

# Gazette officielle du Québec

## Part 2 Laws and Regulations

Volume 130  
8 July 1998  
No. 28

### Summary

Table of Contents  
Acts 1998  
Coming into force of Acts  
Regulations and other acts  
Draft Regulations  
Index

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

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



## Table of Contents

Page

### Acts 1998

159	An Act to amend the Act respecting the Ministère des Transports in order to establish the rolling stock management fund .....	2561
431	An Act respecting Investissement-Québec and Garantie-Québec .....	2567
434	An Act respecting Société Innovatech du Grand Montréal .....	2583
435	An Act respecting Société Innovatech Régions ressources .....	2595
436	An Act respecting Société Innovatech Québec et Chaudière-Appalaches .....	2605
437	An Act respecting Société Innovatech du sud du Québec .....	2617
446	An Act to amend the Labour Code .....	2629

### Coming into force of Acts

868-98	Société Innovatech Régions ressources, An Act respecting... — Coming into force .....	2633
869-98	Société Innovatech du Sud du Québec, An Act respecting... — Coming into force .....	2633
870-98	Société Innovatech Québec et Chaudière-Appalaches, An Act respecting... — Coming into force .....	2633
879-98	Société Innovatech du Grand Montréal, An Act respecting... — Coming into force .....	2634

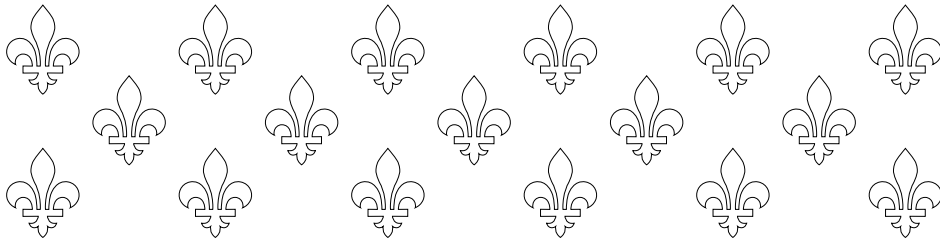
### Regulations and other acts

854-98	Food (Amend.) .....	2635
858-98	Financial assistance for students — Correction to the English text (Amend.) .....	2638
859-98	Solid waste (Amend.) .....	2639
865-98	Private Investment and Job Creation Promotion Fund (Amend.) .....	2640
878-98	Professional Code — Inhalothérapeutes — Terms and conditions for the issue of permits by the Ordre (Amend.) .....	2643
	Tariff of remuneration payable for municipal elections and referendums .....	2645

### Draft Regulations

Animals in captivity .....	2647
Construction contracts for immovables of school boards .....	2651
Development of wildlife — Scale of fees and duties .....	2663
Industrial accidents and occupational diseases, An Act respecting... — Classification of employers, statement of wages and rates of assessment .....	2664
Labour standards .....	2644
Possession and sale of an animal .....	2704
Thoroughbred and Quarter Horse racing .....	2704





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 159  
(1998, chapter 13)

**An Act to amend the Act respecting the  
Ministère des Transports in order to  
establish the rolling stock management  
fund**

---

---

**Introduced 29 October 1997  
Passage in principle 19 November 1997  
Passage 9 June 1998  
Assented to 12 June 1998**

---

**Québec Official Publisher  
1998**

**EXPLANATORY NOTE**

*This bill provides for the establishment of the rolling stock management fund to finance activities relating to the management of rolling stock. The bill determines the sums that are to constitute the fund and establishes its operating rules.*

## Bill 159

### AN ACT TO AMEND THE ACT RESPECTING THE MINISTÈRE DES TRANSPORTS IN ORDER TO ESTABLISH THE ROLLING STOCK MANAGEMENT FUND

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The Act respecting the Ministère des Transports (R.S.Q., chapter M-28), amended by chapter 40 and chapter 46 of the statutes of 1997, is again amended

(1) by inserting, before section 1, the following heading :

#### “CHAPTER I

“DEPARTMENTAL ORGANIZATION AND OPERATION”;

(2) by inserting, before section 12.22, the following heading :

#### “CHAPTER II

“SPECIAL FUNDS

##### “DIVISION I

“FUND FOR THE CONTRIBUTIONS OF MOTORISTS TO PUBLIC TRANSIT”.

**2.** Section 12.30 of the said Act is replaced by the following headings and section :

##### “DIVISION II

“OTHER SPECIAL FUNDS

“**12.30.** The following funds are also established :

(1) the “road network preservation and improvement fund”, to finance the work necessary for the preservation of roadways and road structures and for the improvement and development of the road network ;

(2) the “rolling stock management fund”, to finance activities relating to the management of rolling stock.

“§1. — *Road network preservation and improvement fund*”.

**3.** The said Act is amended by inserting, after section 12.39, the following heading and sections :

“§2. — *Rolling stock management fund*

“**12.40.** The fund shall be made up of the following sums, except interest :

(1) the sums collected in connection with the goods and services financed by the fund ;

(2) the sums paid by the Minister of Transport out of the appropriations granted for that purpose by Parliament ;

(3) the sums paid by the Minister of Finance pursuant to the first paragraph of section 12.34 and to section 12.35 ;

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

“**12.41.** The activities of the fund shall consist in

(1) the leasing of rolling stock ;

(2) the provision of services for the acquisition and disposal of rolling stock, subject to the provisions of the Act respecting government services to departments and public bodies (chapter S-6.1) ;

(3) the repair and maintenance of rolling stock ;

(4) the supplying of fuel ;

(5) the provision of mechanical engineering services ;

(6) the provision of training services for rolling stock operators ;

(7) the provision of consultant services regarding the management of rolling stock ;

(8) any other similar activity related to the management of rolling stock and authorized by the Government.

Sections 12.31 and 12.33 to 12.39 apply to the fund.

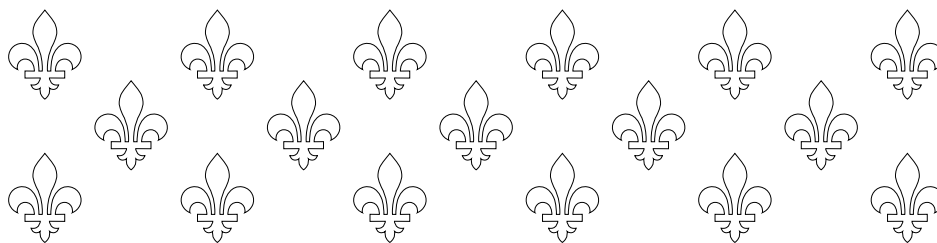


“**12.42.** The surpluses accumulated in the fund shall be paid into the consolidated revenue fund on the dates and to the extent determined by the Government.”

**4.** For the fiscal year 1998-99, the appropriations granted to the Office des ressources humaines in respect of employment benefits and other conditions of employment of the persons assigned to the activities of the Fonds de gestion de l'équipement roulant are, to the extent determined by the Government, transferred to the Ministère des Transports.

**5.** This Act comes into force on 12 June 1998, but has effect from 1 April 1998.





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 431  
(1998, chapter 17)

## **An Act respecting Investissement-Québec and Garantie-Québec**

---

---

**Introduced 12 May 1998**  
**Passage in principle 20 May 1998**  
**Passage 9 June 1998**  
**Assented to 12 June 1998**

---

**Québec Official Publisher  
1998**

## **EXPLANATORY NOTES**

*This bill allows the Société de développement industriel du Québec to be continued as a legal person to be known as “Investissement-Québec”. The bill also establishes a wholly-owned subsidiary of Investissement-Québec to be designated as “Garantie-Québec”.*

*The mission of the Investissement-Québec agency is to facilitate the growth of investment in Québec. It will be responsible for promoting Québec as a propitious location for investment. It will facilitate research and development as well as export activities. The agency will also work to retain current investment in Québec.*

*The main function of its subsidiary Garantie-Québec is to facilitate the financing of small and medium-sized businesses.*

*Investissement-Québec and Garantie-Québec will administer the financial assistance programs developed by the Government under the new Act, the programs envisaged in their business plans and any other program whose administration is entrusted to them by the Government. Moreover, they will perform any mandate assigned to them by the Government in connection with projects of major economic significance for Québec.*

*This bill contains financial provisions providing a framework for the financial commitments which the agency and its subsidiaries are authorized to make. It also contains transitional provisions.*

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

- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12).

### **LEGISLATION REPLACED BY THIS BILL :**

- Act respecting the Société de développement industriel du Québec (R.S.Q., chapter S-11.01).

## Bill 431

### AN ACT RESPECTING INVESTISSEMENT-QUÉBEC AND GARANTIE-QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### CHAPTER I

#### INVESTISSEMENT-QUÉBEC

#### DIVISION I

#### ESTABLISHMENT AND ORGANIZATION

**1.** The Société de développement industriel du Québec, constituted as a legal person by chapter 64 of the statutes of 1971, shall become the agency “Investissement-Québec”.

**2.** The agency is a mandatary of the State. The property of the agency forms part of the domain of the State, but the execution of the obligations of the agency may be levied against its property.

The agency binds none but itself when it acts in its own name.

**3.** The head office of the agency shall be located in the territory of the Communauté urbaine de Québec. The agency may, however, move its head office to any other place with the approval of the Government. Notice of the location of the head office shall be published in the *Gazette officielle du Québec*.

The agency may hold its meetings at any place in Québec.

**4.** The affairs of the agency shall be administered by a board of directors composed of eleven members, including a chief executive officer, appointed by the Government.

The chief executive officer shall be appointed for a term of not more than five years, and the remaining members of the board of directors shall be appointed for a term of not more than three years.

**5.** The Government shall designate the chair and vice-chair of the board of directors from among the members of the board.

The positions of chief executive officer and chair of the board of directors may be held concurrently.

**6.** The chief executive officer is responsible for the administration and direction of the agency within the scope of its regulations and policies. The office of chief executive officer is a full-time position.

The chair of the board of directors shall call and preside the meetings of the board and see to the proper operation of the board. The chair shall exercise any other functions assigned to the chair by the board.

The vice-chair shall exercise the functions of the chair when the latter is absent or unable to act.

**7.** On the expiry of their term, the members of the board of directors shall remain in office until replaced or reappointed.

**8.** Every vacant position on the board of directors, other than that of the chief executive officer, shall be filled for the unexpired portion of the term of the member to be replaced.

Absence from the number of board meetings determined in the internal by-laws of the agency, in the cases and circumstances specified, constitutes a vacancy.

**9.** The Government shall determine the remuneration, employment benefits and other conditions of employment of the chief executive officer.

The other board members shall receive no remuneration except in the cases, on the conditions and to the extent determined by the Government. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

**10.** The quorum at meetings of the board is the majority of its members, including the chief executive officer or the chair.

Decisions of the board are made by a majority vote of the members present. In the case of a tie-vote, the chair of the meeting has a casting vote.

**11.** The members of the board of directors may waive notice of a meeting. The attendance of a member at a meeting of the board constitutes a waiver of notice, unless the member is present to contest the legality of the calling of the meeting.

**12.** The board members may, if they all agree, take part in a meeting using means which allow them to communicate with each other orally, such as the telephone.

**13.** A written resolution, signed by all the members entitled to vote, has the same value as if adopted during a meeting of the board of directors.

A copy of all such resolutions shall be kept with the minutes of the proceedings or other equivalent record book.

**14.** The minutes of a meeting of the board of directors, approved by the board and certified by the chair of the board, the secretary or any other person so authorized by the agency, are authentic, as are documents and copies emanating from the agency or forming part of its records if signed or certified by any such person.

**15.** No document binds the agency or may be attributed to it unless it is signed by the chief executive officer, the chair or vice-chair of the board of directors or the secretary or, to the extent determined in the internal by-laws of the agency, by another member of the agency's personnel.

The rules governing the delegation of signing authority may provide for sub-delegation and the mechanics thereof.

**16.** An intelligible print-out of a decision or of any other data stored by the agency in computerized or other electronic form is a document of the agency and constitutes proof of its contents if certified by a person referred to in section 15.

**17.** The agency may allow, subject to the conditions and on the documents it determines in its internal by-laws, that a signature be affixed by means of an automatic device, that a signature be electronic, or that a facsimile of a signature be engraved, lithographed or printed. However, the facsimile shall have the same force as the signature itself only if the document is countersigned by a person referred to in section 15.

**18.** The agency may, in its internal by-laws, fix any other operating procedure of the board of directors, establish an executive committee or any other committee, and delegate the exercise of its powers to such a committee.

The by-laws may provide for the powers of the board of directors to be delegated to a member of the personnel of the agency.

**19.** No member of the board of directors exercising functions on a full-time basis with the agency may, on pain of forfeiture of office, have a direct or indirect interest in an enterprise causing the member's personal interest to conflict with that of the agency. However, forfeiture of office is not incurred where the interest devolves by succession or gift, provided it is renounced or disposed of with dispatch.

Any member of the board of directors, other than a member exercising functions on a full-time basis, who has a direct or indirect interest in an enterprise causing the member's personal interest to conflict with that of the

agency must, on pain of forfeiture of office, disclose the interest in writing to the board of directors, abstain from voting on any matter relating to the enterprise, and avoid influencing any decision relating to the enterprise. The member must also withdraw from a meeting during any discussion or vote on such a matter.

Any member of the personnel of the agency who has a direct or indirect interest in an enterprise causing the personnel member's personal interest to conflict with that of the agency must, on pain of dismissal, disclose the interest in writing to the chief executive officer.

**20.** The agency shall assume the defence of any director or member of the personnel of the agency prosecuted by a third person for an act done in the exercise of the director's or member's functions and shall pay the damages, if any, occasioned by that act, unless the director or member has committed a gross fault or a personal fault separable from the exercise of the director's or member's functions.

Notwithstanding the foregoing, in a penal or criminal proceeding, the agency shall assume the payment of the expenses of a director or member of the personnel of the agency only if the director or member had reasonable grounds to believe that the director's or member's conduct was in conformity with the law or if the director or member has been discharged or acquitted.

**21.** The agency shall assume the expenses of a director of the agency if, having prosecuted the director for an act done in the exercise of the director's functions, it loses its case and the court so decides.

If the agency wins its case only in part, the court may determine the amount of the expenses to be assumed by the agency.

**22.** The agency shall fulfil the obligations provided for in sections 20 and 21 in respect of any person who acted at its request as a director for a legal person of which the agency is a shareholder or creditor.

**23.** The secretary and the other members of the personnel of the agency shall be appointed in accordance with the staffing plan established by regulation of the agency. The regulations shall, in addition, determine the mode of appointment of the members of the personnel, and the pay scales and rates, employment benefits and other conditions of employment of the personnel members.

The regulations must be submitted to the Government for approval.

**24.** The Minister may issue directives concerning the policy and general objectives to be pursued by the agency.

The directives must be approved by the Government, and come into force on the day of their approval. Once approved, they are binding on the agency and the agency must comply with them.



Every directive shall be laid before the National Assembly within fifteen days of being approved by the Government or, if the Assembly is not sitting, within fifteen days of resumption.

## **DIVISION II**

### **MISSION AND POWERS**

**25.** The mission of the agency is to facilitate the growth of investment in Québec and thus contribute to the economic development of Québec and the creation of employment opportunities.

The agency shall centralize and consolidate the actions of the State to seek out, promote and support investment, and shall become the main channel for communications with the enterprises concerned.

The agency shall strive to stimulate domestic investment and to attract investors from outside Québec. It shall promote Québec among investors as a propitious location for investment, offer investors orientation services to guide them in their dealings with the Government, and provide them with financial and technical support.

The agency shall participate in the growth of enterprises, in particular by facilitating research and development and export activities.

The agency shall also work to retain current investment in Québec by providing support to enterprises established in Québec that show particular dynamism or potential.

**26.** The agency shall advise the Minister on any matter the latter submits to it in connection with business investment, development and financing.

**27.** The Government may develop financial investment assistance programs to be administered by the agency. The Government may also assign the administration of any other investment support program it specifies to the agency.

**28.** The Government may, where a project is of major economic significance for Québec, mandate the agency to grant and administer the assistance determined by the Government to facilitate the realization of the project. The mandate may authorize the agency to fix the terms and conditions of the assistance.

**29.** The agency shall exercise any other power assigned to it by the Government.

**30.** The financial intervention of the agency may consist in

- (1) a suretyship;

- (2) a loan;
- (3) any other form of intervention provided for in its business plan.

**31.** The agency may make its financial intervention dependent on certain prior conditions, or on compliance with contractual obligations relating to the ability of the enterprise to realize its project or the economic spinoff generated by its project.

The agency may also require compensation for the risk associated with a project.

**32.** If an enterprise fails to comply with the conditions on which assistance is granted or to fulfil its obligations, the agency may either suspend the financial support or terminate it.

For the same reasons, the agency may increase or reduce the amount of the assistance, change the terms and conditions of the assistance, or take any other step it considers necessary to preserve its rights or those of its mandator. The agency may not, however, change the amount of the assistance granted under a mandate referred to in section 28, or change the terms and conditions of the assistance in such a way as to increase the costs borne by the Government.

**33.** Where the agency takes possession of property from a defaulting enterprise, it may dispose of the property only by auction or following a call for tenders.

**34.** The agency may provide technical services to an enterprise, a government department or body or a state-owned enterprise, in particular in the field of financial analysis, credit arrangement and portfolio management.

**35.** The agency may, on the conditions determined by the Government, invest in an investment company whose object is to finance enterprises, grant loans to that company, and guarantee the payment of the capital of and interest on its loans and the performance of its obligations.

**36.** The agency may establish any subsidiary that may be useful in the pursuit of its mission. The establishment of subsidiaries for purposes other than to make investments in order to realize specific projects must be approved by the Government, on the conditions and in the manner determined by the Government.

### **DIVISION III**

#### **FINANCIAL PROVISIONS**

**37.** The agency may not, without the authorization of the Government,

- (1) contract a loan that causes the total of its current outstanding loans to exceed the amount determined by the Government;

(2) make a financial commitment in excess of the limits or in contravention of the terms and conditions determined by the Government;

(3) acquire or hold shares in a legal person or an interest in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government;

(4) transfer shares in a legal person or an interest in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government;

(5) acquire or transfer other assets in excess of the limits or in contravention of the terms and conditions determined by the Government;

(6) accept a gift or legacy to which a charge or condition is attached.

The amounts, limits and terms and conditions determined under this section may apply to the group formed by the agency and its subsidiaries or to one or more members of that group.

**38.** The Government may, subject to the terms and conditions it determines,

(1) guarantee the payment of the capital of and interest on any loan contracted by the agency and the performance of its obligations;

(2) make any commitment in relation to the realization or financing of a project of the agency;

(3) authorize the Minister of Finance to advance to the agency any amount considered necessary for the pursuit of its mission.

The sums required for the purposes of this section shall be taken out of the consolidated revenue fund.

**39.** Subject to section 46, the agency may determine a tariff of administrative, commitment and professional fees for the services it provides.

**40.** The agency shall finance its operations out of the revenue it derives from its financial intervention, the fees it charges and the other monies it receives.

**41.** The monies received by the agency must be allocated to the payment of its obligations. Any surplus shall be retained by the agency, unless the Government decides otherwise.

**42.** The Government shall, to the extent and in accordance with the terms and conditions determined in the agency's business plan, pay the costs borne by the agency for the administration of the programs that form part of the plan,

the programs entrusted to the agency by the Government under section 27, and the performance of the mandates assigned to the agency by the Government under section 28.

Any loss incurred by the agency in administering such programs and performing such mandates shall, in accordance with the business plan, be reimbursed by the Government.

## **DIVISION IV**

### **ACCOUNTS AND REPORTS**

**43.** The fiscal year of the agency shall end on 31 March.

**44.** The agency shall, not later than 31 July each year, file with the Minister its financial statements and a report of its operations for the preceding fiscal year.

The financial statements and report must contain all the information required by the Minister.

**45.** The Minister shall lay the report and financial statements of the agency before the National Assembly within 15 days of receiving them or, if the Assembly is not sitting, within 15 days of resumption.

**46.** The agency shall formulate, according to the form, content and intervals fixed by the Government, a business plan which must include the operations of its subsidiaries. The plan must be submitted to the Government for approval.

**47.** The business plan shall, on expiry, continue in force until a new plan is approved.

**48.** The books and accounts of the agency shall be audited by the Auditor General each year and whenever so ordered by the Government.

The auditor's report must accompany the agency's report of operations and financial statements.

**49.** The agency shall in addition communicate to the Minister any information required by the Minister concerning its operations and the operations of its subsidiaries.

## **CHAPTER II**

### **GARANTIE-QUÉBEC**

**50.** A legal person with share capital is hereby established under the name "Garantie-Québec".

**51.** The function of Garantie-Québec is to facilitate the financing of Québec enterprises, mainly by guaranteeing the financial commitments they contract with financial institutions.

Garantie-Québec may also grant any other form of financial assistance, in particular in order to promote investment in small and medium-sized businesses or to provide support for their projects in the area of research and development or exports.

**52.** The head office of Garantie-Québec shall be located in the territory of the Communauté urbaine de Québec. Garantie-Québec may, however, move its head office to any other place with the approval of the Government. Notice of the location of the head office shall be published in the *Gazette officielle du Québec*.

**53.** The authorized share capital of Garantie-Québec shall be \$70,000,000, divided into 700,000 shares with a par value of \$100.

The shares of Garantie-Québec may only be issued to Investissement-Québec.

**54.** Investissement-Québec may not transfer the shares of Garantie-Québec without the approval of the Government.

**55.** The Government may, subject to the terms and conditions determined by the Government, authorize Investissement-Québec to transfer ownership of any property it possesses to Garantie-Québec and to receive any property in return, including Garantie-Québec shares.

**56.** A transfer pursuant to section 55 shall be registered in the land register on presentation of the order in council authorizing the transfer, containing a description of the immovable property transferred and the effective date of the transfer.

**57.** The provisions of the Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) do not apply to a transfer under section 55.

**58.** The provisions of Part II of the Companies Act (R.S.Q., chapter C-38), except those of sections 159 to 162, 179 and 189 and paragraph 3 of section 196, and the provisions of sections 89.1 to 89.4 of Part I of that Act apply to Garantie-Québec.

**59.** Sections 19 to 24 and 48 apply to Garantie-Québec and sections 27, 28, 30 to 35, 37 to 39 and 42 apply to all subsidiaries of Investissement-Québec, including Garantie-Québec, with the necessary modifications.

**60.** The fiscal year of Garantie-Québec shall end on 31 March.

**CHAPTER III****AMENDING, TRANSITIONAL AND FINAL PROVISIONS**

**61.** Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10), amended by orders in council 1493-96 dated 4 December 1996, 629-97 dated 13 May 1997, 788-97 dated 18 June 1997, 1105-97 dated 28 August 1997, 1652-97 dated 17 December 1997 and 296-98 and 297-98 dated 18 March 1998, and by sections 35 of chapter 26, 33 of chapter 27, 13 of chapter 36, 631 of chapter 43, 57 of chapter 50, 121 of chapter 63, 52 of chapter 79 and 37 of chapter 83 of the statutes of 1997, is again amended by inserting, in paragraph 1, at the place determined by the alphabetical order of the French text,

- “Garantie-Québec”;
- “Investissement-Québec”.

**62.** Schedule II to the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12), amended by sections 14 of chapter 36 and 38 of chapter 83 of the statutes of 1997, is again amended by inserting, in paragraph 1, at the place determined by the alphabetical order of the French text,

- “Garantie-Québec”;
- “Investissement-Québec”.

**63.** The Act respecting the Société de développement industriel du Québec (R.S.Q., chapter S-11.01) is replaced by this Act.

**64.** Unless otherwise indicated by context, in any text or document, regardless of its nature or form,

(1) a reference to the Act respecting the Société de développement industriel du Québec or to any of its provisions is a reference to the Act respecting Investissement-Québec and Garantie-Québec or to the corresponding provision of that Act, if any;

(2) a reference to the Société de développement industriel du Québec is a reference either to Investissement-Québec or to Garantie-Québec, according to their respective responsibilities as determined by the Government.

**65.** The programs implemented under the Act respecting the Société de développement industriel du Québec and the regulations, and the funds allocated for their realization, shall continue to apply until replaced or revoked by the authority henceforth responsible for such programs and funds.

However, sections 31 and 32 shall apply to any financial assistance already granted under such programs.

**66.** Garantie-Québec shall replace the Société de développement industriel du Québec with regard to the responsibilities assigned to Garantie-Québec under section 64 and shall acquire its rights and assume its obligations.

**67.** A declaration by Investissement-Québec or Garantie-Québec in an application for registration in the register of personal and movable real rights, stating that it is the holder of the rights which the application concerns and which were formerly registered in favour of the Société de développement industriel du Québec, shall be sufficient to establish its quality as the holder of those rights with the registrar.

**68.** The files, documents and records of the Société de développement industriel du Québec pertaining to the programs henceforth under the responsibility of Garantie-Québec are transferred to Garantie-Québec.

**69.** The proceedings to which the Société de développement industriel du Québec is a party are continued, without continuance of suit, by Garantie-Québec, according to the rights it acquires and the obligations it assumes.

**70.** The president and general manager of the Société de développement industriel du Québec in office on (*insert here the date immediately preceding the date of coming into force of this section*) shall remain in office as chief executive officer of Investissement-Québec until the expiry of his term. The terms of the members of the board of directors of the Société de développement industriel du Québec, other than the president and general manager, shall end on (*insert here the date of coming into force of this section*).

**71.** The affairs of Garantie-Québec shall be administered provisionally by a board of directors comprising the chief executive officer of Investissement-Québec and the chair of the board of directors of Investissement-Québec and, on their joint appointment, another member of the board of directors of Investissement-Québec or of its personnel.

**72.** Subject to the provisions concerning the applicable conditions of employment, every person in the employ of the Société de développement industriel du Québec on (*insert here the date of coming into force of this section*) shall become an employee of Investissement-Québec.

**73.** Section 45 of the Labour Code (R.S.Q., chapter C-27) applies to Investissement-Québec.

The provisions defining the conditions of employment of the members of the personnel of the Société de développement industriel du Québec not governed by a collective agreement continue to apply to the extent that the provisions are applicable, until they are amended according to the law.

**74.** Every employee of Investissement-Québec or Garantie-Québec who, when hired by Investissement-Québec or Garantie-Québec, was a public

servant with permanent tenure may apply for a transfer to a position in the public service or enter a competition for promotion to such a position in accordance with the Public Service Act (chapter F-3.1.1).

**75.** Section 35 of the Public Service Act applies to an employee referred to in section 74 who enters a competition for promotion to a position in the public service.

**76.** Every employee referred to in section 74 who applies for a transfer or enters a competition for promotion may apply to the chairman of the Conseil du trésor for an assessment of the classification that would be assigned to the employee in the public service. The assessment must take account of the classification that the employee had in the public service on the date on which the employee ceased to be a public servant, as well as the years of experience and the formal training acquired in the course of employment with Investissement-Québec or Garantie-Québec.

If the employee is transferred subsequent to the application of the first paragraph, the deputy minister of the department or chief executive officer of the body shall assign to the employee a classification in keeping with the assessment provided for in the first paragraph.

Where the employee is promoted pursuant to section 75, the employee's classification must take account of the criteria set out in the first paragraph.

**77.** Where some or all of the operations of Investissement-Québec or Garantie-Québec are discontinued or if there is a shortage of work, an employee referred to in section 74 is entitled to be placed on reserve in the public service with the classification the employee had on the date on which the employee left the public service.

In such a case, the chairman of the Conseil du trésor shall, where applicable, establish the employee's classification on the basis of the criteria set out in the first paragraph of section 76.

**78.** A person who, in accordance with the applicable conditions of employment, refuses to be transferred to Investissement-Québec shall be assigned to Investissement-Québec until the chairman of the Conseil du trésor is able to place the person in accordance with section 100 of the Public Service Act. The same applies to a person who is placed on reserve pursuant to section 77 and who remains in the employ of Investissement-Québec or Garantie-Québec, as the case may be.

**79.** Subject to any remedy available under a collective agreement, an employee referred to in section 74 who is terminated or dismissed may bring an appeal under section 33 of the Public Service Act.

**80.** Investissement-Québec shall pay to Garantie-Québec an amount equal to its equity as at 31 March 1998, to the nearest one hundred dollars, in return



for which Garantie-Québec shall issue to Investissement-Québec a certificate for an equivalent value in fully paid-up shares.

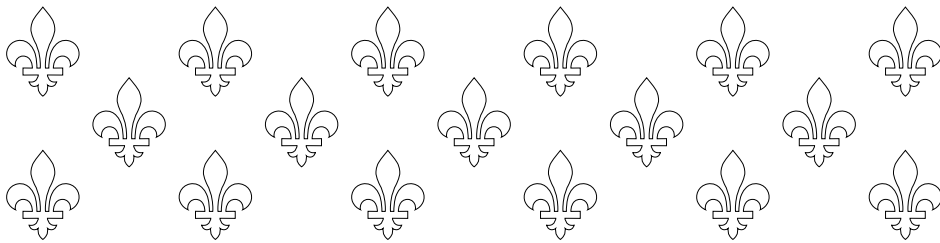
**81.** The appropriations granted for fiscal year 1998-99 to program 2 of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie for the Société de développement industriel du Québec shall, to the extent determined by the Government, be used for the purposes of this Act.

**82.** The other sums required for the purposes of this Act during the said fiscal year shall be taken out of the consolidated revenue fund, to the extent determined by the Government.

**83.** The minister designated by the Government is responsible for the administration of this Act.

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





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 434  
(1998, chapter 19)

## **An Act respecting Société Innovatech du Grand Montréal**

---

---

**Introduced 14 May 1998**  
**Passage in principle 27 May 1998**  
**Passage 9 June 1998**  
**Assented to 12 June 1998**

---

**Québec Official Publisher  
1998**

## EXPLANATORY NOTES

*The object of this bill is to provide for the continuance of Société Innovatech du Grand Montréal as a legal person with share capital established in the public interest.*

*The mission of the Société will be to promote and support initiatives designed to develop technological innovation capabilities in the territory of Greater Montréal so as to improve the competitiveness and economic growth of Québec.*

*The bill amends the composition of the board of directors of the Société to provide that the chief executive officer will be a member of the board. Rules relating to conflicts of interest and the protection of directors in the case of prosecution are introduced.*

*The bill includes financial provisions establishing the authorized capital of the Société and the manner in which the financial commitments the Société is authorized to make are to be fulfilled. The bill also contains various technical provisions.*

## Bill 434

### AN ACT RESPECTING SOCIÉTÉ INNOVATECH DU GRAND MONTRÉAL

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### CHAPTER I

#### ESTABLISHMENT AND ORGANIZATION

**1.** Société Innovatech du Grand Montréal, a legal person established under chapter 33 of the statutes of 1992, shall be endowed with share capital.

**2.** The head office of the Société is in the territory described in Schedule A. Notice of any change of location shall be published in the *Gazette officielle du Québec*.

The board of directors of the Société may hold its meetings at any place in the territory described in Schedule A.

**3.** The Société is a mandatary of the State.

The property of the Société forms part of the domain of the State, but the execution of its obligations may be levied against its property.

The Société binds only itself when it acts in its own name.

**4.** The board of directors of the Société is composed of

(1) the chief executive officer;

(2) eight other members appointed by the Government for a term not exceeding three years.

**5.** Two persons shall be delegated to the board of directors, one by the Minister of Industry, Trade, Science and Technology and the other by the Minister of State for Greater Montréal from among the personnel members of their respective departments.

**6.** The delegates are not members of the board of directors. However, they are entitled to be called to meetings of the board of directors and to attend and speak at the meetings.

**7.** The Government shall appoint a chair from among the members of the board of directors. The chair shall preside at meetings of the board, oversee its operation and assume all other functions assigned to the chair by the Société.

**8.** The members of the board of directors shall appoint the chief executive officer of the Société for a term not exceeding five years. The chief executive officer is responsible for the administration and direction of the Société within the scope of its by-laws and policies.

The chief executive officer shall hold office on a full-time basis.

**9.** On the expiry of their term, the members of the board of directors shall remain in office until they are replaced or reappointed.

**10.** The Government shall fix the remuneration, employment benefits and other conditions of employment of the chief executive officer.

The other members of the board of directors are not remunerated, except in the cases, on the conditions and to the extent which may be determined by the Government. However, they are entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

**11.** Any vacancy occurring in the course of the term of office of a member of the board of directors shall be filled in accordance with the rules of appointment set out in section 4.

Absence from the number of meetings of the board of directors determined by an internal by-law of the Société constitutes a vacancy in the cases and circumstances indicated therein.

**12.** No act, document or writing is binding on or may be attributed to the Société unless it is signed by the chair of the board of directors, the chief executive officer or a member of the personnel of the Société and, in the latter case, only to the extent determined by an internal by-law of the Société.

Such a by-law may, on the conditions fixed therein, allow the signature to be affixed by means of an automatic device to the documents mentioned in the by-law. It may also allow a facsimile of the signature to be engraved, lithographed or printed on the documents mentioned therein. The facsimile has the same value as the signature itself only if the document is countersigned by a person referred to in the first paragraph.

**13.** The minutes of the meetings of the board of directors, approved by it and certified by the chair of the board, the secretary or any other person authorized to do so by the Société, are authentic. The documents or copies emanating from the Société or forming part of its records are authentic if they are so certified.

An intelligible print-out of a decision or of any other data stored by the Société in computerized or other electronic form is a document of the Société and constitutes proof of its contents if certified by a person referred to in the first paragraph of section 12.

**14.** No member of the board of directors holding a full-time office with the Société or one of its subsidiaries may, under pain of forfeiture of office, have any direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries. However, such forfeiture is not incurred if the interest devolves to the member by succession or gift, provided it is renounced or disposed of with dispatch.

Every member of the board of directors other than a member holding a full-time office with the Société or one of its subsidiaries who has a direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries must, on pain of forfeiture of office, disclose such interest and withdraw from the meeting for the duration of the debate and for the making of a decision bearing upon any question relating to the enterprise in which the member has such an interest.

Every personnel member of the Société or one of its subsidiaries who has a direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries must, on pain of forfeiture of office, disclose such interest in writing to the chair of the board of directors of the Société or, as the case may be, of the subsidiary.

**15.** The Société shall take up the defence of its directors prosecuted by a third person for an act done in the exercise of their functions and shall pay damages, if any, resulting from that act, unless they have committed a gross fault or a personal fault separable from the exercise of their functions.

Notwithstanding the foregoing, in a penal or criminal proceeding the Société shall assume the payment of the expenses of its directors only if they had reasonable grounds to believe that their conduct was in conformity with the law, or if they have been discharged or acquitted.

**16.** The Société shall assume the expenses of its directors if, having prosecuted them for an act done in the exercise of their functions, it loses its case and the court so decides. If the Société wins its case only in part, the court may determine the amount of the expenses the Société shall assume.

**17.** The Société shall assume the obligations referred to in sections 15 and 16 in respect of any person who acted at its request as director for a legal person of which it is a shareholder or creditor.

**18.** The secretary and the other members of the personnel of the Société shall be appointed and remunerated according to the standards, scales and staffing plan established by by-law of the Société. The by-law shall be submitted to the Government for approval.

## CHAPTER II

### MISSION AND POWERS

**19.** The mission of the Société is to promote and support initiatives designed to develop technological innovation capabilities in the territory described in Schedule A so as to improve the competitiveness and economic growth of Québec.

**20.** In the pursuit of its mission, the Société may, in particular,

(1) solicit, receive and evaluate initiatives designed to develop technological innovation capabilities in the territory described in Schedule A;

(2) associate partners from the private and public sectors with the initiatives and foster concerted action between them;

(3) participate financially in the pursuit of such initiatives;

(4) promote the financial participation of individuals, partnerships and legal persons in the initiatives;

(5) heighten public awareness, in the territory described in Schedule A, of the importance of the initiatives supported by the Société by keeping the public informed of the achievements made possible through such initiatives;

(6) advise the Minister on the technological innovation policies and strategies in the territory described in Schedule A and propose means of implementing them.

**21.** The Minister may within the scope of the responsibilities vested in the Minister issue directives on the objectives and orientations of the Société. The directives must be submitted to the Government for approval.

Every directive is binding on the Société and must be tabled in the National Assembly within 15 days of its approval or, if it is not sitting, within 15 days of resumption.

**22.** The Société may, according to law, make any agreement with a government in Canada or elsewhere, any of its departments or agencies, an international organization or an agency of such an organization.

**23.** The by-laws of the Société are not subject to ratification by the shareholder.

**24.** The provisions of Part II of the Companies Act (R.S.Q., chapter C-38), except those of sections 159 to 162, 179, 184, 189 and subsection 3 of section 196 and the provisions of sections 89.1 to 89.4 of Part I of that Act apply to the Société.



### CHAPTER III

#### FINANCIAL PROVISIONS

**25.** The authorized capital of the Société is \$350,000,000, divided into 3,500,000 shares of a par value of \$100 each.

**26.** The shares of the capital of the Société form part of the domain of the State and shall be allotted to the Minister of Finance.

**27.** The Minister of Finance may, with the authorization of the Government, pay to the Société out of the consolidated revenue fund an amount of \$350,000,000 for 3,500,000 fully paid shares of its capital for which a certificate shall be issued to the Minister of Finance.

The payment may be made in one or more instalments; if it is made in several instalments, each of them must be authorized by the Government.

**28.** After a reduction of the share capital of the Société and an equivalent repayment of capital to the Minister of Finance are effected under the Act respecting the reduction of the share capital of legal persons established in the public interest and of their subsidiaries (R.S.Q., chapter R-2.2.1), the Minister of Finance may, with the authorization of the Government and on the conditions it determines, subscribe shares of the Société the value of which shall not exceed the amount of the repayment. Such shares shall be paid out of the consolidated revenue fund. Certificates shall be issued when the shares are fully paid.

**29.** The Government may, subject to the terms and conditions it determines, transfer to the Société the ownership of any property forming part of the domain of the State and may receive in return any property, including shares of the capital of the Société.

**30.** A transfer pursuant to section 29 shall be registered in the land register on presentation of the order in council authorizing the transfer, containing a description of the immovable property transferred and the effective date of the transfer.

The provisions of the Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) do not apply to such a transfer.

**31.** The Government may, subject to the terms and conditions it determines,

(1) guarantee the payment of the capital of or interest on any loan contracted by the Société or any of its subsidiaries and the performance of their obligations;

(2) make any commitment in respect of the pursuit or financing of an initiative in which the Société or any of its subsidiaries is a participant;

(3) authorize the Minister of Finance to advance to the Société or any of its subsidiaries any amount considered necessary for the pursuit of their objects.

The sums required for the purposes of this section shall be taken out of the consolidated revenue fund.

**32.** Neither the Société nor any of its subsidiaries may, except with the authorization of the Government,

(1) acquire or hold shares issued by a legal person or shares in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(2) transfer shares of a legal person or shares in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(3) contract a loan that increases its total outstanding borrowings to an amount greater than the amount determined by the Government ;

(4) grant loans or make any other financial commitment in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(5) acquire or transfer other assets in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(6) accept a gift or bequest to which a charge or condition is attached.

The amounts, limits and terms and conditions determined under this section may apply to the group formed by the Société and its subsidiaries or to one or more members of the group.

This section does not apply to transactions between the Société and its subsidiaries or between the subsidiaries.

**33.** The Société must obtain the approval of the Minister of State for Greater Montréal and the Minister of Finance where the amount of its financial participation in an initiative is greater than \$5,000,000, or the approval of the Government where that amount is greater than \$10,000,000.

**34.** For the purposes of this Act, a legal person or a partnership is a subsidiary of the Société if the latter holds more than 50% of the voting rights attached to all the issued and outstanding shares of the legal person or more than 50% of the shares in the partnership, or may elect or appoint a majority of the directors.

**35.** The dividends payable by the Société shall be fixed by the Government.

#### CHAPTER IV

##### ACCOUNTS AND REPORTS

**36.** The fiscal year of the Société ends on 31 March.

**37.** The Société shall, not later than 31 July each year, file with the Minister its financial statements and a report of its operations for the preceding fiscal year.

The financial statements and report of operations must contain all the information required by the Minister.

**38.** The Minister shall table the report of operations and the financial statements of the Société in the National Assembly within 15 days of receiving them or, if it is not sitting, within 15 days of resumption.

**39.** The Société shall formulate according to the form, content and intervals fixed by the Government, a development plan that includes the operations of its subsidiaries. The plan must be submitted to the Government for approval.

**40.** Each year, and whenever so ordered by the Government, the books and accounts of the Société shall be audited by the Auditor General or, with the authorization of the Government, by an auditor designated by the Société.

The auditor's report must be submitted with the report of operations and the financial statements of the Société.

**41.** The Société shall in addition communicate to the Minister any information required by the Minister concerning its operations.

#### CHAPTER V

##### MISCELLANEOUS PROVISIONS

**42.** The Société shall remit to the Minister of Finance, according to the terms and conditions determined by the Minister of Finance, an amount equal to its equity as at 31 March 1998 and to the advances paid by the Government up to (*insert here the date of coming into force of this section*). The Minister shall subscribe and pay for shares of the Société for an amount corresponding to that amount and shall be issued a certificate therefor.

**43.** The members of the board of directors and the chief executive officer of the Société, in office on (*insert here the date preceding the date of coming into force of this section*), remain in office until the end of their terms of office.

**44.** This Act replaces the Act respecting Société Innovatech du Grand Montréal (R.S.Q., chapter S-17.2).

Every reference to that Act or to any of its provisions is a reference to this Act or to the corresponding provision thereof.

**45.** The Minister of State for Greater Montréal shall be responsible for the administration of this Act.

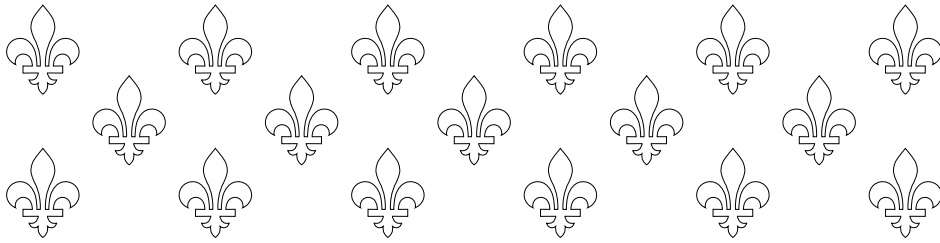
**46.** This Act comes into force on the date to be fixed by the Government.

## SCHEDULE A

The aggregate of the territories of the following municipal bodies :

Communauté urbaine de Montréal  
Communauté urbaine de l'Outaouais  
Municipalité régionale de comté d'Argenteuil  
Municipalité régionale de comté de Beauharnois-Salaberry  
Municipalité régionale de comté de Champlain  
Municipalité régionale de comté de D'Autray  
Municipalité régionale de comté de Deux-Montagnes  
Municipalité régionale de comté de Joliette  
Municipalité régionale de comté de Lajemmerais  
Municipalité régionale de comté de La Rivière-du-Nord  
Municipalité régionale de comté de L'Assomption  
Municipalité régionale de comté de La Vallée-de-la-Gatineau  
Municipalité régionale de comté de La Vallée-du-Richelieu  
Municipalité régionale de comté du Bas-Richelieu  
Municipalité régionale de comté du Haut-Richelieu  
Municipalité régionale de comté du Haut-Saint-Laurent  
Municipalité régionale de comté des Collines-de-l'Outaouais  
Municipalité régionale de comté des Jardins-de-Napierville  
Municipalité régionale de comté des Laurentides  
Municipalité régionale de comté des Maskoutains  
Municipalité régionale de comté des Moulins  
Municipalité régionale de comté des Pays-d'en-Haut  
Municipalité régionale de comté de Matawinie  
Municipalité régionale de comté de Montcalm  
Municipalité régionale de comté de Papineau  
Municipalité régionale de comté de Pontiac  
Municipalité régionale de comté de Roussillon  
Municipalité régionale de comté de Rouville  
Municipalité régionale de comté de Thérèse-De Blainville  
Municipalité régionale de comté de Vaudreuil-Soulanges  
Ville de Laval  
Ville de Mirabel





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 435  
(1998, chapter 20)

## **An Act respecting Société Innovatech Régions ressources**

---

---

**Introduced 14 May 1998**  
**Passage in principle 27 May 1998**  
**Passage 9 June 1998**  
**Assented to 12 June 1998**

---

**Québec Official Publisher  
1998**

## EXPLANATORY NOTES

*This bill establishes Société Innovatech Régions ressources, a legal person with share capital established in the public interest.*

*The mission of the Société will be to promote and support initiatives designed to develop technological innovation capabilities in the territory served by the Société so as to improve the competitiveness and economic growth of Québec.*

*The bill establishes the rules of operation of the Société, particularly with respect to the composition of its board of directors, and the rules relating to conflicts of interest and the protection of directors in the case of prosecution.*

*The bill includes financial provisions establishing the authorized capital of the Société and the manner in which the financial commitments the Société is authorized to make are to be fulfilled.*



## Bill 435

### AN ACT RESPECTING SOCIÉTÉ INNOVATECH RÉGIONS RESSOURCES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### CHAPTER I

#### ESTABLISHMENT AND ORGANIZATION

**1.** A legal person with share capital is hereby established under the name of “Société Innovatech Régions ressources”.

**2.** The head office of the Société is in the city of Québec. Notice of the location of the head office shall be published in the *Gazette officielle du Québec*.

The board of directors of the Société may hold its meetings in the Québec region or at any place in the territory described in Schedule A.

**3.** The Société is a mandatary of the State.

The property of the Société forms part of the domain of the State, but the execution of its obligations may be levied against its property.

The Société binds only itself when it acts in its own name.

**4.** The board of directors of the Société is composed of

(1) the chief executive officer;

(2) eight other members appointed by the Government for a term not exceeding three years.

**5.** The Minister shall designate a delegate to the board of directors from among the personnel members of the department.

**6.** The delegate is not a member of the board of directors. However, the delegate is entitled to be called to meetings of the board of directors and to attend and speak at the meetings.

**7.** The Government shall appoint a chair from among the members of the board of directors. The chair shall preside at meetings of the board, oversee its operation and assume all other functions assigned to the chair by the Société.

**8.** The members of the board of directors shall appoint the chief executive officer of the Société for a term not exceeding five years. The chief executive officer is responsible for the administration and direction of the Société within the scope of its by-laws and policies.

The chief executive officer shall hold office on a full-time basis.

**9.** On the expiry of their term, the members of the board of directors shall remain in office until they are replaced or reappointed.

**10.** The Government shall fix the remuneration, employment benefits and other conditions of employment of the chief executive officer.

The other members of the board of directors are not remunerated, except in the cases, on the conditions and to the extent which may be determined by the Government. However, they are entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

**11.** Any vacancy occurring in the course of the term of office of a member of the board of directors shall be filled in accordance with the rules of appointment set out in section 4.

Absence from the number of meetings of the board of directors determined by an internal by-law of the Société constitutes a vacancy in the cases and circumstances indicated therein.

**12.** No act, document or writing is binding on or may be attributed to the Société unless it is signed by the chair of the board of directors, the chief executive officer or a member of the personnel of the Société designated by the chief executive officer and, in the latter case, only to the extent determined by an internal by-law of the Société.

Such a by-law may, on the conditions fixed therein, allow the signature to be affixed by means of an automatic device to the documents mentioned in the by-law. It may also allow a facsimile of the signature to be engraved, lithographed or printed on the documents mentioned therein. The facsimile has the same value as the signature itself only if the document is countersigned by a person referred to in the first paragraph.

**13.** The minutes of the meetings of the board of directors, approved by it and certified by the chair of the board, the secretary or by any other person authorized to do so by the Société, are authentic. The documents or copies emanating from the Société or forming part of its records are authentic if they are so certified.

An intelligible print-out of a decision or of any other data stored by the Société in computerized or other electronic form is a document of the Société and constitutes proof of its contents if certified by a person referred to in the first paragraph of section 12.

**14.** No member of the board of directors holding a full-time office with the Société or one of its subsidiaries may, under pain of forfeiture of office, have any direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries. However, such forfeiture is not incurred if the interest devolves to the member by succession or gift, provided it is renounced or disposed of with dispatch.

Every member of the board of directors other than a member holding a full-time office with the Société or one of its subsidiaries who has a direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries must, on pain of forfeiture of office, disclose such interest and withdraw from the meeting for the duration of the debate and for the making of a decision bearing upon any question relating to the enterprise in which the member has such an interest.

Every personnel member of the Société or one of its subsidiaries who has a direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries must, on pain of forfeiture of office, disclose such interest in writing to the chair of the board of directors of the Société or, as the case may be, of the subsidiary.

**15.** The Société shall take up the defence of its directors prosecuted by a third person for an act done in the exercise of their functions and shall pay damages, if any, resulting from that act, unless they have committed a gross fault or a personal fault separable from the exercise of their functions.

Notwithstanding the foregoing, in a penal or criminal proceeding the Société shall assume the payment of the expenses of its directors only if they had reasonable grounds to believe that their conduct was in conformity with the law, or if they have been discharged or acquitted.

**16.** The Société shall assume the expenses of its directors if, having prosecuted them for an act done in the exercise of their functions, it loses its case and the court so decides. If the Société wins its case only in part, the court may determine the amount of the expenses the Société shall assume.

**17.** The Société shall assume the obligations referred to in sections 15 and 16 in respect of any person who acted at its request as director for a legal person of which it is a shareholder or creditor.

**18.** The secretary and the other members of the personnel of the Société shall be appointed and remunerated according to the standards, scales and staffing plan established by by-law of the Société. The by-law shall be submitted to the Government for approval.

## CHAPTER II

### MISSION AND POWERS

**19.** The mission of the Société is to promote and support initiatives designed to develop technological innovation capabilities in the territory described in Schedule A so as to improve the competitiveness and economic growth of Québec.

**20.** In the pursuit of its mission, the Société may, in particular,

(1) solicit, receive and evaluate initiatives designed to develop technological innovation capabilities in the territory described in Schedule A;

(2) associate partners from the private and public sectors with the initiatives and foster concerted action between them;

(3) participate financially in the pursuit of such initiatives;

(4) promote the financial participation of individuals, partnerships and legal persons in the initiatives;

(5) heighten public awareness in the territory described in Schedule A, of the importance of the initiatives supported by the Société by keeping the public informed of the achievements made possible through such initiatives;

(6) advise the Minister on the technological innovation policies and strategies in the territory described in Schedule A and propose means of implementing them.

**21.** The Minister may within the scope of the responsibilities vested in the Minister issue directives on the objectives and orientations of the Société. The directives must be submitted to the Government for approval.

Every directive is binding on the Société and must be tabled in the National Assembly within 15 days of its approval or, if it is not sitting, within 15 days of resumption.

**22.** The Société may, according to law, make any agreement with a government in Canada or elsewhere, any of its departments or agencies, an international organization or an agency of such an organization.

**23.** The by-laws of the Société are not subject to ratification by the shareholder.

**24.** The provisions of Part II of the Companies Act (R.S.Q., chapter C-38), except those of sections 159 to 162, 179, 184, 189 and subsection 3 of section 196 and the provisions of sections 89.1 to 89.4 of Part I of that Act apply to the Société.

### CHAPTER III

#### FINANCIAL PROVISIONS

**25.** The authorized capital of the Société is \$50,000,000 and is divided into 500,000 shares of a par value of \$100 each.

**26.** The shares of the capital of the Société form part of the domain of the State and shall be allotted to the Minister of Finance.

**27.** The Minister of Finance may, with the authorization of the Government, pay to the Société out of the consolidated revenue fund an amount of \$50,000,000 for 500,000 fully paid shares of its share capital for which a certificate shall be issued to the Minister of Finance.

The payment may be made in one or more instalments; if it is made in several instalments, each of them must be authorized by the Government.

**28.** After a reduction of the share capital of the Société and an equivalent repayment of capital are effected to the Minister of Finance under the Act respecting the reduction of the share capital of legal persons established in the public interest and of their subsidiaries (R.S.Q., chapter R-2.2.1), the Minister of Finance may, with the authorization of the Government and on the conditions it determines, subscribe shares of the Société the value of which shall not exceed the amount of the repayment. Such shares shall be paid out of the consolidated revenue fund. Certificates shall be issued when the shares are fully paid.

**29.** The Government may, subject to the terms and conditions it determines, transfer to the Société the ownership of any property forming part of the domain of the State and may receive in return any property, including shares of the capital of the Société.

**30.** A transfer pursuant to section 29 shall be registered in the land register on presentation of the order in council authorizing the transfer, containing a description of the immovable property transferred and the effective date of the transfer.

The provisions of the Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) do not apply to such a transfer.

**31.** The Government may, subject to the terms and conditions it determines,

(1) guarantee the payment of the capital of or interest on any loan contracted by the Société or any of its subsidiaries and the performance of their obligations;

(2) make any commitment in respect of the pursuit or financing of an initiative in which the Société or any of its subsidiaries is a participant;

(3) authorize the Minister of Finance to advance to the Société or any of its subsidiaries any amount considered necessary for the pursuit of their objects.

The sums required for the purposes of this section shall be taken out of the consolidated revenue fund.

**32.** Neither the Société nor any of its subsidiaries may, except with the authorization of the Government,

(1) acquire or hold shares issued by a legal person or shares in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(2) transfer shares of a legal person or shares in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(3) contract a loan that increases its total outstanding borrowings to an amount greater than the amount determined by the Government ;

(4) grant loans or make any other financial commitment in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(5) acquire or transfer other assets in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(6) accept a gift or bequest to which a charge or condition is attached.

The amounts, limits and terms and conditions determined under this section may apply to the group formed by the Société and its subsidiaries or to one or more members of the group.

This section does not apply to transactions between the Société and its subsidiaries or between the subsidiaries.

**33.** The Société must obtain the approval of the Minister of Industry, Trade, Science and Technology and the Minister of Finance where the amount of its financial participation in an initiative is greater than \$5,000,000, or the approval of the Government where that amount is greater than \$10,000,000.

**34.** For the purposes of this Act, a legal person or a partnership is a subsidiary of the Société if the latter holds more than 50% of the voting rights attached to all the issued and outstanding shares of the legal person or more than 50% of the shares in the partnership, or may elect or appoint a majority of the directors.

**35.** The dividends payable by the Société shall be fixed by the Government.

#### CHAPTER IV

##### ACCOUNTS AND REPORTS

**36.** The fiscal year of the Société ends on 31 March.

**37.** The Société shall, not later than 31 July each year, file with the Minister its financial statements and a report of its operations for the preceding fiscal year.

The financial statements and report of operations shall contain all the information required by the Minister.

**38.** The Minister shall table the report of operations and the financial statements of the Société in the National Assembly within 15 days of receiving them or, if it is not sitting, within 15 days of resumption.

**39.** The Société shall formulate according to the form, content and intervals fixed by the Government, a development plan that includes the operations of its subsidiaries. The plan must be submitted to the Government for approval.

**40.** The books and accounts of the Société shall be audited each year and whenever so ordered by the Government, by the Auditor General or, with the authorization of the Government, by an auditor designated by the Société.

The auditor's report must be submitted with the report of operations and the financial statements of the Société.

**41.** The Société shall in addition communicate to the Minister any information required by the Minister concerning its operations.

#### CHAPTER V

##### MISCELLANEOUS PROVISIONS

**42.** The Minister of Industry, Trade, Science and Technology shall be responsible for the administration of this Act.

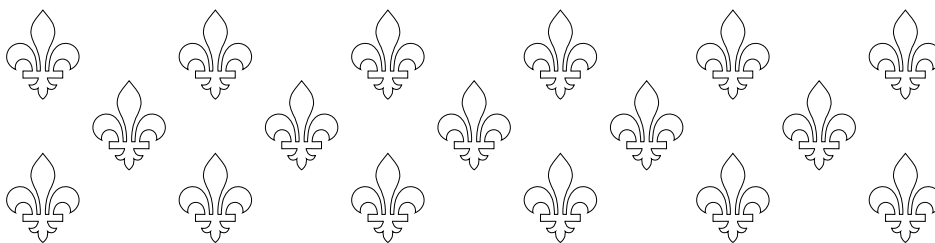
**43.** This Act comes into force on the date to be fixed by the Government.

## SCHEDULE A

The aggregate of the territories of the following municipal bodies :

Municipalité régionale de comté de Denis-Riverin  
Municipalité régionale de comté de La Côte-de-Gaspé  
Municipalité régionale de comté de Pabok  
Municipalité régionale de comté de Bonaventure  
Municipalité régionale de comté d'Avignon  
Municipalité régionale de comté des Îles-de-la Madeleine  
Municipalité régionale de comté de Matane  
Municipalité régionale de comté de La Matapédia  
Municipalité régionale de comté de La Mitis  
Municipalité régionale de comté de Rimouski-Neigette  
Municipalité régionale de comté des Basques  
Municipalité régionale de comté de Rivière-du-Loup  
Municipalité régionale de comté de Témiscouata  
Municipalité régionale de comté de Kamouraska  
Municipalité régionale de comté du Domaine-du-Roy  
Municipalité régionale de comté de Lac-Saint-Jean-Est  
Municipalité régionale de comté de Maria-Chadelaine  
Municipalité régionale de comté du Fjord-du-Saguenay  
Municipalité régionale de comté du Haut-Saint-Maurice  
Municipalité régionale de comté d'Antoine-Labelle  
Municipalité régionale de comté d'Abitibi-Ouest  
Municipalité régionale de comté d'Abitibi  
Municipalité régionale de comté de Vallée-de-l'Or  
Municipalité régionale de comté de Témiscamingue  
Municipalité régionale de comté de Rouyn-Noranda  
Municipalité régionale de comté de Caniapiscau  
Municipalité régionale de comté de La Haute-Côte-Nord  
Municipalité régionale de comté de Manicouagan  
Municipalité régionale de comté de Sept-Rivières  
Municipalité régionale de comté de Minganie  
Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent  
Municipalities constituted under the Act respecting the municipal reorganization of the territory of the municipality of the North Shore of the Gulf of St. Lawrence (1988, chapter 55)  
Municipalité de Baie-James  
Ville de Matagami  
Ville de Lebel-sur-Quévillon  
Ville de Chibougamau  
Ville de Chapais  
Cree villages  
Kativik Regional Government





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 436  
(1998, chapter 21)

## **An Act respecting Société Innovatech Québec et Chaudière-Appalaches**

---

---

**Introduced 14 May 1998**  
**Passage in principle 27 May 1998**  
**Passage 9 June 1998**  
**Assented to 12 June 1998**

---

**Québec Official Publisher  
1998**

## EXPLANATORY NOTES

*The object of this bill is to provide for the continuance of Société Innovatech Québec et Chaudière-Appalaches as a legal person with share capital established in the public interest.*

*The mission of the Société will be to promote and support initiatives designed to develop technological innovation capabilities in the territory served by the Société so as to improve the competitiveness and economic growth of Québec.*

*The bill amends the composition of the board of directors of the Société to provide that the chief executive officer will be a member of the board. Rules relating to conflicts of interest and the protection of directors in the case of prosecution are introduced.*

*The bill includes financial provisions establishing the authorized capital of the Société and the manner in which the financial commitments the Société is authorized to make are to be fulfilled. The bill also contains various technical provisions.*

## Bill 436

### AN ACT RESPECTING SOCIÉTÉ INNOVATECH QUÉBEC ET CHAUDIÈRE-APPALACHES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### CHAPTER I

#### ESTABLISHMENT AND ORGANIZATION

**1.** Société Innovatech Québec et Chaudière-Appalaches, a legal person established under chapter 80 of the statutes of 1993, shall be endowed with share capital.

**2.** The head office of the Société is in the territory described in Schedule A. Notice of any change of location shall be published in the *Gazette officielle du Québec*.

The board of directors of the Société may hold its meetings at any place in the territory described in Schedule A.

**3.** The Société is a mandatary of the State.

The property of the Société forms part of the domain of the State, but the execution of its obligations may be levied against its property.

The Société binds only itself when it acts in its own name.

**4.** The board of directors of the Société is composed of

(1) the chief executive officer;

(2) eight other members appointed by the Government for a term not exceeding three years.

**5.** The Minister shall designate a delegate to the board of directors from among the personnel members of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie.

**6.** The delegate is not a member of the board of directors. However, the delegate is entitled to be called to meetings of the board of directors and to attend and speak at the meetings.

**7.** The Government shall appoint a chair from among the members of the board of directors. The chair shall preside at meetings of the board, oversee its operation and assume all other functions assigned to the chair by the Société.

**8.** The members of the board of directors shall appoint the chief executive officer of the Société for a term not exceeding five years. The chief executive officer is responsible for the administration and direction of the Société within the scope of its by-laws and policies.

The chief executive officer shall hold office on a full-time basis.

**9.** On the expiry of their term, the members of the board of directors shall remain in office until they are replaced or reappointed.

**10.** The Government shall fix the remuneration, employment benefits and other conditions of employment of the chief executive officer.

The other members of the board of directors are not remunerated, except in the cases, on the conditions and to the extent which may be determined by the Government. However, they are entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

**11.** Any vacancy occurring in the course of the term of office of a member of the board of directors shall be filled in accordance with the rules of appointment set out in section 4.

Absence from the number of meetings of the board of directors determined by an internal by-law of the Société constitutes a vacancy in the cases and circumstances indicated therein.

**12.** No act, document or writing is binding on or may be attributed to the Société unless it is signed by the chair of the board of directors, the chief executive officer or a member of the personnel of the Société designated by the chief executive officer and, in the latter case, only to the extent determined by an internal by-law of the Société.

Such a by-law may, on the conditions fixed therein, allow the signature to be affixed by means of an automatic device to the documents mentioned in the by-law. It may also allow a facsimile of the signature to be engraved, lithographed or printed on the documents mentioned therein. The facsimile has the same value as the signature itself only if the document is countersigned by a person referred to in the first paragraph.

**13.** The minutes of the meetings of the board of directors, approved by it and certified by the chair of the board, the secretary or by any other person authorized to do so by the Société, are authentic. The documents or copies emanating from the Société or forming part of its records are authentic if they are so certified.

An intelligible print-out of a decision or of any other data stored by the Société in computerized or other electronic form is a document of the Société and constitutes proof of its contents if certified by a person referred to in the first paragraph of section 12.

**14.** No member of the board of directors holding a full-time office with the Société or one of its subsidiaries may, under pain of forfeiture of office, have any direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries. However, such forfeiture is not incurred if the interest devolves to the member by succession or gift, provided it is renounced or disposed of with dispatch.

Every member of the board of directors other than a member holding a full-time office with the Société or one of its subsidiaries who has a direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries must, on pain of forfeiture of office, disclose such interest and withdraw from the meeting for the duration of the debate and of the making of a decision bearing upon any question relating to the enterprise in which the member has such an interest.

Every personnel member of the Société or one of its subsidiaries who has a direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries must, on pain of forfeiture of office, disclose such interest in writing to the chair of the board of directors of the Société or, as the case may be, of the subsidiary.

**15.** The Société shall take up the defence of its directors prosecuted by a third person for an act done in the exercise of their functions and shall pay damages, if any, resulting from that act, unless they have committed a fault or a personal fault separable from the exercise of their functions.

Notwithstanding the foregoing, in a penal or criminal proceeding the Société shall assume the payment of the expenses of its directors only if they had reasonable grounds to believe that their conduct was in conformity with the law, or if they have been discharged or acquitted.

**16.** The Société shall assume the expenses of its directors if, having prosecuted them for an act done in the exercise of their functions, it loses its case and the court so decides. If the Société wins its case only in part, the court may determine the amount of the expenses the Société shall assume.

**17.** The Société shall assume the obligations referred to in sections 15 and 16 in respect of any person who acted at its request as director for a legal person of which it is a shareholder or creditor.

**18.** The secretary and the other members of the personnel of the Société shall be appointed and remunerated according to the standards, scales and staffing plan established by by-law of the Société. The by-law shall be submitted to the Government for approval.

## CHAPTER II

### MISSION AND POWERS

**19.** The mission of the Société is to promote and support initiatives designed to develop technological innovation capabilities in the territory described in Schedule A so as to improve the competitiveness and economic growth of Québec.

**20.** In the pursuit of its mission, the Société may, in particular,

(1) solicit, receive and evaluate initiatives designed to develop technological innovation capabilities in the territory described in Schedule A;

(2) associate partners from the private and public sectors with the initiatives and foster concerted action between them;

(3) participate financially in the pursuit of such initiatives;

(4) promote the financial participation of individuals, partnerships and legal persons in the initiatives;

(5) heighten public awareness in the territory described in Schedule A, of the importance of the initiatives supported by the Société by keeping the public informed of the achievements made possible through such initiatives;

(6) advise the Minister on the technological innovation policies and strategies in the territory described in Schedule A and propose means of implementing them.

**21.** The Minister may within the scope of the responsibilities vested in the Minister issue directives on the objectives and orientations of the Société. The directives must be submitted to the Government for approval.

Every directive is binding on the Société and must be tabled in the National Assembly within 15 days of its approval or, if it is not sitting, within 15 days of resumption.

**22.** The Société may, according to law, make any agreement with a government in Canada or elsewhere, any of its departments or agencies, an international organization or an agency of such an organization.

**23.** The by-laws of the Société are not subject to ratification by the shareholder.

**24.** The provisions of Part II of the Companies Act (R.S.Q., chapter C-38), except those of sections 159 to 162, 179, 184, 189 and subsection 3 of section 196 and the provisions of sections 89.1 to 89.4 of Part I of that Act apply to the Société.

### CHAPTER III

#### FINANCIAL PROVISIONS

**25.** The authorized capital of the Société is \$75,000,000, divided into 750,000 shares of a par value of \$100 each.

**26.** The shares of the capital of the Société form part of the domain of the State and shall be allotted to the Minister of Finance.

**27.** The Minister of Finance may, with the authorization of the Government, pay to the Société out of the consolidated revenue fund an amount of \$75,000,000 for 750,000 fully paid shares of its capital for which a certificate shall be issued to the Minister of Finance.

The payment may be made in one or more instalments; if it is made in several instalments, each of them must be authorized by the Government.

**28.** After a reduction of the share capital of the Société and an equivalent repayment of capital to the Minister of Finance are effected under the Act respecting the reduction of the share capital of legal persons established in the public interest and of their subsidiaries (R.S.Q., chapter R-2.2.1), the Minister of Finance may, with the authorization of the Government and on the conditions it determines, subscribe shares of the Société the value of which shall not exceed the amount of the repayment. Such shares shall be paid out of the consolidated revenue fund. Certificates shall be issued when the shares are fully paid.

**29.** The Government may, subject to the terms and conditions it determines, transfer to the Société the ownership of any property forming part of the domain of the State and may receive in return any property, including shares of the capital of the Société.

**30.** A transfer pursuant to section 29 shall be registered in the land register on presentation of the order in council authorizing the transfer, containing a description of the immovable property transferred and the effective date of the transfer.

The provisions of the Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) do not apply to such a transfer.

**31.** The Government may, subject to the terms and conditions it determines,

(1) guarantee the payment of the capital of or interest on any loan contracted by the Société or any of its subsidiaries and the performance of its obligations;

(2) make any commitment in respect of the carrying out or financing of an initiative in which the Société or any of its subsidiaries is a participant;

(3) authorize the Minister of Finance to advance to the Société or any of its subsidiaries any amount considered necessary for the pursuit of its objects.

The sums required for the purposes of this section shall be taken out of the consolidated revenue fund.

**32.** Neither the Société nor any of its subsidiaries may, except with the authorization of the Government,

(1) acquire or hold shares issued by a legal person or shares in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(2) transfer shares of a legal person or shares in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(3) contract a loan that increases its total outstanding borrowings to an amount greater than the amount determined by the Government ;

(4) grant loans or make any other financial commitment in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(5) acquire or transfer other assets in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(6) accept a gift or bequest to which a charge or condition is attached.

The amounts, limits and terms and conditions determined under this section may apply to the group formed by the Société and its subsidiaries or to one or more members of the group.

This section does not apply to transactions between the Société and its subsidiaries or between the subsidiaries.

**33.** The Société must obtain the approval of the Minister of Industry, Trade, Science and Technology and the Minister of Finance where the amount of its financial participation in an initiative is greater than \$5,000,000, or the approval of the Government where that amount is greater than \$10,000,000.

**34.** For the purposes of this Act, a legal person or a partnership is a subsidiary of the Société if the latter holds more than 50% of the voting rights attached to all the issued and outstanding shares of the legal person or more than 50% of the shares in the partnership, or may elect or appoint a majority of the directors.



**35.** The dividends payable by the Société shall be fixed by the Government.

#### CHAPTER IV

##### ACCOUNTS AND REPORTS

**36.** The fiscal year of the Société ends on 31 March.

**37.** The Société shall, not later than 31 July each year, file with the Minister its financial statements and a report of its operations for the preceding fiscal year.

The financial statements and report of operations shall contain all the information required by the Minister.

**38.** The Minister shall table the report of operations and the financial statements of the Société before the National Assembly within 15 days of receiving them or, if it is not sitting, within 15 days of resumption.

**39.** The Société shall formulate according to the form, content and intervals fixed by the Government, a development plan that includes the operations of its subsidiaries. The plan must be submitted to the Government for approval.

**40.** Each year, and whenever so ordered by the Government, the books and accounts of the Société shall be audited by the Auditor General or, with the authorization of the Government, by an auditor designated by the Société.

The auditor's report must be submitted with the report of operations and the financial statements of the Société.

**41.** The Société shall in addition communicate to the Minister any information required by the Minister concerning its operations.

#### CHAPTER V

##### MISCELLANEOUS PROVISIONS

**42.** The Société shall remit to the Minister of Finance, according to the terms and conditions determined by the Minister of Finance, an amount equal to its equity as at 31 March 1998 and to the advances paid by the Government up to the date of coming into force of this Act. The Minister shall subscribe and pay for shares of the Société for an amount corresponding to that amount and shall be issued a certificate therefor.

**43.** The members of the board of directors and the chief executive officer of the Société, in office on (*insert here the date preceding the date of coming into force of this section*), remain in office until the end of their terms of office.

**44.** This Act replaces the Act respecting Société Innovatech Québec et Chaudière-Appalaches (R.S.Q., chapter S-17.3).

Every reference to that Act or to any of its provisions is a reference to this Act or to the corresponding provision thereof.

**45.** The Minister of Industry, Trade, Science and Technology shall be responsible for the administration of this Act.

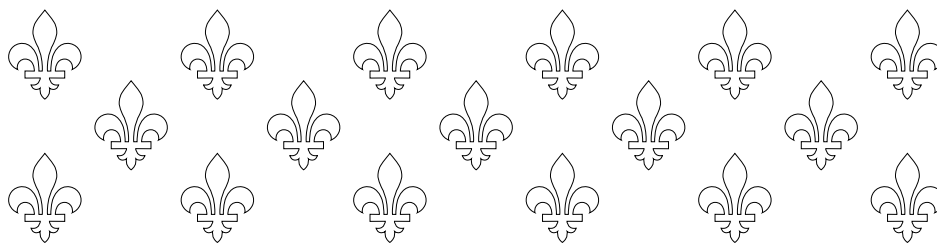
**46.** This Act comes into force on the date to be fixed by the Government.

## SCHEDULE A

The aggregate of the territories of the following municipal bodies :

Communauté urbaine de Québec  
Municipalité régionale de comté de Charlevoix-Est  
Municipalité régionale de comté de Charlevoix  
Municipalité régionale de comté de La Côte-de-Beaupré  
Municipalité régionale de comté de L'Île-d'Orléans  
Municipalité régionale de comté de La Jacques-Cartier  
Municipalité régionale de comté de Portneuf  
Municipalité régionale de comté de L'Islet  
Municipalité régionale de comté de Montmagny  
Municipalité régionale de comté de Bellechasse  
Municipalité régionale de comté des Etchemins  
Municipalité régionale de comté de Desjardins  
Municipalité régionale de comté des Chutes-de-la-Chaudière  
Municipalité régionale de comté de La Nouvelle-Beauce  
Municipalité régionale de comté de Robert-Cliche  
Municipalité régionale de comté de Beauce-Sartigan  
Municipalité régionale de comté de Lotbinière  
Municipalité régionale de comté de L'Amiante  
Municipalité régionale de comté de Mékinac  
Municipalité régionale de comté du Centre-de-la-Mauricie  
Municipalité régionale de comté de Maskinongé  
Municipalité régionale de comté de Francheville  
Municipalité régionale de comté de Nicolet-Yamaska  
Municipalité régionale de comté de Bécancour  
Municipalité régionale de comté de L'Érable





---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 437  
(1998, chapter 22)

## **An Act respecting Société Innovatech du sud du Québec**

---

---

**Introduced 14 May 1998**  
**Passage in principle 27 May 1998**  
**Passage 9 June 1998**  
**Assented to 12 June 1998**

---

**Québec Official Publisher  
1998**

## EXPLANATORY NOTES

*The object of this bill is to provide for the continuance of Société Innovatech du sud du Québec as a legal person with share capital established in the public interest.*

*The mission of the Société will be to promote and support initiatives designed to develop technological innovation capabilities in the territory served by the Société so as to improve the competitiveness and economic growth of Québec.*

*The bill amends the composition of the board of directors of the Société to provide that the chief executive officer will be a member of the board. Rules relating to conflicts of interest and the protection of directors in the case of prosecution are introduced.*

*The bill includes financial provisions establishing the authorized capital of the Société and the manner in which the financial commitments the Société is authorized to make are to be fulfilled. The bill also contains various technical provisions.*

## Bill 437

### AN ACT RESPECTING SOCIÉTÉ INNOVATECH DU SUD DU QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### CHAPTER I

#### ESTABLISHMENT AND ORGANIZATION

**1.** Société Innovatech du sud du Québec, a legal person established under chapter 19 of the statutes of 1995, shall be endowed with share capital.

**2.** The head office of the Société is in the territory described in Schedule A. Notice of any change of location shall be published in the *Gazette officielle du Québec*.

The board of directors of the Société may hold its meetings at any place in the territory described in Schedule A.

**3.** The Société is a mandatary of the State.

The property of the Société forms part of the domain of the State, but the execution of its obligations may be levied against its property.

The Société binds only itself when it acts in its own name.

**4.** The board of directors of the Société is composed of

(1) the chief executive officer;

(2) eight other members appointed by the Government for a term not exceeding three years.

**5.** The Minister shall designate a delegate to the board of directors from among the personnel members of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie.

**6.** The delegate is not a member of the board of directors. However, the delegate is entitled to be called to meetings of the board of directors and to attend and speak at the meetings.

**7.** The Government shall appoint a chair from among the members of the board of directors. The chair shall preside at meetings of the board, oversee its operation and assume all other functions assigned to the chair by the Société.

**8.** The members of the board of directors shall appoint the chief executive officer of the Société for a term not exceeding five years. The chief executive officer is responsible for the administration and direction of the Société within the scope of its by-laws and policies.

The chief executive officer shall hold office on a full-time basis.

**9.** On the expiry of their term, the members of the board of directors shall remain in office until they are replaced or reappointed.

**10.** The Government shall fix the remuneration, employment benefits and other conditions of employment of the chief executive officer.

The other members of the board of directors are not remunerated, except in the cases, on the conditions and to the extent which may be determined by the Government. However, they are entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

**11.** Any vacancy occurring in the course of the term of office of a member of the board of directors shall be filled in accordance with the rules of appointment set out in section 4.

Absence from the number of meetings of the board of directors determined by an internal by-law of the Société constitutes a vacancy in the cases and circumstances indicated therein.

**12.** No act, document or writing is binding on or may be attributed to the Société unless it is signed by the chair of the board of directors, the chief executive officer or a member of the personnel of the Société designated by the chief executive officer and, in the latter case, only to the extent determined by an internal by-law of the Société.

Such a by-law may, on the conditions fixed therein, allow the signature to be affixed by means of an automatic device to the documents mentioned in the by-law. It may also allow a facsimile of the signature to be engraved, lithographed or printed on the documents mentioned therein. The facsimile has the same value as the signature itself only if the document is countersigned by a person referred to in the first paragraph.

**13.** The minutes of the meetings of the board of directors, approved by it and certified by the chair of the board, the secretary or by any other person authorized to do so by the Société, are authentic. The documents or copies emanating from the Société or forming part of its records are authentic if they are so certified.



An intelligible print-out of a decision or of any other data stored by the Société in computerized or other electronic form is a document of the Société and constitutes proof of its contents if certified by a person referred to in the first paragraph of section 12.

**14.** No member of the board of directors holding a full-time office with the Société or one of its subsidiaries may, under pain of forfeiture of office, have any direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries. However, such forfeiture is not incurred if the interest devolves to the member by succession or gift, provided it is renounced or disposed of with dispatch.

Every member of the board of directors other than a member holding a full-time office with the Société or one of its subsidiaries who has a direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries must, on pain of forfeiture of office, disclose such interest and withdraw from the meeting for the duration of the debate and of the making of a decision bearing upon any question relating to the enterprise in which the member has such an interest.

Every personnel member of the Société or one of its subsidiaries who has a direct or indirect interest in an enterprise putting the member's personal interest in conflict with that of the Société or one of its subsidiaries must, on pain of forfeiture of office, disclose such interest in writing to the chair of the board of directors of the Société or, as the case may be, its subsidiary.

**15.** The Société shall take up the defence of its directors prosecuted by a third person for an act done in the exercise of their functions and shall pay damages, if any, resulting from that act, unless they have committed a gross fault or a personal fault separable from the exercise of their functions.

Notwithstanding the foregoing, in a penal or criminal proceeding the Société shall assume the payment of the expenses of its directors only if they had reasonable grounds to believe that their conduct was in conformity with the law, or if they have been discharged or acquitted.

**16.** The Société shall assume the expenses of its directors if, having prosecuted them for an act done in the exercise of their functions, it loses its case and the court so decides. If the Société wins its case only in part, the court may determine the amount of the expenses the Société shall assume.

**17.** The Société shall assume the obligations referred to in sections 15 and 16 in respect of any person who acted at its request as director for a legal person of which it is a shareholder or creditor.

**18.** The secretary and the other members of the personnel of the Société shall be appointed and remunerated according to the standards, scales and staffing plan established by by-law of the Société. The by-law shall be submitted to the Government for approval.

## CHAPTER II

### MISSION AND POWERS

**19.** The mission of the Société is to promote and support initiatives likely to increase the capacity for technological innovation in the territory described in Schedule A and thus to improve the competitiveness and economic growth of Québec.

**20.** In the pursuit of its mission, the Société may, in particular,

(1) solicit, receive and evaluate initiatives designed to develop technological innovation capabilities in the territory described in Schedule A;

(2) associate partners from the private and public sectors with the initiatives and foster concerted action between them;

(3) participate financially in the pursuit of such initiatives;

(4) promote the financial participation of individuals, partnerships and legal persons in the initiatives;

(5) heighten public awareness in the territory described in Schedule A of the importance of the initiatives supported by the Société by keeping the public informed of the achievements made possible through such initiatives;

(6) advise the Minister on the technological innovation policies and strategies in the territory described in Schedule A and propose means of implementing them.

**21.** The Minister may within the scope of the responsibilities vested in the Minister issue directives on the objectives and orientations of the Société. The directives must be submitted to the Government for approval.

Every directive is binding on the Société and must be tabled in the National Assembly within 15 days of its approval or, if it is not sitting, within 15 days of resumption.

**22.** The Société may, according to law, make any agreement with a government in Canada or elsewhere, any of its departments or agencies, an international organization or an agency of such an organization.

**23.** The by-laws of the Société are not subject to ratification by the shareholder.

**24.** The provisions of Part II of the Companies Act (R.S.Q., chapter C-38), except those of sections 159 to 162, 179, 184, 189 and subsection 3 of section 196 and the provisions of sections 89.1 to 89.4 of Part I of that Act apply to the Société.

### CHAPTER III

#### FINANCIAL PROVISIONS

**25.** The authorized capital of the Société is \$50,000,000, divided into 500,000 shares of a par value of \$100 each.

**26.** The shares of the capital of the Société form part of the domain of the State and shall be allotted to the Minister of Finance.

**27.** The Minister of Finance may, with the authorization of the Government, pay to the Société out of the consolidated revenue fund an amount of \$50,000,000 for 500,000 fully paid shares of its capital for which a certificate shall be issued to the Minister of Finance.

The payment may be made in one or more instalments; if it is made in several instalments, each of them must be authorized by the Government.

**28.** After a reduction of the share capital of the Société and an equivalent repayment of capital to the Minister of Finance are effected under the Act respecting the reduction of the share capital of legal persons established in the public interest and of their subsidiaries (R.S.Q., chapter R-2.2.1), the Minister of Finance may, with the authorization of the Government and on the conditions it determines, subscribe shares of the Société the value of which shall not exceed the amount of the repayment. Such shares shall be paid out of the consolidated revenue fund. Certificates shall be issued when the shares are fully paid.

**29.** The Government may, subject to the terms and conditions it determines, transfer to the Société the ownership of any property forming part of the domain of the State and may receive in return any property, including shares of the capital of the Société.

**30.** A transfer pursuant to section 29 shall be registered in the land register on presentation of the order in council authorizing the transfer, containing a description of the immovable property transferred and the effective date of the transfer.

The provisions of the Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) do not apply to such a transfer.

**31.** The Government may, subject to the terms and conditions it determines,

(1) guarantee the payment of the capital of or interest on any loan contracted by the Société or any of its subsidiaries and the performance of its obligations;

(2) make any commitment in respect of the pursuit or financing of an initiative in which the Société or any of its subsidiaries is a participant;

(3) authorize the Minister of Finance to advance to the Société or any of its subsidiaries any amount considered necessary for the pursuit of their objects.

The sums required for the purposes of this section shall be taken out of the consolidated revenue fund.

**32.** Neither the Société nor any of its subsidiaries may, except with the authorization of the Government,

(1) acquire or hold shares issued by a legal person or shares in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(2) transfer shares of a legal person or shares in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(3) contract a loan that increases its total outstanding borrowings to an amount greater than the amount determined by the Government ;

(4) grant loans or make any other financial commitment in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(5) acquire or transfer other assets in excess of the limits or in contravention of the terms and conditions determined by the Government ;

(6) accept a gift or bequest to which a charge or condition is attached.

The amounts, limits and terms and conditions determined under this section may apply to the group formed by the Société and its subsidiaries or to one or more members of the group.

This section does not apply to transactions between the Société and its subsidiaries or between the subsidiaries.

**33.** The Société must obtain the approval of the Minister of Industry, Trade, Science and Technology and the Minister of Finance where the amount of its financial participation in an initiative is greater than \$5,000,000, or the approval of the Government where that amount is greater than \$10,000,000.

**34.** For the purposes of this Act, a legal person or a partnership is a subsidiary of the Société if the latter holds more than 50% of the voting rights attached to all the issued and outstanding shares of the legal person or more than 50% of the shares in the partnership, or may elect or appoint a majority of the directors.

**35.** The dividends payable by the Société shall be fixed by the Government.

#### CHAPTER IV

##### ACCOUNTS AND REPORTS

**36.** The fiscal year of the Société ends on 31 March.

**37.** The Société shall, not later than 31 July each year, file with the Minister its financial statements and a report of its operations for the preceding fiscal year.

The financial statements and report of operations shall contain all the information required by the Minister.

**38.** The Minister shall table the report of operations and the financial statements of the Société in the National Assembly within 15 days of receiving them or, if it is not sitting, within 15 days of resumption.

**39.** The Société shall formulate according to the form, content and intervals fixed by the Government, a development plan that includes the operations of its subsidiaries. The plan must be submitted to the Government for approval.

**40.** Each year, and whenever so ordered by the Government, the books and accounts of the Société shall be audited by the Auditor General or, with the authorization of the Government, by an auditor designated by the Société.

The auditor's report must be submitted with the report of operations and the financial statements of the Société.

**41.** The Société shall in addition communicate to the Minister any information required by the Minister concerning its operations.

#### CHAPTER V

##### MISCELLANEOUS PROVISIONS

**42.** The Société shall remit to the Minister of Finance, according to the terms and conditions determined by the Minister of Finance, an amount equal to its equity as at 31 March 1998 and to the advances paid by the Government up to the date of coming into force of this Act. The Minister shall subscribe and pay for shares of the Société for an amount corresponding to that amount and shall be issued a certificate therefor.

**43.** The members of the board of directors and the chief executive officer of the Société, in office on (*insert here the date preceding the date of coming into force of this section*), remain in office until the end of their terms of office.

**44.** This Act replaces the Act respecting Société Innovatech du sud du Québec (R.S.Q., chapter S-17.2.1).

Every reference to that Act or to any of its provisions is a reference to this Act or to the corresponding provision thereof.

**45.** The Minister of Industry, Trade, Science and Technology is responsible for the administration of this Act.

**46.** This Act comes into force on the date to be fixed by the Government.

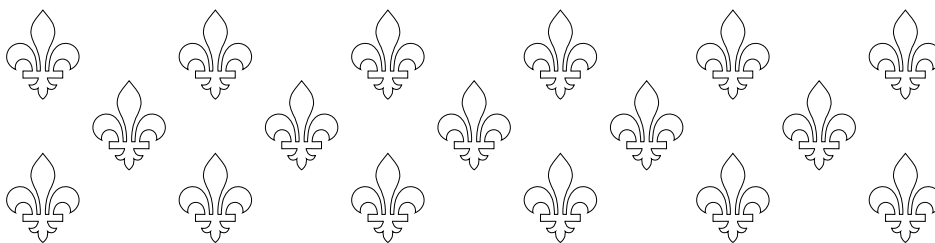
## SCHEDULE A

The aggregate of the territories of the following municipal bodies :

Municipalité régionale de comté d'Acton  
Municipalité régionale de comté de Brome-Missisquoi  
Municipalité régionale de comté de La Haute-Yamaska  
Municipalité régionale de comté d'Arthabaska  
Municipalité régionale de comté de Drummond  
Municipalité régionale de comté d'Asbestos  
Municipalité régionale de comté de Coaticook  
Municipalité régionale de comté du Granit  
Municipalité régionale de comté du Haut-Saint-François  
Municipalité régionale de comté de Memphrémagog  
Municipalité régionale de comté de Sherbrooke  
Municipalité régionale de comté du Val-Saint-François







---

---

# NATIONAL ASSEMBLY

---

---

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 446  
(1998, chapter 23)

## **An Act to amend the Labour Code**

---

---

**Introduced 14 May 1998**  
**Passage in principle 26 May 1998**  
**Passage 9 June 1998**  
**Assented to 12 June 1998**

---

**Québec Official Publisher**  
**1998**

## EXPLANATORY NOTES

*The object of this bill is to amend certain provisions of the Labour Code concerning the powers of the Conseil des services essentiels and the definition of “public service”.*

*The definition of “public service” is broadened to cover activities related to the storage of gas, the collection, transportation and distribution of blood or blood products and human organs for transplantation as well as forest fire protection activities.*

*The bill confers on the president and the vice-president the power to act alone on behalf of the council, in particular to designate a mediator, to approve an agreement and to evaluate whether essential services provided for in an agreement or a list are sufficient.*

*Lastly, the bill provides that a fund established for the benefit of users of a service to which the public is entitled includes any interest accrued since its establishment.*

## Bill 446

### AN ACT TO AMEND THE LABOUR CODE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** Section 111.0.8 of the Labour Code (R.S.Q., chapter C-27) is amended by adding, at the end, the following :

“The president or the vice-president may also act alone on behalf of the council

(1) to designate a person to assist the parties in reaching an agreement under Chapter V.1 ;

(2) to determine whether or not the essential services or the services provided for in an agreement or a list referred to in Divisions II and III are sufficient ; and

(3) to exercise the powers of the council under the fourth paragraph of section 111.0.18, the second paragraph of section 111.10.5 and section 111.10.6.”

**2.** Section 111.0.16 of the said Code is amended

(1) by inserting, at the end of paragraph 5, the following: “and a gas storage enterprise”;

(2) by inserting, after paragraph 5.1, the following :

“(5.2) an organization for the protection of the forest against fire certified under section 125 of the Forest Act (chapter F-4.1)”;

(3) by replacing “the Canadian Red Cross Association” in the fourth and fifth lines of paragraph 7 by “an enterprise involved in the collection, transportation or distribution of blood or blood products or human organs for transplantation”.

**3.** Section 111.17 of the said Code is amended by adding, at the end of subparagraph 3 of the second paragraph, the following: “, which fund shall include any interest accrued since its establishment”.

**4.** Section 111.20 of the said Code is amended by replacing “prothonotary” in the second line of the first paragraph by “clerk”.

**5.** This Act comes into force on 12 June 1998.



## Coming into force of Acts

Gouvernement du Québec

### **O.C. 868-98, 22 June 1998**

#### **An Act respecting Société Innovatech Régions ressources (1998, c. 20)**

##### **— Coming into force**

COMING INTO FORCE of the Act respecting Société Innovatech Régions ressources

WHEREAS the Act respecting Société Innovatech Régions ressources (1998, c. 20) was assented to on 12 June 1998;

WHEREAS section 43 of the Act provides that the Act shall come into force on the date to be fixed by the Government;

WHEREAS it is expedient to fix 30 June 1998 as the date of coming into force of the Act;

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 the Minister for Industry and Trade:

THAT the Act respecting Société Innovatech Régions ressources (1998, c. 20) come into force on 30 June 1998.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

2358

Gouvernement du Québec

### **O.C. 869-98, 22 June 1998**

#### **An Act respecting Société Innovatech du Sud du Québec (1998, c. 22)**

##### **— Coming into force**

COMING INTO FORCE of the Act respecting Société Innovatech du Sud du Québec

WHEREAS the Act respecting Société Innovatech du Sud du Québec (1998, c. 22) was assented to on 12 June 1998;

WHEREAS section 46 of the Act provides that the Act shall come into force on the date to be fixed by the Government;

WHEREAS it is expedient to fix 30 June 1998 as the date of coming into force of the Act;

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 the Minister for Industry and Trade:

THAT the Act respecting Société Innovatech du Sud du Québec (1998, c. 22) come into force on 30 June 1998.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

2357

Gouvernement du Québec

### **O.C. 870-98, 22 June 1998**

#### **An Act respecting Société Innovatech Québec et Chaudière-Appalaches (1998, c. 21)**

##### **— Coming into force**

COMING INTO FORCE of the Act respecting Société Innovatech Québec et Chaudière-Appalaches

WHEREAS the Act respecting Société Innovatech Québec et Chaudière-Appalaches (1998, c. 21) was assented to on 12 June 1998;

WHEREAS section 46 of the Act provides that the Act shall come into force on the date to be fixed by the Government;

WHEREAS it is expedient to fix 30 June 1998 as the date of coming into force of the Act;

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 the Minister for Industry and Trade:

THAT the Act respecting Société Innovatech Québec et Chaudière-Appalaches (1998, c. 21) come into force on 30 June 1998.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

2356

Gouvernement du Québec

**O.C. 879-98, 22 June 1998**

**An Act respecting Société Innovatech du  
Grand Montréal (1998, c. 19)  
— Coming into force**

COMING INTO FORCE of the Act respecting Société Innovatech du Grand Montréal

WHEREAS the Act respecting Société Innovatech du Grand Montréal (1998, c. 19) was assented to on 12 June 1998;

WHEREAS section 46 of the Act provides that the Act shall come into force on the date to be fixed by the Government;

WHEREAS it is expedient to fix 30 June 1998 as the date of coming into force of the Act;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Greater Montréal:

THAT the Act respecting Société Innovatech du Grand Montréal (1998, c. 19) come into force on 30 June 1998.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

2354

## Regulations and other acts

Gouvernement du Québec

### O.C. 854-98, 22 June 1998

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

#### Food

##### — Amendments

Regulation to amend the Regulation respecting food

WHEREAS under paragraphs *c*, *d*, *f*, *j* and *n* of section 40 of the Agricultural Products, Marine Products and Food Act (R.S.Q., c. P-29), the Government may make regulations on the matters mentioned therein;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 21 May 1997, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

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

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting food (\*)

Agricultural Products, Marine Products and Food Act  
(R.S.Q., c. P-29, s. 40, pars. *c*, *d*, *f*, *j* and *n*)

**1.** The Regulation respecting food is amended by inserting the following after subparagraph *a* of the first paragraph of section 1.1.1:

“(a.1) “elimination site”: any elimination site referred to in section 7.1.2.1;”

**2.** The following is added after section 1.3.4.9:

“**1.3.4.10.** Subparagraph *c* of the first paragraph of section 9 of the Act does not apply to the operator of an elimination site who receives sheep or goat meat unfit for human consumption.”

**3.** The following is added after section 1.3.5.4:

“**1.3.5.5** Subparagraph *d* of the first paragraph of section 9 of the Act does not apply to a person who salvages only sheep or goat meat unfit for human consumption and ships such meat solely to an elimination site.”

**4.** Section 6.4.1.16 is amended

(1) by substituting the words “incinerated in an installation complying with the prescriptions of the Environment Quality Act (R.S.Q., c. Q-2) and the regulations made thereunder” for the words “burned or destroyed by a chemical process” in the second paragraph; and

(2) by inserting the following after the second paragraph:

\* The Regulation respecting food (R.R.Q., 1981, c. P-29, r. 1) was last amended by the Regulation made by Order in Council 951-96 dated 7 August 1996 (1996, *G.O.* 2, 3854). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

“Where the contents of the container are composed of sheep or goat meat unfit for human consumption, they may also be shipped to an elimination site or collected by a person carrying out the removal of waste to be shipped solely to an elimination site.

Such container contents must be shipped under the responsibility of the operator of a delicatessen plant mentioned in section 6.2.2 or of an establishment where an activity forming part of a restaurateur’s business is carried on.”

**5.** Section 6.4.2.9 is amended

(1) by substituting the words “in an installation complying with the prescriptions of the Environment Quality Act and the regulations made thereunder” for the words “, destroyed by chemical process” in the first paragraph;

(2) by inserting the following after the first paragraph:

“Sheep or goat meat unfit for human consumption may also, under the responsibility of the slaughterhouse operator, be shipped to an elimination site or collected by a person carrying out the removal of waste to be shipped solely to an elimination site.”; and

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

“Before being shipped to a dismembering plant or an elimination site, salvaged by a salvager or collected by a person carrying out the removal of waste to be shipped solely to an elimination site, meat unfit for human consumption must be completely coloured by applying a denaturant.”.

**6.** The following is inserted after section 7.1.2:

**7.1.2.1** For the purposes of this Regulation, “elimination site” means any sanitary landfill site or incineration site governed by Divisions IV and V, respectively, of the Regulation respecting solid waste (R.R.Q., 1981, c. Q-2, r. 14) and any other incinerator whose operator is authorized to burn carcasses or parts of animals under section 22 of the Environment Quality Act (R.S.Q., c. Q-2).”.

**7.** The following is inserted after the first paragraph of section 7.1.5:

“Notwithstanding the first paragraph, an elimination site at which sheep or goat meat unfit for human consumption is received need not be identified by such a sign.”.

**8.** The following is inserted after the first paragraph of section 7.1.7:

“Notwithstanding the first paragraph, the operator of an elimination site may receive sheep or goat meat unfit for human consumption.”.

**9.** The following is added at the end of section 7.1.8:

“Notwithstanding the second paragraph, the person referred to therein may ship sheep or goat meat unfit for human consumption to an elimination site or may deliver such meat to a person carrying out the removal of waste to be shipped solely to an elimination site.”.

**10.** The following is added at the end of section 7.1.9:

“Notwithstanding the first paragraph, sheep or goat meat unfit for human consumption may be kept for elimination purposes at an elimination site.”.

**11.** The following is added after section 7.2.24:

**7.2.25.** This Division does not apply to an elimination site whose operator is referred to in section 1.3.4.10.”.

**12.** The following is substituted for section 7.3.1:

**7.3.1** The original possessor of meat unfit for human consumption must have such meat incinerated in an installation complying with the prescriptions of the Environment Quality Act and the regulations made thereunder of collected by the holder of a permit to operate a dismembering plant or the holder of a permit to salvage meat unfit for human consumption, prescribed in subparagraphs *c* and *d*, respectively, of the first paragraph of section 9 of the Act.

In the case of sheep or goat meat unfit for human consumption, he may also ship such meat to an elimination site or deliver it to a person carrying out the removal of waste to be shipped solely to an elimination site.

Notwithstanding the above, if meat unfit for human consumption referred to in the first or second paragraphs is made up of whole carcasses or parts of sheep or goats, being the object of a disposal order rendered pursuant to sections 3.4, 11.1 or 11.2 of the Animal Health Protection Act (R.S.Q., c. P-42) or section 114 of the Health of Animals Regulation (C.R.C. c. 296; SOR/91-525, 5 September 1991, (1991) No. 20 Can. Gaz II, 3084), it may be shipped to a sanitary elimination site only if the latter complies with the conditions prescribed under the third paragraph of section 131 of the Regulation respecting solid waste.



In cases where the original possessor is a farmer and the meat unfit for human consumption comes exclusively from his livestock, he may bury such meat on the site of his agricultural operation on the following conditions:

(a) the meat must be buried outside the 20-year flood zone of all bodies of water or watercourses;

(b) the burial site must be situated not less than 75 metres from any body of water or watercourse and 150 metres from any drinking water intake on the surface or underground;

(c) the bottom of the pit must be situated above groundwater level and be covered entirely with quicklime before meat unfit for human consumption is placed in the pit;

(d) after being placed in the pit, meat unfit for human consumption must not extend above the natural level of the ground at the edges of the pit. Such meat must immediately be covered with quicklime and with a layer of earth not less than 60 centimetres deep;

(e) the ground must be levelled.

The quicklime referred to in subparagraphs *c* and *d* of the fourth paragraph may be replaced by an equivalent chemical.

The elimination procedure described in the fourth paragraph does not apply to meat unfit for human consumption originating in a slaughterhouse operated by the farmer and slaughtered as provided for in the first paragraph of section 6.2.1.

The provisions of the fourth paragraph apply subject to any elimination procedure and any condition for elimination determined, as the case may be, pursuant to sections 3.4, 11.1 or 11.2 of the Animal Health Protection Act or section 114 of the Health of Animals Regulations.

For the purposes of this section, “watercourse or body of water” includes ponds, marshes and swamps but excludes all intermittent streams.

**7.3.1.1.** No original possessor mentioned in the fourth paragraph of section 7.3.1 may keep in a pit meat unfit for human consumption that has not been covered in accordance with subparagraph *d* of that paragraph.

**7.3.1.2.** For the purposes of sections 7.3.1, 7.3.1.1 and 7.3.5, “original possessor” includes, where applicable, a farmer, any of the persons referred to in the first paragraph of section 7.1.8 or a person carrying on an activity forming part of a restaurateur’s business.”.

**13.** Section 7.3.2 is amended by adding the following at the end:

“Notwithstanding the first paragraph, the salvaging of sheep or goat meat unfit for human consumption may be carried out by the operator of an elimination site or by a person carrying out the removal of waste to be shipped solely to an elimination site.”.

**14.** The following is inserted after the third paragraph of section 7.3.3:

“Notwithstanding the first, second and third paragraphs, the salvager may ship directly to an elimination site sheep or goat meat unfit for human consumption that he has salvaged.”.

**15.** Section 7.3.5 is amended

(1) by deleting the words “intended for sale” in the part preceding paragraph *a*; and

(2) by adding the following at the end:

“(d) in the case of sheep or goat meat unfit for human consumption, the operator of an elimination site or a person carrying out the removal of waste to be shipped solely to an elimination site.”.

**16.** The following is inserted after the first paragraph of section 7.3.8:

“The first paragraph does not apply to truck bodies, or trailers or containers used for salvaging or transporting sheep or goat meat unfit for human consumption.”.

**17.** The following is added at the end of section 7.3.9:

“Notwithstanding the first paragraph, cleaning and disinfecting are not mandatory where sheep or goat meat is unloaded at an elimination site.”.

**18.** The following is inserted after the first paragraph of section 7.3.10:

“The first paragraph does not apply to receptacles used for bulk transport of sheep or goat meat unfit for human consumption.”.

**19.** Section 7.3.13 is amended

(1) by substituting the words “operator of an elimination site to whom sheep or goat carcasses were shipped or of the holder of a dismembering plant permit to whom” for the words “holder of the dismembering plant permit to whom these” in subparagraph *e* of the second paragraph; and

(2) by adding the following at the end:

“This section does not apply to the operator of an elimination site who carries out the salvaging of sheep or goat meat unfit for human consumption or to a person who salvages only sheep or goat meat unfit for human consumption and ships it solely to an elimination site.”.

**20.** Section 7.4.14 is amended

(1) by substituting the words “incinerated in an installation complying with the prescriptions of the Environment Quality Act and the regulations made thereunder” for the words “destroyed by incineration or a chemical process” in the second paragraph; and

(2) by adding the following at the end:

“Where the contents of such receptacle are composed of sheep or goat meat unfit for human consumption, they may be shipped to an elimination site or may be delivered to a person carrying out the removal of waste to be shipped solely to an elimination site.”.

**21.** The following is added after section 7.4.16:

“7.4.17. This Division does not apply to an elimination site whose operator is referred to in section 1.3.4.10.”.

**22.** Section 9.3.1.14 is amended

(1) by adding the words “in an installation complying with the prescriptions of the Environment Quality Act and the regulations made thereunder” at the end of subparagraph 1 of the second paragraph; and

(2) by striking out subparagraph 3 of the second paragraph.

**23.** Section 10.3.1.18 is amended

(1) by adding the words “in an installation complying with the prescriptions of the Environment Quality Act and the regulations made thereunder” at the end of subparagraph 1 of the first paragraph; and

(2) by striking out subparagraph 3 of the first paragraph.

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

Gouvernement du Québec

**O.C. 858-98, 22 June 1998**

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

**Financial assistance for students  
— Correction to the English text**

Correction to the English text of the Regulation to amend the Regulation respecting financial assistance for students made on 8 April 1998

WHEREAS by Order in Council 484-98 dated 8 April 1998, the Government made the Regulation to amend the Regulation respecting financial assistance for students;

WHEREAS a mistake occurred in the English text of Schedule X introduced by section 37 of that Regulation;

WHEREAS it is expedient to correct that mistake in order to make the French and English texts of that provision consistent;

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

THAT the English text of the Regulation to amend the Regulation respecting financial assistance for students made by Order in Council 484-98 dated 8 April 1998 be amended by adding the following paragraph at the end of Schedule X introduced by section 37 of that Regulation:

“Where a student cannot complete his studies within the time limits prescribed in this Schedule, because of a disability lasting more than one month and attested to in a medical certificate issued by a physician, those time limits are extended for the duration of such disability.”.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

Gouvernement du Québec

**O.C. 859-98, 22 June 1998**

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

**Solid waste**  
— **Amendments**

Regulation to amend the Regulation respecting solid waste

WHEREAS under subparagraphs *a* to *c*, *f* and *h* of the first paragraph of section 70 of the Environment Quality Act (R.S.Q., c. Q-2) and paragraph *c* of section 40 of the Agricultural Products, Marine Products and Food Act (R.S.Q., c. P-29) the Government may make regulations on the matters mentioned therein;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, a draft Regulation to amend the Regulation respecting solid waste was published in Part 2 of the *Gazette officielle du Québec* of 21 May 1997 with a notice that it could be made by the Government upon the expiry of 60 days following that publication;

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

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

THAT the Regulation to amend the Regulation respecting solid waste, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting solid waste (\*)**

Environment Quality Act  
(R.S.Q., c. Q-2, s. 70, 1st par., subpars. *a*, *b*, *c*, *f* and *h*)

Agricultural Products, Marine Products and Food Act  
(R.S.Q., C. P-29, s. 40, par. *c*)

**1.** Section 115 of the Regulation respecting solid waste is amended by inserting “or in the fourth paragraph of section 131” after the number “114” in the first paragraph.

**2.** The following is substituted for section 131:

“**131.** Carcasses and parts of animals: Meat unfit for human consumption may be eliminated only in accordance with the elimination procedures prescribed by the Regulation respecting food (R.R.Q., 1981, c. P-29, r. 1).

Sections 54 to 68 of the Act do not apply to the elimination of meat unfit for human consumption, where such elimination is carried out in compliance with the provisions of the Regulation respecting food and in facilities not governed by this Regulation.

Sheep or goat meat unfit for human consumption which, under the Regulation respecting food, may be sent to an elimination site may, if it consist of carcasses or parts of animals covered by a disposal order issued under section 3.4, 11.1 or 11.2 of the Animal Health Protection Act (R.S.Q., c. P-42) or under section 114 of the Regulation respecting the health of animals (C.R.C. c. 296; SOR/91-525 5 September 1991 (1991) No. 20 Can. Gaz. II, p. 3084), be admitted into a sanitary landfill site referred to in Division IV only if the latter meets either of the following conditions:

(1) it is a sanitary landfill site whose establishment or enlargement was authorized by order made under section 31.5 of the Act; or

\* The Regulation respecting solid waste (R.R.Q., 1981, c. Q-2, r. 14) was last amended by the Regulation made by Order in Council 1310-97 dated 8 October 1997 (1997, *G.O.* 2, 5199). For previous amendments, referred to the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

(2) although an order has not been issued for that site, its waterproofness is similar to a site mentioned in subparagraph 1 and it has a system for collecting and treating leachates.

The operator of a sanitary landfill site that meets the conditions prescribed by subparagraph 1 or 2 of the third paragraph must accept meat unfit for human consumption mentioned in the said paragraph where it comes from the territory of the administrative region where the sanitary landfill site is located.

For the purposes of this section,

“meat unfit for human consumption” means the products mentioned in section 7.1.1 of the Regulation respecting food;

“administrative region” means any region established by Order in Council 2000-97 dated 22 December 1987, amended by Orders in Council 1399-88 dated 14 September 1988, 1389-89 dated 23 August 1989 and 965-97 dated 30 July 1997.”

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

2360

Gouvernement du Québec

### **O.C. 865-98, 22 June 1998**

An Act respecting the Société de développement industriel du Québec  
(L.R.Q., c. S-11.01)

#### **Private Investment and Job Creation Promotion Fund**

Regulation to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund

WHEREAS under section 2 of the Act respecting the Société de développement industriel du Québec (R.S.Q., c. S-11.01), the object of the Corporation is to promote economic development in Québec;

WHEREAS under section 3 of the Act, the Corporation shall grant financial assistance under a program;

WHEREAS under section 5 of the Act, the Government may establish, by regulation, financial assistance programs for businesses, designed to promote economic development in Québec;

WHEREAS under subparagraphs *b*, *c*, *n* and *p* of the first paragraph of section 47 of that Act, the Govern-

ment may make regulations, in particular to establish criteria to determine which businesses may receive financial assistance, to determine the form of such financial assistance and the conditions a business must fulfil to obtain it;

WHEREAS by Order in Council 530-97 dated 23 April 1997, the Government made the Regulation to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund;

WHEREAS within the framework of the economic development strategy creating jobs by promoting private investments announced in the Budget Speech of 31 March 1998, it is expedient to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund;

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

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

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

(1) until such time as the Regulation to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund is adopted, the new measures announced in the Budget Speech of 31 March 1998 may not be enforced;

(2) it is important that businesses be able to benefit as soon as possible from the implementation of the proposed measures;

WHEREAS it is expedient to make this Regulation;

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:

THAT the Regulation to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the Private Investment and Job Creation Promotion Fund(\*)

An Act respecting the Société de développement industriel du Québec  
(R.S.Q., c. S-11.01, ss. 5 and 47)

**1.** The following is substituted for section 1 of the Regulation respecting the Private Investment and Job Creation Promotion Fund:

“**1.** The objective underlying this Regulation is to encourage businesses to carry out investment and export projects and to promote new projects. It may be designated as the “Private Investment and Job Creation Promotion Fund” or under the acronym “FAIRE”.”

**2.** The following paragraphs are substituted for paragraphs 5 and 6 of section 2:

“(5) “eligible expenses” means expenses directly related to the investment project or related to the working capital needed to carry out the project, except for expenses that give a right to Québec refundable tax credits;

(6) “amount” means the impact of financial assistance that is equivalent to:

(a) the amount of the interest charges assumed, the assistance in respect of manpower training or the non-refundable contribution; or

(b) the amount accounted for by the government, in respect of a guarantee on a financial commitment, a loan, a refundable contribution, the capital stock or the shares acquired by the Corporation;

(7) “export” means any activity for the purposes of

(a) selling goods, delivering services or executing contracts outside Québec;

(b) participating in the implementation outside Québec of public or industrial infrastructures consisting in their construction, operation and transfer;

(8) “shipbuilding” means the building in a shipyard located in Québec of a ship of a minimum gross tonnage of 100 tons;

(9) “added value distribution centre” means a commercial business whose activity consists in conditioning goods so as to give them an added value;

(10) “tax impact” means direct net tax impact for the Gouvernement du Québec during the first 5 years following the launching of the implementation of the project, as calculated by means of an econometric model;”

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

“**4.** The financial assistance must be necessary for carrying out the project in respect of which it is granted or for implementing a business in Québec.”

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

“**6.** The financial assistance must relate to one of the following:

(1) an investment project of more than \$10 000 000;

(2) a project that must create at least 100 jobs in a business carrying out the project;

(3) an investment project of more than \$2 000 000 by a business carrying out a first implementation in Québec whose project must create at least 50 jobs;

(4) an investment project of more than \$2 000 000 in the mining sector that must create or maintain at least 50 jobs in the business carrying it out;

(5) a project that must create at least 50 jobs in a business carrying out a project in the sector of multimedia, call centres, transaction processing centres or added value distribution centres;

(6) a feasibility or profitability study prior to obtaining a world-wide mandate of production of goods or services by a Québec subsidiary of a multinational business;

(7) a buyer credit of at least \$1 000 000 for the purchase of goods and services intended for export;

(8) a buyer credit granted for shipbuilding.”

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

“**7.** The project in respect of which financial assistance is granted must begin at the latest 6 months after it has been authorized, in accordance with section 25.”

**6.** The following is substituted for sections 10 to 12:

\* The Regulation respecting the Private Investment and Job Creation Promotion Fund was made by Order in Council 530-97 dated 23 April 1997 (1997, G.O. 2, 1814).

**“10.** Financial assistance shall be in the form of:

(1) a guarantee of reimbursement of at least 70 % of the net loss in relation to a loan, a line of credit, a letter of credit or any other form of financial commitment granted by a lender to a lessor, a leasing operator to a business or for the benefit of a business;

(2) the assumption of interest charges on a loan;

(3) a contribution to worker training;

(4) a loan, a refundable or non-refundable contribution.

The financial assistance provided for in the first paragraph may be separated or combined and must entail a strong tax impact. However, the amount of financial assistance may not exceed 8 % of eligible expenses or 15 % of the payroll paid for jobs created during the first 3 years.

**11.** The financial assistance may, as a last resort to ensure the carrying out of a project that engenders considerable economic impact, and up to an amount of not more than 15 % of eligible expenses, consist in the purchase by the Corporation of capital stock or the shares of a business or in a combination of the financial assistance provided for in this Regulation.

**11.1** For the purposes of sections 10 and 11, the expenses related to the working capital needed to carry out a project are eligible where the financial assistance consists in a guarantee or a loan.

**12.** Notwithstanding section 10, the financial assistance may

(1) consist in a guarantee of not more than 80 % of the net loss in respect of a buyer credit;

(2) consist in a guarantee of not more than 80 % of the net loss of a buyer credit in respect of shipbuilding granted to a Canadian buyer;

(3) reach 50 % of expenses related to a feasibility or profitability study prior to obtaining a world-wide mandate of production of goods or services by a Québec subsidiary of a multinational corporation up to a maximum of \$100 000.”

**7.** The following is substituted for section 14:

“14. Buyer credit may not exceed 75 % of the value of Québec exports.

Buyer credit of \$10 000 000 or more is supplementary to the financing granted for a project by the Corporation for increasing exports, by the Canadian Commercial Corporation or any other financial institution, whether national, foreign or international.”

**8.** The following is substituted for section 16:

“16. The financial assistance granted by the Corporation must be authorized prior to 1 April 2003.”

**9.** The following is substituted for section 25:

“25. The financial assistance provided for by this Program is granted by the Minister, without Government authorization, where the amount is less than \$10 000 000 and, by the Government, where the amount is \$10 000 000 or more.”

**10.** The following is substituted for section 30:

“30. The revenue generated by this Regulation shall be kept by the Corporation and the losses shall be borne by the Government.”

**11.** The following is substituted for the second sentence of section 32:

“However, no financial assistance may be granted after 31 March 2003. However, the Regulation respecting Private Investment and Job Creation Promotion Fund will continue to have effect after that date in respect of financial assistance already granted.”

**12.** The following is substituted for Schedule I:

## “SCHEDULE I

(s. 9)

### ACTIVITIES TO WHICH ASSISTANCE MUST PERTAIN

Pursuant to section 9 of this Regulation, the projects in respect of which financial assistance may be granted shall relate to the following activities:

(1) mining;

(2) manufacturing industries, including recycling;

(3) transportation by pipeline and storing;

(4) environmental restoration;

(5) added value distribution;

(6) the recovery, sorting and processing or treatment of waste or scrap, for the purpose of making a product or raw material used in manufacturing;

(7) call centres and transaction processing centres;

(8) services to businesses except the following:

(a) construction industries;

(b) communication and public services;

(c) retail trade, real property and insurance services;

(d) financial services except for data management centres;

(9) accomodation where the project pertains to the addition of sleeping-accomodation units justified by a local need or intended for customers not served by the current offer;

(10) entertainment and recreational services where the project pertains to

(a) the consolidation or the diversification of an alpine skiing centre except the costs related to the expansion of the skiable area or an increase in the centre's capacity;

(b) the cultural, natural, scientific, recreational, outdoor or other equipment or attractions offered to tourists on a regular basis and justified by a local need.

However, the financial assistance for the buyer credit may pertain to all the goods and services except government services.”.

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

2359

Gouvernement du Québec

**O.C. 878-98, 22 June 1998**

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

**Inhalothérapeutes**

— **Other terms and conditions for the issue of permits**

— **Amendments**

Regulation to amend the Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec

WHEREAS under paragraph *i* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Ordre professionnel des inhalothérapeutes du Québec may, by regulation, determine the other terms and conditions for issuing permits, specialist's certificates or special authorizations, in particular the obligation to serve the periods of professional training and to pass the professional examinations it determines;

WHEREAS under the same section, the Bureau made the Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec, approved by Order in Council 1019-94 dated 6 July 1994 and amended by the Regulation approved by Order in Council 573-97 dated 30 April 1997;

WHEREAS it is expedient to amend the Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in the *Gazette officielle du Québec* of 21 January 1998 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Code, the Office des professions du Québec has made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Acting Clerk of the Conseil exécutif*

## **Regulation to amend the Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec(\*)**

Professional Code  
(R.S.Q., c. C-26, s. 94, par. i)

**1.** The Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec is amended by adding the following paragraphs at the end of section 7:

“Any candidate eligible for the examination shall pass it within 2 years after meeting the conditions necessary for obtaining one of the diplomas or the recognition of equivalence referred to in subparagraph 1 of section 1.

Notwithstanding the foregoing, a candidate who demonstrates to the committee that he was unable to pass the examination within the prescribed time period because of illness, accident, pregnancy or an act of God shall be granted an additional period of time to comply with those conditions equivalent to the period during which he was unable to sit the examination, but not exceeding one year.

Candidates having obtained their diploma or recognition of equivalence before 4 August 1998 shall pass the examination before 4 August 2000.”

**2.** The following is substituted for section 12:

“**12.** A candidate who fails the professional examination shall take the examination again at the next session. A maximum of two retries shall be permitted.

After a third failure and upon written request from the candidate, the examination committee may decide, after having evaluated whether the inadequacies of the candidate might be corrected by an additional training period, that he may rewrite it after such additional training period as the committee deems necessary.

A candidate who obtains permission to rewrite the examination a fourth time shall follow the procedure provided for in section 9 and provide an attestation stating that he has successfully completed the additional training period that was required by the committee.”

**3.** The following is substituted for section 18:

“**18.** This Regulation is revoked on the date where, pursuant to the College Education Regulations made by Order in Council 1006-93 dated 14 July 1993, the comprehensive examination leading to a diploma meeting the requirements for permits issued by the Order is given for the first time.

Notwithstanding the foregoing, candidates referred to in sections 7 and 12 shall continue to be governed by this Regulation as long as their rights, privileges and recourses provided therein are not exhausted.”

**4.** This Regulation comes into force on 4 August 1998.

2355

## **Draft Regulation**

An Act respecting labour standards  
(R.S.Q., c. N-1.1; 1997, c. 72)

### **Labour standards — 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 labour standards, 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 increase the general rate of the minimum wage from \$6.80 per hour to \$6.90, to increase the rate of employees who usually receive tips from \$6.05 per hour to \$6.15 and to increase the minimum wage payable to domestics residing with their employer from \$264 per week to \$271.

Further information and the impact study may be obtained by contacting Mr. Normand Pelletier, research

\* The Regulation respecting the other terms and conditions for the issue of permits by the Ordre professionnel des inhalothérapeutes du Québec, approved by Order in Council 1019-94 dated 6 July 1994 (1994, G.O. 2, 2682), was amended by the Regulation approved by Order in Council 573-97 dated 30 April 1997 (1997, G.O. 2, 1947). The Regulation has not been amended since.



and socio-economic planning officer, 200, chemin Sainte-Foy, 5<sup>e</sup> étage, Québec (Québec) G1R 5S1, tel.: (418) 646-2472, or fax: (418) 644-6969.

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 Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

MATTHIAS RIOUX,  
*Minister of Labour*

### **Regulation to amend the Regulation respecting labour standards(\*)**

An Act respecting labour standards (R.S.Q., c. N-1.1, ss. 40, 89 par. 1, and 91; 1997, c. 72, ss. 1 to 3 and 7)

- 1.** Section 3 of the Regulation respecting labour standards is amended by substituting the amount "\$6.90" for the amount "\$6.80".
- 2.** Section 4 is amended by substituting the amount "\$6.15" for the amount "\$6.05".
- 3.** Section 5 is amended by substituting the amount "\$271" for the amount "\$264".
- 4.** This Regulation comes into force on 1 October 1998.

2350

\* The Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3) was last amended by the Regulation made by Order in Council 1193-97 dated 10 September 1997 (1997, G.O. 2, 4577). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

### **M.O., 1998**

#### **Order of the Minister of Municipal Affairs dated 18 June 1998 concerning the Regulation to amend the Regulation respecting the tariff of remuneration payable for municipal elections and referendums**

An Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2)

THE MINISTER OF MUNICIPAL AFFAIRS,

CONSIDERING section 580 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) relating to the remuneration of certain persons during elections or referendums in municipalities;

CONSIDERING sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) relating to the publication and making of proposed regulations;

CONSIDERING that the draft Regulation to amend the Regulation respecting the tariff of remuneration payable for municipal elections and referendums was published in Part 2 of the *Gazette officielle du Québec* of 15 April 1998;

ORDERS the following:

The Regulation to amend the Regulation respecting the tariff of remuneration payable for municipal elections and referendums, attached to this Order, is made.

Quebec City, 18 June 1998

RÉMY TRUDEL,  
*Minister of Municipal Affairs*

### **Regulation to amend the Regulation respecting the tariff of remuneration payable for municipal elections and referendums ( \* )**

An Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2, s. 580; 1995, c. 23, s. 71; 1997, c. 34, s. 41)

- 1.** Subdivisions 7 and 8 of Division I of the Regulation respecting the tariff of remuneration payable for municipal elections and referendums are revoked.

\* The Regulation respecting the tariff of remuneration payable for municipal elections and referendums (M.O. dated 13 October 1988) has not been amended since it was enacted.

**2.** The heading of subdivision 11 of Division I of the Regulation is amended by substituting the words “*Revising officer*” for the words “*Investigating assistant*”.

**3.** Section 22 is amended by substituting the words “revising officer” for “investigating assistant” in the first paragraph.

**4.** Section 29 is amended by deleting subparagraphs 3 and 4 of the second paragraph.

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

## Draft Regulations

### Draft Regulation

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

#### Animals in captivity — 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 animals in captivity, the text of which appears below, may be made by the Gouvernement du Québec upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to allow the killing of certain exotic species (buffalo, cervidae, boar, peccary) and of white-tailed deer on game ranches, as well as the marketing of the venison of the latter species.

To that end, the Regulation proposes a framework for the keeping of exotic species and the obligation to hold a game ranch licence to cause the killing of a buffalo, cervidae, boar or peccary in an enclosure. As for white-tailed deer, the draft Regulation renews the licence to keep white-tailed deer with a limit on the maximum number of animals that may be kept, and it establishes the game ranch and breeding licence which allows its holder, subject to certain obligations, to raise that species with a view to marketing the meat and to kill animals in an enclosure.

To date, study of the matter has revealed no negative impact on businesses, particularly on small and medium-sized businesses. The draft Regulation will legalize the killing of certain exotic species on game ranches, which is already tolerated. In the case of white-tailed deer, the public can choose between two types of licences, subject to certain restrictions on the number of animals kept under a licence to keep white-tailed deer. Furthermore, the Regulation will allow the marketing of the venison of that species, which will provide holders of game ranch and breeding licences with a new outlet for their businesses.

Further information may be obtained by contacting:

Mr. Serge Bergeron  
Ministère de l'Environnement et de la Faune  
Direction des territoires fauniques,  
de la réglementation et des permis  
150, boulevard René-Lévesque, 4<sup>e</sup> étage, boîte 91  
Québec (Québec)  
G1R 4Y1

Telephone: (418) 643-4880  
Fax: (418) 528-0834  
E-mail: serge.bergeron@mef.gouv.qc.ca

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 the Environment and Wildlife, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30<sup>e</sup> étage, Québec (Québec) G1R 5V7.

PAUL BÉGIN,  
*Minister of the Environment and Wildlife*

### Regulation to amend the Regulation respecting animals in captivity (\*)

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, ss. 42, 43 and 162,  
pars. 1, 7, 8, 9, 10, 14, 16 and 22)

1. Section 1 of the Regulation respecting animals in captivity is amended

(1) by substituting a “;” for the “.” at the end of paragraph 7;

(2) by adding the following after paragraph 7:

“(8) a game ranch licence for exotic species;

(9) a game ranch and breeding licence for white-tailed deer.”

\* The Regulation respecting animals in captivity, made by Order in Council 1029-92 dated 8 July 1992 (1992, G.O. 2, 3447), was amended once by Order in Council 310-93 dated 10 March 1993 (1993, G.O. 2, 1817).

**2.** The words “Subject to section 69.1, no” are substituted for the word “No” in section 9.

**3.** Section 10 is amended

(1) by substituting the words “such animal; in the case of a boar, peccary, buffalo or cervidae mentioned in that Schedule, the person shall comply with the provisions of paragraph 3 of section 55 and those of section 56 relating to enclosures except for a buffalo in the latter case” for the words “such animal” in the first paragraph; and

(2) by inserting the following paragraph after the second paragraph:

“Anyone who keeps in captivity a cervidae mentioned in Schedule II, a boar or a peccary shall erect any new enclosure by surrounding it with a fence in accordance with the relevant provisions of paragraph 1 or 2 of section 69.6.”.

**4.** Section 50 is amended

(1) by striking out the words “, scientific or breeding” after the word “recreational”; and

(2) by adding the following paragraph:

“As of 1 April 2000, the licence referred to in the first paragraph authorizes the keeping of white-tailed deer, no more than 5 of which shall be 6 months old or over, on the condition that they all bear the tag provided by the Ministère de l'Environnement et de la Faune for that purpose.”.

**5.** Sections 51 and 52 are revoked.

**6.** The following paragraph is added at the end of section 54:

“(4) as of 31 March 2000, keeps in captivity white-tailed deer, no more than 5 of which shall be 6 months old or over, on the condition that they all bear the tag provided by the Ministère de l'Environnement et de la Faune for that purpose.”.

**7.** Section 55 is amended

(1) by substituting “2.4” for “2.5” in paragraph 1;

(2) by inserting the following after paragraph 1:

“(1.1) erect and maintain any new enclosure by surrounding it with a fence in accordance with the provisions of paragraph 1 of section 69.6;” and

(3) by adding the words “without delay” after the word “notify” in paragraph 3.

**8.** Section 56 is amended

(1) by substituting “Subject to the circumstances provided for in paragraph 3 of section 55, it is” for the words “It is”; and

(2) by substituting the words “outside or on the perimeter fence” for the words “on the fence”.

**9.** Section 57 is amended by substituting the words “A holder of a licence to keep white-tailed deer may kill a deer he keeps in captivity; he may also, until 31 March 2000, dispose” for the words “A holder of a licence to keep white-tailed deer may dispose”.

**10.** The following Division is inserted after Division X:

**“DIVISION X.1  
GAME RANCH**

*§1. Game ranch for exotic species*

**69.1** A game ranch licence for exotic species authorizes the keeping in captivity of buffalo, cervidae mentioned in Schedule II, peccaries or boar for the purposes of operating a game ranch.

**69.2** To obtain a game ranch licence for exotic species, the applicant shall supply the following information:

(1) his full name and address; in the case of a legal person, its name and the address of its principal place of business; in the case of a partnership, its name and the address of its principal place of business; in the case of a natural person doing business under another name, that name, the applicant’s name and the address of its principal place of business;

(2) the exotic species the applicant wishes to keep in captivity;

(3) the site where those species will be kept in captivity and its characteristics regarding the percentage of wooded area and the nature of the principal trees species;

(4) the layout and area of the enclosures, which shall have a minimum area of 10 hectares and be surrounded by a fence complying with the relevant provisions of paragraph 1 or 2 of section 69.6.

**69.3** The Minister shall issue a game ranch licence for exotic species provided that the applicant:

(1) pays the fee determined pursuant to the Regulation respecting the scale of fees and duties related to the development of wildlife;

(2) fulfils the conditions of section 69.2.

**69.4** A game ranch licence for exotic species covers a 1-year period expiring on 31 March.

**69.5** The Minister shall renew such licence where its holder:

(1) applies for renewal thereof;

(2) pays the fee determined pursuant to the Regulation respecting the scale of fees and duties related to the development of wildlife;

(3) has complied with the provisions of Division II, section 10 and Subdivision 1 of this Division.

**69.6** A holder of a game ranch licence for exotic species shall:

(1) maintain, in the case of cervidae and buffalos, an enclosure surrounded by a game fence at least 2.4 metres high, having square meshes not larger than 15 cm between the vertical strands and comprising at least 20 horizontal strands; that perimeter fence shall be clear of any obstacle that could reduce the above-mentioned minimum height over a distance of 3 m on either side; the distance between the posts of the fence may not exceed 8 metres;

(2) maintain, in the case of peccaries and boars, an enclosure surrounded by a fence at least 1.8 m above ground level and made of:

(a) steel chain links of 13 gauge at the minimum, 1.24 m high including 30 cm in the ground. The 86 additional centimetres may be made of game fencing; or

(b) steel chain links of 13 gauge at the minimum, from 92 cm to 1.24 m high. The 88 or 56 additional centimetres may be made of game fencing. That enclosure shall be fitted on the inside with an electric wire running 30 cm above ground level, situated 30 cm from the fence and kept at a minimum energy of 10 joules;

(3) notify the Minister of the Environment and Wildlife of any modification he wishes to make to the fence referred to in paragraph 1 or 2;

(4) notify without delay a wildlife conservation officer where he notices that an animal has escaped from the enclosure;

(5) submit to the Minister, on or before 31 January of each year, a report indicating:

(a) the number of animals of each species kept in captivity;

(b) the number of animals of each species born during the year;

(c) the number of animals of each species that died during the year;

(d) the number of animals of each species that escaped and the number of animals recovered, if any, during the year;

(e) the number of animals of each species killed by the licence holder during the year and the number of animals killed by third persons;

(f) the number of animals of each species sent to the slaughterhouse during the year;

(6) comply with the provisions of Division II, section 10 and section 56 respecting the enclosure.

**69.7** Any person may kill a buffalo, a cervidae mentioned in Schedule II, a peccary or a boar kept in captivity by a holder of a game ranch licence for exotic species, provided that the person fulfils the following conditions:

(1) the animal shall be killed in an enclosure at least 10 hectares and no more than 200 hectares in area and at least 100 metres in width; at least 80 % of its surface shall be wooded land and it shall be surrounded by a fence complying with the relevant provisions of paragraph 1 or 2 of section 69.6;

(2) the animal shall be killed using a method that causes instant death or that does not cause the animal to suffer unnecessarily.

## *§2. Breeding and game ranch for white-tailed deer*

**69.8** A game ranch and breeding licence for white-tailed deer authorizes the keeping of white-tailed deer for breeding purposes or for the purposes of operating a game ranch.

**69.9** To obtain a game ranch and breeding licence for white-tailed deer, a person shall hold the licence to keep

white-tailed deer referred to in section 50 on 31 December 1998 and comply with the provisions of section 69.10; the person may apply therefor only upon renewing the latter licence; he may not hold both licences at the same time.

**69.10** To obtain a game ranch and breeding licence for white-tailed deer, a person shall:

- (1) keep at least 25 white-tailed deer in captivity;
- (2) submit a development plan for the site where the animals will be kept indicating its characteristics regarding the percentage of wooded land and the principal trees species, the layout and area of the enclosures, which shall be at least 10 hectares in area and be surrounded by a fence complying with the provisions of paragraph 2 of section 69.14.

**69.11** The Minister shall issue a game ranch and breeding licence for white-tailed deer provided that the applicant:

- (1) pays the fee determined pursuant to the Regulation respecting the scale of fees and duties related to the development of wildlife;
- (2) fulfils the conditions of sections 69.9 and 69.10.

**69.12** A game ranch and breeding licence for white-tailed deer covers a 1-year period expiring on 31 March.

**69.13** The Minister shall renew such licence where its holder:

- (1) applies for renewal thereof;
- (2) pays the fee determined pursuant to the Regulation respecting the scale of fees and duties related to the development of wildlife;
- (3) keeps in captivity a minimum of 25 white-tailed deer identified, as of 1 April 1999, by a tattoo and a tag recognized for that purpose by the Minister of the Environment and Wildlife;
- (4) has complied with the provisions of Division II and Subdivision 2 of this Division.

Upon renewing the licence referred to in the first paragraph, the Minister may convert it into a licence to keep white-tailed deer referred to in section 50, following an application by the licence holder and provided that the latter complies with section 54.

**69.14** A holder of a game ranch and breeding licence for white-tailed deer shall:

(1) keep a minimum of 25 deer identified, as of 1 April 1999, by a tattoo and a tag recognized for that purpose by the Minister of the Environment and Wildlife;

(2) maintain an enclosure surrounded by a game fence at least 2.4 metres high, having square meshes not larger than 15 cm between the vertical strands and comprising at least 20 horizontal strands; that perimeter fence shall be clear of any obstacle that could reduce the above-mentioned minimum height over a distance of 3 m on either side; the distance between the posts of the fence may not exceed 8 metres;

(3) notify the Minister of the Environment and Wildlife of any modification he wishes to make to the fence referred to in paragraph 2;

(4) notify without delay a wildlife conservation officer where he notices that an animal has escaped from the enclosure;

(5) submit to the Minister, on or before 31 January of each year, a report indicating:

- (a) the number of deer kept in captivity during the year;
- (b) the number of deer born during the year;
- (c) the number of deer that died during the year;
- (d) the number of deer that escaped and the number of deer recovered, if any, during the year;
- (e) the number of deer killed by the licence holder during the year and the number of deer killed by third persons;
- (f) the number of deer sent to the slaughterhouse during the year;

(6) keep a register up-to-date, indicating for each animal:

- (a) the tattoo and tag numbers;
- (b) the animal's sex;
- (c) the date of birth;
- (d) the dates of the various transactions concerning the animal, i.e. purchase, sale, donation or sending to a slaughterhouse, and the coordinates of the persons who are parties to those transactions;

(e) the date on which the animal is killed and the coordinates of the person who did it;

(7) comply with the provisions of Division II, section 56 respecting the enclosure and sections 58 and 59.

**69.15** A holder of a game ranch and breeding licence for white-tailed deer may dispose of a live or dead deer or its parts.

**69.16** A holder of a game ranch and breeding licence for white-tailed deer may have a deer killed by a slaughterhouse provided that its operator:

(1) holds the permit referred to in subparagraph *a* of the first paragraph of section 9 of the Agricultural Products, Marine Products and Food Act (R.S.Q., c. P-29) authorizing him to kill cervidae; or

(2) he is exempt from the obligation to hold a permit referred to in paragraph 1, under the second paragraph of section 9 of the Agricultural Products, Marine Products and Food Act because he is operating a plant registered under the Meat Inspection Act (Revised Statutes of Canada (1985), c. 25, 1st Supp).

**69.17** Any person may kill a white-tailed deer kept in captivity by a holder of a game ranch and breeding licence for white-tailed deer, provided that the person fulfils the following conditions:

(1) the animal shall be killed in an enclosure at least 10 hectares and no more than 200 hectares in area and at least 100 metres in width; at least 80 % of its surface shall be wooded land and it shall be surrounded by a fence complying with the provisions of paragraph 2 of section 69.14;

(2) the animal shall be killed using a method that causes instant death or that does not cause the animal to suffer unnecessarily;

(3) the identification tag shall remain on the animal until it is stored or cut up.

**69.18** Any person who carries an animal killed under section 69.16 shall have in his possession a proof of purchase of the animal.”

**11.** The numbers “, 69.6, 69.7, 69.14, 69.16, 69.17, 69.18” are inserted in section 70 after the number “68”.

**12.** The following is inserted after section 75:

“**75.1** A licence to keep white-tailed deer issued under the Regulation respecting animals in captivity (O.C.

1029-92 dated 8 July 1992) before (*insert here the date of coming into force of this Regulation*) remains in force until 31 March 1999; it may be renewed in accordance with section 54 or 69.9 of this Regulation.”

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

2363

## Draft Regulation

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

### Construction contracts for immovables of school boards — 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 construction contracts for immovables of school boards, 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 compliance with the Québec-New Brunswick and Québec-Ontario agreements to liberalize public procurements;

— to ensure concordance with the provisions of the Civil Code of Québec;

— to raise the maximum amount that may be charged for providing tender documents; and

— to introduce specific rules adapted to the awarding of contracts to save energy as a result of improved energy efficiency, that is, rules based on the quality and financial value of the projects.

To date, study of the matter has shown the following principal impact: businesses would be allowed to submit proposals for both the services and construction work required to carry out projects that save energy as a result of improved energy efficiency. The cost of the contracts would be covered by the savings generated.

Further information may be obtained by contacting Mr. Jean Drouin, Direction des équipements scolaires, 1035, rue De La Chevrotière, 14<sup>e</sup> étage, Québec (Québec) G1R 5A5; telephone: (418) 644-2525; fax: (418) 643-9224.

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 Education, 1035, rue De La Chevrotière, 16<sup>e</sup> étage, Québec (Québec) G1R 5A5.

PAULINE MAROIS,  
*Minister of Education*

## Regulation to amend the Regulation respecting construction contracts for immovables of school boards\*

Education Act  
(R.S.Q., c. I-13.3, s. 452)

**1.** The Regulation respecting construction contracts for immovables of school boards is amended in section 1:

(1) by substituting the words “or an urban community” for the words “an urban or regional community” in subparagraph 3 of the second paragraph; and

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

“(5) where performance of the work by a contractor who did not carry out the original work may void the securities held, in which case the school board shall negotiate with the contractor who carried out the work.”.

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

“**3.** The call for tenders shall be carried out either:

(1) by a public call for tenders where the estimated value of the contract is \$100 000 or more; or

(2) by a public call for tenders or an invitation to tender where the estimated value of the contract is \$50 000 or more, but less than \$100 000.”.

**3.** Section 4 is amended

(1) by adding the words “and information obtained” at the end of paragraph 3;

(2) by striking out the words “, where applicable,” and the second word “business” in paragraph 7; and

(3) by inserting the following paragraph after paragraph 7:

“(7.1) a statement, where applicable, that the contract for which the call for tenders is issued constitutes an exception provided for in an intergovernmental agreement and a statement of the restrictions and practices which do not comply with the call for tender procedures provided for in that agreement or do not grant reciprocal non-discriminatory treatment; and”.

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

“**6.** A public call for tenders shall be published in French:

(1) in a daily newspaper in the Ville de Montréal or in the Ville de Québec, in a regional daily or weekly newspaper distributed in the region where the work is to be carried out, and in at least one publication specialized in the field of construction; or

(2) by an electronic call for tenders system.”.

**5.** Section 7 is amended

(1) by substituting the following for the part preceding paragraph 1:

“**7.** The following documents shall be given to the tenderer upon submission of an application containing the information required in Schedule I, and, where those documents are obtained directly from the school board, accompanied with the amount determined by the school board, but not exceeding \$500:”;

(2) by inserting the following after paragraph 6:

“6.1 a specimen of the irrevocable letter of guarantee in the form of Schedule 4.1;”.

**6.** Section 9 is amended

(1) by substituting the following for the second paragraph of paragraph 1:

“Where the security is in the form of a tender bond, it shall be given by a financial institution legally empow-

\* The Regulation respecting construction contracts for immovables of school boards, made by Order in Council 1015-90 dated 11 July 1990 (1990, G.O. 2, 1964) was amended by Order in Council 360-94 dated 16 March 1994 (1994, G.O. 2, 1265).



ered to provide security, in compliance with the form prescribed in Schedule 4.”;

(2) by substituting the following for the third paragraph of paragraph 1:

“Where the security is not in the form of a tender bond, it shall be given by means of a certified cheque, money order, draft, irrevocable letter of guarantee in compliance with Schedule 4.1 and issued by a bank, a savings or credit union or a trust or savings company, or a bearer bond issued or guaranteed by the Gouvernement du Québec, the Government of Canada or, where an intergovernmental agreement is applicable, the government of a province or territory covered by that agreement and whose due date does not exceed a five-year period. In such cases, the amount of the security shall be the same as the amount fixed in the call for tenders.”;

(3) by substituting the words “value of” for the words “price indicated in” in the first sentence of the second paragraph of paragraph 2;

(4) by substituting the words “in compliance with the form of Schedule 5 or 6, as the case may be” for the words “in the form of Schedules 5 and 6 to the Regulation furnished by the school board or on similar forms” at the end of the second paragraph of paragraph 2;

(5) by substituting the following for the last paragraph of paragraph 2:

“Where the security provided for in the first paragraph is given by means of a certified cheque, money order, draft, or a bearer bond issued or guaranteed by the Gouvernement du Québec, the Government of Canada or, where an intergovernmental agreement is applicable, the government of a province or territory covered by that agreement and whose due date does not exceed a five-year period, the security shall be 10 % of the value of the contract.”;

(6) by substituting the following for items *i* and *ii* of subparagraph *d* of paragraph 5:

“i. by a certified copy of the decision of the legal person to that effect;

ii. in the case of a partnership, where the tender documents are not signed by all the partners, by a power of attorney designating the person authorized to sign for the partnership;”;

(7) by inserting the following paragraph at the end of subparagraph *d* of paragraph 5:

“The documents required in this subparagraph may be replaced, where an intergovernmental agreement applies, by an equivalent legally recognized in a province or territory governed by that agreement.”;

(8) by striking out the words “where applicable,” and the parenthesis “(R.S.Q., c. B-1.1)” in subparagraph *h* of paragraph 5; and

(9) by substituting the following for paragraphs 8 and 9:

“8. After opening the tenders and before signing the contract, the school board may require the lowest tenderer to provide a complete list of all the subcontractors to whom he has agreed to entrust part of the work and the prices submitted by each of them.

9. If, on the date the work ends, any apparent defect or faulty workmanship exists in the immovable, the school board shall accept the work with reservations. In such case, it may, until repairs or corrections are made, withhold a sum that would satisfy the reservations expressed regarding the defect or the faulty workmanship, unless the contractor provides the school board with sufficient security to guarantee fulfilment of his obligations.

The school board may also use the sums withheld to pay claims by workers and by other persons who may enforce a legal hypothec on the work, unless the contractor provides the school board with sufficient security to guarantee those claims. That withholding shall be maintained until such time as the contractor has remitted to the school board a discharge for those claims.”.

**7.** The following is substituted for section 10:

“**10.** The time limit for receipt of tenders shall be calculated from the first publication of the call for tenders and may not be less than:

(1) 28 days for contracts having an estimated value of \$1 500 000 or more;

(2) 21 days for contracts having an estimated value of not less than \$200 000, but not more than \$1 500 000; and

(3) 15 days for contracts having an estimated value of less than \$200 000.”.

**8.** Section 18 is amended in the French text:

(1) by substituting the words “adjudgé” and “adjudger” for the words “accordé” and “accorder” in the first and second paragraphs respectively.

**9.** The Regulation is amended by inserting the following division after section 21:

**“DIVISION 5  
CONTRACTS TO SAVE ENERGY  
AS A RESULT OF IMPROVED ENERGY  
EFFICIENCY**

**21.1** This division applies to any contract to save energy as a result of improved energy efficiency, where the contract consists of both the supply of professional services and the carrying out of construction work, and where the cost is covered by those savings. The contract may also contain provisions respecting the supply of material and other services, as well as the project's financing.

**21.2** The other provisions of this Regulation apply to a contract referred to in this division except for sections 1, 4, 7 to 10 and 15 to 20.

**21.3** For the purposes of this division,

(1) “call for candidacies” means a method of calling for tenders that consists in inviting contractors to submit their candidacy and then in inviting the short-listed candidates to submit a proposal;

(2) “call for proposals” means a method of calling for tenders that consists in inviting contractors to submit a proposal for carrying out a project;

**21.4** Under this division, a school board may not enter into a contract where its estimated value is \$50 000 or more unless the school board has extended a call for candidacies or for proposals.

**21.5** The notice of a call for candidacies or proposals shall contain at least the following particulars:

- (1) the name of the school board;
- (2) a brief description of the project and the place where it shall be carried out;
- (3) the place where tender documents can be obtained or consulted and information obtained;
- (4) the criteria for obtaining the documents required for preparing a candidacy or proposal;
- (5) the period of validity of the proposal;
- (6) the date, time and place fixed for the submission and opening of tenders;
- (7) a statement that only tenders from contractors who have visited the work site will be considered;
- (8) a statement that only tenders submitted by contractors having an establishment in Québec, or where an intergovernmental agreement applies, in Québec or in a province or a territory governed by that agreement, and

holding the licence required under the Building Act will be considered;

(9) a statement, where applicable, that the contract for which the call for tenders is issued constitutes an exception provided for in an intergovernmental agreement, and a statement of the restrictions and practices which do not comply with the call for tender procedures provided for in that agreement or do not grant reciprocal non-discriminatory treatment;

(10) a statement that the school board does not undertake to accept any of the tenders and that, if the contract is awarded, it will be awarded to the qualified contractor whose proposal received the highest weighted financial value and that, in case of identical bids, the contract shall be awarded by drawing lots among the contractors involved.

**CALL FOR TENDER DOCUMENTS**

**21.6** The following documents and information shall be given to the applicant upon filing an application accompanied, where the documents and information are obtained directly from the school board, by an amount which is determined by the school board but does not exceed \$500:

- (1) a list of the documents and information provided;
- (2) a copy of the written text of the call for tenders;
- (3) a description of the project;
- (4) instructions to contractors;
- (5) a specimen of the contract;
- (6) a specimen of the performance bond and the contractor's indemnity bond for wages, materials and services, in compliance with the forms respectively prescribed in Schedules 5 and 6;
- (7) a copy of this Regulation;
- (8) the period of reference for the calculation of the energy savings;
- (9) the other contract conditions including any condition relative to financing, the general conditions and the relevant addenda.

**21.7** The instructions to contractors shall indicate how to submit the tender, the supporting documents and information required, the procedure to be followed by the contractor, as well as the selection criteria for the tenders and the weighting of the criteria.

**21.8** The instructions to contractors shall also contain the following provisions, which constitute the conditions for the awarding of the contract and the undertakings to be given by tenderers:

1. the school board shall reject any tender received after the deadline;

2. the school board shall reject any tender that does not meet the following conditions:

- (a) the tender shall be signed;
- (b) an authorization for the signing of the documents shall accompany the tender, where the contractor is a legal person, a person who conducts business under a name other than his own or who conducts business under his own name but is not the signatory. The authorization shall be as follows:
  - i. a certified copy of the decision of the legal person to that effect;
  - ii. a proxy designating the person authorized to sign on behalf of a partnership where the documents are not signed by all the partners;
  - iii. a notarized proxy in which the natural person who conducts business under his own name has authorized someone to sign on his behalf.

The documents required in this subparagraph may be replaced, where an intergovernmental agreement applies, by an equivalent legally recognized in another province or territory referred to in that agreement;

- (c) the documents shall be signed, where specified, by the authorized person;
- (d) the tender shall contain no conditions or restrictions;
- (e) the contractor shall hold the licence required under the Building Act;
- (f) the documents shall be written in French.

Where an instruction or condition other than those provided for in this section is not complied with and the instructions to contractors stipulate that the instruction or condition is essential, or state that failure to comply entails a rejection of the tender, the tender shall be rejected.

3. The contractor shall provide, before the beginning of the work, a performance bond for the work and an indemnity bond for the wages, materials and services.

Where the security is in the form of bonds, the amount of each bond shall be 50 % of the value of the work, provided by a financial institution legally empowered to stand surety. The bonds are thus provided in accordance with the forms prescribed in Schedule 5 or 6, as the case may be.

Where the security provided for in the first paragraph is given by means of a certified cheque, money order, draft, or a bearer bond issued or guaranteed by the Gouvernement du Québec, the Government of Canada or, where an intergovernmental agreement is applicable, the government of a province or territory covered by that agreement and whose due date does not exceed a five-year period, each bond shall be 10 % of the value of the work.

4. The contractor is responsible for obtaining the information on the condition of the work site, the nature of the services to be provided and the work to be carried out, and the conditions relative to the contract and its execution.

5. Before the work begins, the school board may require the contractor to provide a complete list of all the subcontractors to whom he has agreed to entrust part of the work and the prices submitted by each of them.

6. If, on the date the work ends, any apparent defect or faulty workmanship subsists in the immovable, the school board shall accept the work with reservations. In such case, it may, until repairs or corrections are made, withhold a sum that would satisfy the reservations expressed regarding the defect or the faulty workmanship, unless the contractor provides it with sufficient security to guarantee fulfilment of his obligations.

The school board may also use the sums withheld to pay claims by workers and by other persons who may enforce a legal hypothec on the work, unless the contractor provides it with sufficient security to guarantee those claims. That withholding shall be maintained until such time as the contractor has remitted to the school board a discharge for those claims.

## SELECTION PROCEDURE

**21.9** A selection committee shall evaluate the candidacies and the proposals and submit a written report with its recommendations to the school board.

**21.10** In the case of a call for candidacies, contractors shall be selected in two stages:

- (1) a minimum of three contractors shall be short-listed, following the call for candidacies;
- (2) the short-listed contractors shall be required to make within a prescribed time limit of not less than 28 days a proposal based on the study of the buildings and their systems.

**21.11** At the short-list stage, the selection committee shall evaluate the candidacies by means of the evaluation chart developed by the school board, which shall contain a minimum of five criteria including the two compulsory criteria below:

**A. Compulsory criteria**

(1) Contractor's experience

Evaluation of the contractor's relevant experience in the specific field of that project and in similar projects carried out, particularly in regard to:

- construction site management;
- engineering;

(2) Contractor's financial situation

Evaluation of the contractor's financial statements and other relevant financial reports and, if the project is financed by the contractor, his ability to contribute to its financing;

**B. Suggested criteria**

(1) Quality control

Evaluation of the mechanisms put into place to guarantee the quality of the goods and services to be provided.

(2) Project management

Evaluation of the contractor's expertise in managing projects whose scale and complexity compare to that of the project, particularly in regard to organizational structure, project management methods and tools and compliance with budgets and deadlines;

(3) References

Evaluation of client satisfaction in regard to the contractor's contribution to the projects supporting his candidacy.

**21.12** The quality of the proposals put forth by the short-listed contractors is determined by the selection committee, by means of the evaluation chart developed by the school board, which shall contain a minimum of five criteria including the compulsory criterion below:

**A. Compulsory criterion**

Quality and probability

(1) Evaluation of the quality and probability of the recommended measures and savings, as well as the estimates of the costs and savings;

**B. Suggested criteria**

(1) Management

Evaluation of the organization and planning of the project, and cost control;

(2) Training of employees and users

Evaluation of the approach recommended, experience and past performance in training;

(3) Financing

Evaluation of the relevance and flexibility of the proposed financing;

**21.13** The selection committee shall evaluate the proposals following a call for proposals, by means of the evaluation chart developed by the school board, which shall contain a minimum of five criteria including the three compulsory criteria below:

**A. Compulsory criteria**

(1) Contractor's experience

Evaluation of the contractor's relevant experience in the specific field of that project and in similar projects, particularly in regard to:

- construction site management;
- engineering;

(2) Contractor's financial situation

Evaluation of the contractor's financial statements and other relevant financial reports and, if the project is financed by the contractor, his ability to contribute to its financing;

(3) Quality and probability

Evaluation of the quality and the probability of the recommended measures and savings, as well as the estimates of the costs and savings;

## B. Suggested criteria

### (1) Quality control

Evaluation of the mechanisms put into place to guarantee the quality of the goods and services to be provided;

### (2) References

Evaluation of client satisfaction in regard to the contractor's contribution to the projects supporting his candidacy.

### (3) Management

Evaluation of the organization and planning of the project, and cost control;

### (4) Training of employees and users

Evaluation of the approach recommended, experience and past performance in training;

### (5) Financing

Evaluation of the relevance and flexibility of the proposed financing.

**21.14** The entire selection criteria shall be considered in the study of the tenders. The evaluation shall be based on actual needs that pertain to the carrying out of the project; any additional element submitted by the contractor shall not be considered.

The total weighting of the criteria shall be equal to 25. Each compulsory criterion shall have a weighting of five and no criterion may have a weighting greater than five. Each tender shall be evaluated individually and each criterion shall receive a mark between zero and five. Three is the mark given for a tender that, for a given criterion, is considered satisfactory.

A contractor who fails to provide in his tender any information on a given criterion shall receive a mark of zero.

**21.15** Only the proposals that obtain at least 50 % of the total mark for each criterion and at least 60 % for the overall criteria will be considered.

**21.16** The selection committee shall then determine the financial value of each proposal that obtained the required passing marks.

The financial value of a proposal shall be the net updated savings resulting from the project, that is, the current amount of the savings less the current amount of the costs incurred by the project.

**21.17** The selection committee shall weight the financial value of each proposal according to the following formula: the project's financial value multiplied by the total mark obtained for overall quality, divided by 125.

The selection committee shall recommend the contractor whose proposal obtained the highest weighted financial value.

## RECEIPT AND OPENING OF TENDERS

**21.18** The deadline for receiving tenders is calculated from the date of the first publication of the call for tenders and may not be less than:

- (1) 21 days for a call for candidacies;
- (2) 28 days for a call for tenders.

**21.19** Upon opening the tenders, the school board's representative shall ascertain and read aloud the name of each contractor and state whether an authorization for the signature of the tender is attached, where required.

Those statements shall be recorded in the minutes with the name of the witness.

The school board shall state that the contractor will be selected after the selection committee's review of the proposals.

**21.20** A proposal shall be void upon expiry of the period of validity stated in the call for tender documents unless the parties agree in writing to an extension.

**21.21** Before the expiry of the period provided for in section 21.20, the school board shall provide the selected contractor with a notice for signature of the contract, giving the time and place of signature.

If the school board does not provide the notice within the prescribed period, it may, after that deadline, invite the selected contractor to sign by sending him the proposed contract.

Should the contractor fail to sign the contract and return it to the school board within ten days of the mailing date of the invitation, it shall cease to have effect.

**10.** The following is substituted for the Schedules to the Regulation:

**“SCHEDULE 1**

(s. 7)

**APPLICATION FOR DOCUMENTS**

\_\_\_\_\_  
(Name of the Owner)

\_\_\_\_\_  
(Identification of project)

1. Documents provided:

Specifications \_\_\_\_\_

Plans \_\_\_\_\_

2. Date: \_\_\_\_\_

3. Name and address of tenderer: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Name and address of the person \_\_\_\_\_

to whom communications, letters \_\_\_\_\_

and addenda should be sent: \_\_\_\_\_

5. Signature of the person to whom \_\_\_\_\_

the plans and specifications were provided:

\_\_\_\_\_  
Signature of the applicant

Received the amount of \$ \_\_\_\_\_

\_\_\_\_\_  
Signature of the person  
issuing the tender  
documents

**SCHEDULE 2**

(s. 7, par. 4)

**TENDER FORM**

PROJECT: \_\_\_\_\_

\_\_\_\_\_

OWNER: \_\_\_\_\_

TENDERER: \_\_\_\_\_

(Name)

(Number and street) (City or town)

(Province) (Postal code)

**LICENCE OF THE  
RÉGIE DU BÂTIMENT  
DU QUÉBEC**

(File No. and expiration date)

1. I declare, on my own behalf or on behalf of the business that I represent:

(1) that I have received and taken cognizance of the complete specifications, the plans, the general conditions and all the addenda issued, as well as the instructions to tenderers and other tender documents concerning the project referred to above;

(2) that I have obtained all the necessary information on the condition of the work site, the nature of the services to be supplied and the requirements of the contract;

(3) that I am satisfied with the documents made available to me, that I have understood them thoroughly and that, to the best of my knowledge, there is no other relevant or decisive information in the Owner's possession.

2. In consequence thereof, I undertake:

(1) to respect all the conditions and specifications appearing in the call for tender documents and to carry out all the work required by the plans and specifications as well as any work which, although not specifically mentioned, is required in keeping with the spirit of the plans and specifications;

(2) to carry out all the work for the lump sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) in legal tender of Canada, including the costs of permits (except the construction permit), bonuses, royalties and municipal, provincial and federal taxes;

(3) to complete all the work within \_\_\_\_\_ weeks following authorization to begin construction;

(4) to hire only subcontractors having a place of business that includes, in Québec or, where an intergovernmental agreement applies, in Québec or in a province or territory governed by that agreement, permanent installations and the staff required to carry out the work entrusted to them, except for specialized work specifically exempted from that obligation in the call for tender documents.

3. I certify that the price tendered is valid for a period of \_\_\_\_\_ days from the time limit fixed for the return of tenders.

Per \_\_\_\_\_ Date \_\_\_\_\_  
(Signature)\_\_\_\_\_  
(Name of the signatory in block letters)

**SCHEDULE 3**

(s. 7, par. 5)

**FIXED-PRICE CONSTRUCTION CONTRACT**

Contract in two copies (or duplicate) dated \_\_\_\_\_

BETWEEN \_\_\_\_\_  
Owner

AND \_\_\_\_\_  
Contractor

PROJECT \_\_\_\_\_

DATE \_\_\_\_\_

This contract witnesses that the Owner and the Contractor have undertaken as follows:

1. The parties agree that this contract is a fixed-price contract within the meaning of article 2109 of the Civil Code of Québec.

2. The Contractor shall:

(1) supply all the materials and carry out all the work indicated in the plans, specifications and addenda for the project entitled:

\_\_\_\_\_  
(Name of the project)

which were signed in duplicate by both parties and prepared by:

\_\_\_\_\_  
hereinafter called the "Person responsible for the work" and acting in that capacity herein;

(2) perform all that is indicated in this contract;

(3) complete, in accordance with the certificate of the Person responsible for the work, all the work not later than

\_\_\_\_\_, failing which the Contractor will be held liable for damages resulting from that delay, as provided in the general conditions contained in the tender documents.

3. Contractual documents

The documents used to establish the price are listed hereafter and form an integral part of this contract. Those documents are signed or initialled in duplicate by the parties.

List

4. The Owner shall pay:

(1) to the Contractor, in legal tender of Canada, on account of the work, as described below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (\$\_\_\_\_\_) subject to supplements and deductions, as provided in the general conditions contained in the tender documents;

(2) that sum is paid to the Contractor in accordance with the terms and conditions stipulated in the general conditions contained in the tender documents.

5. The Contractor has furnished and the Owner has accepted a performance bond, namely:

\_\_\_\_\_  
\_\_\_\_\_  
and an indemnity bond for wages, materials and services, namely:  
\_\_\_\_\_  
\_\_\_\_\_.

The Contractor undertakes to post on the work site a notice indicating that security for the payment of the labour and materials is in force, with the name and address of the Surety, the persons covered by the security and the procedures for submitting a claim.

6. The Contractor undertakes to furnish, upon each request for payment, a statement of the sums paid to subcontractors and to suppliers of materials, accompanied with copies of receipts signed by the subcontractors and suppliers, and a statement of the sums he still owes in order to complete the project.

7. For any communication respecting the contract, the address of the Contractor is:

\_\_\_\_\_  
\_\_\_\_\_

the address of the Owner is:

\_\_\_\_\_  
\_\_\_\_\_

the address of the Person responsible for the work is:

\_\_\_\_\_  
\_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Witness Contractor
Witness Owner

SCHEDULE 4

(s. 7, par. 6)

TENDER BOND

1. \_\_\_\_\_, (Name of the Surety)

whose principal office is situated at \_\_\_\_\_, herein represented by \_\_\_\_\_, duly authorized, hereinafter called the SURETY.

After having taken cognizance of the tender to be submitted on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ to

(Name of the Owner) hereinafter called the Recipient, by \_\_\_\_\_, (Name of the Contractor)

whose principal office is situated at \_\_\_\_\_, here represented by \_\_\_\_\_, duly authorized, hereinafter called the Contractor, for \_\_\_\_\_

(Description of work and place)

will act as surety to the Recipient for the Contractor, on the following conditions:

— should the tenderer fail to sign a contract in accordance with his tender or should he fail to provide the required guarantees within 15 days following the date of acceptance, the Surety binds itself to pay the Recipient a sum of money equal to the difference between the amount of the tender which had been accepted and the amount of the tender subsequently accepted by the Recipient,

the liability of the Surety being limited to \_\_\_\_\_ dollars (\$\_\_\_\_\_).

2. This bond covers a period of one year starting on the date it is signed.

3. Where the Contractor's tender is accepted, he must be notified of its acceptance within \_\_\_\_\_ days following the last day fixed for receipt of tenders; otherwise, this obligation shall be null and void.

4. This bond is governed by the laws applicable in Québec, and the courts of Québec have sole jurisdiction in case of dispute.

5. Any legal proceedings based on this bond may be instituted in the judicial district of the Recipient.

6. The Surety waives the benefit of discussion and division.

7. The Surety declares that it has taken cognizance of all the information relevant to the principal obligation and that it is satisfactory.

8. The Contractor intervenes in these presents to consent thereto.

IN WITNESS WHEREOF, the Surety and the Contractor, through their duly authorized representatives, have signed these presents at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Witness Surety
Witness Contractor

SCHEDULE 4.1

(s. 7, par. 6.1)

IRREVOCABLE LETTER OF GUARANTEE

Recipient: \_\_\_\_\_ Name of the Owner

\_\_\_\_\_ Address

Object: \_\_\_\_\_ Name of the Contractor

\_\_\_\_\_ Address

Summary identification of the call for tenders

The \_\_\_\_\_ Name of the financial institution and branch



herein represented by \_\_\_\_\_, duly authorized, guarantees irrevocably the payment of the sums that will be owed to you by the above-mentioned client in the event that the client fails to accept a contract conforming to the client's tender or to provide the required guarantees within \_\_\_\_\_ ( ) days of the notice of acceptance of the tender.

This letter of guarantee may be realized only if the tenderer fails to accept a contract conforming to the tender, or if he fails to furnish the required guarantees.

After receipt of a written application for payment, in which the date of the opening of the tenders shall be stated, \_\_\_\_\_

Name of the financial institution undertakes to pay those sums; notwithstanding the foregoing, \_\_\_\_\_ Name of the financial institution

shall in no case be required to pay more than \_\_\_\_\_ dollars (\$) under this letter of guarantee.

This letter of guarantee shall remain valid for a period of \_\_\_\_\_ ( ) days from the date of the opening of the tenders and any application for payment under this letter of guarantee shall be received by \_\_\_\_\_

Name of the financial institution no later than \_\_\_\_\_ ( ) days from the date of the opening of the tenders.

Payment is due upon mere application for payment sent to the financial institution by the Recipient.

\_\_\_\_\_  
Name and address of the financial institution

Per: \_\_\_\_\_ Authorized signatory

\_\_\_\_\_  
Authorized signatory

**SCHEDULE 5**

(s. 7, par. 7)

(s. 21.6, par. 6)

**PERFORMANCE BOND**

1. \_\_\_\_\_, (Name of the Surety)

whose principal office is situated at \_\_\_\_\_, herein represented by \_\_\_\_\_, duly authorized, hereinafter called the Surety, after having taken cognizance of the tender accepted on \_\_\_\_\_

by \_\_\_\_\_ (Name of the Owner) hereinafter called the Recipient, for \_\_\_\_\_

\_\_\_\_\_  
(Description of work and place) with a view to a contract between the Recipient and \_\_\_\_\_,

(Name of the Contractor) whose principal office is situated at \_\_\_\_\_, herein represented by \_\_\_\_\_, duly authorized, hereinafter called the Contractor, binds itself jointly and severally with the Contractor to the Recipient to perform the work described above in accordance with the contract, and the Surety may in no case be required to pay more than \_\_\_\_\_ dollars (\$\_\_\_\_\_).

2. This bond covers a period of one year starting on the date of completion of the work covered by the contract.

3. The Surety declares:

(1) that it has taken cognizance of all the information relevant to the principal obligation and is satisfied with it;

(2) that it has informed itself of any cause likely to affect the Contractor's capacity and waives exoneration from its obligations in case of the Contractor's incapacity;

(3) that it has availed itself of the Contractor's intervention so that the Contractor releases the Owner from all liability that may be related to the disclosure of information relevant to the principal obligation;

(4) that it has taken cognizance of the external clauses to which the obligation refers.

4. The Surety agrees that the Recipient and the Contractor may make changes to the contract at any time, waives notification of such changes and also consents to the Recipient's granting any extension necessary for completion of the work.

5. If the Contractor fails to execute the contract, including work covered by the guarantees, the Surety will undertake and continue the required work within 15 days after being notified to that effect by the Recipient or his representative, failing which the Recipient may have the work completed and the Surety shall pay the Recipient any excess over the price agreed upon with the Contractor for the execution of the contract.

6. This bond is governed by the laws applicable in Québec, and the courts of Québec have sole jurisdiction in case of dispute.

7. Any proceedings for the enforcement of this bond may be instituted in the judicial district of the Recipient.

8. The Surety waives the benefit of discussion and division.

9. The Contractor intervenes in these presents to consent thereto.

IN WITNESS WHEREOF, the Surety and the Contractor, through their duly authorized representatives, have signed these presents at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Surety

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Contractor

## SCHEDULE 6

(s. 7, par. 7)

(s. 21.6, par. 6)

### CONTRACTOR'S INDEMNITY BOND FOR WAGES, MATERIALS AND SERVICES

1. \_\_\_\_\_,  
(Name of the Surety)

whose principal office is situated at \_\_\_\_\_,  
herein represented by \_\_\_\_\_, duly authorized,  
hereinafter called the Surety, after having taken cognizance of the tender duly accepted, on \_\_\_\_\_, 19\_\_\_\_\_,  
by \_\_\_\_\_

(Name of the Owner)

hereinafter called the Recipient, for \_\_\_\_\_

\_\_\_\_\_  
(Description of work and place)

with a view to a contract between the Recipient and \_\_\_\_\_

(Name of the Contractor)

whose principal office is situated at \_\_\_\_\_,  
herein represented by \_\_\_\_\_, duly authorized,  
hereinafter called the Contractor, binds itself jointly and severally with the Contractor to the Recipient to directly pay the creditors hereinafter defined, and the Surety may in no case be required to pay more than a total of \_\_\_\_\_ dollars (\$\_\_\_\_\_).

2. Creditor means:

(1) any subcontractor of the Contractor;

(2) any natural or legal person having sold or leased to the Contractor or to his subcontractors services, materials or equipment intended exclusively for the work.

Equipment rental prices will be determined solely in accordance with current construction industry standards;

(3) any supplier of materials specially prepared for the project;

(4) the Commission de la santé et de la sécurité du travail with respect to its assessments.

3. This bond covers a period of one year starting on the date on which the work referred to in the contract is completed.

4. The Surety agrees that the Recipient and the Contractor may make changes to the contract at any time, waives notification of such changes and also consents to the Recipient's granting any extension necessary for completion of the work.

5. (1) Subject to subsection 3 below, no creditor shall have direct recourse against the Surety unless he has sent a request for payment to the Surety and to the Contractor within 120 days following the date on which he completed his work or supplied the last services, materials or equipment.

(2) Any creditor who does not have a contract directly with the Contractor shall have no direct recourse against the Surety unless he has given notice in writing of his contract to the Contractor within 60 days following the commencement of the leasing or the delivery of services, materials or equipment; such notice must indicate the work in question, the nature of the contract and the name of the subcontractor.

(3) No subcontractor shall have direct recourse against the Surety for amounts that the Contractor has withheld from him unless he has sent a request for payment to the Surety and to the Contractor within 120 days following the date on which the withholdings were due.

6. This bond is governed by the laws applicable in Québec, and the courts of Québec have sole jurisdiction in case of dispute.

7. Any creditor may bring suit against the Surety once 30 days have elapsed after the notice stipulated in section 5 above has been given, provided that the proceedings are instituted no earlier than 90 days after the date on which the work was carried out or the date on which the last services, materials or equipment were supplied;

8. Any payment made in good faith under these presents will entail a corresponding reduction in the amount of this bond.

9. The Surety waives the benefit of discussion and division.

10. The Surety declares:

(1) that it has taken cognizance of all the information relevant to the principal obligation and is satisfied with it;

(2) that it has informed itself of any cause likely to affect the Contractor's capacity and waives exoneration from its obligations in case of the Contractor's incapacity;

(3) that it has availed itself of the Contractor's intervention so that the Contractor releases the Owner from all liability that may be related to the disclosure of information relevant to the principal obligation;

(4) that it has taken cognizance of the external clauses to which the obligation refers.

11. The Contractor intervenes in these presents to consent thereto.

IN WITNESS WHEREOF, the Surety and the Contractor, through their duly authorized representatives, have signed these presents at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Surety

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Contractor".

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

2364

## Draft Regulation

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

### Scale of fees and duties related to the development of wildlife — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife, the text of which appears below, may be made

by the Government upon the expiry of 45 days following this publication.

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 the Environment and Wildlife, Édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30<sup>e</sup> étage, Québec (Québec) G1R 5V7.

PAUL BÉGIN,  
*Minister of the Environment and Wildlife*

## Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife\*

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s.162, par. 10)

**1.** Section 4.3 of the Regulation respecting the scale of fees and duties related to the development of wildlife is amended in the first paragraph by adding the following after paragraph 7:

- |  |            |
|--|------------|
| “(8) a game ranch licence<br>for exotic species                | \$50.00    |
| (9) a game ranch and breeding licence<br>for white-tailed deer | \$300.00”. |

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

2352

\* The Regulation respecting the scale of fees and duties related to the development of wildlife, made by Order in Council 1291-91 dated 18 September 1991 (1997, *G.O.* 2, 3908), was last amended by Order in Council 308-98 dated 18 March 1998 (1998, *G.O.* 2, 1362). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

## Notice

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

### Classification of employers, statement of wages and the rates of assessment — Amendments

Notice is hereby given, pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that at the expiry of a period of forty-five (45) days from the date of this publication, the “Regulation amending the Regulation respecting the classification of employers, statement of wages and the rates of assessment” will be adopted by the Commission de la santé et de la sécurité du travail, with or without amendment.

This Regulation determines the units of classification of 1999 as well as the rates of assessment applicable to them and amends certain rules of classification of employers.

It also provides for the setting up, beginning in 1999, of a new classification structure for employers working in the forestry, wood and paper sector. This will allow for a better distribution of the cost of the occupational health and safety regime among these employers.

Any person interested in making comments on this subject is asked to submit them in writing, before the expiry of this time period, to Mr. Roland Longchamps, Vice-President of Finance, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2.

TREFFLÉ LACOMBE,  
*Chairman of the Board  
and Chief Executive Officer  
of the Commission de la santé  
et de la sécurité du travail*

### Regulation amending the Regulation respecting the classification of employers, the statement of wages and the rates of assessment

Act respecting industrial accidents and occupational diseases, R.S.Q., c. A-3.001, s. 454, 1st par., subpars. 4.3, 5, 5.1 and 6; 1996, c. 70)

**1.** The Regulation concerning the classification of employers, the statement of wages and the rates of assessment adopted by the Commission de la santé et de la

sécurité du travail by its resolution A-73-97 of 16 October 1997 (1997, *G.O.* 2, 7441) is amended by replacing, wherever they are found, the words “gross wages” by “insurable wages” .

**2.** Section 2 of this Regulation is amended:

1° by inserting, after the part that precedes the definition of “auxiliary worker”, the following:

“insurable wages”: means the gross wages taken into account, pursuant to sections 289 or 289.1 of the Act, up to the maximum yearly insurable earnings established under section 66 of that Act;

2° by replacing, in the first line of the definition of “exceptional unit”, “90010” by “34410, 34420, 90010, 90020”.

**3.** Section 10 of this Regulation is amended by inserting, after the first paragraph, the following paragraphs:

“An employer referred to in the first paragraph who was classified for the year preceding the year of assessment in an exceptional unit shall be classified in that exceptional unit for the year of assessment if he is still classified for this year in a unit which expressly provides for his classification in that exceptional unit and if at least one of his workers is referred to in that exceptional unit.

An employer who was classified for the year preceding the year of assessment in one or more units for all of his activities or for some of them and who is reclassified for the year of assessment for these same activities in one or more units which expressly provide for his classification in an exceptional unit, shall be classified in that exceptional unit for the year of assessment if he meets the following conditions:

1° the insurable wages earned by his workers with respect to the activities referred to in the units which expressly provide for his classification in that exceptional unit and with respect to the activities referred to in the units which do not provide therefor in which he is classified can be broken down in respect of each of these units for the preceding year;

2° the conditions stipulated in the first paragraph or in section 9 have been met for the preceding year;

3° at least one of his workers is referred to in this exceptional unit for the year of assessment”.

**4.** Schedules 1 to 3 of this Regulation are replaced by the following which shall apply for the 1999 year of assessment:

**“SCHEDULE 1****CLASSIFICATION UNITS AND RATES  
OF ASSESSMENT FOR THE YEAR 1999****SPECIFIC CLASSIFICATION RULE**

1. The Commission does not take into account the condition stated in paragraph 3 of section 6 for purposes of classifying an employer under more than one of the 80030 to 80270 units.

2. An employer who meets the conditions set out in section 2 of chapter 3 allowing him to be classified in units 90020 and 80020 shall be classified in this latter unit.

3. An employer who cannot be classified in the exceptional units 90020 and 80020 because less than 45 % of the insurable wages of his workers are reported with

respect to units giving entitlement to these units but for whom over 45 % of the insurable wages of his workers are reported with respect to units giving entitlement to either one of these exceptional units shall be classified in unit 90020 if workers perform activities referred to in that unit.

For the purposes of calculating the proportion stipulated in the first paragraph, it is necessary to exclude the insurable wages of an auxiliary worker.

**SPECIFIC RULE FOR STATING WAGES**

The second paragraph of section 14 does not apply to an employer for purposes of stating insurable wages earned during the preceding calendar year by a worker who, without being an auxiliary worker, participates in several activities referred to by more than one of the 80030 to 80270 units.

**Classification Units and Assessment Rates for 1999 - Sector: Primary**

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
10010	Operating a dairy cattle herd; raising cattle, buffalo, horses, wild boar; horse boarding service	8.30	7.79
10020	Raising hog, sheep, goat, grain-fed and milk-fed heavy calves	7.31	6.84
10030	Raising, catching and caging poultry; raising fur-bearing animals; raising earthworms; raising rabbits; pisciculture; apiculture	6.63	6.18
10040	Field-crop farming; fruit or vegetable farming; ornamental plant cultivation; mushroom production; Christmas tree farming; maple syrup production; tobacco production	5.47	5.05
11010	Inshore or offshore fishing; underwater diving services	8.50	7.99
13010	Surface iron ore mining with or without concentration; pelletization of iron ore	2.11	1.79
13020	Metal mining, except iron mines; treatment, concentrating or smelting metal ores, except iron ore	6.05	5.61
13030	Asbestos mining	3.60	3.24
13040	Peat extraction or manufacturing peat-based products; mining or crushing quartz or other industrial siliciferous ores; underground mining of non-metal ores, not specified in other units	4.81	4.41
13050	Operating a cut-stone quarry; operating a crushed stone quarry with blasting and drilling; mine prospecting with blasting or with crawler tractors	6.56	6.11
13060	Operating a crushed stone quarry without blasting or drilling; rock or gravel crushing with movable crushers; operating a gravel pit with or without crushing; operating a sandpit	9.27	8.73

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
13070	Drilling ore for the removal of cores for mine prospecting; drilling oil or natural gas wells; other technical work incidental to drilling oil or natural gas wells	10.51	9.93
13090	Mine prospecting not specified in other units; line cutting; geophysical surveys; geological work	5.49	5.07
13100	Contract operation of a mine; digging ramps and crossing banks; other contract work relating to operation of mines	17.01	16.23
14010	Forestry operations	16.24	15.49
	This unit refers to:		
	<ul style="list-style-type: none"> <li>• harvesting wood material, including in particular, felling, hauling and yarding, by manual or mechanized processes;</li> <li>• processing in the forest including stripping, topping and cutting;</li> <li>• loading of wood in the forest;</li> <li>• thinning with collection of trees for commercial purposes.</li> </ul>		
	This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:		
	<ul style="list-style-type: none"> <li>• forestry road work;</li> <li>• construction of a logging camp;</li> <li>• measuring wood;</li> <li>• marking trees in the forest;</li> <li>• forest surveys.</li> </ul>		
	An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.		
14020	Forestry development	11.27	10.67
	This unit refers to:		
	<ul style="list-style-type: none"> <li>• preparatory work in forest areas such as scarification, burning, stripping, cutting, wind-rowing, furrowing, harrowing, crushing and application of phytocides;</li> <li>• planting and seeding of trees in the forest;</li> <li>• mechanical or chemical clearing of a plantation in the forest;</li> <li>• thinning without collection of trees for commercial purposes;</li> <li>• development of a blueberry field;</li> <li>• control of vegetation in rights-of-way of energy transmission networks;</li> <li>• protection against forest fires by firefighters.</li> </ul>		
	This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:		
	<ul style="list-style-type: none"> <li>• marking of trees in the forest;</li> <li>• forest surveys.</li> </ul>		

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
	<p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• development of a blueberry field by the person who operates it;</li> <li>• harvesting wood material in the development of a blueberry field.</li> </ul> <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>		
14030	<p>Tree work</p> <p>This unit refers to:</p> <ul style="list-style-type: none"> <li>• control of vegetation in the rights-of-way of energy distribution networks or telecommunications networks;</li> <li>• trimming, topping or cutting of trees and shrubs;</li> <li>• felling of pre-determined trees outside the forest;</li> <li>• stumping;</li> <li>• tree and shrub surgery;</li> <li>• bracing work.</li> </ul> <p>This unit also refers to the following activities when done by workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> <li>• fighting of diseases and insects affecting trees and shrubs;</li> <li>• fertilization and treatment of trees and shrubs;</li> <li>• planting and transplanting of trees and shrubs.</li> </ul> <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>	20.21	19.33
20010	Slaughtering livestock; preparing, processing, drysalting or canning meat; manufacturing mineral or animal oil or shortening	6.17	5.73
20020	Slaughtering poultry or rabbits; dressing, processing or canning poultry or rabbits	5.70	5.27
20030	Preparing or processing fish, including canning	6.24	5.80
20040	Processing, canning or freezing fruits or vegetables; preparing natural casings for delicatessen	4.85	4.45
20050	Operating a dairy work; water bottling, with or without distribution; manufacturing and delivering blocks of natural or artificial ice	2.83	2.49
20060	Flour mill	5.37	4.95
20070	Processing meat unfit for human consumption or abattoir waste	3.63	3.27
20080	Grain milling	3.58	3.22
20090	Manufacturing bakery, pastry or biscuit products, with or without distribution	4.13	3.75

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
20100	Processing cane or beet sugar; manufacturing confectionery	2.85	2.51
20110	Roasting and blending coffee; packing tea; roasting almonds	3.04	2.70
20120	Manufacturing potato chips	2.58	2.25
20130	Manufacturing margarinem, vegetable oil or shortening; manufacturing convenience foods; manufacturing yeast or condiments; grinding and preparing spices; manufacturing or processing food products, not specified in other units	4.50	4.11
20140	Manufacturing soft drinks, with or without distribution	3.57	3.20
20150	Distillery; manufacturing wine or cider	2.51	2.18
20160	Brewing beer, with or without distribution; manufacturing malt	2.68	2.35
20170	Manufacturing tobacco products	1.20	0.91
21010	Manufacturing tires or rubber treads for tires	2.21	1.89
21020	Manufacturing adhesive tape or damper mats and rug underlays; manufacturing clothing or industrial parts or cellular products made of rubber	3.82	3.45
21030	Manufacturing foamed or expanded plastic products; wholesaling foam rubber	3.41	3.05
21040	Manufacturing plastic pipes or pipe fittings	5.93	5.50
21050	Manufacturing plastic film and sheeting; manufacturing plastic bags	4.66	4.26
21060	Manufacturing stratified or reinforced plastic products, except boats; manufacturing plastic products, not specified in other units	4.55	4.15
22010	Leather tanning; custom-dressing furs; wholesaling raw hides or skins	4.29	3.91
22020	Manufacturing footwear; shoe repairing; manufacturing footwear parts except rubber parts	4.34	3.95
22040	Manufacturing handbags or purses; manufacturing leather or imitation-leather goods, not specified in other units; manufacturing luggage, other than in wood and in metal	2.94	2.60
22050	Manufacturing fibres or yarn from artificial or synthetic material; texturizing yarn	3.19	2.84
22060	Manufacturing thread or yarn, without weaving	2.92	2.58
22070	Weaving textiles other than carpets; recycling textile waste; preparing cotton-wool or flock	3.39	3.03
22080	Manufacturing knitted fabrics	3.84	3.47



<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
22090	Manufacturing carpets	3.34	2.99
22100	Manufacturing textile products, not specified in other units; manufacturing zippers or umbrellas	4.02	3.65
22110	Finishing textiles; steam shrinking of fabrics	3.48	3.12
22120	Manufacturing first-aid products	3.22	2.87
22140	Manufacturing clothing or clothing accessories, not specified in other units	3.22	2.87
22150	Knitting clothing or accessories, including assembling	3.09	2.75
22160	Manufacturing ladies undergarments and swimsuits	2.50	2.17
23050	Manufacturing in a shop custom woodwork to be attached to a structure; mass production of wooden cabinets	5.75	5.32
	<p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> <li>• manufacture of solid wood panels;</li> <li>• manufacture of wooden objects by lathe work;</li> <li>• covering of cabinet doors.</li> </ul> <p>This unit does not refer to the installation of manufactured products.</p>		
23060	Manufacturing wooden doors or windows	3.50	3.14
	<p>This unit does not refer to the installation of manufactured products.</p>		
23070	Manufacturing wooden roof trusses or laminated wood framework	7.46	6.98
	<p>This unit does not refer to the installation of manufactured products.</p>		
23090	Manufacturing wooden or metal coffins or frames; manufacturing pipe organs, pianos or other musical instruments	4.67	4.28
23120	Manufacturing miscellaneous wooden goods, not specified in other units	7.08	6.61
	<p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> <li>• covering of mouldings</li> </ul> <p>This unit does not refer to the installation of manufactured products.</p>		
24010	Manufacturing metal furniture or fixtures	5.18	4.77
24020	Manufacturing custom wooden furniture in a workshop; manufacturing wooden furniture for electronic equipment or wooden cases for musical instruments	8.22	7.72

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
	<p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> <li>• manufacture of solid wood panels;</li> <li>• manufacture of wooden objects by lathe work;</li> <li>• covering of panels.</li> </ul>		
24030	<p>Mass assembling of wooden furniture or furniture frames, with or without upholstering; upholstering custom furniture in a workshop; repairing wooden or upholstered furniture; manufacturing upholstered mattresses or bed springs</p> <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> <li>• covering of panels</li> </ul>	4.38	4.00
24040	<p>Mass production of wooden furniture or furniture frames, with or without upholstering</p> <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> <li>• manufacture of solid wood panels;</li> <li>• manufacture of wooden objects by lathe work;</li> <li>• covering of panels.</li> </ul>	5.40	4.98
25410	<p>Manufacturing prefabricated wooden houses, house panels or mobile homes</p> <p>An employer classified under this unit may also be classified under exceptional unit 90010.</p>	6.55	6.09
26010	Printing; silkscreen printing	2.52	2.20
26020	Operating a bindery	5.91	5.48
26030	Metal typesetting (typography-linotyping); stereotyping; lithography; manufacturing plates for printing; developing and printing films	1.47	1.17
26040	Printing and publishing a daily; printing and publishing	1.03	0.75
27020	Manufacturing steel castings (steel foundry); lead or lead alloys rolling, casting or extruding	8.99	8.46
27030	Manufacturing steel; processing steel by rolling and forging	3.05	2.71
27040	Manufacturing titanium slag and pig iron; manufacturing metal powder, steel pipe or tubing; manufacturing ferro-alloys	2.96	2.62
27050	Manufacturing iron castings (cast-iron foundry)	4.86	4.46

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
27060	Primary manufacturing of aluminum	1.78	1.47
27070	Electrolytic refining of copper or zinc and processing of their by-products	1.48	1.18
27080	Aluminum and aluminum alloys rolling	2.08	1.77
27090	Extruding aluminum, copper or their alloys	3.18	2.83
27110	Non-ferrous metal pressurized casting; non-ferrous metal casting; manufacturing aluminium or light alloy automobile parts	4.26	3.88
28010	Casting or overhauling high pressure boilers, tanks or heat exchangers	4.95	4.55
28020	Manufacturing metal structural components	4.95	4.55
	This unit does not refer to the installation of manufactured products.		
	An employer classified under this unit may also be classified under the exceptional units 80020 and 90010.		
28030	Manufacturing metal windows or doors; repairing industrial doors; manufacturing other ornamental and architectural metal products	5.50	5.08
	This unit also refers to the preparatory work for the installation of glass or glazing done in the workshop.		
	This unit does not refer to the installation of products referred to under units 80150.		
28040	Manufacturing ornamental metal products; operating a welding shop; manufacturing motor vehicle springs, mufflers or exhaust pipes	9.14	8.60
	This unit does not refer to the installation of ornamental metal products.		
28050	Electrolytic or chemical plating; heat treating of metals	5.20	4.79
28060	Workshop painting, dyeing or coating metal products	6.86	6.40
28070	Manufacturing or repairing metal containers or their lids	3.60	3.24
28080	Manufacturing other products by metal stamping or matrixing	4.83	4.43
	This unit also refers to the preparatory work for work referred to under unit 80180 carried out in the workshop other than on the work site, except if the employer is also classified under unit 80130 and if over 50 % of the insurable wages earned with respect to the activities referred to in these two units are referred to with respect to unit 80130. In this case, this preparatory work is referred to under unit 80130.		
	This unit does not refer to the installation of manufactured products when this installation is referred to under units 80130 or 80180.		

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
28090	Manufacturing metal wire or cable, metal rods, welding electrodes or other metal wire products; applying metal powder to metal parts	4.07	3.69
28100	Manufacturing industrial fasteners or metal springs	3.88	3.51
28110	Manufacturing basic hardware articles or small hand or garden tools; manufacturing industrial dies, moulds, cutting tools and punches	3.18	2.83
28120	Manufacturing heating equipment	3.50	3.14
28130	Machine shop piece work; rebuilding mechanical motors	4.57	4.18
28140	Manufacturing or assembling metal products, not specified in other units  This unit does not refer to the installation of manufactured or assembled products.	4.85	4.45
29010	Manufacturing agricultural equipment or implements	4.99	4.58
29020	Manufacturing commercial refrigeration equipment or air conditioning equipment	5.63	5.20
29030	Manufacturing conveyors	4.49	4.10
29040	Manufacturing and installing or repairing hydraulic or pneumatic pressure cylinders	3.89	3.52
29050	Manufacturing or repairing heavy machinery; manufacturing industrial equipment; constructing or repairing locomotives or freight cars	3.80	3.43
29070	Manufacturing sewing machines or small electrical appliances; manufacturing machinery and equipment, not specified in other units	2.76	2.42
29080	Manufacturing major electrical appliances; repairing electrical household appliances	1.88	1.57
29090	Manufacturing lighting fixtures	4.18	3.80
29110	Manufacturing electronic household equipment; assembling lighting fixtures	4.14	3.76
29120	Manufacturing electronic parts or components; manufacturing electronic equipment, not specified in other units  This unit does not refer to the installation of manufactured products.	0.83	0.56
29130	Manufacturing lightning rods, high voltage line circuit breakers or distribution transformers	2.64	2.30
29140	Manufacturing high power transformers; manufacturing or assembling batteries	3.50	3.14
29150	Manufacturing control panels or electrical or pneumatic measuring instruments	2.20	1.88

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
29160	Manufacturing or assembling electric motors or generators; repairing or rewinding electric motors	3.61	3.25
29170	Manufacturing electrical wire or cable; manufacturing electric light bulbs	1.62	1.32
29180	Manufacturing electrical distribution parts or graphite electrodes	3.32	2.97
30010	Repairing, reworking, finishing or reconditioning aircraft; machining or assembling aircraft parts manufacturing	1.47	1.17
30020	Constructing aircraft	1.36	1.07
30030	Manufacturing aircraft parts by microfusion with casting	4.38	4.00
30040	Constructing trucks	3.05	2.70
30050	Constructing automobiles	3.11	2.76
30060	Constructing buses or long-distance coaches	5.13	4.72
30070	Manufacturing or assembling truck boxes, with or without installation	6.92	6.46
30080	Manufacturing, with or without repairing, motor vehicle trailers; manufacturing house trailers or tent trailers; manufacturing and renting movable shelters; finishing van interiors	5.90	5.46
30110	Manufacturing or repairing motor vehicle or machine radiators	4.75	4.35
30130	Constructing or repairing railway passenger cars	2.69	2.36
30160	Constructing or modernizing ships over 250 tonnes	6.90	6.44
30170	Constructing or modernizing ships between 5 and 250 tonnes; minor repairs to ships over 5 tonnes	7.96	7.46
30180	Manufacturing or repairing craft of 5 tonnes or less	6.77	6.31
30190	Manufacturing snowmobiles, motorcycles, snowplows or all-terrain vehicles	1.78	1.47
31010	Manufacturing clay products	5.32	4.90
31020	Manufacturing cement or lime; manufacturing silicon carbide or gypsum panels	1.85	1.54
31030	Manufacturing funeral monuments or other stone products	7.23	6.75
31040	Manufacturing asbestos-cement products; manufacturing friction parts; manufacturing asbestos wire, cloth, ceiling components or gaskets	4.25	3.87
31050	Manufacturing pipes, concrete masonry components and other concrete products similar to masonry components	4.90	4.50

This unit does not refer to the installation of manufactured products.

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
31060	Manufacturing or installing pre-cast concrete structural or architectural elements  This unit refers to the manufacture or installation of pre-cast concrete structural or architectural elements.	10.11	9.55
31070	Manufacturing ready-mix concrete; manufacturing asphalt  This unit refers to: <ul style="list-style-type: none"> <li>• the operation of a stationary or mobile ready-mix concrete plant;</li> <li>• the operation of a stationary or mobile asphalt plant.</li> </ul> This unit does not refer to cement, concrete or paving works.	4.63	4.24
31080	Manufacturing glass or glass products	4.12	3.74
31090	Manufacturing refractory products; manufacturing or processing charcoal	5.16	4.75
31100	Manufacturing insulating material, not specified in other units	3.45	3.09
31110	Refining crude petroleum; manufacturing petroleum and coal products, not specified in other units	1.16	0.87
32010	Manufacturing industrial inorganic chemical products, not specified in other units	1.37	1.08
32020	Manufacturing industrial organic chemical products or other chemical products, not specified in other units	2.82	2.48
32030	Manufacturing plastics or synthetic resins	2.66	2.33
32040	Manufacturing pharmaceutical products or drugs	1.10	0.82
32050	Manufacturing paint, varnish, printing ink, adhesives or coatings	2.86	2.52
32060	Manufacturing soap or cleaning products	2.91	2.57
32070	Manufacturing toiletries	2.02	1.71
32080	Manufacturing ammunition	1.59	1.29
32090	Manufacturing explosives	4.35	3.96
33010	Assembling watches or clocks; operating an optical laboratory; manufacturing gold, silver or plated jewellery or ware; manufacturing orthopedic devices; assembling cartridges or cassettes	1.69	1.39
33020	Manufacturing wooden or metal sporting goods or gymnasium equipment; assembling plastic or metal toys; manufacturing and repairing bicycles	5.62	5.19
33030	Manufacturing, installing or repairing commercial signs	5.57	5.15

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
33040	Assembling trophies or miscellaneous wooden, plastic, fiberglass or concrete products; manufacturing rubber pads, plaster goods, wax products, trophy parts or foundry models; stamping balloons; handicrafts	3.34	2.98
33050	Manufacturing buttons, snap fasteners, needles, emblems, medals, pencils or pens	2.17	1.85
33060	Manufacturing vinyl tiles and vinyl linoleum; manufacturing heat-insulating products for piping  This unit does not refer to the installation of manufactured products	1.66	1.36
34010	Sawmill  This unit refers to: <ul style="list-style-type: none"> <li>• the operation of a stationary or mobile sawmill.</li> </ul> This unit also refers to: <ul style="list-style-type: none"> <li>• planing;</li> <li>• the manufacturing of shingles, laths, veneer or plywood.</li> </ul> This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit: <ul style="list-style-type: none"> <li>• measuring wood;</li> <li>• drying wood;</li> </ul> An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.	7.07	6.60
34030	Manufacturing wooden pallets or containers used to handle or transport merchandise; manufacturing wooden fences  This unit refers to: <ul style="list-style-type: none"> <li>• the manufacture and assembly of wooden pallets, containers and fences;</li> <li>• the manufacture of the components of wooden pallets, containers and fences;</li> <li>• repairing and recycling wooden pallets and containers;</li> <li>• the manufacture of wooden reels.</li> </ul> This unit does not refer to: <ul style="list-style-type: none"> <li>• the manufacture of decorative wooden containers;</li> <li>• the installation of fences.</li> </ul> An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.	9.62	9.07

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
34050	Drying wood; treating wood  This unit refers to: <ul style="list-style-type: none"> <li>• drying wood;</li> <li>• treating wood, whether or not pressurized, using chemicals such as pentachlorophenol (PCP), creosote, chromium-copper-arsenic (CCA) or ammonium-copper-arsenic (ACA);</li> <li>• treating wood by an industrial process such as the application of paint, stain or varnish.</li> </ul> An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.	6.34	5.90
34060	Manufacturing solid wood panels; lathe work  This unit refers to: <ul style="list-style-type: none"> <li>• the manufacture of solid wood panels;</li> <li>• the manufacture of wooden objects by lathe work such as handles, sticks, dowels, spindles or legs.</li> </ul> This unit also refers to the manufacture of wooden handles, sticks, dowels, spindles or legs by a process other than lathe work.  This unit also refers to the following activity when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit: <ul style="list-style-type: none"> <li>• drying wood.</li> </ul> An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.	10.53	9.95
34200	Manufacturing of paper pulp; manufacturing of paper and paperboard; manufacturing of wood fibre boards  This unit refers to: <ul style="list-style-type: none"> <li>• the manufacture of paper pulp;</li> <li>• the manufacture of paper, paperboard, felt paper;</li> <li>• the manufacture of wood fibre insulation boards.</li> </ul> This unit also refers to: <ul style="list-style-type: none"> <li>• the manufacture of cores for paper rolls for its own purposes;</li> <li>• the production of electricity for its own purposes;</li> <li>• the manufacture of chemicals for its own purposes.</li> </ul> This unit also refers to the following activities when they are done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:	2.01	1.70



Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> <li>• measuring wood;</li> <li>• unwinding and rewinding paper and paperboard.</li> </ul> <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>		
34210	<p>Transformation of paper and paperboard; treatment of paper and paperboard; manufacture of particle board; coating of boards</p> <p>This unit refers to:</p> <ul style="list-style-type: none"> <li>• the transformation of paper or paperboard into products such as toilet paper, paper towels, plates, facial tissues, diapers, napkins, sanitary napkins, cups, straws, tubes, cores, cigarette paper, medical paper, bags, sandpaper, laminated products, wrapping products or lids;</li> <li>• unwinding and rewinding of paper and paperboard products;</li> <li>• cutting of paper or paperboard into sheets;</li> <li>• making of corrugated paperboard;</li> <li>• transformation of corrugated paperboard into products such as stands, protective corners, separators or boxes;</li> <li>• transformation of laminate into all types of products;</li> <li>• treatment of paper or paperboard by the application of products such as melamine resin, paraffin, wax or silicone or by superimposing sheets of material such as plastic, aluminium, paper or paperboard;</li> <li>• transformation of felt paper into products such as asphalt saturated paper or asphalt shingles;</li> <li>• transformation of wood fibre panels into products such as insulating boards or acoustic or decorative tiles;</li> <li>• impregnating membranes with a coating;</li> <li>• manufacturing of particle boards, such as wood particle boards, waferboard or oriented strand board;</li> <li>• covering of boards with materials or products such as PVC, melamine, laminate or paint;</li> <li>• printing of panels.</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• the manufacture of wallpaper;</li> <li>• the manufacture of foldable non-corrugated cardboard boxes.</li> </ul> <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>	2.95	2.61
34220	<p>Manufacturing of office supplies made of paper or paperboard</p> <p>This unit refers to the manufacture of office supplies, made of paper or paperboard, such as notepads, writing blocks, forms, folders, order forms, index cards, labels, envelopes, continuous forms, exercise books, rolls of paper for cash registers, mobile sheet dividers, agendas or ring binder sheets</p> <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>	3.69	3.32

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
Exceptional unit 34410	Bulk trucking activities  This unit refers to an employer who uses the services of workers who carry out, as truckers, bulk trucking such as the transport of chips, logs, gravel or other similar materials.  This unit also refers to the loading of wood done by a trucker when he performs this task as part of his trucking activities.	7.70	7.21
Exceptional unit 34420	Trucking activities other than bulk trucking  This unit refers to an employer who uses the services of workers who carry out, as truckers, trucking other than bulk trucking.	7.12	6.65

**Classification Units and Assessment Rates for 1999 - Sector: Transportation and storage**

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
50010	Air transport; services incidental to air transport	2.86	2.52
50020	Transporting marine freight; towing or docking boats; railway transport	3.23	2.88
50030	Loading or unloading boats	5.39	4.97
51010	Transporting passengers by intercity bus; school bus service or special transportation by bus; transportation by tour bus or chartered bus, including vehicle repair or maintenance	3.01	2.67
51020	Transporting passengers by intercity bus; school bus service or special transportation by bus; transportation by tour bus or chartered bus, not including vehicle repair and maintenance	3.36	3.01
51030	Mass transit in urban areas, with or without vehicle repair; transporting passengers by taxi	2.51	2.18
52010	General local or long-distance transport; transporting or wholesaling fats or meats unfit for human consumption; transporting pelts	7.12	6.65
52020	Railway service; transporting motor vehicles; transporting by towing; transporting by float; non-standard transport	8.96	8.43
52030	Furniture moving; transporting electronic equipment	13.51	12.84
52040	Transporting freight in tank-trucks, not specified in other units; transporting explosives, corrosive, toxic or inflammable products; transporting petroleum products	5.77	5.34
52050	Bulk trucking; snow removal	7.70	7.21
53010	Storage service	5.48	5.06
53020	Wrapping or packing service with or without marketing	5.44	5.02

**Classification Units and Assessment Rates for 1999 - Sector: Services**

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
60010	Operating a radio station; operating telephone lines or telephone exchanges; intercommunication services; recovering or repairing telephones; splicing telephone cables	0.77	0.49
60020	Operating a television station; producing or distributing motion pictures or other audio and video material; operating a motion picture or a drive-in theater; operating an orchestra, a disco-mobile, a singing group, a theater company or a theatrical agency; leasing or renting halls; installing equipment for social dances	1.19	0.91
60030	Cable television service; installing radio or television antennas; radio, television or cable connection work	1.79	1.48
60040	Courier service; home small parcel delivery service	5.35	4.93
60050	Operating a recreational centre; operating a professional sports club; operating a curling club; operating a bowling alley or a billiard parlour; operating a roller skating rink; operating a race track; operating a racket sports centre	1.83	1.52
60060	Operating a golf course	2.05	1.74
60070	Operating a ski centre; operating a snowmobile club	4.32	3.93
60080	Operating an amusement park or rides, an amateur sports club, a pleasure-boating club, a shooting club, or amusement and recreational services, not specified in other units; operating a Turkish bath, a massage parlour, a bodybuilding studio, a tanning salon, a shoeshine service or a checkroom service; organizing a public festival	1.78	1.47
61010	Generating and distributing electric power	0.86	0.58
61020	Operating a water distribution centre, a steam distribution centre or a natural gas distribution centre; operating and maintaining a gas or an oil pipeline	1.29	1.00
61030	Maintaining a garbage dump; disposal of industrial waste; cleaning tanks, sewers, cesspools, septic tanks or industrial facilities; renting or leasing, with maintenance, portable chemical toilets	4.43	4.05
61040	Garbage collection	9.34	8.80
62010	Transporting milk and cream; wholesaling dairy products; wholesale or retail distribution of dairy products	3.53	3.17
62020	Wholesaling fruit, vegetables or fish	4.83	4.43
62030	Wholesaling meat and meat products	4.98	4.57
62040	Wholesaling meat, including cutting up and carving	7.30	6.82

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
62050	Wholesaling bakery or pastry products or distributing those products, wholesale or retail; retailing imported specialties, dietetic or natural food, delicatessen, pastries or seafood products	3.92	3.55
62060	Wholesaling food, not specified in other units	3.73	3.36
62070	Wholesaling carbonated beverages or water; distributing carbonated beverages or water, wholesale or retail; wholesaling beer	4.80	4.40
62090	Wholesaling toiletries or drug sundries	1.51	1.21
62110	Operating a grocery store	2.86	2.52
62120	Operating a convenience store with or without gasoline sales	2.72	2.39
62130	Operating a grocery-butcher shop	3.51	3.15
62140	Operating a butcher shop	5.75	5.32
62150	Making and retailing bakery or pastry products	3.34	2.99
62160	Fruit and vegetables retail business	3.05	2.70
62170	Alcoholic beverages retail business	1.62	1.32
62180	Operating a drugstore; operating a tobacco store; herbalist's shop; chocolate, delicacies or cookies shop, beauty products or cosmetics shop, or selling lottery tickets; operating a bus terminal or a contract post office	1.25	0.96
63010	Wholesaling household, commercial or service industry furniture, or electrical household appliances; wholesaling floor coverings; leasing, wholesaling or retailing office equipment or furniture; leasing electrical household appliances or electronic household equipment  This unit does not refer to the installation of floor coverings.	1.98	1.67
63020	Wholesaling household dishware, pottery, glassware or similar household goods; wholesaling electronic household appliances	2.62	2.29
63030	Wholesaling metals or alloys, including handling  This unit does not refer to the installation of a sold product as well as demolition and stripping for purposes of salvaging metal or alloys.	4.64	4.25
63040	Wholesaling hardware, plumbing or heating equipment and supplies, not specified in other units; wholesaling and installing safes, with or without repair; wholesaling sanitation equipment	1.94	1.63
63050	Wholesaling or retailing lumber or building supplies; wholesaling or retailing firewood, coal or charcoal	4.59	4.20
63060	Wholesaling doors, windows, exterior siding or garage equipment  This unit does not refer to the installation of a sold product.	6.46	6.01

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
63070	Wholesaling or repairing farm or garden implements or equipment	3.11	2.76
63080	Wholesaling, renting or leasing heavy machinery, with or without repair; renting or leasing handling equipment, trailers or containers  This unit does not refer to the installation, maintenance and repair of equipment referred to under units 69960, 80160 and 80210, as well as renting heavy machinery with an operator.	3.20	2.85
63090	Wholesaling industrial handling equipment, with or without repair; wholesaling or repairing welding equipment  This unit does not refer to the installation, maintenance and repair of equipment referred to under units 69960, 80160 and 80210.	3.78	3.41
63100	Wholesaling, renting or leasing manufacturing machinery; wholesaling, renting or leasing commercial or industrial ovens or kilns  This unit does not refer to the installation, maintenance and repair of equipment referred to under units 69960, 80160 and 80210.	2.11	1.79
63110	Wholesaling, renting, leasing, installing or repairing stage or discotheque lighting equipment; wholesaling, renting, leasing, installing or repairing swimming-pool accessories; wholesaling, renting, leasing of electric or diesel engines, electric generation equipment, pumping facilities or equipment for water treatment  The wholesaling, renting, leasing of electric or diesel engines, electric generation equipment, pumping facilities or equipment for water treatment does not refer to the installation, maintenance and repair of sold or rented products.	2.24	1.92
63120	Wholesaling, renting or leasing analytic and laboratory apparatus or medical or scientific equipment, with or without repair or installation; wholesaling of electronic parts or electrical supplies; wholesaling, renting or leasing measuring, calibrating or control instruments or communication equipment other than for automobiles  This unit does not refer to the installation, repair or maintenance of measuring, calibrating or control instruments or communication equipment other than for automobiles or electrical supplies.	0.97	0.69
63130	Wholesaling industrial or commercial scales; wholesaling or retailing kitchen cabinets; retailing doors or windows  This unit does not refer to installation of a sold product.	2.86	2.53
64020	Vulcanizing; wholesaling and retailing tires or tubes, with or without repair or installation	5.11	4.70
64030	Wholesaling transportation equipment or equipment parts; wholesaling or retailing new, reconditioned or used automobile parts or accessories	1.77	1.47

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
64040	Wholesaling or retailing automobiles, trucks or busses with or without repair; renting or leasing automobiles with or without repair; retailing and installing automobile windows or radios; upholstering and repairing of motor vehicle seats	2.76	2.43
64050	Retailing, renting or leasing mobile homes, snowmobiles, motorcycles, travel trailers, tent trailers, including repair or service; retailing boats, outboard motors or boating accessories; renting or leasing, including service, small craft or recreational vehicles, not specified in other units; wholesaling snowmobiles, motorcycles, boats, outboard motors, boating accessories, ship's supplies, trailers or containers; wholesaling, without repair, semitrailers, travel trailers or tent trailers	4.28	3.90
64060	Operating a service station with or without self-service; operating an automatic car wash; washing and cleaning motor vehicles and trucks	3.87	3.50
64070	Retailing gasoline, with or without service	2.79	2.45
64090	Repairing motor vehicles, motor vehicle parts or industrial machinery parts, not specified in other units; motor vehicle towing service	5.56	5.14
64100	Repairing motor vehicle bodies	6.61	6.15
64110	Retailing and installing motor vehicle mufflers; repairing and installing motor vehicle suspension parts	8.16	7.66
64120	Reclaiming and wholesaling used automobile parts and accessories	4.65	4.26
65010	Retailing furniture, with or without household furnishings; retailing household electrical appliances, with or without electronic appliances or household electrical furnishings; retailing antique objects or furniture	3.54	3.18
65020	Retailing or repairing sound or video equipment, electronic appliances, electrical furnishings, small (portable) electrical household appliances or electrical personal care appliances; retailing sewing machines	1.32	1.03
65030	Retailing floor coverings	2.59	2.26
	This unit does not refer to the installation of a sold product.		
65041	Retailing household furnishings or interior decoration accessories, not specified in other units; wholesaling piece goods, notions and other dry goods, draperies, household linen or other textile household furnishings	2.14	1.82
65044	Retailing lighting fixtures	2.07	1.76
	This unit does not refer to the installation of a sold product.		
66020	Wholesaling and distributing petroleum products, with or without maintenance or installation of related facilities	2.58	2.25

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
66030	Wrecking automobiles; wholesaling metal waste  This unit does not refer to demolition other than that of automobiles or stripping for salvaging metal waste.	9.98	9.42
66040	Selling non-metallic waste  This unit does not refer to demolition or stripping for salvaging of non-metallic waste.	9.97	9.41
66050	Wholesaling or distributing newspapers, magazines, books or handbills; wholesaling paper or paper products	2.10	1.78
66060	Wholesaling animal feeds, fertilizers, grain or cereals; wholesaling tobacco products; grain elevator service	3.37	3.01
66070	Wholesaling games, toys, sporting goods and equipment; retailing, renting or leasing sporting goods and equipment, with or without service	1.68	1.38
66080	Wholesaling chemical products or cleaning products; wholesaling or maintaining chemical fire extinguishers	1.52	1.22
66100	Wholesaling leather or imitation-leather products not specified in other units; wholesaling footwear or garment products; retailing footwear, garments, underwear, knitting products, fabrics, yarn, sewing products, handbags, luggage or other leather or imitation-leather products; manufacturing or storing fur garments or articles; linen rental service without washing equipment; costume or ceremonial apparel rental service	1.93	1.62
66110	Operating a department store; operating a general merchandise store; operating a general store; operating a direct consumer distributing warehouse; display services; interior decoration design service; retailing home and automobile supplies	2.41	2.08
66120	Retailing small goods, not specified in other units; retailing paint or wallpaper; retailing or repairing musical instruments or accessories or photography equipment; retailing domestic animals; photography; wholesaling jewellery items or photography equipment and supplies	1.41	1.11
66130	Retailing hardware products or garden supplies; retailing lawn mowers, snow blowers, chain saws or similar equipment, with repair; wholesaling or retailing trees, shrubs, plants, flowers, supplies for lawn or garden or other nursery products  This unit does not refer to landscaping.	2.71	2.37
66150	Retailing lumber and building supplies with hardware	3.16	2.81
66160	Monuments and tombstones dealer; undertaking services, with or without ambulance services; operating a cemetery	2.95	2.61
66170	Wholesaling or retailing, installing or cleaning swimming pools; constructing and installing in-ground pools	3.79	3.42

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
69960	Repairing, installing or maintaining production machinery  This unit refers to works relating to: <ul style="list-style-type: none"> <li>• millwright works such as production machinery installation, repair, maintenance, adjustment, assembly, dismantling and handling;</li> <li>• the manufacturing of templates for such machinery.</li> </ul> This unit does not refer to works relating to: <ul style="list-style-type: none"> <li>• millwright works other than production machinery installation, repair, maintenance, adjustment, assembly, dismantling and handling;</li> <li>• the manufacturing of templates for such machinery.</li> </ul> An employer classified under this unit may also be classified under exceptional units 80020 and 90010.	8.03	7.52
70010	Insurance brokerage; operating a collection agency or a credit bureau; currency or securities brokerage, consulting or negotiation services; commodities exchanges or securities exchanges; financial institutions and financial intermediaries not specified in other units	0.71	0.43
70020	Operating an insurance business; insurance services of the provincial administration	0.70	0.42
70030	Operating residential or other buildings, including parking lots or parking garages; municipal housing bureau; disinfection, fumigation or extermination work	2.90	2.56
70040	Insurance adjustment or evaluation services; operating a real estate agency; information, poll or research services; bailiff services; reprography services, typing services or other clerical work services supplied to firms or individuals	1.09	0.81
71010	Operating a forwarding agency; freight inspection service; sales agent services; broker services not specified in other units	0.95	0.67
71020	Operating a manpower agency; leasing the services of professional or technical personnel or other scientific or technical professionals such as draftsmen, biologists, biochemists, botanists, chemists, engineers, graphic designers and laboratory technicians, with the exception of aeronautics production or maintenance technicians; auctioneering or organizing auctions or merchandise liquidation services	1.21	0.92
71030	Leasing truckers services, driver-delivery persons, assistant delivery persons or movers	6.33	5.88



Unit Number	Unit Title	General Rate	Special Rate
71040	Operating a marine agency or a marine piloting firm; International Air Transport Association or Airline Communications and Information Services; operating a news agency or an advertising agency; rental of advertising space on billboards, display boards and commercial signs; drafting or practising architecture; urban planning services or business or management consulting services; law practice (advocate's or notary's office); accounting services (accountant's office); actuarial practice; operating a travel agency or wholesale tour business; wholesaling, renting or repairing computer systems; computer services, excluding the leasing of the services of data processing personnel; trustee in bankruptcy; taxation services or income tax return preparation services; graphic design services	0.68	0.41
71050	Consulting engineer's office; energy consulting services; operating a pure or applied research laboratory; operating a laboratory for analysis and testing; agricultural research services; geotechnical studies prior to construction work; land surveyor services; interpretation of aerial photographs; archaeological research; forestry technician services  Regarding forestry technician services, this unit refers to: <ul style="list-style-type: none"> <li>• measuring wood;</li> <li>• marking trees in the forest;</li> <li>• protecting against forest-fires;</li> <li>• forestry surveys.</li> </ul> This unit does not refer to the works referred to under units 80030 to 80270.	0.95	0.67
71060	Operating a security or an investigation agency	2.01	1.69
71070	Managing subsidiaries or branches outside Québec (head office); writing or publishing a weekly, not including printing; electronic typesetting	0.64	0.37
71080	Leasing the services of handling maneuvers, wrappers, merchandise reception or expedition employees, warehouse employees, solderers or automobile mechanics or industrial machinery employees, technical installation or machinery maintenance personnel	7.11	6.64
71090	Leasing the services of manufacturing industries' workers or commerce or catering or maintenance chores personnel with the exception of those mentioned in another unit	5.24	4.83
72010	Sûreté du Québec services; detention services	1.95	1.64
72020	Provincial administrative services not specified in other units; administration of a regional county municipality; administration of an urban community, without police services	0.59	0.32
72030	Job creation programs	1.34	1.05
72040	Provincial agriculture, fisheries, feeding, natural resources services; services relating to construction workers	0.78	0.50
72060	Provincial recreation and sports program management services	1.14	0.85

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
72070	Transportation program management services	1.34	1.05
72080	Managing, with service, a municipality or a municipal or an intermunicipal commission, a band council, an urban community including police services	1.93	1.62
73010	Teaching services (except universities or general and vocational colleges, and except all level student trainees); operating a private museum; operating a historic site; library services	0.87	0.60
73020	Teaching services (student trainees)	6.00/tra.	
73030	Operating a general hospital	1.13	0.85
73040	Operating a psychiatric hospital	1.30	1.01
73050	Operating a home-care and extended care centre; nursing services; leasing the services of nurses or auxiliary of nurses care and therapeutics	3.05	2.71
73060	Operating a drop-in centre; operating a rehabilitation centre for alcoholics or drug addicts; operating a social or community service agency; operating a health or social services promotion body	2.17	1.85
73070	Operating a rehabilitation centre for the physically handicapped or the socially maladjusted	1.81	1.50
73080	Operating a rehabilitation centre for the mentally handicapped	2.49	2.16
73100	Operating a local community service centre	1.49	1.19
73110	Child day-care centre	2.90	2.56
73120	Operating a sheltered workshop; operating a work rehabilitation centre	3.59	3.23
73130	Practising medicine and other specialties in the health-care field, not specified in other units; health or social services not specified in other units; hearing aid specialist's services; prescription optician's services; manufacturing dentures and braces (dental laboratories); retailing orthopedic aids, wigs or hair pieces	1.06	0.78
73140	Ambulance service	8.16	7.66
73150	University or vocational teaching services (except student trainees)	0.68	0.40
74010	Operating a hotel, a motel, a hotel-motel, a youth hostel, a student residence or a rooming house	3.42	3.07
74020	Operating a hunting or fishing outfitting operation; operating or managing a hunting or fishing area; operating a camping ground, a trailer park, a vacation camp or a recreation area	4.25	3.87
74030	Operating a brasserie or a restaurant serving meals, without delivery	2.93	2.59
74040	Operating a brasserie or a restaurant serving meals, with delivery	3.06	2.71

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
74050	Operating a cafeteria	3.38	3.02
74060	Take-out food services	2.62	2.29
74070	Operating a mobile canteen; catering services	2.96	2.62
74080	Operating a tavern, a bar, a discotheque or a night club	2.24	1.92
75010	Operating a barber shop or a hairdressing salon; operating a beauty salon	2.33	2.01
75020	Domestic-use laundry or dry-cleaning service; clothing maintenance, pressing or repair service	3.26	2.91
75030	Operating an industrial laundry with or without linen rental service; linen supply service, including washing	5.50	5.07
75040	Commercial, industrial or residential building maintenance; carpet, rug, upholstery or fabric furniture cleaning service; lawn or shrub maintenance service; green areas fertilization services; window washing services	4.51	4.12
76010	Veterinary services; artificial insemination services; egg candling or grading service; poultry sexing or debeaking; operating a hatchery; raising animals in laboratories	2.29	1.97
76020	Wholesaling or operating vending machines; renting, leasing or operating coin-operated amusement machines, with or without service	1.67	1.37
76030	Transporting animals; operating animal-drawn vehicles; wholesaling or auctioneering animals; operating a racing or horse-rental stable; operating a horseback-riding centre; operating a zoo; society for the protection of animals; raising or training pets; animal lodging and care services not specified in other units	5.69	5.26
76040	Religious community	2.72	2.38
76050	Managing, with service, a parish fabric, a church or a diocese; religious association or organization	1.74	1.43
76060	Joint sector-based occupational health and safety association; association or organism, not specified in other units	0.94	0.66
76070	Renting or leasing bleachers or podiums for special events, portable equipment or tools for industry, construction, hobbies or household activities, including service; rental or leasing of scaffolds  This unit does not refer to the installation of scaffolds.	5.33	4.91
76080	Oil burner and furnace maintenance service; chimney sweeping	6.51	6.06

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
Exceptional unit 90010	<p>Work done exclusively in offices</p> <p>This unit refers to:</p> <p>An employer who uses the services of workers who only perform tasks of an administrative, commercial, technical or professional nature and, who unlike the workers referred to under unit 90020 or 80020, only work in offices. This unit refers in particular to office staff and persons holding the position of accountant, controller, administrative director, draftsman, purchaser, bidder, computer technician and sales director.</p> <p>Special classification rule</p> <p>An employer classified under this unit cannot also be classified under unit 71070 for the activity “Managing subsidiaries or branches located outside Québec (head office)”.</p>	0.68	0.41
Exceptional unit 90020	<p>Salespersons or sales representatives</p> <p>This unit refers to:</p> <p>An employer who uses the services of workers who only engage in the sale of goods or services and who are called upon, as part of their duties, to do a portion of their work outside the offices of their employer.</p> <p>This unit does not refer to:</p> <p>Workers who handle or deliver merchandise other than samples used for sales purposes.</p> <p>Special classification rule:</p> <p>An employer classified under this unit cannot also be classified under unit 71070 for the activity “Managing subsidiaries or branches located outside Québec (head office)” or under unit 80020.</p>	0.95	0.67

#### **Classification Units and Assessment Rates for 1999 - Sector: Construction**

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
Exceptional unit 80020	<p>Work done both inside and outside offices</p> <p>This unit refers to:</p> <p>Employers who use workers who only perform tasks of an administrative, a commercial, a technical or a professional nature and who are called upon, as part of their duties, to do a portion of their work outside the offices of their employer. This unit refers in particular to workers holding the position of seller, real estate agent, sales agent, real estate broker, representative, project director, project manager, superintendent, project leader, director of security and engineer.</p>	1.18	0.89

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• those persons who directly supervise workers, such as a foreman;</li> <li>• a commissioner, a delivery person or a labourer.</li> </ul>		
	<p>Special classification rule</p> <p>An employer classified under this unit cannot also be classified under unit 71070 for the activity “Managing subsidiaries or branches located outside Québec (head office)” or under unit 90020.</p>		
80030	Excavation work; assembly of fences; installation of guardrails	7.87	7.38
	<p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• digging, moving, filling, compaction, leveling earth or granular materials, including work related to culverts;</li> <li>• excavation and earthwork both for the construction of buildings and civil engineering works and for irrigation, drainage and dredging work;</li> <li>• the excavation and installation of aqueducts and sewers;</li> <li>• the excavation and installation of underground lines for gas and water purification plants;</li> <li>• the excavation and installation of underground energy distribution or telecommunications network conduits, with or without the running of wire;</li> <li>• the construction and repair of sidewalks and curbs other than in asphalt or done without using a spreader-grader;</li> <li>• the rental of construction equipment with operators not used for demolition work;</li> <li>• forest clearing carried out using construction equipment;</li> <li>• the installation of septic tanks;</li> <li>• the installation of fences;</li> <li>• the installation of traffic safety barriers and guardrails.</li> </ul>		
	<p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• manual forest clearing as well as forest clearing carried out using specialized machinery such as a skidder, tree feller or delimiting machine;</li> <li>• divers participating in works referred to in this unit;</li> <li>• the rental of cranes and drilling machines with operators;</li> <li>• preparatory work for the installation of fences done in a workshop other than on the work site or on the job;</li> <li>• the installation of fences made of ornamental metal;</li> <li>• the operation of a quarry, a sandpit or a gravel pit;</li> <li>• snow removal;</li> <li>• paving work;</li> <li>• cement and concrete work other than that related to small art works, sidewalks and curbs;</li> <li>• demolition work related to civil engineering works and buildings;</li> </ul>		

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> <li>• work related to blasting, drilling for blasting, pile-driving, special foundations, digging of tunnels and underground drilling, caissons, excavation supports, tie rods, consolidation of foundations and injections in the ground and in rock;</li> <li>• the manufacture of prepared concrete;</li> <li>• the installation of road lighting networks and traffic lights, as well as the installation of lamp posts;</li> <li>• construction work related to underground energy distribution lines with installation of machinery and equipment in addition to the excavation and installation of conduits;</li> <li>• the operation of an asphalt plant;</li> <li>• landscaping work.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80040	<p>Blasting; drilling; soil mechanics; pile-driving and special foundations</p> <p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• drilling, charging holes and igniting explosive products;</li> <li>• blasting;</li> <li>• digging tunnels and underground drilling;</li> <li>• drilling artesian wells with or without the installation of pumps;</li> <li>• soil mechanics such as setting up excavation supports, installation of tie rods, consolidation of foundations and injections in the ground or in rock;</li> <li>• geothermal drilling and drilling of elevator shafts;</li> <li>• preliminary drilling for construction work;</li> <li>• pile-driving;</li> <li>• pile-driving 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;</li> <li>• the rental of a drilling machine with an operator.</li> </ul> <p>This unit also refers to:</p> <ul style="list-style-type: none"> <li>• work done in caissons and cofferdam work;</li> <li>• the construction, maintenance, removal and demolition of caissons and cofferdam work;</li> <li>• preliminary consolidation work related to the moving of buildings, including excavation, concrete drilling and pile driving;</li> <li>• the putting in place, straightening and lifting of buildings;</li> <li>• consolidation work on a building;</li> <li>• the moving of buildings on a flat-bed trailer done by the workers of an employer as part of the carrying out by this employer of works referred to in this unit.</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• divers participating in work referred to in this unit;</li> <li>• the drilling of ore to obtain test samples;</li> </ul>	16.97	16.19

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> <li>• the drilling of oil or natural gas wells.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80050	Paving work on public roads	5.58	5.16
	<p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• the asphalt surfacing of roads, streets, sidewalks, curbs and bikeways;</li> <li>• the concrete surfacing of roads, streets, sidewalks, curbs and bikeways carried out using a concrete spreader-grader;</li> <li>• the scarification of paved surfaces;</li> <li>• the pulverizing of paved surfaces referred to in this unit;</li> <li>• the waterproofing of paved surfaces referred to in this unit;</li> <li>• the marking of lines on the pavement referred to in this unit.</li> </ul> <p>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 referred to in this unit:</p> <ul style="list-style-type: none"> <li>• the installation of fences and guardrails.</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• the surfacing of parking lots;</li> <li>• the operation of a stationary or mobile asphalt manufacturing plant;</li> <li>• the installation of interlocking blocks (slope blocks/pavers);</li> <li>• snow removal;</li> <li>• the excavation and installation of aqueducts and sewers;</li> <li>• the construction and repair of sidewalks and curbs other than in asphalt;</li> <li>• landscaping work;</li> <li>• the operation of a quarry, a sandpit or a gravel pit.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80060	Construction of energy transmission or distribution lines; construction of energy transforming stations	7.57	7.08
	<p>This unit refers to construction, maintenance and repair work related to:</p> <ul style="list-style-type: none"> <li>• power plant substations;</li> <li>• overhead or underground energy transmission and distribution lines;</li> <li>• telecommunications lines or networks;</li> <li>• road lighting networks and traffic lights;</li> <li>• microwave and telecommunications towers;</li> <li>• manholes for underground telecommunications and energy distribution networks;</li> <li>• wind turbines.</li> </ul>		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to:</p> <ul style="list-style-type: none"> <li>• the installation of street lamps;</li> <li>• the installation of transformers connected to the energy transmission and distribution network;</li> <li>• the installation of antennas in telecommunications towers;</li> <li>• the planting of poles.</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• the construction of buildings;</li> <li>• the digging of tunnels;</li> <li>• specific contracts to excavate and install underground energy transmission or telecommunications network conduits, with or without the running of wire.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80070	Rental of cranes with operators	11.57	10.96
	<p>This unit refers to:</p> <ul style="list-style-type: none"> <li>• the rental, with operators, of cranes, crane-trucks, boom trucks, or any other conventional truck equipped with a telescopic or hydraulic arm, or equipped with a hoist winch that can be used as cranes or other equipment of the same type.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010</p>		
80080	Erecting metal frame structures and tanks	32.75	31.48
	<p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• the setting up, assembly and dismantling of architectural elements and metal framing that go into the construction of buildings, civil engineering works, outside tanks, stacks, silos, coal, stone, coke, sand and ore hoppers, water towers and machinery;</li> <li>• the installation of prefabricated metal industrial stacks;</li> <li>• the installation of steel panels that are used in structures, cladding and roofing.</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• preparatory work carried out at the workshop other than on the work site or on the job;</li> <li>• exterior cladding work using metal sheets;</li> <li>• the installation of radio and television station broadcasting and cellular telephone antennas;</li> <li>• the erection of microwave towers;</li> <li>• the erection of wooden silos, water towers or tanks;</li> <li>• the dismantling of metal structures done as part of demolition works;</li> </ul>		



Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> <li>• the installation of tanks, other than outside tanks;</li> <li>• the installation of outside tanks by a boilermaker.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80100	Cement work, concrete work	16.29	15.53
	<p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• reinforcement work such as cutting, shaping, assembling by various processes, as well as the installation of metal ties or wire mesh used in the construction of concrete work;</li> <li>• concrete formwork for building and civil engineering work framing and machinery;</li> <li>• the preparation and finishing of concrete and cement surfaces;</li> <li>• the pouring and placement of concrete;</li> <li>• the cutting, pumping and drilling of concrete;</li> <li>• concrete paving without the use of a spreader-grader;</li> <li>• concrete injection and guniting;</li> <li>• the cutting of asphalt;</li> <li>• the crushing of concrete during alteration work;</li> <li>• the waterproofing of concrete floors or concrete surfaces.</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• the operation of a reinforcement workshop other than on the work site or on the job;</li> <li>• the demolition of concrete building or civil engineering work structures;</li> <li>• the installation of pre-cast concrete structural or architectural elements;</li> <li>• the delivery and pouring of concrete by concrete mixer;</li> <li>• the construction and repair of sidewalks and curbs.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80110	Carpentry work; joinery work; indoor renovation work	13.84	13.16
	<p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• the erection of a wooden structure of a building, a silo, a water tower and a tank;</li> <li>• joinery work;</li> <li>• parqueting work including sanding and finishing;</li> <li>• carpentry work such as the installation of chevrons and the erection of wood divisions;</li> <li>• carpentry work and joinery work in the installation of prefabricated buildings with a wood structure;</li> <li>• on-site construction of wood recreational equipment for amusement parks, daycare centres, playgrounds and other similar places;</li> <li>• the installation of doors and windows by a carpenter;</li> </ul>		

Unit Number	Unit Title	General Rate	Special Rate
-------------	------------	--------------	--------------

- 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:

- 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.

This unit also refers to:

- the indoor renovation of buildings and parts of buildings covering a renovated floor surface of less than 1,000 m<sup>2</sup> per storey except where this work includes:
  - 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.

This unit does not refer to:

- 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;
- work related to piles and special foundations such as the placing, raising and maintenance of the following elements: steel sheet piling, shoring piles, wailings, struts, horizontal shores, soldier piles and temporary steel or heavy structural lumber struts driven into the ground;

An employer classified under this unit can also be classified under exceptional units 80020 and 90010.

Unit Number	Unit Title	General Rate	Special Rate
80120	<p>Work related to indoor systems: painting work; installation of flexible coverings, installation of marble, granite, ceramics and terrazzo; plastering and jointing work; insulation work</p> <p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• indoor systems such as the installation of metal poles, gypsum, lathwork, acoustic ceilings and suspended ceilings;</li> <li>• plastering and jointing;</li> <li>• the application of paint, surface coatings and protective finishes;</li> <li>• the installation of flexible coverings such as vinyl, asphalt, rubber, cork, linoleum coverings, rugs, carpet underlays and rug underlays;</li> <li>• the installation and polishing of marble, granite, terrazzo concrete, slate, ceramics, terrazzo and other similar materials.</li> </ul> <p>This unit also refers to work related to:</p> <ul style="list-style-type: none"> <li>• the thermal insulation of buildings, soundproofing and acoustic control.</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• work to install curtain walls in marble, granite or other similar materials;</li> <li>• parqueting work (installation, sanding and finishing of wood floors);</li> <li>• all cleaning work using sand blasting, steam jet or pressurized water;</li> <li>• work to waterproof concrete floors or concrete surfaces.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>	15.05	14.33
80130	<p>Roofing work; exterior cladding work on buildings; installation of gutters</p> <p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• exterior cladding of buildings using all types of metal sheets or clapboard;</li> <li>• the installation and repair of all types of roofing, including waterproofing;</li> <li>• the installation of gutters.</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• the installation of steel panels which are used in structures, cladding and roofing.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>	22.52	21.57

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
80140	Masonry work	22.30	21.35

This unit refers to work related to:

- the cutting, setting with mortar, cement or any other adhesive material as well as the jointing of masonry elements such as the following:
- bricks, natural or artificial stones;
- acid bricks, fire bricks, plastic bricks, cements bricks or bricks made of any other refractory material laid by hand or by a pneumatic or mechanical method;
- tiles made of refractory material;
- blocks of gypsum, concrete or glass, blocks of composite materials, blocks of lightweight aggregates for walls or partitions.

This unit does not refer to:

- jointing, aligning, anchoring and grouting work done by manufacturers of pre-cast concrete structural or architectural elements;
- cleaning work using sand blasting, steam jet or pressurized water;
- work related to the installation of slope blocks or pavers;
- work related to the installation of marble or granite tile flooring;
- the installation of curtain walls made of masonry elements.

An employer classified under this unit can also be classified under exceptional units 80020 and 90010.

80150	Glass work; glazing work	17.29	16.51
-------	--------------------------	-------	-------

This unit refers to work related to:

- the preparation and installation of glasswork and glazing such as:
- the cutting and polishing of glass;
- the cutting and assembly of aluminum;
- the installation of doors, windows, glazing and commercial frontage;
- the installation of curtain walls;
- the installation of atriums, skylights and other similar works.

This unit does not refer to:

- preparatory or manufacturing work done in a workshop other than on the work site;
- the installation of pre-glazed doors and windows by a carpenter.

An employer classified under this unit can also be classified under exceptional units 80020 and 90010.

Unit Number	Unit Title	General Rate	Special Rate
80160	Millwright works; boilermaking work; plumbing and pipefitting work; pipe insulation work	8.03	7.52

This unit refers to work related to:

- millwright works such as the installation, repair, maintenance, adjustment, assembly, dismantling and handling of machinery other than production machinery;
- 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:
- plumbing systems such as:
- 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:
- piping, fixtures, accessories and other fittings needed to distribute fluids or heat;
- fire protection and localized fire protection systems, such as:
- 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:
- thermal insulation of any new or existing piping system;
- thermal insulation of radiators, furnaces, boilers, tanks and any other similar device.

This unit does not refer to:

- 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;
- 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.

An employer classified under this unit can also be classified under exceptional units 80020 and 90010.

<b>Unit Number</b>	<b>Unit Title</b>	<b>General Rate</b>	<b>Special Rate</b>
80170	Electrical work	7.41	6.93

This unit refers to work related to:

- the installation, alteration, modification, repair and maintenance of electrical installations for lighting, heating and motive force purposes, including in all cases wires, cables, conduits, accessories and electrical devices that are part of the actual installation and, being related to the connection of the installation to the public or municipal utility network, which point of connection is on the wall of the building that is nearest to the public utility line;
- the installation of lightening rods and unit heaters;
- electrical hook-up of a building.

This unit does not refer to:

- construction work on energy distribution and transforming stations done by electrical contractors;
- electrical work done by energy distribution and transforming station construction contractors;
- installation work related to alarm, security, control or electronic equipment systems;
- street lamp installation work along roads as well as traffic light installation work.

An employer classified under this unit can also be classified under exceptional units 80020 and 90010.

80180	Sheet metal work	14.20	13.50
-------	------------------	-------	-------

This unit refers to work related to:

- sheet metal having a maximum thickness of 10 gauge (iron, copper, aluminum, stainless steel) and all metal or electrometallurgical materials, vinyl and other metal- or plastic-based materials such as:
  - the marking out, manufacture and installation, on the work site and on the job, of all sorts of metal objects, in sheets;
  - the assembly and repair of ventilation, air conditioning and hot air heating duct systems and any conduit system to remove various materials such as chips, fumes, smoke or dust, the installation of internal insulation with respect to these systems and the installation of prefabricated devices;
  - the installation of prefabricated metal objects such as shelves, lockers, screens, ceilings, fire barriers, and ceiling and wall coverings;
  - the installation, by a tinsmith, of prefabricated devices such as air conditioners, fans, heat pumps, air exchangers as well as the installation of mechanized elements associated with these systems, when done at the same time as the installation of ducts or conduits.

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit does not refer to work related to:</p> <ul style="list-style-type: none"> <li>• work related to outdoor cladding in metal sheets or clapboard of all types, installation and repair of all types of roofing;</li> <li>• preparatory and manufacturing work done in the workshop other than on the work site</li> <li>• work related to the installation of gutters.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80190	Installation of electronic equipment, alarm or control systems	2.84	2.50
	<p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• the installation, alteration, modification, repair and maintenance of intercom, public address, synchronous clock, visual, aural or oral signaling, telephony, closed-circuit television, access card or surveillance systems;</li> <li>• the installation, alteration, modification, repair and maintenance of electrical or pneumatic control, and instrumentation systems related to heating, air conditioning, ventilation and air removal;</li> <li>• the installation, alteration, modification, repair and maintenance of electrical systems or pneumatic control systems, quantity measurement and calibration systems on a variety of industrial production machinery;</li> <li>• the installation, alteration, modification, repair and maintenance of burglar and fire alarm systems;</li> <li>• the sale, installation and repair of safety locks.</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• the testing, adjustment and stabilizing of air circulation or distribution systems.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80200	Refrigeration work, air conditioning work	9.37	8.83
	<p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• the installation, alteration, modification, repair and maintenance of refrigeration systems having a capacity of at least 1/4 h.p. including piping, units, accessories and other fittings needed for the distribution of fluids and the production of cold by these systems;</li> <li>• the installation of machines for air conditioning and refrigeration systems;</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• the insulation of refrigeration and air conditioning systems;</li> <li>• the testing, adjustment and stabilizing of air circulation and distribution systems;</li> </ul>		

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> <li>• the installation of metal ducts for air conditioning systems;</li> <li>• the installation, alteration, modification, repair and maintenance of instrumentation and control systems related to heating, air conditioning and ventilation.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80210	Work related to mechanized transit systems	7.06	6.59
	<p>This unit refers to work related to:</p> <ul style="list-style-type: none"> <li>• the installation, alteration, modification, repair and maintenance of mechanized transit systems, composed of devices, accessories and other apparatuses such as elevators, freight elevators, escalators, permanent swing scaffolds, slope hoists, dumbwaiters, removable platforms on a theatre stage, moving sidewalks and other similar devices generally used or which may be used to transport persons, objects or materials.</li> </ul> <p>This unit also refers to the operation of a temporary or uncompleted system as well as the operation of a completed system when it is used to move construction workers and materials.</p> <p>This unit does not refer to work related to:</p> <ul style="list-style-type: none"> <li>• the installation and operation by an employer of a temporary freight elevator as part of the carrying out by this employer of work not referred to in this unit;</li> <li>• the installation, repair and maintenance of conveyors and gantries; the installation of temporary swing scaffolds.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80220	Renovation, stripping or demolition work	26.98	25.89
	<p>This unit refers to work related to renovation not referred to under unit 80110.</p> <p>This unit also refers to work related to:</p> <ul style="list-style-type: none"> <li>• the stripping, demolition or dismantling of buildings or civil engineering works, including the operations needed to carry out the works such as excavation, blasting, cutting concrete, dismantling, erection of compound walls, site restoration, transport of debris and salvaging of debris for sale, if these operations are carried out by the employer in charge of the stripping and demolition work.</li> </ul> <p>Stripping refers to any selective, meticulous and well thought-out demolition operation, of unwanted additions, ruined areas or areas of no interest in buildings.</p>		



Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to the rental, with operators, of construction machinery for demolition purposes.</p> <p>This unit does not refer to work related to:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• the dismantling of metal structures and machinery when it is the only operation carried out by the employer;</li> <li>• the renovation of boilers;</li> <li>• the removal of insulation products if carried out prior to and in conjunction with insulation work, done by an insulation contractor.</li> </ul> <p>Special classification rule</p> <p>An employer classified under this unit can also be classified under another unit with respect to work done as part of the renovation referred to in this unit if he breaks down in his statement of wages, in accordance with sections 14 and 18, the wages of his workers with respect to their participation, on the one hand, in demolition and stripping work, where applicable, and on the other hand, in work referred to in this other unit.</p> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80230	<p>Landscaping work</p> <p>This unit refers to:</p> <ul style="list-style-type: none"> <li>• landscaping work such as:</li> <li>• the installation of interlocking blocks or interlocking stones;</li> <li>• the installation of sod;</li> <li>• site preparation work;</li> <li>• the planting of trees and shrubs;</li> <li>• light earthwork;</li> <li>• the erection of low walls, stairs, etc.;</li> <li>• the maintenance of slopes alongside roads;</li> <li>• the installation of outdoor underground pipes to water the lawn or for decorative lighting systems.</li> </ul> <p>This unit does not refer to:</p> <ul style="list-style-type: none"> <li>• excavation and earthwork done with heavy machinery;</li> <li>• paving work;</li> <li>• snow removal;</li> <li>• the installation of septic tanks and septic beds.</li> </ul> <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>	11.28	10.68

Unit Number	Unit Title	General Rate	Special Rate
80240	Cleaning using sandblasting, steam jet or pressurized water	23.92	22.92
	This unit refers to work related to:		
	<ul style="list-style-type: none"> <li>• the cleaning, preparation, restoration or finishing of a building surface, a civil engineering work, a tank, machinery or industrial equipment using sandblasting, steam jet, pressurized water, soda water or recoverable abrasive beads;</li> <li>• the whitewashing of buildings using a jet.</li> </ul>		
	This unit does not refer to:		
	<ul style="list-style-type: none"> <li>• work involving sandblasting, steam jet or pressurized water done at the employer's workshop.</li> </ul>		
	An employer classified under this unit can also be classified under exceptional units 80020 and 90010.		
80250	Ornamental building metal work	22.25	21.31
	This unit refers to work related to:		
	<ul style="list-style-type: none"> <li>• building metal work such as the tracing out, cutting, preparation and assembly of any metal part, including outdoor and indoor stairs, handrails, fences, gates, canopies, cellar doors and inspection holes, all types of wire fencing; coal chutes, vault doors, fire doors, industrial doors, partitions, rails and balconies.</li> </ul>		
	This unit does not refer to:		
	<ul style="list-style-type: none"> <li>• preparatory and manufacturing work done in workshops other than on the work site or on the job;</li> <li>• installation of all other types of fences.</li> </ul>		
	An employer classified under this unit can also be classified under exceptional units 80020 and 90010.		
80260	Installation of scaffolds	13.84	13.16
	This unit refers to work related to the installation and dismantling of all types of scaffolds.		
	This unit does not refer to:		
	<ul style="list-style-type: none"> <li>• the installation of a freight elevator;</li> <li>• work related to the installation, dismantling and maintenance of permanent swing scaffolds.</li> </ul>		
	An employer classified under this unit can also be classified under the exceptional units 80020 and 90010.		

Unit Number	Unit Title	General Rate	Special Rate
80270	Paving work other than on public roads	14.20	13.51

This unit refers to work related to:

- the asphalt surfacing of private roads and parking lots;
- the concrete surfacing of private roads and parking lots carried out using a concrete spreader-grader;
- the marking of lines on the pavement referred to in this unit;
- the pulverizing of paved surfaces referred to in this unit;
- the waterproofing of paved surfaces referred to in this unit.

This unit does not refer to:

- the scarification of paved surfaces.

An employer classified under this unit can also be classified under exceptional units 80020 and 90010.

## SCHEDULE 2

	Rate
The social affairs sector	0,03
The textile and knitting sector	0,09
The automobile service sector	0,07
The transportation and storage sectors	0,07
The metal fabricating industries sector and the electrical products industries sectors	0,06
The provincial administration sector	0,04
The printing and allied industries sector	0,06
The transportation equipment and machinery industries sector	0,05
The mining and mining services sector	0,13
The municipal affairs sector	0,04
The clothing industries sector	0,08
The construction sector	0,04

## SCHEDULE 3

### AMOUNT OF SECTION 313 OF THE ACT AND THE RATE APPLICABLE FOR PROTECTING THE DIRECTOR FOR THE YEAR 1999

The amount provided under section 313 of the Act is fixed for the year 1999 at \$65.00.

The rate applicable for purposes of establishing the amount payable by the person who registers as a director in accordance with section 18 of the Act is the one under unit 71040.”.

**5.** Schedules 1 to 3, as they read before their replacement stipulated under section 4, continue to apply for the 1998 year of assessment.

**6.** This Regulation shall enter into force on the day of its publication in the *Gazette officielle du Québec* and shall be effective beginning from the 1999 year of assessment.

2374

## Draft Regulation

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

### Possession and sale of an animal — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the possession and sale of an animal, 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 allow the sale of the flesh of ranch-bred white-tailed deer.

Therefore, the Regulation proposes to authorize the sale of white-tailed deer bred on a ranch where the owner is the holder of a game ranch and breeding licence for white-tailed deer and has met the requirements of the Regulation respecting animals in captivity.

To date, study of the draft Regulation has shown no negative impact on individuals or businesses, including small and medium-sized businesses.

Further information may be obtained by contacting:

Mr. Serge Bergeron  
Ministère de l'Environnement et de la Faune  
Service de la réglementation  
150, boulevard René-Lévesque Est, 4<sup>e</sup> étage, boîte 91  
Québec (Québec)  
G1R 4Y1.

Tel.: (418) 643-4880  
Fax: (418) 528-0834  
Internet: serge.bergeron@mef.gouv.qc.ca

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 the Environment and Wildlife, Édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30<sup>e</sup> étage, Québec (Québec) G1R 5V7.

PAUL BÉGIN,  
*Minister of the Environment and Wildlife*

## Regulation to amend the Regulation respecting the possession and sale of an animal\*

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s. 69)

**1.** Section 1 of the Regulation respecting the possession and sale of an animal is amended by substituting the following for “all year long.” in the third paragraph: “all year long; the sale of deer flesh is also authorized where the animal was kept in captivity by the holder of the game ranch and breeding licence for white-tailed deer referred to in section 69.8 of the Regulation respecting animals in captivity, made by Order in Council 1029-92 dated 8 July 1992.”.

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

2353

## Draft Regulation

An Act respecting racing  
(R.S.Q., c. C-72.1, s. 88 and s. 105, pars. 1, 2, 4 and 5)

### Thoroughbred and Quarter Horse racing

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Acts (R.S.Q., c. R-18.1), that the Regulation respecting Thoroughbred and Quarter Horse racing, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation authorizes Thoroughbred and Quarter Horse races on Québec race tracks.

It prescribes the licences, including their classes and sub-classes, required for carrying on any occupation or performing any function related to Thoroughbred and Quarter Horse racing or for operating a business where such activity takes place.

Where a legal person or partnership carries on such occupation or function or performs such trade, the draft Regulation determines every person who is required to hold a licence.

\* The Regulation respecting the possession and sale of an animal was made by Order in Council 536-98 dated 22 April 1998 (1998, *G.O.* 2, 1639).

The draft Regulation also proposes the fee payable by a person applying for a licence or a certificate, the mode and time of payment, and the fee exigible to obtain a duplicate of such documents. The amount of the fee may vary according to the licence, the class of licence or the certificate.

Further information may be obtained from:  
Mr. Marc Lajoie, Régie des alcools, des courses et des jeux,  
1281, boulevard Charest Ouest  
Québec (Québec) G1N 2C9  
telephone: (418) 644-0815, fax: (418) 646-0673.

Any interested person having comments to make on the matter is invited to send them in writing before the expiry of the 45-day period to the Minister of Public Security, 2525 boulevard Laurier, Sainte-Foy (Québec) G1V 2L2.

PIERRE BÉLANGER,  
*Minister of Public Security*

## Regulation respecting Thoroughbred and Quarter Horse racing

An Act respecting racing  
(R.S.Q., c. C-72.1, s. 88 and s. 105, pars. 1, 2, 4 and 5)

### 1. For the purposes of this Regulation,

“horse” means a Thoroughbred for which a registration certificate has been issued by the Canadian Thoroughbred Horse Society or by The Jockey Club, 821 Corporate Drive, Lexington, Kentucky 40503-2794, United States of America, or a Quarter Horse for which a registration certificate has been issued by the Canadian Quarter Horse Association or the American Quarter Horse Association, Amarillo, Texas 79168, USA; (*cheval*)

“race” means a competition at a gallop in which each horse is ridden by a jockey. (*course*)

### 2. Race track licences shall be divided into two classes:

- (1) a professional race track licence; and
- (2) an amateur race track licence.

**3.** A professional race track licence authorizes its holder to operate a track where five or more pari-mutuel race programs will be held during the term of the licence.

The fee for that licence is \$750.

**4.** An amateur race track licence authorizes its holder to operate:

(1) a track where no pari-mutuel races will be held during the term of the licence; or

(2) a track where fewer than five pari-mutuel race programs will be held during the term of the licence.

The fee for that licence is \$75.

**5.** The application fees for a racing licence shall be:

(1) \$500 per race program held by the licensee at the same professional race track;

(2) where the race program is held by the licensee at the same amateur race track:

(a) \$75 per race program with pari-mutuel;

(b) \$15 per race program without pari-mutuel.

**6.** A person who, alone or in partnership, owns or leases a horse under a title of ownership or title of lease, a title involving a condition or a term giving him the right to become owner, or a title giving him the right to use the horse as its owner with obligation to surrender, must hold a horse owner’s licence in order to:

(1) declare the horse in a race held by the holder of a racing licence issued by the Régie des alcools, des courses et des jeux;

(2) register a stallion with the board for breeding purposes; or

(3) claim a horse in accordance with the terms and conditions prescribed by the Rules made by the board pursuant to section 103 of the Act respecting racing (R.S.Q., c. C-72.1).

The fee for that licence is \$42.

**7.** Where the person referred to in section 6 is a legal person or partnership, every person listed below must hold a horse owner’s licence:

(1) in the case of a legal person with fewer than 10 shareholders:

(a) the legal person;

(b) every director;

(c) every shareholder;

(2) in the case of a legal person with more than 10 but fewer than 50 shareholders:

(a) the legal person;

(b) every director;

(c) every shareholder holding or controlling a certain number of shares which entitles him to 20 % or more of the voting rights;

(3) in the case of a legal person with more than 50 shareholders which is registered with a Canadian stock exchange:

(a) the legal person;

(b) every director or, where applicable, every member of the executive committee or of the board of directors;

(c) every person acting as chairman, secretary or holding a similar office;

(d) the person responsible with the legal person for the activities for which the licence is required;

(e) every shareholder holding or controlling a certain number of shares which entitles him to 10 % or more of the voting rights;

(4) in the case of a general partnership:

(a) the partnership;

(b) the manager or any person holding a similar office;

(c) every partner;

(5) in the case of a limited partnership:

(a) the partnership;

(b) the general partner and, where such partner is a legal person or a general partnership, the persons referred to, if applicable, in paragraphs 1, 2, 3 and 4;

(c) the manager of the general partner or any person holding a similar office.

**8.** A person who performs or carries on one of the functions, occupations or trades listed below and described in the Rules made by the board pursuant to section 103 of the Act, must hold one of the following licences, as applicable, and pay the related fee:

Function, position or trade	Licence	Fees
Apprentice jockey	Apprentice jockey's licence	\$35
Clerk of the scales	Clerk of the scales' licence	\$10
Exerciser	Exerciser's licence	\$10
Farrier	Farrier's licence	\$15
Groom	Groom's licence	\$10
Handicapper	Handicapper's licence	\$10
Horse identifier	Horse identifier's licence	\$10
Horse trainer	Trainer's licence	\$42
Horseperson's accountant	Horseperson's accountant's licence	\$10
Horseperson's accountant, Assistant	Assistant horseperson's accountant's licence	\$10
Hot-walker	Hot-walker's licence	\$10
Jockey	Jockey's licence	\$65
Jockey room custodian	Jockey room custodian's licence	\$10
Jockey valet	Jockey valet's licence	\$20
Jockey agent	Jockey agent's licence	\$42
Lead-pony boy	Lead-pony boy licence	\$10
Owner agent	Owner agent's licence	\$42
Paddock judge	Paddock judge's licence	\$22
Patrol judge	Patrol judge's licence	\$25
Placing judge	Placing judge's licence	\$10
Racing secretary	Racing secretary's licence	\$37
Racing secretary, Assistant	Assistant racing secretary's licence	\$37
Racing judge	Racing judge's licence	\$37
Rider	Rider's licence	\$10
Sponsor	Sponsor's licence	\$150
Starter	Starter's licence	\$10
Starting judge	Starting judge's licence	\$22
Timekeeper	Timekeeper's licence	\$15
Tradesperson	Tradesperson's licence	\$10
Board veterinarian	Board veterinarian's licence	\$37
Veterinarian	Veterinarian's licence	\$37

**9.** Pari-mutuel employees must hold a race track employee's licence.

The fee for that licence is \$10.

**10.** Any legal person or partnership that represents with the board groups of persons involved in racing or breeding must hold an organization representative's licence.

The fee for that licence is \$75.

**11.** Every person who holds an administrative position with a racing licence holder must hold a director's licence.

The fee for that licence is \$37.

**12.** A person is not required to hold the licence prescribed in this Regulation to carry out a function, occupation or trade as a sponsor, tradesperson, farrier, veterinarian, board veterinarian or groom or one of the functions or occupations referred to in sections 9 and 11, where that person already holds the licence issued for that function or occupation in accordance with the Regulation respecting Standardbred horse racing made by Order in Council 2567-83 dated 6 December 1983.

**13.** A person whose function or occupation is that of jockey, apprentice jockey or owner must register with the board the mandate certifying the designation of his authorized agent.

**14.** Each of the following licences also authorizes its holder to engage in the activities listed below:

- (1) racing judge's licence:
  - (a) placing judge;
  - (b) patrol judge;
  - (c) paddock judge;
- (2) paddock judge's licence:
  - (a) patrol judge;
  - (b) horse identifier;
- (3) starting judge's licence:
  - (a) patrol judge;
  - (b) horse identifier;
  - (c) clerk of the scales;
- (4) racing secretary's licence:
  - (a) assistant racing secretary;
  - (b) handicapper;
- (5) assistant racing secretary's licence:
  - (a) handicapper.

**15.** The period of validity of the licences shall be determined by the board.

**16.** The fees payable upon registration referred to in section 87 of the Act are as follows:

(1) for a stallion, where the Rules adopted by the board prescribe its registration:

(a) \$75, if the form prescribed by the board is duly completed and the fees are sent to the board not later than 15 January of each year and if the other documents and information required for registration purposes are also sent not later than 15 March of each year;

(b) \$500, if the conditions referred to in subparagraph *a* are not met within the given deadlines;

(2) \$95 for the registration of a stable name;

(3) \$46 for the registration of distinctive colours;

(4) \$35 for the issue of an authorized agent's registration certificate.

**17.** The fee for obtaining from the board a duplicate of a licence, a certificate or an attestation of registration is \$10.

**18.** The fees shall be paid in cash, or by money order or cheque made out to the order of the Régie des alcools, des courses et des jeux du Québec and, subject to section 19, at the time of the application.

The board shall refund the fees to the applicant if an application for a licence is refused.

Any person who remits to the board a negotiable instrument which is subsequently refused because of insufficient funds by the financial institution upon which it is drawn shall pay the fees prescribed in the regulation entitled "Règlement sur la perception et l'administration des revenus et recettes du gouvernement", made by C.T. 175175 dated 23 October 1990.

**19.** The fees referred to in section 5 are payable for an entire race meeting before it starts.

However, where a race meeting includes more than 10 race programs, the fees for the first ten race programs are payable upon application for a licence and thereafter, at the end of each month, according to the number of programs held during that month.

**20.** The fees payable by a natural person, for a first application for a licence under this Regulation, are as follows:

(1) the total fee for such licence where the period between the date of issue and the date of expiry is 180 days or more;

(2) 50 % of the fee for such licence where the period between the date of issue and the date of expiry is less than 180 days.

**21.** As of 1 January 1999, the fees prescribed in this Regulation shall be indexed on 1 January of each year on the basis of the variation in the general Consumer Price Index for Canada, over the course of the preceding year. The variation is calculated on the basis of the ratio between the index of the previous year and the index of the year before the previous year. The index for a year is the average of the monthly indexes published by Statistics Canada.

The Minister shall inform the public of the results of the annual indexation pursuant to this section by a notice in the *Gazette officielle du Québec* or by such other means as he may deem appropriate.

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



## Index Statutory Instruments

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

<b>Regulations — Statutes</b>	<b>Page</b>	<b>Comments</b>
Agricultural Products, Marine Products and Food Act — Food . . . . . (R.S.Q., c. P-29)	2635	M
Animals in captivity . . . . . (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	2647	Draft
Civil Service Superannuation Plan, An Act respecting the..., amended . . . . . (1998, Bill 431)	2567	
Classification of employers, statement of wages and rates of assessment . . . . . (An Act respecting industrial accidents and occupational diseases, R.S.Q., c. A-3.001)	2664	Draft
Conservation and development of wildlife, An Act respecting the... — Animals in captivity . . . . . (R.S.Q., c. C-61.1)	2647	Draft
Conservation and development of wildlife, An Act respecting the... — Development of wildlife — Scale of fees and duties . . . . . (R.S.Q., c. C-61.1)	2663	Draft
Conservation and development of wildlife, An Act respecting the... — Possession and sale of an animal . . . . . (R.S.Q., c. C-61.1)	2704	Draft
Construction contracts for immovables of school boards . . . . . (Education Act, R.S.Q., c. I-13.3)	2651	Draft
Development of wildlife — Scale of fees and duties . . . . . (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	2663	Draft
Education Act — Construction contracts for immovables of school boards . . . . . (R.S.Q., c. I-13.3)	2651	Draft
Elections and referendums in municipalities, An Act respecting... — Tariff of remuneration payable for municipal elections and referendums . . . . . (R.S.Q., c. E-2.2)	2645	N
Environment Quality Act — Solid waste . . . . . (R.S.Q., c. Q-2)	2639	M
Financial assistance for students — Correction to the English text . . . . . (An Act respecting financial assistance for students, R.S.Q., c. A-13.3)	2638	M
Financial assistance for students, An Act respecting... — Financial assistance for students — Correction to the English text . . . . . (R.S.Q., c. A-13.3)	2638	M
Food . . . . . (Agricultural Products, Marine Products and Food Act, R.S.Q., c. P-29)	2635	M
Gouvernement and Public Employees Retirement Plan, An Act respecting the..., amended . . . . . (1998, Bill 431)	2567	

Industrial accidents and occupational diseases, An Act respecting... — Classification of employers, statement of wages and rates of assessment . . . (R.S.Q., c. A-3.001)	2664	Draft
Inhalothérapeutes — Terms and conditions for the issue of permits by the Ordre (Professional Code, R.S.Q., c. C-26)	2643	M
Investissement-Québec and Garantie-Québec, An Act respecting... .. (1998, Bill 431)	2567	
Labour Code, An Act to amend the... .. (1998, Bill 446)	2629	
Labour standards . . . . . (An Act respecting labour standards, R.S.Q., c. N-1.1; 1997, c. 72)	2644	Draft
Labour standards, An Act respecting... — Labour standards . . . . . (R.S.Q., c. N-1.1; 1997, c. 72)	2644	Draft
Ministère des Transports in order to establish the rolling stock management fund, An Act to amend the Act respecting the... .. (1998, Bill 159)	2561	
Possession and sale of an animal . . . . . (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	2704	Draft
Private Investment and Job Creation Promotion Fund . . . . . (An Act respecting the Société de développement industriel du Québec, R.S.Q., c. S-11.01)	2640	M
Professional Code — Inhalothérapeutes — Terms and conditions for the issue of permits by the Ordre . . . . . (R.S.Q., c. C-26)	2643	M
Racing, An Act respecting... — Thoroughbred and Quarter Horse racing . . . . . (R.S.Q., c. C-72.1)	2704	Draft
Société de développement industriel du Québec, An Act respecting the..., replaced . . . . . (1998, Bill 431)	2567	
Société de développement industriel du Québec, An Act respecting... — Private Investment and Job Creation Promotion Fund . . . . . (R.S.Q., c. S-11.01)	2640	M
Société Innovatech du Grand Montréal, An Act respecting... .. (1998, Bill 434)	2583	
Société Innovatech du Grand Montréal, An Act respecting... — Coming into force . . . . . (1998, c. 19)	2634	
Société Innovatech du sud du Québec, An Act respecting... .. (1998, Bill 437)	2617	
Société Innovatech du Sud du Québec, An Act respecting... — Coming into force . . . . . (1998, c. 22)	2633	
Société Innovatech Québec et Chaudière-Appalaches, An Act respecting... .. (1998, Bill 436)	2605	

Société Innovatech Québec et Chaudière-Appalaches, An Act respecting... — Coming into force . . . . . (1998, c. 21)	2633	
Société Innovatech Régions ressources, An Act respecting... . . . . . (1998, Bill 435)	2595	
Société Innovatech Régions ressources, An Act respecting... — Coming into force . . . . . (1998, c. 20)	2633	
Solid waste . . . . . (Environment Quality Act, R.S.Q., c. Q-2)	2639	M
Tariff of remuneration payable for municipal elections and referendums . . . . . (An Act respecting elections and referendums in municipalities, R.S.Q., c. E-2.2)	2645	N
Thoroughbred and Quarter Horse racing . . . . . (An Act respecting racing, R.S.Q., c. C-72.1)	2704	Draft

