel delivered by each distributor of petroleum products, refined in Québec, traded with a Québec refiner or imported in the preceding fiscal period;

(4) the sum of the volumes of steam distributed by pipes for heating purposes by each distributor of steam in the preceding fiscal period.

For the purposes of the first paragraph, the adjusted estimated expenditures, that is, the difference between the estimated expenditures of the Régie approved by the Government for the current fiscal period and the surplus of the revenues over the expenditures of the Régie for the preceding fiscal period, multiplied by the anticipated imputability factor for each form of energy in the estimated expenditures approved by the Government for the current fiscal period. From that product shall be subtracted the difference between the imputability factor of the preceding fiscal period and that anticipated for the current fiscal period, multiplied by the difference between the estimated expenditures for the preceding fiscal period and the surplus of the revenues over the expenditures of the Régie for the fiscal period immediately prior to the preceding one.

The annual duty payable by the distributor of a form of energy is the product of the rate multiplied by the volumes referred to in the first paragraph and ascribable to the distributor.

**3.** The annual duty is payable by a distributor of electric power or natural gas in equal instalments, on the first of each month, until full payment is made at the end of each fiscal period of the Régie.

On that date, if the Government has not approved the estimates for the following fiscal period, the duty shall continue to be payable until that approval. Any amount collected in excess or owing with respect to the duty payable to the Régie for that period shall be equally divided among the remaining monthly instalments.

The annual duty is payable by a distributor of petroleum products or of steam in one instalment on the first of each fiscal period of the Régie or, where the estimates are approved by the Government after that date, on the first day of the month following that approval.

**4.** This Regulation does not govern distributors of petroleum products other than those who deliver fuel or diesel fuel that is imported, refined in Québec or traded with a Québec refiner.

**5.** This Regulation replaces the Regulation respecting the duties payable by gas distributors made by Order in Council 1627-94 dated 16 November 1994 and the Regulation respecting the duty payable to the Régie de l'Énergie made by Order in Council 1634-97 dated 10 December 1997.

**6.** This Regulation comes into force on 1 April 1998.

1998



## Index Statutory Instruments

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

<b>Regulations — Statutes</b>	<b>Page</b>	<b>Comments</b>
Accreditation and financing of students' associations, An Act respecting the..., amended . . . . . (1997, Bill 166)	157	
Administrative review procedure for real estate assessment and to amend other legislative provisions, An Act to establish an..., amended . . . . . (1997, Bill 175)	213	
Agence de développement Station Mont-Tremblay, An Act respecting the... . . . (1997, Bill 197)	309	
Autoroutes Act, repealed . . . . . (1997, Bill 178)	275	
Bingo Rules . . . . . (An Act respecting lotteries, publicity contests and amusement machines, R.S.Q., c. L-6)	347	M
Budget of Ville de Montréal, An Act respecting the... . . . . (1997, Bill 183)	297	
Building Act, amended . . . . . (1997, Bill 178)	275	
Casino games . . . . . (An Act respecting the Société des loteries du Québec, R.S.Q., c. S-13.1)	349	Draft
Certain bodies, An Act to abolish... . . . . (1997, Bill 178)	275	
Certain public utility installations, An Act respecting..., amended . . . . . (1997, Bill 178)	275	
Charter of the City of Montréal, amended . . . . . (1997, Bill 175)	213	
Cities and Towns Act, amended . . . . . (1997, Bill 171)	187	
Cities and Towns Act, amended . . . . . (1997, Bill 175)	213	
Cities and Towns Act, amended . . . . . (1997, Bill 178)	275	
Civil Service Superannuation Plan, An Act respecting the..., amended . . . . . (1997, Bill 178)	275	
Commission municipale, An Act respecting the..., amended . . . . . (1997, Bill 175)	213	
Communauté urbaine de l'Outaouais, An Act respecting the..., amended . . . . . (1997, Bill 171)	187	
Communauté urbaine de l'Outaouais, An Act respecting the..., amended . . . . . (1997, Bill 175)	213	

Communauté urbaine de Montréal, An Act respecting the..., amended . . . . . (1997, Bill 171)	187	
Communauté urbaine de Montréal, An Act respecting the..., amended . . . . . (1997, Bill 175)	213	
Communauté urbaine de Québec, An Act respecting the..., amended . . . . . (1997, Bill 171)	187	
Communauté urbaine de Québec, An Act respecting the..., amended . . . . . (1997, Bill 175)	213	
Conservation and development of wildlife, An Act respecting the..., amended . . (1997, Bill 179)	291	
Conservation and development of wildlife, An Act to again amend the Act respecting the... . . . . . (1997, Bill 179)	291	
Conservatoire de musique et d'art dramatique, An Act respecting the..., amended . . . . . (1997, Bill 178)	275	
Consumer Protection Act, amended . . . . . (1997, Bill 178)	275	
Cullers Act, amended . . . . . (1997, Bill 178)	275	
Devices which compensate for a physical deficiency . . . . . (Health Insurance Act, R.S.Q., c. A-29)	345	M
Diplomas issued by designated teaching establishments which give access to permits or specialist's certificates . . . . . (Professional Code, R.S.Q., c. C-26)	344	M
Duties on transfers of immovables, An Act respecting..., amended . . . . . (1997, Bill 175)	213	
Education Act, amended . . . . . (1997, Bill 185)	301	
Education Act, the Act respecting school elections and other legislative provisions, An Act to amend the..., amended . . . . . (1997, Bill 185)	301	
Election of the first commissioners of the new school boards and amending various legislative provisions, An Act respecting the... . . . . . (1997, Bill 185)	301	
Elections and referendums in municipalities, An Act respecting..., amended . . . (1997, Bill 175)	213	
Electrical installations, An Act respecting..., amended . . . . . (1997, Bill 178)	275	
Engineers — Other terms and conditions for permits to be issued . . . . . (Professional Code, R.S.Q., c. C-26)	343	M
Executive Power Act, amended . . . . . (1997, Bill 171)	187	
Fédération des commissions scolaires du Québec, An Act to amend the Act respecting the... . . . . . (1997, Bill 248)	315	



Financial assistance for students, An Act to amend the Act respecting... (1997, Bill 170)	181	
Fondation du Centre hospitalier de l'Université de Montréal, An Act respecting the... (1997, Bill 259)	323	
Forest Act, amended (1997, Bill 175)	213	
General and Vocational Colleges Act and other legislative provisions, An Act to amend the... (1997, Bill 166)	157	
General and Vocational Colleges Act, amended (1997, Bill 166)	157	
Government and Public Employees Retirement Plan, An Act respecting the..., amended (1997, Bill 160)	139	
Government and Public Employees Retirement Plan, An Act respecting the..., amended (1997, Bill 178)	275	
Government Departments Act, amended (1997, Bill 171)	187	
Handicapped in the exercise of their rights, An Act to secure the..., amended (1997, Bill 178)	275	
Health Insurance Act — Devices which compensate for a physical deficiency .. (R.S.Q., c. A-29)	345	M
Health Insurance Act, amended (1997, Bill 185)	301	
Highway Safety Code, amended (1997, Bill 160)	139	
Hydro-Québec Act, amended (1997, Bill 178)	275	
Implementation of the Act respecting administrative justice, An Act respecting the..., amended (1997, Bill 175)	213	
Industrial establishments — Revocation (An Act respecting occupational health and safety, R.S.Q., c. S-2.1)	350	Draft
James Bay Region Development Act, amended (1997, Bill 178)	275	
Land use planning and development, An Act respecting..., amended (1997, Bill 175)	213	
Legal publicity of sole proprietorships, partnerships and legal persons, An Act to amend the Act respecting the... (1997, Bill 169)	177	
List of Bills sanctioned	137	
Lotteries, publicity contests and amusement machines, An Act respecting... — Bingo Rules (R.S.Q., c. L-6)	347	M

Master Electricians Act, amended ..... (1997, Bill 178)	275	
Master Pipe-Mechanics Act, amended ..... (1997, Bill 178)	275	
Ministère de la Santé et des Services sociaux and the Act respecting the Régie de l'assurance-maladie du Québec, An Act to amend the Act respecting the... .. (1997, Bill 176)	271	
Ministère de la Santé et des Services sociaux, An Act respecting the..., amended ..... (1997, Bill 176)	271	
Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail, An Act respecting the..., amended ..... (1997, Bill 171)	187	
Ministère des Régions, An Act respecting the... .. (1997, Bill 171)	187	
Ministère des Ressources naturelles, An Act respecting the..., amended ..... (1997, Bill 175)	213	
Ministère du Conseil exécutif, An Act respecting the..., amended ..... (1997, Bill 171)	187	
Mixed enterprise companies in the municipal sector, An Act respecting..., amended ..... (1997, Bill 175)	213	
Municipal and intermunicipal transit corporations, An Act respecting..., amended ..... (1997, Bill 175)	213	
Municipal Code of Québec, amended ..... (1997, Bill 171)	187	
Municipal Code of Québec, amended ..... (1997, Bill 175)	213	
Municipal Code of Québec, amended ..... (1997, Bill 178)	275	
Municipal taxation, An Act respecting..., amended ..... (1997, Bill 173)	205	
Municipal taxation, An Act respecting..., amended ..... (1997, Bill 175)	213	
Municipal territorial organization, An Act respecting..., amended ..... (1997, Bill 175)	213	
Northern villages and the Kativik Regional Government, An Act respecting..., amended ..... (1997, Bill 175)	213	
Occupational health and safety, An Act respecting... — Industrial establishments — Revocation ..... (R.S.Q., c. S-2.1)	350	Draft
Off-highway vehicles, An Act respecting..., amended ..... (1997, Bill 179)	291	

Piping installations, An Act respecting..., amended (1997, Bill 178)	275	
Preserve agricultural land and other legislative provisions in order to promote the preservation of agricultural activities, An Act to amend the Act to..., amended	213	
(1997, Bill 175)		
Private education, An Act respecting..., amended	157	
(1997, Bill 166)		
Professional Code — Diplomas issued by designated teaching establishments which give access to permits or specialist's certificates	344	M
(R.S.Q., c. C-26)		
Professional Code — Engineers — Other terms and conditions for permits to be issued	343	M
(R.S.Q., c. C-26)		
Professional Code — Respiratory therapists — Other terms and conditions for the issue of permits	350	Draft
(R.S.Q., c. C-26)		
Rates and terms and conditions of payment of the annual duty payable of the Régie de l'énergie	351	Draft
(An Act respecting the Régie de l'énergie, 1996, c. 61)		
Régie de l'assurance-maladie du Québec, An Act respecting the..., amended	271	
(1997, Bill 176)		
Régie de l'énergie, An Act respecting the... — Rates and terms and conditions of payment of the annual duty payable of the Régie de l'énergie	351	Draft
(1996, c. 61)		
Régie de l'énergie, An Act respecting the..., amended	213	
(1997, Bill 175)		
Régie de l'énergie, An Act respecting the..., amended	275	
(1997, Bill 178)		
Régie des alcools, des courses et des jeux, An Act respecting..., amended	139	
(1997, Bill 160)		
Régie des télécommunications, An Act respecting the..., repealed	275	
(1997, Bill 178)		
Remuneration of elected municipal officers, An Act respecting the..., amended	213	
(1997, Bill 175)		
Respiratory therapists — Other terms and conditions for the issue of permits	350	Draft
(Professional Code, R.S.Q., c. C-26)		
Roads, An Act respecting..., amended	275	
(1997, Bill 178)		
Safety in sports and other legislative provisions, An Act to amend the Act respecting...	139	
(1997, Bill 160)		
Safety in sports, An Act respecting..., amended	139	
(1997, Bill 160)		

Société de la Maison des sciences et des techniques, An Act respecting the..., repealed . . . . . (1997, Bill 178)	275	
Société de transport de la rive sud de Montréal, An Act respecting the..., amended . . . . . (1997, Bill 175)	213	
Société de transport de la Ville de Laval, An Act respecting the..., amended . . . (1997, Bill 175)	213	
Société des loteries du Québec, An Act respecting the... — Casino games . . . . . (R.S.Q., c. S-13.1)	349	Draft
Société du parc industriel et portuaire Québec-Sud, An Act respecting the..., amended . . . . . (1997, Bill 171)	187	
Société d'habitation du Québec, An Act respecting the..., amended . . . . . (1997, Bill 175)	213	
Société québécoise des transports, An Act respecting the..., repealed . . . . . (1997, Bill 178)	275	
Special local activities financing fund and to amend the Act respecting municipal taxation, An Act to establish the... . . . . . (1997, Bill 173)	205	
Telegraph and Telephone Companies Act, amended . . . . . (1997, Bill 178)	275	
Temporary replacement of the chief electoral officer, An Act respecting the... . (1997, Bill 407)	339	
Transport Act, amended . . . . . (1997, Bill 178)	275	
Various legislative provisions concerning municipal affairs, An Act to again amend... . . . . . (1997, Bill 175)	213	
Various legislative provisions concerning municipal affairs, An Act to amend..., amended . . . . . (1997, Bill 171)	187	
Ville de Blainville, An Act respecting... . . . . . (1997, Bill 256)	319	
Ville de Shawinigan, An Act respecting... . . . . . (1997, Bill 261)	333	
Ville d'Otterburn Park, An Act respecting... . . . . . (1997, Bill 260)	329	