

Gazette officielle du Québec

Part 2 Laws and Regulations

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Summary

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Coming into force of Acts

Gouvernement du Québec

O.C. 168-98, 11 February 1998

**An Act to amend the Public Health Protection Act
(1997, c. 77)**

— **Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Act to amend the Public Health Protection Act (1997, c. 77)

WHEREAS the Act to amend the Public Health Protection Act (1997, c. 77) was assented to on 18 December 1997;

WHEREAS section 11 of the Act provides that its provisions come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix the date of coming into force of the provisions of sections 3 to 7 of the Act to amend the Public Health Protection Act (1997, c. 77);

IT IS ORDERED, therefore, upon the recommendation of the Minister of Health and Social Services:

THAT 15 February 1998 be fixed as the date of coming into force of the provisions of sections 3 to 7 of the Act to amend the Public Health Protection Act (1997, c. 77).

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Regulations and other acts

Gouvernement du Québec

O.C. 102-98, 28 January 1998

An Act respecting the Ministère de l'Industrie, du Commerce de la Science et de la Technologie (R.S.Q., c. M-17)

Signing of certain deeds documents or writings — Amendments

Regulation to amend the Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce et de la Technologie

WHEREAS under section 8 of the Act respecting the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie (R.S.Q., c. M-17), the Government may, by regulation published in the *Gazette officielle du Québec*, determine to what extent a deed, document or writing is binding on the Department and may be attributed to the Minister of Industry, Trade, Science and Technology if it is signed by an officer;

WHEREAS under Order in Council 856-91 dated 19 June 1991, the Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce et de la Technologie was made;

WHEREAS it is expedient to amend the Regulation in particular in order to include the deeds, documents or writings of the Department in respect of tourism;

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

THAT the Regulation to amend the Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce et de la Technologie, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie(*)

An Act respecting the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie (R.S.Q., c. M-17, s. 8; 1996, c. 72)

1. The Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie is amended by inserting the following heading before section 1:

“DIVISION I
INDUSTRY, TRADE, SCIENCE AND TECHNOLOGY”.

2. The following heading and sections are inserted after section 5.3:

“DIVISION II
TOURISM

5.4 The Associate Deputy Minister for tourism is authorized to sign in the place and stead of the Minister of Industry, Trade, Science and Technology and with the same effect, all deeds, documents or writings in respect of tourism.

5.5 The staff members of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie assigned to tourism and holding the permanent or temporary positions mentioned in this Division are authorized to sign alone and with the same authority as the Minister of Industry, Trade, Science and Technology the deeds, documents or writings in respect of tourism listed after their respective positions, under the direction set forth in the Financial Administration Act (R.S.Q., c. A-6):

(1) assistant deputy ministers are authorized to sign, each for the directorates for which he is responsible:

* The Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie, made by Order in Council 856-91 dated 19 June 1991 (1991, *G.O.* 2, 2120) was only amended by the Regulation made by Order in Council 685-94 dated 11 May 1994 (1994, *G.O.* 2, 1938).

- (a) professional service contracts;
- (b) auxiliary service contracts;
- (c) leasing contracts;
- (d) supply contracts;
- (e) construction contracts;
- (f) grant agreements the standards of which are approved by the Government or the Conseil du trésor;
- (g) agreements for the purposes of section 17.3 of the Act respecting the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie made by section 1 of Chapter 72 of the Statutes of 1996;
- (h) visas for tax holidays;

(2) the director general or the director of administration is authorized to sign:

- (a) professional service contracts;
- (b) auxiliary service contracts;
- (c) leasing contracts;
- (d) supply contracts;
- (e) construction contracts;
- (f) grant agreements the standards of which are approved by the Government or the Conseil du trésor;
- (g) agreement for the purposes of section 17.3 of the Act respecting the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie;
- (h) visas for tax holidays;

(3) directors general are authorized to sign, each for the directorate for which he is responsible:

- (a) professional service contracts of less than \$100 000;
- (b) auxiliary service contracts of less than \$100 000;
- (c) leasing contracts of less than \$100 000;
- (d) supply contracts of less than \$100 000;
- (e) grant agreements of less than \$100 000, the standards of which are approved by the Government or the Conseil du trésor;
- (f) agreements of less than \$100 000 for the purposes of paragraphs 1 and 3 of section 17.3 of the Act;
- (g) visas for tax holidays;

(4) branch directors are authorized to sign, each for the branch for which he is responsible:

- (a) professional service contracts of less than \$50 000;
- (b) auxiliary service contracts of less than \$50 000;
- (c) leasing contracts of less than \$50 000;
- (d) supply contracts of less than \$50 000;
- (e) grant agreements of less than \$50 000, the standards of which are approved by the Government or the Conseil du trésor;
- (f) agreements of less than \$50 000 for the purposes of paragraphs 1 and 3 of section 17.3 of the Act;
- (g) visas for tax holidays;

(5) assistant directors are authorized to sign, each for the branch for which he is responsible:

- (a) professional service contracts of less than \$25 000;
- (b) auxiliary service contracts of less than \$25 000;
- (c) leasing contracts of less than \$25 000;
- (d) supply contracts of less than \$25 000;

(6) heads of services are authorized to sign, each for the service for which he is responsible:

- (a) professional service contracts of less than \$10 000;
- (b) auxiliary service contracts of less than \$10 000;
- (c) leasing contracts of less than \$10 000;
- (d) supply contracts of less than \$10 000.”.

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

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Gouvernement du Québec

O.C. 158-98, 11 February 1998

An Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care (1997, c. 58)

Transitional measures

Regulation respecting certain transitional measures necessary for the application of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care

WHEREAS under section 178 of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care (1997, c. 58), the Government may, by way of regulations made before 1 September 1998, adopt any other transitional measures required for the application of the Act;

WHEREAS under the same section, such a regulation may, if it so provides, operate from any date not prior to 1 September 1997;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the 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 that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS following that publication, no comments were received before the expiry of such 45-day period;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation respecting certain transitional measures necessary for the application of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting certain transitional measures necessary for the application of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care

An Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care
(1997, c. 58, s. 178)

1. A holder of a childcare centre permit or day care centre permit issued by the Minister of Child and Family Welfare under the Act respecting childcare centres and childcare services (R.S.Q., c. S-4.1), amended by Chapter 16 of the Statutes of 1996 and Chapter 58 of the Statutes of 1997, who receives financial assistance pursuant to sections 168 and 170 of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care (1997, c. 58) is also governed *mutatis mutandis* by sections 13, 13.2, 41.6.2, 74.4, 74.5 and 76.1 of the Act respecting childcare centres and childcare services, as they read from 1 September 1997.

The first paragraph also applies to a person who remains a holder of a home day care agency permit pursuant to section 160 of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care.

2. A holder of a day care centre permit or of a home day care agency permit who receives grants pursuant to section 173 of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respect-

ing child day care is governed, in addition to section 173 of that Act, by sections 13, 13.2 and 74.4 of the Act respecting childcare centres and childcare services, as they read from 1 September 1997.

3. An acquirer of a day care centre operated by a permit holder eligible for financial assistance under section 168 of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care becomes eligible for that financial assistance as well if he obtains a permit to operate the day care centre at the same address, subject to section 168 of that Act and to sections 1 and 2 of this Regulation.

4. For the fiscal year ending on 31 March 1998, a holder of a childcare centre permit, day care centre permit or home day care agency permit who receives financial assistance pursuant to sections 168 and 170 of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care, or a grant pursuant to sections 160, 167 and 173 of that Act or section 41.6 of the Act respecting childcare centres and childcare services, as it reads from 1 September 1997, shall *mutatis mutandis* submit the financial report prescribed in section 13.2 of that Act if he has received from the Minister, between 1 September 1997 and 31 March 1998, financial assistance or a grant totaling \$15 000 or more.

5. This Regulation has effect from 1 September 1997.

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

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Gouvernement du Québec

O.C. 188-98, 17 February 1998

An Act respecting the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie (R.S.Q., c. M-17)

Signing of certain deeds, documents or writings — Amendment

Regulation to amend the Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie

WHEREAS under section 8 of the Act respecting the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie (R.S.Q., c. M-17), the Government

may, by regulation published in the *Gazette officielle du Québec*, determine to what extent a deed, document or writing may bind the Department and may be attributed to the Minister of Industry, Trade, Science and Technology, if it is signed by an officer;

WHEREAS under Order in Council 856-91 dated 19 June 1991, the Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie was made;

WHEREAS the Regulation was amended by the Regulation made by Order in Council 102-98 dated 28 January 1998;

WHEREAS it is expedient to amend the French text of the Regulation to include deeds, documents or writings of the Department in respect of tourism;

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

THAT the Regulation to amend the Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie^(*)

An Act respecting the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie (R.S.Q., c. M-17, s. 8; 1996, c. 72)

1. Paragraph 2 of section 5.5 of the French text of the Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du

^{*} The Regulation respecting the signing of certain deeds, documents or writings of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie, made by Order in Council 856-91 dated 19 June 1991 (1991, *G.O.* 2, 2120) was last amended by the Regulation made by Order in Council 102-98 dated 28 January 1998. For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

Commerce, de la Science et de la Technologie is amended by substituting the following for the part preceding subparagraph *a*:

“2° le directeur général ou le directeur de l'administration est autorisé à signer:”.

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

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Draft Regulations

Draft Regulation

An Act respecting financial assistance for students (R.S.Q., c. A-13.3)

Financial assistance for students — 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 financial assistance for students, the text of which appears below, may be made by the Government upon the expiry of 30 days following this publication.

Under section 12 of the Regulations Act, a proposed regulation may be made at the expiry of a period shorter than the 45-day period provided for in section 11 of that Act by reason of the urgency due to the following circumstances:

— the amendments made to the Regulation respecting financial assistance for students must apply for the 1998-1999 year of allocation, that is, from 1 May 1998;

— applications for financial assistance, for that year of allocation, cannot be processed as long as those amendments are not in force.

The main purpose of the draft Regulation is to change the amounts of income considered in computing the financial assistance to be granted to a student, as well as the amounts of allowable expenses.

Several amendments are made consequently to the recent amendments made to the Act respecting financial assistance for students. Thus, the draft Regulation determines the end of the period during which a student is exempt from paying interest on his loans and the end of the period during which a student is not bound to repay his loan.

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

Further information may be obtained by contacting Mr. Pierre-Paul Allaire, Director, Direction de l'aide financière aux études, Ministère de l'Éducation, 1035, rue De La Chevrotière, 20^e étage, Québec, G1R 5A5; tel. (418) 646-5313.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 30 day-period, to the Minister of Education, 1035, rue De La Chevrotière, 16^e étage, Québec, G1R 5A5.

PAULINE MAROIS,
Minister of Education

Regulation to amend the Regulation respecting financial assistance for students(*)

An Act respecting financial assistance for education expenses (R.S.Q., c. A-13.3, s. 57; 1997, c. 90, s. 12)

1. The following is substituted for the title of the Regulation respecting financial assistance for students:

“Regulation respecting financial assistance for education expenses”.

2. The following is substituted for paragraph 2 of section 1:

“(2) the amount by which his scholarship income referred to in section 7 that is foreseeable for the calendar year ending in the current year of allocation exceeds \$5 000;”.

3. The following is substituted for subparagraph 3 of the first paragraph of section 3:

“(3) he receives unemployment benefits, employment benefits or any other benefits of the same nature paid by a government department or body and is participating in a program of training offered and paid by such a department or body;”.

4. Section 4 is amended

(1) by substituting the words “by a government department or body” for the words “in accordance with the

* The Regulation respecting financial assistance for students, made by Order in Council 844-90 dated 20 June 1990 (1990, *G.O.* 2, 1685), was last amended by the Regulation made by Order in Council 1200-97 dated 17 September 1997 (1997, *G.O.* 2, 4979). For previous amendments, refer to the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

Employment Insurance Act (S.C., 1996, c. 23)” in subparagraph 2 of the first paragraph; and

(2) by substituting the following for subparagraph 3 of the first paragraph:

“(3) the amount by which his actual scholarship income referred to in section 7 for the calendar year ending during the current year of allocation exceeds \$5 000;”.

5. The words “, excluding a student who serves a period of training as part of a program of studies under a cooperative plan during a trimester of the year of allocation” are inserted in paragraph 1 of section 5, after the words “current year of allocation”.

6. Section 9 is amended

(1) by substituting the word “gross” for the word “net” in subparagraph 1 of the first paragraph; and

(2) by substituting the following for subparagraph 2 of the first paragraph:

“(2) by adding the exemptions applicable under sections 10 and 11;”.

7. The following is added after paragraph 7 of section 10:

“(8) if the student has a major functional deficiency: \$2 200.”.

8. The following paragraph is added at the end of section 11:

“An additional exemption of \$2 200 shall be granted if the student has a major functional deficiency.”.

9. The words “Act respecting financial assistance for education expenses” are substituted for the words “Act respecting financial assistance for students” at the end of section 12.

10. The following paragraph is added at the end of section 15:

“That contribution shall be divided by the number obtained by counting the student and each of the children of the student and of his spouse who are pursuing full-time vocational training at the secondary level or full-time post-secondary studies and are deemed to receive a contribution from their parents as provided for in section 4 of the Act respecting financial assistance for education expenses.”.

11. The following is substituted for subparagraph *b* of paragraph 1 of section 19:

“(b) the amount by which his foreseeable scholarship income determined according to section 7, *mutatis mutandis*, exceeds \$5 000;”.

12. Section 21 is amended

(1) by substituting the following for clause *b* of subparagraph 1 of the first paragraph:

“(b) the amount by which his actual scholarship income determined according to section 7, *mutatis mutandis*, exceeds \$5 000;”;

(2) by adding the words “and, if the student has a major functional deficiency, an additional exemption of \$2 200” at the end of subparagraph 2 of the first paragraph.

13. The following paragraph is added at the end of section 22:

“That contribution shall be divided by the number obtained by counting the student and each of the children of the student and of his spouse who are pursuing full-time vocational training at the secondary level or full-time post-secondary studies and are deemed to receive a contribution from their parents as provided for in section 4 of the Act respecting financial assistance for education expenses.”.

14. The following is substituted for subparagraph 3 of the second paragraph of section 24:

“(3) he receives unemployment benefits, employment benefits or any other benefits of the same nature paid by a government department or body and is participating in a program of training offered and paid by such a department or body;”.

15. The words “pursuing studies in Québec” are struck out in the second paragraph of section 25.

16. Subdivision 6 of Division IV of Chapter I is revoked.

17. The following section is inserted after the heading of Division VI of Chapter I:

“**46.1** The amount of the first portion of a loan used for the calculation provided for in section 14 of the Act shall be:

- | | |
|-------------------------------------------------------|------------|
| (1) at the secondary level
in vocational training: | \$1 000; |
| (2) at the college level: | \$1 000; |
| (3) at the university level: | \$2 400.”. |

18. The following is substituted for the third paragraph of section 47:

“The maximum amount of an authorized loan shall be increased by the compulsory tuition and registration fees allowed to the student under section 25, in the following cases:

- (1) where the student attends a private institution at the secondary level in vocational training or at the college level for a program subsidized under the Act governing that institution;
- (2) where the student attends an institution at the secondary level in vocational training or at the college level for a program not subsidized under the Act governing that institution;
- (3) where the student attends the Institut de police de Québec; or
- (4) where the student attends an educational institution located outside Québec.

For the purposes of subparagraph 2 of the third paragraph, the amount prescribed in subparagraph 1 of the first paragraph shall be increased to \$3 605.”.

19. The following is substituted for section 48:

“**48.** The maximum of a loan authorized for a student attending an educational institution designated by the Minister for the granting of loans only shall be \$3 100 per trimester.”.

20. Section 49.1 is amended

(1) by substituting the following for subparagraph 6 of the first paragraph:

“(6) where the student is at the master’s level of university, for a program of studies of less than 5 trimesters: \$35 000;

(6.1) where the student is at the master’s level of university, for a program of studies of 5 trimesters or more: \$40 000;”; and

(2) by adding the following sentence at the end of the second paragraph:

“The maximum level of indebtedness is increased to \$60 000 where the student attends an educational institution outside Québec.”.

21. The following Division is inserted after section 55:

**“DIVISION X
REIMBURSEMENT OF PART OF A
LOAN BY THE MINISTER**

56. A borrower who receives financial assistance in the form of a bursary for each year of allocation during which he pursues, at the college level, a program of vocational studies leading to the attestation of college studies and who completes his studies and obtains official certification thereof within the time limit prescribed in Schedule X is entitled, upon application to the Minister, to a 15 % reduction on the value of the authorized loans contracted within that time limit.

56.1 A borrower who receives financial assistance in the form of a bursary for each year of allocation during which he pursues, at the university level, a program of undergraduate studies leading to a degree and who completes his studies and obtains official certification thereof within the time limit prescribed in Schedule X is entitled, upon application to the Minister, to a reimbursement of 15 % on the value of the authorized loans contracted within that time limit and, where applicable, on the value of the following authorized loans:

(1) loans contracted during his college studies for a program leading to the attestation of college studies if, at that level, he receives financial assistance in the form of a bursary for each year of allocation and completes his studies and obtains official certification thereof within the time limit prescribed in Schedule X;

(2) loans contracted during his graduate studies if, at the master’s or doctoral levels of university, he receives financial assistance in the form of a bursary, completes his studies and obtains official certification thereof within the time limit prescribed in Schedule X.

56.2 Any amount reimbursed by the Minister pursuant to sections 56 and 56.1 shall be paid to the financial institution holding the debt and be used to repay the loans.”.

22. The following is substituted for section 61:

“**61.** During any period of full-time studies and the additional period ending on the date determined in accordance with Schedule IX, the Minister shall pay, to the financial institution holding the debt, interest on any loan granted under the Act, for periods of no longer than

2 months and not later than 45 days after the end of each period.

From the end of that additional period and until the end of the period of exemption determined in accordance with Schedule IX, the interest unpaid by the borrower on any loan granted under the Act shall be capitalized.”.

23. The following is substituted for section 62:

“**62.** Unless he has been recognized as a borrower in a precarious financial situation, a borrower shall, at the end of the period of exemption determined in accordance with Schedule IX, sign a repayment agreement with the creditor financial institution holding the debt for all loans granted to him, including any capitalized interest.”.

24. The following is substituted for the first two paragraphs of section 63:

“**63.** The repayment agreement shall specify the applicable rate of interest and the amount and number of payments required to repay the principal and interest of any loan granted under the Act.

The rate of interest stipulated in the repayment agreement shall be determined according to the method provided for in section 68.

The rate of interest shall be fixed at the end of the additional period determined in accordance with Schedule IX and thereafter every 5 years from that date.”.

25. The following is substituted for section 67:

“**67.** The rate of interest applicable to payment of interest by the Minister to a financial institution on a loan granted under the Act shall be fixed monthly, on the first day of the month preceding the month for which the rate is applicable, as follows: it is equal to the rate of bank acceptances in force on the day when the rate of interest is fixed, plus 80 basis points. The expression “rate of bank acceptances” means the average rate of bank acceptances in Canadian dollars for 1 month as it appears in the Weekly Financial Statistics of the Bank of Canada. If no rate appears on that day, the rate shall be that of the previous day on which such rate appeared.”.

26. The words “second month preceding the date on which the interest becomes charged to the borrower” are substituted for the words “month preceding the date on which the exemption period ends” in section 68.

27. The amount “\$1 105” is substituted for the amount “980 \$” in section 69.

28. The following is substituted for section 71:

“**71.** A borrower may request that the Minister recognize him as a borrower in a precarious financial situation for a maximum period of 6 months ending not later than 60 months following the end of his period of exemption.

Recognition by the Minister that a borrower is in a precarious financial situation suspends execution of the repayment agreement.

During the period prescribed in the first paragraph, the Minister shall pay to the financial situation, on behalf of the borrower, interest on the balance of the loans granted under the Act, plus any capitalized interest, at the rate fixed according to the method provided for in section 67.”.

29. The following is substituted for section 73:

“**73.** A borrower may not be recognized as being in a precarious financial situation for more than 24 months throughout his life.”.

30. The second sentence in the second paragraph of section 74 is struck out.

31. Section 75 is revoked.

32. Sections 79 and 80 are revoked.

33. The following is inserted after section 81.1:

“**DIVISION V**
RATE OF INTEREST APPLICABLE TO
FINANCIAL ASSISTANCE RECEIVED
WITHOUT ENTITLEMENT

81.2 The amount of financial assistance in the form of a bursary received without entitlement shall bear interest at the rate determined on the first of May of each year of allocation, according to the method provided for in section 68, plus 3 %.

The amount of financial assistance in the form of a loan or bursary received without entitlement through a false declaration shall bear interest at the rate determined on the first of May of each year of allocation, according to the method provided for in section 68, plus 5 %.”.

34. The following is substituted for paragraph 7 of Schedule II:

“(7) unemployment benefits, employment benefits and any other benefits of the same nature paid by a government department or body;”.

35. Schedule IV is amended by deleting paragraphs 3 and 4.

36. The following is substituted for Schedule V:

“**SCHEDULE V**
(ss. 12, 15, 20 and 22)

Disposable income		Requested contribution
higher than	not exceeding	
\$0	\$8 000	0 % of disposable income
\$8 000	\$44 000	0 % of the first \$8 000 and 23 % of the remainder
\$44 000	\$54 000	\$8 280 of the first \$44 000 and 33 % of the remainder
\$54 000	\$64 000	\$11 580 of the first \$54 000 and 43 % of the remainder
\$64 000		\$15 880 of the first \$64 000 and 53 % of the remainder

37. Schedule VIII is amended

(1) by inserting the words “, for a program of studies lasting less than 5 trimesters” in paragraph 2 of the Table, after the word “level”;

(2) by inserting the following paragraph after paragraph 2 of the Table:

“(2.1) master’s level, for a program of studies lasting 5 trimesters or more: 6 7th 8th;”, and

(3) by inserting “, 2.1,” in the fifth paragraph, after the figure “2” wherever it appears.

38. The following Schedules are added to the Regulation:

“**SCHEDULE IX**
(ss. 61 and 62)

ADDITIONAL PERIOD AND PERIOD OF EXEMPTION

	Date on which additional period ends	Date on which period of exemption ends
(1) for a borrower who completes or abandons his full-time studies at the college or university level during or at the end of the preceding winter trimester;	1 June	1 December;

(2) for a borrower who completes or abandons his full-time studies at the secondary level in vocational training during or at the end of the preceding winter trimester;

Date on which additional period ends

Date on which period of exemption ends

1 July

1 January;

(3) for a borrower who completes or abandons his full-time studies at the secondary level in vocational training, college level or university level during or at the end of the preceding summer trimester;

1 September

1 March;

(4) for a borrower who completes or abandons his full-time studies at the secondary level in vocational training, college level or university level during or at the end of the preceding fall trimester;

1 January

1 July.

SCHEDULE X
(ss. 56 and 56.1)

TIME LIMITS FOR COMPLETING STUDIES

COLLEGE LEVEL	Maximum number of trimesters to complete studies
(1) general program of studies:	4;
(2) general program of studies lasting 6 trimesters:	6;
(3) vocational program of studies:	6;
(4) the naval engineering program at the Institut maritime du Québec, Cégep de Rimouk:	8;
(5) the navigation program at the Institut maritime du Québec, Cégep de Rimouski:	8;
(6) Conservatoire de musique et d’art dramatique de la province de Québec (program of college studies):	6;
(7) National Theater School of Canada:	10;
(8) vocational program of studies under a cooperative plan:	8.

University level	Maximum number of trimesters to complete studies
(1) undergraduate level:	4;
(2) master's level, for a program of studies lasting less than 5 trimesters:	6;
(3) master's level for a program of studies lasting 5 trimesters:	5;
(4) doctoral level:	8;
(5) doctoral level, without having obtained a master's degree:	10;
(6) undergraduate level, in Québec, within a program lasting 8 trimesters:	8;
(7) undergraduate level, outside Québec, within a program lasting 10 trimesters:	10;
(8) undergraduate level in medicine:	10;
(9) undergraduate level, program of studies under a cooperative plan:	10;
(10) undergraduate level, in a chiropractic program:	11;
(11) Conservatoire de musique et d'art dramatique de la province de Québec (graduate program of studies):	6;
(12) master's level, dentistry program with the "orthodontics" or "prostodontic rehabilitation" option):	9;
(13) master's level, program of specialized studies in veterinary medicine, Université de Montréal:	9;
(14) Conservatoire de musique et d'art dramatique de la province de Québec, "programme de fin d'études après obtention d'un diplôme d'études supérieures":	4;

Where a student is bound to write and file a master's or doctoral dissertation, the applicable time limit shall be increased by three months and the dissertation must be approved by the jury before the expiry of that time limit."

39. Section 75 of the Regulation respecting financial assistance for education expenses, as it read before its revocation, shall remain applicable to a borrower who was recognized as being in a precarious financial situation before 1 May 1999, for all the amounts that the Minister paid for him, to the financial institution, for a period prior to that date.

40. For the 1998-1999 year of allocation, the maximum amount of an authorized loan shall be increased, in the cases referred to in subparagraph 2 of the third paragraph of section 47 of the Regulation respecting financial assistance for education expenses, by an additional amount of \$5 000, where the student attends an institution at the college level, excluding an institution subsidized by the Minister of Culture and Communications or by a body under the responsibility of the latter.

For that same year of allocation, the following amounts shall be allocated to a student for the summer trimester, as child support expenses for a minor child whose custody is not shared:

(1) \$126, where the student has no spouse or where, during the winter trimester of the preceding year of allocation, he received benefits under the "financial support" or "work and employment incentives" programs established under the Act respecting income security (R.S.Q., c. S-3.1.1);

(2) \$46 for each child, excluding the first child, where, during the winter trimester of the preceding year of allocation, the student received benefits under one of the programs mentioned in subparagraph a;

(3) 25 \$, where the student has a spouse and does not receive the amount allocated under subparagraph a.

In addition, for that same year of allocation, notwithstanding section 71 of the Regulation respecting financial assistance for education expenses, a borrower may not be recognized as a borrower in a precarious financial situation unless he files his application within 18 months of the end of his period of exemption.

41. This Regulation comes into force on 1 May 1998, except section 2, paragraph 2 of section 4, section 11, paragraph 1 of section 12, section 19, sections 56.1 and 56.2 introduced by section 21, sections 29 and 31, Schedule X introduced by section 38 and section 39, which will come into force on 1 May 1999, and except section 56 introduced by section 21, which will come into force on 1 May 2000.

Draft Regulation

Health Insurance Act
(R.S.Q., c. A-29)

Eligibility and registration of persons — 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 eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to widen the scope of the definition of "dependent person".

For that purpose, it provides that, in addition to minors, any person between the ages of 18 and 25 pursuing full-time studies, persons having certain functional impairments and any person between the ages of 18 and 25 pursuing part-time studies but having certain functional impairments will be considered dependent persons.

Further information may be obtained by contacting Marie-Andrée Pelletier, advocate, Direction du contentieux et du secrétariat, Régie de l'assurance-maladie du Québec, 1125, chemin Saint-Louis, 8^e étage, Sillery (Québec) G1S 1E7.

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 the Minister of Health and Social Services, 1075, chemin Ste-Foy, 15^e étage, Québec (Québec) G1S 2M1.

JEAN ROCHON,
*Minister of Health
and Social Services*

Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec*

Health Insurance Act
(R.S.Q., c. A-29, s. 9, and s. 69, 1st par., subpars. a and l)

1. The Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec is amended, in section 1, by striking out "“dependent person” means any single person under 18 years of age who lives permanently with a person referred to in sections 5 to 8 of the Act and in Division II of this Regulation; (*personne à charge*)”.

2. The Regulation is amended by inserting the following after section 1:

“**1.1** For the purposes of this Regulation, “dependent person” means:

(1) any person under 18 years of age who is domiciled with a person referred to in sections 5 to 8 of the Act or in Division II of this Regulation who exercises parental authority over him;

(2) any spouseless person 25 years of age or under who attends an educational institution on a full-time basis as a duly registered student and who is domiciled with a person referred to in sections 5 to 8 of the Act or in Division II of this Regulation who would exercise parental authority over him if he were a minor;

(3) any spouseless person of full age who has a functional impairment that is listed in a government regulation made under subparagraph 6 of the first paragraph of section 78 of the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32) and that occurred before he reached age 18, who receives no benefits under a last resort assistance program provided for in the Act respecting income security, and who is domiciled with a person referred to in sections 5 to 8 of the Act or in Division II of this Regulation who would exercise parental authority over him if he were a minor.

* The Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec, made by Order in Council 1470-92 dated 30 September 1992 (1992, G.O. 2, 4621), has most recently been amended by the Regulation made by Order in Council 1520-96 dated 4 December 1996 (1996, G.O. 2, 4945). For earlier amendments, see the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

Any spouseless person 25 years of age or under who is domiciled with a person referred to in sections 5 to 8 of the Act or in Division II of this Regulation who would exercise parental authority over him if he were a minor is deemed to attend an educational institution on a full-time basis if he has any of the functional impairments referred to in paragraphs 1 to 4 of section 11.1 of the Regulation respecting the basic prescription drug insurance plan, made by Order in Council 1519-96 dated 4 December 1996 and if, for that reason, he attends such an institution on a part-time basis as a duly registered student.”.

3. The Regulation is amended in section 8 by adding the following sentence at the end of the first paragraph: “Notwithstanding the foregoing, a dependent person 18 years of age or over may register with the Board on his own.”.

4. The Regulation is amended in section 15 by inserting the following subparagraph after subparagraph 4 of the first paragraph:

“(4.1) in the case of a dependent person, the documents referred to in subparagraph 9, 10 or 11, as the case may be, of the first paragraph of section 8 of the Regulation respecting the basic prescription drug insurance plan or in subparagraph 1 or 2 of the second paragraph of that section;”.

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

2063

Draft Regulation

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101)

Program for farm financing — 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 Program for farm financing, 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 ensure adequate financing for farming businesses and to support the development of the aquaculture sector.

The draft Regulation proposes that the maximum amount of a loan that may be granted to a farming business, currently \$1 000 000, be increased to \$2 000 000 in order to take into account the asset growth of farming businesses.

It also proposes to extend guaranteed financing to freshwater aquaculture businesses.

Lastly, it proposes some minor regulatory adjustments to simplify the administration of loans.

To date, study of the matter has shown the following impact on the public and businesses, in particular, small and medium-sized businesses:

— an increase in the maximum amount of a loan would better meet the needs of farming businesses;

— access to financing would allow freshwater aquaculture businesses to improve their market position.

Further information may be obtained by contacting Michel R. Saint-Pierre, President, Société de financement agricole, 1020, route de l'Église, Sainte-Foy (Québec) G1V 4P2; tel.: (418) 643-2610; fax: (418) 646-9712.

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 the undersigned, 200 A, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

GUY JULIEN
Minister of Agriculture,
Fisheries and Food

Regulation to amend the Program for farm financing (*)

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101, s. 34)

1. Section 2 of the Program for farm financing is amended by substituting the words “a business practising aquaculture in a marine environment” for the words “an aquaculture farm” in the definition of the expression “farming business”.

2. Section 10 is amended by substituting “2 000 000” for “1 000 000” in the first paragraph.

* The Program for farm financing was made by Order in Council 699-95 dated 24 May 1995 (1995, G.O. 2, 1650) and has not been amended since.

3. Section 12 is amended

(1) by substituting “12, 24, 36, 48 or 60 months” for “12, 36 or 60 months” in the first paragraph; and

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

“Notwithstanding the foregoing, where the Corporation realizes that it will be impossible to fully disburse a loan within the time fixed in accordance with the powers vested in it by subparagraph 1 of the first paragraph of section 16 of the Act, the borrower and the lender may agree on a temporary interest rate, applicable over a period not exceeding 12 months, until the loan is fully disbursed; after that, the applicable interest rate shall be the lender’s hypothecary interest rate in force at the end of that period. The rate shall thereafter be adjusted in accordance with the first paragraph.

For the purposes of this section, “temporary interest rate” means the prime interest rate as defined in the third paragraph of section 18, increased by 1/2 % and adjusted whenever the prime rate is changed.”

4. Section 13 is amended by substituting “10 years” for “5 years”.

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

2060

Draft Regulation

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101)

Program for protection against a rise in interest rates — 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 Program for protection against a rise in interest rates, 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 minimize the impact of a rise in interest rates on farming businesses whose main activity is freshwater aquaculture.

The draft Regulation proposes that interest costs be stabilized by contributing to the payment of half the interest on the portion of the rate of interest exceeding 8 %, during a maximum term of 15 years.

To date, study of the matter has shown the following impact on the public and businesses, in particular, small and medium-sized businesses:

— when interest rates are high, such a protective measure will benefit aquaculture businesses.

Further information may be obtained by contacting Michel R. Saint-Pierre, President, Société de financement agricole, 1020, route de l’Église, Sainte-Foy (Québec) G1V 4P2; tel.: (418) 643-2610; fax: (418) 646-9712.

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 the undersigned, 200 A, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

GUY JULIEN,
*Minister of Agriculture,
Fisheries and Food*

Regulation to amend the Program against a rise in interest rates (*)

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101, s. 34)

1. Section 2 of the Program against a rise in interest rates is amended by substituting the words “a business practising aquaculture in a marine environment” for the words “an aquaculture farm” in the definition of the expression “farming business”.

2. Section 12 is amended by adding the following paragraph at the end:

“Likewise, no additional contribution to the payment of interest shall be paid on a loan for as long as it bears interest at a temporary interest rate as defined in the fourth paragraph of section 12 of the Program for farm financing.”

3. Section 13 is amended

(1) by adding the following at the end of the first paragraph: “Where a temporary interest rate has been applied to a loan pursuant to the third paragraph of section 12 of the Program for farm financing, that contribution shall be calculated on the basis of the lender’s hypothecary interest rate as defined in the second paragraph of that section.”; and

* The Program against a rise in interest rates was made by Order in Council 699-95 dated 24 May 1995 (1995, *G.O.* 2, 1652) and was not amended since.

(2) by substituting “24, 36, 48 or 60 months” for “either 36 or 60 months” in the third paragraph.

4. Section 14 is amended by adding the following at the end of the first paragraph: “Where a temporary interest rate has been applied to a loan pursuant to the third paragraph of section 12 of the Program for farm financing, that period shall be calculated from the expiry of the period determined under that paragraph.”

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

2062

Draft Regulation

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101)

Program of assistance for establishment, development and training

— 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 Program of assistance for establishment, development and training, 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 facilitate the establishment of young aquaculture farmers, to encourage them to acquire adequate training and to promote the development of aquaculture businesses.

The draft Regulation proposes that freshwater aquaculture businesses be eligible for the additional contribution to the payment of interest provided for in the Program of assistance for establishment, development and training.

It also proposes to grant a subsidy of \$10 000 or \$20 000, according to the level of academic training, to young farmers for their establishment in aquaculture.

To date, study of the matter has shown the following impact on the public and businesses, in particular, small and medium-sized businesses:

— the protective measure against a rise in interest rates will benefit investments related to the establishment and development of aquaculture;

— the granting of subsidies with respect to vocational training will make aquaculture businesses more competitive.

Further information may be obtained by contacting Michel R. Saint-Pierre, President, Société de financement agricole, 1020, route de l'Église, Sainte-Foy (Québec) G1V 4P2; tel.: (418) 643-2610; fax: (418) 646-9712.

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 the undersigned, 200 A, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

GUY JULIEN,
*Minister of Agriculture,
Fisheries and Food*

Regulation to amend the Program of assistance for establishment, development and training^(*)

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101, s. 34)

1. Section 2 of the Program of assistance for establishment, development and training is amended by substituting the words “a business practising aquaculture in a marine environment” for the words “an aquaculture farm” in the definition of the expression “farming business”.

2. Section 5 is amended

(1) by substituting the words “or floristry” for the words “, floristry or aquaculture” in subparagraphs 4 and 5 of the first paragraph; and

(2) by inserting the following after subparagraph 7 of the first paragraph:

“(7.1) a bachelor’s degree in biology or a Diploma of College studies in natural environment techniques, aquaculture option, in the case of an aquaculture establishment; or

(7.2) a bachelor’s degree in forestry, in the case of a maple-tree operation or a Christmas tree operation;”.

3. Section 6 is amended

¹The Program of assistance for establishment, development and training was made by Order in Council 699-95 dated 24 May 1995 (1995, *G.O.* 2, 1656) and has not been amended since.

(1) by substituting the words “or floristry” for the words “, floristry or aquaculture” in subparagraphs 4 and 5 of the first paragraph; and

(2) by inserting the following after subparagraph 7 of the first paragraph:

“(7.1) a Secondary School Vocational Diploma in the aquaculture sector, in the case of an aquaculture establishment; or”.

4. Section 12 is amended by adding the following paragraph at the end:

“Likewise, no additional contribution to the payment of interest shall be paid on a loan for as long as it bears interest at a temporary interest rate as defined in the fourth paragraph of section 12 of the Program for farm financing.”.

5. Section 13 is amended

(1) by adding the following at the end of the first paragraph: “Where a temporary interest rate has been applied to a loan pursuant to the third paragraph of section 12 of the Program for farm financing, that contribution shall be calculated on the basis of the lender’s hypothecary interest rate as defined in the second paragraph of that section.”; and

(2) by substituting “24, 36, 48 or 60 months” for “36 or 60 months” in the second paragraph.

6. Section 16 is amended by adding the following at the end: “Where a temporary interest rate has been applied to a loan pursuant to the third paragraph of section 12 of the Program for farm financing, that period shall be calculated from the expiry of the period determined under that paragraph.”.

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

Municipal Affairs

Gouvernement du Québec

O.C. 179-98, 17 February 1998

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

Amalgamation of Ville de Beauceville and the municipalities of Saint-François-Ouest and Saint-François-de-Beauce

WHEREAS each of the municipal councils of Ville de Beauceville and the municipalities of Saint-François-Ouest and Saint-François-de-Beauce adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the 3 municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

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

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

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

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

THAT the application be granted and that a local municipality resulting from the amalgamation of Ville de Beauceville and the municipalities of Saint-François-Ouest and Saint-François-de-Beauce be constituted, under the following conditions:

1. The name of the new town is “Ville de Beauceville”.
2. The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 13 November 1997; that description is attached as a Schedule to this Order in Council.

3. The new town is governed by the Cities and Towns Acts (R.S.Q., c. C-19).

4. The new town will be part of the Municipalité régionale de comté de Robert-Cliche.

5. A provisional council shall remain in office until the first general election. It shall be composed of all the members of the councils existing at the time of the coming into force of this Order in Council. The quorum shall be half of the members in office plus one. The mayors of the former Ville de Beauceville and the former Municipalité de Saint-François-Ouest will alternate as mayor and deputy mayor of the provisional council for 2 equal periods. The mayor of the former Ville de Beauceville shall serve first.

Throughout the term of the provisional council, the mayors of the former municipalities shall remain qualified to act within the municipalité régionale de comté de Robert-Cliche.

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

6. The first general election shall be held on the first Sunday of the fourth month following the month in which this Order in Council comes into force. The second general election shall be held on the first Sunday in November 2002.

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

8. For the first general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Municipalité de Saint-François-Ouest, shall be eligible for seat 1 and only those persons who would be eligible under that Act, if such election were an election of the council members of the former Municipalité de Saint-François-de-Beauce, shall be eligible for seat 4.

To be eligible for seats 2 and 3, a person shall have the right to be registered on the electoral list with respect to the territory of the new town located on the eastern bank of Rivière Chaudière.

To be eligible for seats 5 and 6, a person shall have the right to be registered on the electoral list with respect to the territory of the new town located on the western bank of Rivière Chaudière.

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

The portion of the subsidy granted under the Programme d'aide financière au regroupement municipal (PAFREM) shall constitute a reserve to be paid into the general fund of the new town for the first fiscal year without separate budgets.

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

11. All or part of the surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the new town has applied separate budgets shall be paid into the general fund of the new town, up to an amount of \$200 000.

The amount from the surplus accumulated by each of the former municipalities shall be determined as follows:

(a) the amount of the surplus accumulated by each of the former municipalities to be paid into the general fund corresponds to the proportion obtained by dividing its standardized real estate value established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992 amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), on the date of the last fiscal year for which the new town applied separate budgets, by the total standardized real estate value of the new town, on the same date;

(b) the amount of each accumulated surplus paid into the general fund of the new town is equal to the maximum amount that may possibly be paid under the preceding subparagraph.

Any balance of the surplus accumulated on behalf of each of the former municipalities shall be used for the benefit of the ratepayers in the sector made up of the

territory of the former municipality that accumulated it and it shall be used for capital expenditures in that sector.

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

13. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the funds reserved by the former Ville de Beauceville for its industrial park and those reserved by the former Municipalité de Saint-François-Ouest for a legal action taken against it shall be used for the said purposes. Should the legal action against the former Municipalité de Saint-François-Ouest be dismissed by a final judgement, the reserved amount shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality.

14. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the working fund of the former Ville de Beauceville shall become the working fund of the new town.

15. For the first complete fiscal year following the coming into force of this Order in Council, a general real estate tax credit of \$0.10 per \$100 of assessment shall be granted to the owners of all the taxable immovables of the sector made up of the territory of the former Municipalité de Saint-François-de-Beauce. For the second fiscal year, the credit shall be \$0.05 per \$100 of assessment.

16. At the end of the last fiscal year for which the municipalities adopted separate budgets, the maintenance costs for the water and sewerage system shall become charged to the users of the water and sewerage system of the new town. It shall be paid by means of a compensation rate to be fixed by the council of the new town each year.

17. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the balance in principal and interest of the loans made under by-laws 92-334 and 93-963 of the former Ville de Beauceville, concerning the water treatment plant, shall become chargeable to the users of the water system of the new town.

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

18. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the bal-

ance in principal and interest on the amounts owed to the Société québécoise d'assainissement des eaux under the agreement between the Gouvernement du Québec and the former Ville de Beauceville and the agreement between the Gouvernement du Québec and the former Municipalité de Saint-François-Ouest shall become charged to the users of the sewerage system of the new town.

19. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the balance in principal and interest on the loans made under by-laws 92-345 and 94-379 of the former Municipalité de Saint-François-de-Beauce and under by-laws 89-77, 87-269, 88-288, 90-312 and 96-400 of the former Ville de Beauceville shall become charged to all the taxable immovables on the territory of the new town on the basis of their value as it appears on the assessment roll in force each year.

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

20. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the credit commitments authorized under resolution 95-183 of the former Municipalité de Saint-François-de-Beauce, resolution 95-09-5691 of the former Ville de Beauceville and resolution 196-95 of the former Municipalité de Saint-François-Ouest shall become charged to the new town.

21. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Ville de Beauceville".

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

22. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new town in order to replace all the zoning and subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the new town, provided that such a by-law comes into force within 2 years of the coming into force of this Order in Council.

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

23. The new town shall have the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to any proceeding in place of those former municipalities.

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

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

25. Any debt or gain that may result from legal proceedings in respect of an act performed by a former municipality shall remain charged to or used for the benefit of all the taxable immovables of that former municipality.

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

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW VILLE DE BEAUCEVILLE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE ROBERT-CLICHE

The current territory of the Ville de Beauceville and of the municipalities of Saint-François and Saint-François-de-Beauce in the Municipalité régionale de comté Robert-Cliche, comprising, in reference to the cadastre of the Paroisse de Saint-François, the lots or parts of lots and their present and future subdivisions as well as the roads, routes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the dividing line between the cadastres of the Paroisse de Saint-François and the Canton de Cranbourne with the southeastern line of Rang Fraser Sud-Est of the cadastre of the Paroisse de Saint-François; thence, successively, the following lines and demarcations: in reference to the latter cadastre, south-westerly, the said southeastern line of Rang Fraser Sud-Est and part of the dividing line between ranges Saint-Gaspard and Gentilly to the dividing line between

lots 562 and 563; southeasterly, the said dividing line between the lots; successively easterly and southeasterly, part of the northern line of lot 393 and the northern line of lot 394, the northeastern line of lots 394 and 395 and the extension of the latter to the centre line of Route Saint-Ignace; southwesterly, the centre line of the said route and its extension to the centre line of Chemin du Rang Saint-Charles; in a general southeasterly direction, the centre line of the said road to the northeast extension of the dividing line between lots 228 and 233; southwesterly, the said extension and the dividing line between lots 228, 234, 222, 230 and 232 on the one side, lots 233 and 235 on the other side, extended across Route 173 that it meets to the centre line of Rivière Chaudière; southeasterly, the centre line of the said river upstream to the meeting point with the northeast extension of the dividing line between lots 1635 and 1636, those 2 extensions skirting the islands of the said river upstream; southwesterly, the said extension and the said dividing line between the lots; in a general southerly direction, the northeast side of the right-of-way of the Chemin du Rang Saint-Jacques to the northwest extension of the dividing line between lots 1780 and 1781; southwesterly, the said extension and the dividing line between lot 1780 and lots 1781, 1782, 1783 and 1784; southerly, the east side of the right-of-way of Chemin du Rang Saint-Alexandre to the northeastern line of lot 2274; southeasterly, the northeastern line of the said lot; southwesterly, part of the dividing line between the cadastres of the parishes of Saint-François and Saint-Georges to the apex of the south angle of lot 2294 of that first cadastre; northwesterly, the southwestern line of the said lot; northeasterly, part of the dividing line between ranges Saint-Jean and Saint-Guillaume Sud-Est following, in part, the northwest side of the right-of-way of Chemin de Saint-Jean-Saint-François and extended across Chemin Saint-Jean and Lac Douville that it meets, to the apex of the south angle of lot 2273; northwesterly, the southwestern line of lots 2273 to 2267 in declining order, then a part of the southwestern line of lot 2266 to the southeast side of the right-of-way of Chemin Saint-Guillaume; northeasterly the southeast side of the said right-of-way bounding on the northwest lot 2266 to the southeast extension of the southwest side of the right-of-way of the said road; northwesterly, the said extension and the southwest side of the said right-of-way bounding on the northeast lot 2376 and part of lot 2146; in a general northwesterly direction, the broken line dividing the augmentation of Rang Saint-Alexandre from ranges Saint-Guillaume-Nord-Ouest and Saint-Étienne, crossing Rivière du Moulin that it meets, then its extension to the north side of the right-of-way of Chemin Augmentation Saint-Alexandre; westerly, the southern line of lots 1751, 1750 and part of the southern line of lot 1744 to the north side of the right-of-way of Chemin Augmentation Saint-Alexandre, then the north side of the right-of-way of the said road, bounding on the south

a part of lot 1744, lots 1743, 1742, 1741, 1740, 1739, 1737, 1736 and part of lot 1735 to the apex of the east angle of lot 1926; northerly, part of the western line of lot 1735 and the western line of lots 1734 to 1725 in declining order; southwesterly, part of the southwestern line of lot 1724 to the apex of the southwest angle of the said lot; northerly, the western line of the said lot; northeasterly, part of the northwestern line of the said lot to the apex of the southwest angle of lot 1723; northerly, the western line of lot 1723; southwesterly, the dividing line between lots 1906 and 1907 and lots 1908 and 1909, crossing Chemin Rang Saint-Alexandre that it meets; northwesterly, part of the southwestern line of Rang Saint-Alexandre, extended across Route 108 that it meets to the apex of the eastern angle of lot 1946; southwest-erly, the southeastern line of lots 1946, 1947 and 1948 and its extension to the southwest side of Chemin Saint-Louis bounding on the northeast lot 1949; northwesterly, the southwest side of the right-of-way of the said road and its extension to the centre line of Chemin Sainte-Catherine; northeasterly, the centre line of the said road to the southeast extension of the southwestern line of lot 1851; northwesterly, the said extension and the southwestern line of the said lot and its extension, crossing lot 1838 and rivière Saint-Victor that it meets to the left bank of the said river; in a general northeasterly direction, the left bank of the said river bounding on the southeast lot 1804 to the southeast extension of the southwestern line of lot 1803; northwesterly, the said extension crossing lot 1804 and the southwestern line of lots 1803 to 1799 in declining order, the latter line extended across Chemin Sainte-Caroline, then the southwestern line of lots 1798, 1797, 1796A, 1796, 1795 and 1794; northeasterly, part of the broken line between the cadastre of the Paroisse de Saint-François and the cadastre of the Paroisse de Saint-Joseph to the apex of the northern angle of lot 51 of the first above-mentioned cadastre, that line crossing a public road (Route du Bras) and Chemin Grondin, Rivière Chaudière and an island of the said river (lot 2313), a railway and Route 173 that it meets; finally, southeasterly, part of the dividing line between the cadastres of the Paroisse de Saint-François and the Canton de Cranbourne to the starting point, that line crossing Rivière des Plantes, Rivière Noire and Ruisseau Giroux that it meets; the said limits define the territory of the new Ville de Beauceville.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 13 November 1997

Prepared by: JEAN-PIERRE LACROIX,
Land surveyor

B-219/1

2065

Gouvernement du Québec

O.C. 180-98, 17 February 1998

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

Amalgamation of Village d'Upton and Paroisse de Saint-Éphrem-d'Upton

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

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

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

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

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

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

1. The name of the new municipality is "Municipalité d'Upton".

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

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

4. The new municipality will be part of the Municipalité régionale de comté d'Acton.

5. A provisional council shall remain in office until the first general election. It shall be composed of all the members of the 2 councils existing at the time of the coming into force of this Order in Council. The quorum shall be half the members holding office plus one. The

current mayors shall alternate as mayor and acting mayor of the provisional council for 2 equal periods. The mayor of the former village shall act as mayor of the new municipality for the first period and the mayor of the former parish shall act as mayor for the second period.

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

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

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

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

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

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

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

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

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

— A sum of \$10 000 shall be deducted from the surplus accumulated on behalf of each of the former municipalities and shall be paid into the general fund of the new municipality; if the amount of the surplus accumulated on behalf of a former municipality does not total the sum of \$10 000, the amount deducted from the surplus accumulated on behalf of each of the former municipalities shall be equal to the amount of the lowest surplus accumulated, or to zero where there is no surplus accumulated on behalf of a former municipality;

— The balance of the surplus accumulated on behalf of a former municipality shall be used for the benefit of the ratepayers of the former municipality that accumulated it; it may be used to carry out public works in the sector made up of the territory of the former municipality, to reduce the taxes applicable to all the taxable immovables in that sector or to repay debts charged to the entire sector.

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

13. Seven per cent of the balance in principal and interest of the loan made under By-law 225 by the former Village d'Upton shall be charged to all the taxable immovables of the new municipality and 93 % of that balance shall be charged to the users served by the sewer system.

Seven per cent of the balance in principal and interest of the loan made under By-law 345-92 by the former Village d'Upton shall be charged to all the taxable immovables of the new municipality and 93 % of that balance shall be charged to the users served by the waterworks system.

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

14. The annual repayment of the instalments in principal and interest for all the loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council and not governed by section 13 shall remain charged to the sector made up of the territory of the former municipality that contracted them, in accordance with the taxation clauses of those by-laws. If the new municipality decides to amend the taxation clauses of those by-laws in accordance with the law, the amendments may refer only to the taxable immovables in the sector made up of the territory of that former municipality.

15. A tax credit shall be granted to all the taxable immovables in the sector made up of the territory of the former Paroisse de Saint-Éphrem-d'Upton as follows:

— the year of the coming into force of this Order in Council, at a rate of \$0.14 per \$100 of assessment;

— the second year, at a rate of \$0.11 per \$100 of assessment;

— the third year, at a rate of \$0.08 per \$100 of assessment;

— the fourth year, at a rate of \$0.05 per \$100 of assessment;

— the fifth year, at a rate of \$0.02 per \$100 of assessment.

Those rates shall however be in force only if the financial aid paid by the Gouvernement du Québec to the new municipality for taking charge of the local road system is equal to or greater than \$59 000.

If, for a fiscal year, the aid paid by the government is less than \$59 000, the tax credit rate shall be calculated by dividing the rate provided for the year to which that situation applies by the amount of \$59 000 and by multiplying the amount thus obtained by the amount of the financial aid paid for the year in question.

16. Any debt or gain that may result from legal proceedings for any act performed by a former municipality shall remain charged or credited to all the taxable im-

movables in the sector made up of the territory of that former municipality.

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

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

18. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation d'Upton".

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

The members of the bureau shall be the members of the Office municipal d'habitation d'Upton.

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

20. Notwithstanding section 119 of the Act respecting municipal territorial organization, the new municipality shall use the values entered into the real estate assessment rolls in force in the former municipalities for the 1997 fiscal year, updated and adjusted after the coming into force of this Order in Council as follows:

— The values entered into the real estate assessment roll of the former Paroisse de Saint-Éphrem-d'Upton shall be divided by its median proportion and multiplied by the median proportion of the real estate assessment roll of the former Village d'Upton; the median proportions used shall be the ones that were established for the 1997 fiscal year;

— The roll made up of the roll in force in the former Village d'Upton for the 1997 fiscal year and the amended roll of the former Paroisse de Saint-Éphrem-d'Upton in accordance with this section shall constitute the roll of the new municipality for the first fiscal year. The median proportion and the comparative factor of the roll are those of the former Village d'Upton. The first fiscal year of the new municipality shall be considered as the third fiscal year of application of the roll.

21. Notwithstanding section 244.1 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), the new municipality may, during the five-year period following the coming into force of this Order in Council, provide that the contributions paid for the services of the Sûreté du Québec are to be financed by means of a tariff. After that period, any contribution paid for the services of the Sûreté du Québec shall be financed in accordance with the provisions of the Act.

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

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

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ D'UPTON, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ D'ACTON

The current territory of Paroisse de Saint-Éphrem-d'Upton and of Village d'Upton, in the Municipalité régionale de comté d'Acton, comprising, in reference to the cadastres of the parishes of Saint-André-d'Acton and Saint-Éphrem-d'Upton and of Village de Saint-Éphrem-d'Upton, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, islands, lakes, water-courses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northeastern angle of lot 325 of the cadastre of Paroisse de Saint-Éphrem-d'Upton; thence, successively, the following lines and demarcations: southerly, part of the line dividing the cadastre of Paroisse de Saint-Éphrem-d'Upton from the cadastres of the parishes of Saint-Théodore d'Acton and of Saint-André-d'Acton, that dividing line between the cadastres crossing the secondary public roads, the railway (lot 284) and Route 116 that it meets, to the centre line of Rivière Noire (Blanche) passing north of lot 311 of the cadastre of Paroisse de Saint-

André-d'Acton; successively, southeasterly, southerly and southwesterly, the centre line of the said river upstream to the northern extension of the eastern line of lot 266 of the cadastre of Paroisse de Saint-Éphrem-d'Upton; southerly, the said extension and part of the line dividing the cadastre of Paroisse de Saint-Éphrem-d'Upton from the cadastres of the parishes of Saint-André-d'Acton and of Saint-Valérien-de-Milton, that line crossing a public road and Rivière Noire that it meets, to the apex of the southeastern angle of lot 260 of the cadastre of Paroisse de Saint-Éphrem-d'Upton; successively, westerly, southerly and westerly, the broken line dividing the cadastre of Paroisse de Saint-Éphrem-d'Upton from the cadastre of Paroisse de Saint-Valérien-de-Milton, that line crossing the secondary public roads it meets; northerly, part of the line dividing the cadastres of Paroisse de Saint-Éphrem-d'Upton and of Village de Saint-Éphrem-d'Upton from the cadastres of the parishes of Saint-Liboire and of Sainte-Hélène, that line crossing Rivière Noire, the railway (lot 5), Route 116 and the secondary public roads that it meets, to the apex of the northern angle of lot 141 of the cadastre of Paroisse de Saint-Éphrem-d'Upton; in reference to that cadastre, southerly, the eastern line of lots 141, 140 and 139; finally, easterly, the northern line of lot 155 extended across the Chemin Rang de la Carrière, then the northern line of lot 325 to the starting point; the said limits define the territory of the Municipalité d'Upton.

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

Prepared by: PIERRE BÉGIN,
Land surveyor

U-13/1

2066

Gouvernement du Québec

O.C. 181-98, 17 February 1998

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

Amalgamation of the Municipalité de Risborough, the Partie sud-est du Canton de Gayhurst and the Village de Saint-Ludger

WHEREAS each of the municipal councils of the Municipalité de Risborough, the Partie sud-est du Canton de Gayhurst and the Village de Saint-Ludger adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local

municipality through the amalgamation of the 3 municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

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

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

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

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

THAT the application be granted and that a local municipality be constituted through the amalgamation of the Municipalité de Risborough, the Partie sud-est du Canton de Gayhurst and the Village de Saint-Ludger, on the following conditions:

1. The name of the municipality is "Municipalité de Saint-Ludger".
2. The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 3 December 1997; that description is attached as a Schedule to this Order in Council.
3. The new municipality is governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).
4. The new municipality is a part of the Municipalité régionale de comté du Granit.
5. A provisional council shall remain in office until the first general election. It shall be composed of all the members of the 3 councils existing at the time of the coming into force of this Order in Council. The quorum shall be half of the members in office plus one. The three mayors will alternate as mayor of the provisional council for equal periods. At the first sitting of the provisional council, a drawing of lots shall determine which mayor will act first as mayor.

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

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

6. The first general election shall be held on the first Sunday of the fourth month following the month in which this Order in Council comes into force. The second general election shall be held on the first Sunday in November 2002. The council of the new municipality shall be composed of 7 members, that is, a mayor and 6 councillors. The councillors' seats shall be numbered from 1 to 6 from the first general election.

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

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

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

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

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

10. At the end of the last fiscal year for which the former municipalities adopted separate budgets, the new municipality shall pay into its general fund the amount of \$120 000 from the surplus accumulated on behalf of the former municipalities, as follows:

(a) the amount from the surplus accumulated on behalf of the former Municipalité de Risborough is \$70 000;

(b) the amount from the surplus accumulated on behalf of the former Partie sud-est du Canton de Gayhurst is \$20 000; and

(c) the amount from the surplus accumulated on behalf of the former Village de Saint-Ludger is \$30 000.

If the amount of the surplus accumulated on behalf of a former municipality is not enough to pay its contribution, the new municipality shall complete the amount by imposing a special tax to the sector made up of the territory of that former municipality, according to the value of the taxable immovables of that sector as appearing in the assessment roll in force each year.

11. If, after the operation provided for in section 10, amounts are still available in the surplus accumulated on behalf of a former municipality, those amounts shall remain for the benefit of the ratepayers of the former municipality which accumulated it. They shall be used to carry out public works in the sector made up of the territory of that former municipality, to reduce taxes applicable to all the taxable immovables of that sector or to repay debts charged to all that sector.

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

13. The balance in capital and interest of loans contracted by the former Municipalité de Risborough under By-law No. 226-92 shall be chargeable to all the taxable immovables of that former municipality.

14. Any debt or gain that may result from legal proceedings or a transaction for an act performed by one former municipality shall be charged or credited to all

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

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

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

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

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

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE SAINT-LUDGER IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DU GRANIT

The current territory of the Canton de Gayhurst-Partie-Sud-Est, of the Municipalité de Risborough and of the Village de Saint-Ludger, in the Municipalité régionale de comté du Granit, comprising, in reference to the cadastres of the townships of Gayhurst, Marlow and Risborough, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, islands, lakes, watercourses or parts thereof, the whole within the limits of the two perimeters described hereafter, namely:

First perimeter

Starting from the meeting point of the dividing line between the cadastres of the townships of Gayhurst and Dorset with the dividing line between lots 73 and 186 of the first cadastre; thence, successively, the following lines and demarcations: easterly, part of the dividing line between the cadastres of the townships of Gayhurst and Dorset and its extension to the centre line of Rivière Chaudière; successively northeasterly, easterly and southeasterly, the centre line of the said river downstream and skirting by the left the islands closest to the right bank

and by the right the islands closest to the left bank to the extension to the northwest of the dividing line between ranges 11 and 10 of the cadastre of Canton de Marlow; in reference to that cadastre, southeasterly, the said extension and part of the said dividing line between ranges to the line dividing lot 10A from lots 81 and 82 of Rang 11, that dividing line between ranges crossing old Route 24 and Route 204 that it meets; southwesterly, the said dividing line between lots; southeasterly, part of the dividing line between ranges 12 and 11 and its extension to the centre line of Rivière Samson; in general southwesterly and westerly directions, the centre line of the said river upstream to its meeting point with the dividing line between the cadastres of the townships of Risborough and Marlow; southeasterly and northeasterly, the broken line dividing the cadastre of Canton de Risborough from the cadastre of Canton de Marlow, that line crossing Rivière Samson that it meets; southeasterly, the dividing line between ranges 9 and 10 of the cadastre of Canton de Risborough, that line crossing a secondary public road that it meets; in a general southwesterly direction, part of the Canada/United States border to the dividing line between the cadastres of the townships of Risborough and Spalding; northwesterly, the said dividing line between the said cadastres to its intersection with the north side of the right-of-way of a public road, that dividing line crossing Route 204, secondary public roads and Rivière Samson that it meets; in general westerly and northwesterly directions, passing by the north and northeast sides of the right-of-way of the said road to its meeting point with the southeastern line of lot 1B of Rang 1 of the cadastre of Canton de Spalding; northeasterly, successively, the southeastern line of lots 1B and 1A of Rang 1 of the aforementioned cadastre and the extension of the latter northeasterly to the centre line of Rivière Chaudière; in general northwesterly and westerly directions, the centre line of the said river upstream to its meeting point with the extension to the southeast of the dividing line between lots 27 and 26 of the cadastre of Canton de Gayhurst; in reference to that cadastre, northwesterly, the said extension and the southwestern line of lots 27 and 103, that line crossing a secondary public road that it meets; northeasterly, the northwestern line of lots 103 down to 73 to the starting point, that line crossing a secondary public road that it meets.

Second perimeter

Starting from the meeting point of the dividing line between the cadastres of the townships of Risborough and Marlow with the dividing line between ranges 1 and 2 of the first cadastre; thence, successively, the following lines and demarcations: northeasterly, part of the said dividing line between cadastres to the dividing line between Rang 1 of the cadastre of Canton de Risborough and Rang Chemin-Kennebec of the cadastre of Canton de Marlow; southeasterly, part of the dividing line be-

tween ranges to the Canada/United States border, that line crossing Lac Monument that it meets; in a general southeasterly direction, part of the said border to the dividing line between ranges 1 and 2 of the cadastre of Canton de Risborough; northwesterly, the said dividing line between ranges to the starting point.

The said limits define the territory of the Municipalité de Saint-Ludger.

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

Prepared by: PIERRE BÉGIN,
Land surveyor

L-342/1

2067

Erratum

Notice

An Act respecting industrial accidents
and occupational diseases
(R.S.Q., c. A-3.001)

Classification of employers, statement of wages and rates of assessment

Gazette officielle du Québec, 3 December 1997,
Volume 129, Number 50, Part 2, "Erratum".

This erratum modifies that published on 3 December
1997, specifically affecting units 80110, 80150, 80160
and 80230, which are replaced by the following:

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Classification Units and Assessment Rates for 1998 — Sector: Construction

Unit Number	Unit Title	General Rate	Special Rate
80110	Carpentry work; joinery work; indoor renovation work This unit refers to work related to: <ul style="list-style-type: none"> • the erection of a wooden structure of a building, a silo, a water tower and a tank; • joinery work; • parqueting work including sanding and finishing; • carpentry work such as the installation of chevrons and the erection of wood divisions; • carpentry work and joinery work in the installation of prefabricated buildings with a wood structure; • on-site construction of wood recreational equipment for amusement parks, daycare centres, playgrounds and other similar places; • the installation of doors and windows by a carpenter; • the building of wood or wood-substitute patios. This unit also refers to the following work when done by the workers of an employer as part of the carrying out, by this employer, of work to erect a wood structure of a building:	14.46	13.77

Classification Units and Assessment Rates for 1998 — Sector: Construction

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> • the installation of all types of exterior clapboard cladding; • the installation of metal posts, gypsum, angle irons, metal mouldings; • the installation of gutters; • roofing using asphalt shingles, cedar shingles, sheet metal that is neither welded nor stapled, or sandstone tiles; • the installation of insulation; • soundproofing; • foundation formwork; • the installation of garage doors; • the installation of acoustic tiles. <p>This unit also refers to:</p> <ul style="list-style-type: none"> • the indoor renovation of buildings and parts of buildings covering a renovated floor surface of less than 1,000 m² per storey except where this work includes: <ul style="list-style-type: none"> • scaffolding work, the upper platform of which exceeds 5 metres in height; • masonry work other than for prefabricated fireplaces; • metal cladding work; • work affecting the structure of the building; • cement work; • ornamental building metal work; • stripping done as part of indoor renovation work referred to in this unit. <p>This unit does not refer to:</p> <ul style="list-style-type: none"> • renovation work when a single reconstruction operation is carried out in conjunction with the stripping of something that is subsequently rebuilt. For example, when the only operation carried out by the employer is the installation of a carpet, after the removal of the old one, this operation is not referred to in this unit; • the installation of doors, windows or products intended for the same purpose done by a glazier; 		

Classification Units and Assessment Rates for 1998 — Sector: Construction

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> work related to piles and special foundations such as the placing, raising and maintenance of the following elements: steel sheet piling, shoring piles, walings, struts, horizontal shores, soldier piles and temporary steel or heavy structural lumber struts driven into the ground; <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		

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Classification Units and Assessment Rates for 1998 — Sector: Construction

Unit Number	Unit Title	General Rate	Special Rate
80150	<p>Glass work; glazing work</p> <p>This unit refers to work related to:</p> <ul style="list-style-type: none"> the preparation and installation of glasswork and glazing such as: <ul style="list-style-type: none"> the cutting and polishing of glass; the cutting and assembly of aluminum; spray etching on glass; the painting of aluminum frames; the installation of doors, windows, glazing and commercial frontage on the work site. <p>This unit does not refer to:</p> <ul style="list-style-type: none"> the manufacture and installation of curtain walls; the installation of doors and windows by a carpenter. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>	15.13	14.43
80160	<p>Millwright works; boilermaking work; plumbing and pipefitting work; pipe insulation work</p> <p>This unit refers to work related to:</p> <ul style="list-style-type: none"> millwright works such as the installation, repair, maintenance, adjustment, assembly, dismantling and handling of machinery other than production machinery; 	8.39	7.88

Classification Units and Assessment Rates for 1998 — Sector: Construction

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> • the making of templates for this machinery; • boilermaking related to machinery other than production machinery and related to the construction, maintenance and repair of steam generators, boilers, tanks or other similar equipment; • the installation, alteration, modification, repair and maintenance of: <ul style="list-style-type: none"> • plumbing systems such as: <ul style="list-style-type: none"> • piping, fixtures, accessories and other fittings needed to supply these systems with fluids; • piping, fixtures, accessories and other fittings used for drainage, run-off and ventilation of traps in these systems; • heating and combustion systems such as: <ul style="list-style-type: none"> • piping, fixtures, accessories and other fittings needed to distribute fluids or heat; • fire protection and localized fire protection systems, such as: <ul style="list-style-type: none"> • piping, fixtures, accessories and other fittings used to prevent and fight fires; • insulation, whether it is carried out by spraying or by any other method, such as: <ul style="list-style-type: none"> • thermal insulation of any new or existing piping system; • thermal insulation of radiators, furnaces, boilers, tanks and any other similar device. <p>This unit does not refer to:</p> <ul style="list-style-type: none"> • the construction of metal tanks other than for boiler systems and that are installed by a metal structure installer (ex. oil tanks, water towers); • the installation of metal ducts for heating, ventilation and air conditioning systems; • the laying of bricks used in boiler walls; • the installation of internal insulation of ventilation and other ducts done by tinsmiths when installing said ducts; • installation work related to pre-insulated ventilation ducts; • the installation and maintenance of mechanized transit systems; • cleaning using sandblasting; 		

Classification Units and Assessment Rates for 1998 — Sector: Construction

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> work related to millwright works such as the installation, repair, maintenance, adjustment, setting up, dismantling and handling of production machinery as well as the making of templates for this machinery. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		

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Classification Units and Assessment Rates for 1998 — Sector: Construction

Unit Number	Unit Title	General Rate	Special Rate
80230	Landscaping work This unit refers to: <ul style="list-style-type: none"> landscaping work such as: <ul style="list-style-type: none"> the installation of interlocking blocks or interlocking stones; the installation of sod; site preparation work; the planting of trees and shrubs; light earthwork; the erection of low walls, stairs, etc.; the maintenance of slopes alongside roads; the installation of outdoor underground pipes to water the lawn or for decorative lighting systems. This unit does not refer to: <ul style="list-style-type: none"> excavation and earthwork done with heavy machinery; paving work; snow removal; the installation of septic tanks and septic beds. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>	11.79	11.18

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

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