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An Act to amend the Act to promote the parole of inmates (1998, c. 27)
— Coming into force of section 13

COMING INTO FORCE of section 13 of the Act to amend the Act to promote the parole of inmates

WHEREAS the Act to amend the Act to promote the parole of inmates (1998, c. 27) was assented to on 17 June 1998;

WHEREAS section 22 of the Act provides that section 13 will come into force on the date to be fixed by the Government;

WHEREAS it is expedient to fix 27 January 1999 as the date of coming into force of that section;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Public Security:

THAT section 13 of the Act to amend the Act to promote the parole of inmates come into force on 27 January 1999.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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Regulations and other acts

Gouvernement du Québec

O.C. 4-99, 13 January 1999

An Act respecting farm income stabilization insurance (R.S.Q., c. A-31)

Farm income stabilization insurance scheme — Amendments

Regulation to amend the Farm Income Stabilization Insurance Scheme

WHEREAS under sections 2, 5, 6 and 6.1 of the Act respecting farm income stabilization insurance (R.S.Q., c. A-31), the Government ordered the establishment of the Farm Income Stabilization Insurance Scheme by Order in Council 1670-97 dated 17 December 1997;

WHEREAS under section 6, the scheme shall determine the conditions of eligibility and participation and the terms of exclusion of a participant;

WHEREAS the verification of the participants' declarations of insurable units must allow for the adjustment of insurable volumes and of assessments due based on the actual volumes held during an insurance year;

WHEREAS it is expedient, for feeder cattle and slaughter cattle, to include in the calculation of insurable volume the weight gain exceeding 363 kg for a female animal sold to a producer of feeder calves where there is proof of slaughter;

WHEREAS it is expedient to update some of the provisions of the scheme to respond to its clientele's needs and to take into account the changes in production techniques as well as market requirements;

WHEREAS it is expedient to make the Regulation to amend the Farm Income Stabilization Insurance Scheme;

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

THAT the Regulation to amend the Farm Income Stabilization Insurance Scheme, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Farm Income Stabilization Insurance Scheme[1]

An Act respecting farm income stabilization insurance (R.S.Q., c. A-31, ss. 2, 5, 6, and 6.1)

1. The Farm Income Stabilization Insurance Scheme is amended in section 4:

(1) by substituting the word "partnership" for the words "legal person" in paragraph 2; and

(2) by substituting the words "legal person, a partnership or an association" for the word "partnership" in paragraph 3.

2. Section 6 is amended by substituting the following table for Table 2:

"TABLE 2

Insurable products	Annual insurable minimums
1. Lambs	50 ewes
2. Feeder cattle and slaughter cattle	Cumulative weight gain of 6 350 kg (14 000 lbs) or 3 175 kg (7 000 lbs) if the participant is also insured for feeder calves
3. Feeder calves	10 cows
4. Grain-fed calves	25 grain-fed calves
5. Milk-fed calves	25 milk-fed calves
6. Piglets	15 sows
7. Hogs	300 hogs or 225 hogs if the participant is also insured for piglets
8. Cereals, grain corn beans and soy	10 hectares of oats, wheat for animal consumption,wheat for human consumption, barley, grain corn and soy beans or a combination of those crops
9. Apples	28 577 metric tonnes (1 500 bushels) of insurable apples
10. Potatoes	6 hectares

".

[1] The Farm Income Stabilization Insurance Scheme was made by Order in Council 1670-97 dated 17 December 1997 (1997, *G.O.* 2, 6293) and amended by the Regulations made by Orders in Council 669-98 dated 20 May 1998 (1998, *G.O.* 2, 2110), 810-98 dated 17 June 1998 (1998, *G.O.* 2, 2494) and 1391-98 dated 28 October 1998 (1998, *G.O.* 2, 4425).

3. Section 12 is amended by adding the following at the end of the third paragraph:

"Upon renewal, the insurance coverage shall be provided for the same products as those included before the participation expired.".

4. Section 25 is amended by adding the following after subparagraph *b* of paragraph 2:

"*(c)* the participant must insure all insurable breeder hogs for the remainder of the contract.".

5. The following is substituted for section 34:

"**34.** Where the Régie notices after verification that the number of units held by a participant is less than the number of units declared, in accordance with sections 36, 45, 52, 54 and 56, the insurance shall only cover the lower number. However, the calculation of the assessment due shall be based on the higher number.".

6. Section 39 is amended by substituting the following for the last sentence of the second paragraph:

"For a female animal sold to a producer of feeder calves, the exit weight may not exceed 363 kg (800 lbs), unless the Régie is provided with proof of slaughter.".

7. Section 40 is amended:

(1) by substituting the words "sale data" for the words "slaughter data"; and

(2) by inserting the words "the slaughter data transmitted" after the word "or".

8. Section 43 is amended by adding "or an attestation of superior genetic quality from the ministère de l'Agriculture, des Pêcheries et de l'Alimentation" after the words "feeder cattle" at the end of the second paragraph.

9. Section 50 is amended by substituting "date on which the participant must send the declaration form referred to in paragraph 2 of section 23" for the words "date the declaration referred to in paragraph 2 of section 23 was sent" in paragraph 3.

10. Section 90 is amended by substituting "last year in which the participant complied with the insurable minimum" for "previous year".

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

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Gouvernement du Québec

O.C. 9-99, 13 January 1999

An Act respecting prescription drug insurance
(R.S.Q., c. A-29.01)

Basic prescription drug insurance plan — Amendments

Regulation to amend the Regulation respecting the basic prescription drug insurance plan

WHEREAS under subparagraph 3 of the first paragraph of section 78 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01), the Government may, after consulting the Régie de l'assurance-maladie du Québec, make regulations to determine the cases, conditions and therapeutic indications in and for which the cost of certain medications included in the list drawn up by the Minister under section 60 of the Act is covered by the basic plan; the conditions may vary according to whether the coverage is provided by the Board or under a group insurance contract or an employee benefit plan;

WHEREAS under section 79 of the Act, such a regulation is not subject to the requirements concerning publication and date of coming into force contained in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS by Order in Council 1519-96 dated 4 December 1996, the Government made the Regulation respecting the basic prescription drug insurance plan;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with section 78 of the Act respecting prescription drug insurance, the Régie de l'assurance-maladie du Québec has been consulted on the amendments;

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

THAT the Regulation to amend the Regulation respecting the basic prescription drug insurance plan, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the basic prescription drug insurance plan*

An Act respecting prescription drug insurance
(R.S.Q., c. A-29.01, s. 78, 1st par., subpar. 3)

1. The Regulation respecting the basic prescription drug insurance plan is amended in the second paragraph of section 2.1:

(1) by inserting the following after subparagraph 6

"6.1 BETAINE, pd.: for treatment of hyperhomocysteinemia caused by a deficiency in cystathionine beta-synthase (CBS), by a deficiency in 5, 10-methylenetetrahydrofolate reductase (MTHFR) or by a defect in cobalamin cofactor metabolism (cbl);";

(2) by striking out subparagraph 7.1;

(3) by inserting the following after subparagraph 11:

"11.1 CAPECITABINE: for treatment of advanced or metastatic breast cancer that has not responded to first-line chemotherapy;";

(4) by striking out subparagraph 26;

(5) by adding "and who are unable to take fluconazole tablets" at the end of paragraph *a* of subparagraph 33;

(6) by striking out the word "highly" before the word "emetic" in paragraph *b* of subparagraph 43;

(7) by striking out subparagraph 52.1;

(8) by striking out the words "and not responding to non-pharmacological measures" after the words "medical condition" in subparagraph 55;

(9) by inserting the following after subparagraph 60:

"60.1 MONTELUKAST: for treatment of asthmatic persons who are unable to take zafirlukast;";

(10) by striking out the word "highly" before the word "emetic" in paragraph *b* of subparagraph 63;

(11) by substituting the following for paragraph *c* of subparagraph 82:

"*(c)* for treatment of adults suffering from growth hormone deficiency where they meet the following criteria:

— the biochemical diagnosis of growth hormone deficiency must be confirmed by a negative response to growth hormone stimulation tests (peak < 3 ng/mL by radio-immunological measurement, or peak < 2.5 ng/mL by immunometric measurement). The insulin hypoglycemia test is recommended. If this test is contraindicated, tests with arginine only or with arginine combined with the GHRH may be used;

— in the case of adult onset, the deficiency must be secondary to hypophyseal or hypothalamic disease, surgery, radiation therapy or trauma.

Follow-up of adults treated with growth hormone must include an IGF-1 measurement, which must be standardized;

(d) for treatment of Turner's syndrome:

— the syndrome must have been demonstrated by a karyotype compatible with this diagnosis (complete absence or structural anomaly of one of the X chromosomes). This karyotype may be homogeneous or may be a mosaic;

— bone age must be under 15 years;";

(12) by substituting the following for paragraph *c* of subparagraph 83:

"*(c)* for treatment of adults suffering from growth hormone deficiency where they meet the following criteria:

— the biochemical diagnosis of growth hormone deficiency must be confirmed by a negative response to growth hormone stimulation tests (peak < 3 ng/mL by radio-immunological measurement, or peak < 2.5 ng/mL by immunometric measurement). The insulin hypoglycemia test is recommended. If this test is contraindicated, tests with arginine only or with arginine combined with the GHRH may be used;

— in the case of adult onset, the deficiency must be secondary to hypophyseal or hypothalamic disease, surgery, radiation therapy or trauma.

Follow-up of adults treated with growth hormone must include an IGF-1 measurement, which must be standardized;

* The Regulation respecting the basic prescription drug insurance plan, made by Order in Council 1519-96 dated 4 December 1996 (1996, *G.O.* 2, 4941) was last amended by the Regulations made by Orders in Council 1189-98 dated 16 September 1998 (1998, *G.O.* 2, 3949) and 1473-98 dated 27 November 1998 (*G.O.* 2, 4758). For previous amendments, see the « Tableau des modifications et Index sommaire », Éditeur officiel du Québec, 1998, updated to 1 September 1998.

(d) for treatment of Turner's syndrome:

— the syndrome must have been demonstrated by a karyotype compatible with this diagnosis (complete absence or structural anomaly of one of the X chromosomes). This karyotype may be homogeneous or may be a mosaic;

— bone age must be under 15 years;".

2. This Regulation comes into force on 17 February 1999.

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Gouvernement du Québec

O.C. 12-99, 13 January 1999

An Act respecting income security
(R.S.Q., c. S-3.1.1)

Income security
— Amendments

Regulation to amend the Regulation respecting income security

WHEREAS in accordance with section 91 of the Act respecting income security (R.S.Q., c. S-3.1.1), the Government made the Regulation respecting income security by Order in Council 922-89 dated 14 June 1989;

WHEREAS it is expedient to amend that Regulation;

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 where the authority making it is of the opinion that the urgency of the situation requires it;

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

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

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

— the amendments proposed in the Regulation attached to this Order in Council must come into force on 1 February 1999 so that the persons concerned may benefit from the excluded amounts of liquid assets provided for therein as of that date, in particular persons who could receive an indemnity from January 1999 following an agreement reached in the course of a civil action pertaining to breast implants;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Social Solidarity:

THAT the Regulation to amend the Regulation respecting income security, attached hereto, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting income security (*)

An Act respecting income security
(R.S.Q., c. S-3.1.1, s. 91, 1st par., subpar. 6.1)

1. Section 64.1 of the Regulation respecting income security is amended by substituting the words "person entitled thereto" for the words "victim himself" in the second paragraph.

2. Section 68.1 is amended

(1) by adding the following after subparagraph 2 of the second paragraph:

"(3) to a person entitled thereto following an agreement reached in the course of a class action pertaining to breast implants.";

(2) by substituting the words "person entitled thereto" for the words "victim himself" in the third paragraph.

3. This Regulation comes into force on 1 February 1999.

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* The Regulation respecting income security, made by Order in Council 922-89 dated 14 June 1989 (1989, *G.O.* 2, 2443) was last amended by the Regulations made by Orders in Council 1218-98 dated 23 September 1998 (1998, *G.O.* 2, 4048), 1296-98 dated 7 October 1998 (1998, *G.O.* 2, 4264), 1394-98 dated 28 October 1998 (1998, *G.O.* 2, 4426) and 1420-98 dated 11 November 1998 (1998, *G.O.* 2, 4481). For previous amendments, refer to the "Tableau des modifications et Index sommaire", Éditeur officiel du Québec, 1998, updated to 1 September 1998.

Gouvernement du Québec

O.C. 14-99, 13 January 1999

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

Determination of employer classifications, of employer assessments and of imputations of the cost of benefits — Amendments

Regulation amending the Regulation respecting the re-determination of employer classifications, of employer assessments and of imputations of the cost of benefits

WHEREAS under subparagraph 12.3 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), enacted by paragraph 9 of section 44 of the Act to amend the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety (1996, c. 70), the Commission de la santé et de la sécurité du travail may make regulations determining the circumstances in which, time within which and conditions subject to which it may re-determine the classification, the imputation of the cost of benefits and the assessment, penalty and interest payable by an employer, at a higher or lower level;

WHEREAS by Order in Council 1486-98 dated 27 November 1998, the Government approved the Regulation respecting the re-determination of employer classifications, of employer assessments and of imputations of the cost of benefits and the Regulation came into force on 1 January 1999;

WHEREAS at the meeting of its board of directors of 17 December 1998, the Commission made the Regulation amending the Regulation respecting the re-determination of employer classifications, of employer assessments and of imputations of the cost of benefits whose sole purpose is to correct inaccurate references in three sections of the Regulation respecting the re-determination of employer classifications, of employer assessments and of imputations of the cost of benefits;

WHEREAS in accordance with section 455 of the Act respecting industrial accidents and occupational diseases, the Regulation shall be submitted to the Government for approval;

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

WHEREAS under section 13 of that Act, the reason justifying the absence of such publication shall be published with the Regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of such publication:

— three sections of the Regulation respecting the re-determination of employer classifications, of employer assessments and of imputations of the cost of benefits include inaccurate references to other provisions of the same Regulation. Those inaccurate references make those provisions inconsistent with one another and could cause an interpretation contrary to the one intended by the Commission;

— since the Regulation came into force on 1 January 1999, it is necessary to amend it as soon as possible to avoid such consequences;

WHEREAS it is expedient to approve the Regulation attached to this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour and Minister responsible for the administration of the Act respecting industrial accidents and occupational diseases:

THAT the Regulation amending the Regulation respecting the re-determination of employer classifications, of employer assessments and of imputations of the cost of benefits, attached hereto, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation amending the Regulation respecting the re-determination of employer classifications, of employer assessments and of imputations of the cost of benefits

An Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001, s. 454, par. 1, subpar. 12.3)

1. The Regulation respecting the re-determination of employer classifications, of employer assessments and of imputations of the cost of benefits, approved by Order-in-Council number 1486-98 of 27 November 1998

is hereby amended by replacing the words “Divisions I to III” in section 10 with the words “Subdivisions 1 to 3”.

2. The Regulation is hereby further amended by replacing the words “Divisions I to III” in the first paragraph of section 11 with the words “Subdivisions 1 to 3”.

3. Said Regulation is hereby further amended by replacing the words “Divisions I to IV” in section 13 with the words “Subdivisions 1 to 4”.

4. This Regulation takes effect as of January 1, 1999.

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

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Draft Regulations

Draft Decree

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Furniture industry
— Amendments

Notice is hereby given that the Minister of Labour has received an application to amend the Decree respecting the furniture industry, made by Order in Council 1809-83 dated 1 September 1983, from the contracting parties covered by the Decree and that, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Decree to amend the Decree respecting the furniture industry, a copy of which is attached hereto, may be made by the Government upon the expiry of 45 days from this publication.

The purpose of the draft regulation is to actualize certain working conditions that have remained unchanged since 2 July 1992.

To that end, it proposes to change the name of one of the union contracting parties, to eliminate the definition of foreman, to introduce the definitions of workday, layoff, dismissal and student, to remove from the jurisdiction the repair, renovation by stripping or otherwise, and the manufacture of pianos, house organs and harmoniums, to increase hourly wage rates, to eliminate the average plant wage rate, to ensure a certain flexibility to enterprises by the scheduling under certain conditions of the duration of the standard workweek, to provide for a weekend shift, to amend the list, conditions and indemnities paid for holidays and, finally, to permit the division of the annual vacation.

This draft regulation is currently the object of an economic impact study within the framework of amendments to the Act respecting collective agreement decrees.

The consultation period will serve to clarify the impact of the amendments being sought. According to the 1997 annual report of the furniture industry Parity Committee, the Decree in question covers 885 employers, 647 artisans and 16 229 employees.

Further information may be obtained by contacting Ms. Michèle Poitras, Direction des décrets, ministère du Travail, 200, chemin Sainte-Foy, 6e étage, Québec (Québec) G1R 5S1 (telephone: 418-646-2631; fax: 418-528-0559).

Any interested person with comments to make is asked to send them in writing, before the expiry of the 45-days period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy 6e étage, Québec (Québec) G1R 5S1.

RÉAL MIREAULT,
Deputy Minister of Labour

Decree to amend the Decree respecting the furniture industry*

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 2 and 6.1)

1. The first "WHEREAS" of the Decree respecting the furniture industry is amended by substituting the name "Fraternité nationale des forestiers et travailleurs d'usines (section locale 299)" for the name "Fraternité nationale des charpentiers-menuisiers forestiers travailleurs d'usines".

2. Section 1.01 is amended:

1. by striking subparagraph 4;

2. by adding the following after subparagraph 8:

"9. "Workday": day on which the employee usually works;

10. "layoff": temporary loss of employment;

11. "dismissal": permanent loss of employment for economic or technical reasons;

12. "student": a person who is enroled in a full-time program of studies offered by an educational establishment and whose term of employment does not exceed 85 workdays per year.".

* The last amendment to the Decree respecting the furniture industry made by Order in Council 1809-83 dated 1 September 1983 was made under the regulation made by Order in Council 757-98 dated 3 June 1998 (1998, *G.O.* 2, 3067). For other previous amendments, refer to the "Tableau des modifications et Index sommaire", Éditeur officiel du Québec, 1998, updated to 1 September 1998.

3. Section 3.01 is amended by striking, in the first paragraph, ", repair, renovation by stripping or otherwise".

4. Section 3.02 is amended by striking, at the end of subparagraph 4, ", pianos, house organs and harmoniums".

5. The following is substituted for section 4.01:

"**4.01.** Employees shall receive at least the following hourly rates:

Duration of continuous service	**As of** *(insert here the date of the coming into force of the decree*)	**As of 2000 01 01**	**As of 2001 01 01**
When hired or student	7,20 $	7,40 $	7,60 $;
after 3 months	7,45 $	7,60 $	7,80 $;
after 6 months	7,55 $	7,70 $	7,90 $;
after 12 months	7,75 $	7,90 $	8,10 $;
after 24 months	8,25 $	8,40 $	8,60 $;
after 36 months	8,75 $	8,90 $	9,10 $.

On 1 January 2002 and on 1 January of each subsequent year, the hourly wage rates of the Decree shall be adjusted by the percentage variation in the Consumer Price Index (CPI) as established by Statistics Canada for the Canadian jusrisdiction (1986=100). The minimum annual percentage variation shall be 1 % and the maximum 5 %.

The base index is October 2000. The percentage variation in the CPI for October 2000 as compared to that for October 2001 is used to adjust the hourly wage rates of the Decree on 1 January 2002. The same calculation shall be made for each subsequent year with reference to the month of October.".

6. Sections 4.03 to 4.05 are revoked.

7. The following is substituted for section 5.01:

"**5.01.** Notwithstanding any other provision of the Decree, the employer shall pay employees at least 0,20 $ more than the minimum wage fixed by the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3).".

8. The following is substituted for section 6.01:

"**6.01.** The standard workweek is 42 hours scheduled over 5 days with a maximum of 8 h 30 per day from Monday to Thursday and 8 hours on Friday.

The duration of the standard workweek shall be gradually reduced to 40 hours by shortening the workweek by one hour on 1 October for each of the years 1999 and 2000 and, consequently, the duration of the standard workday is also reduced to 8 hours.

6.01.1. The working hours of the various shifts shall be scheduled as follows:

1. first shift: between 7:00 a.m. and 6:00 p.m.;

2. second and third shifts: between 2:00 pm and 9:00 a.m.

6.01.2. The employer and the employees may agree, by collective agreement or after agreement between the employer and the majority of the employees concerned, on provisions for scheduling shift working hours, the number of hours in the workday and the number of days in the standard workweek that differ from those mentioned in sections 6.01 and 6.01.1.

Such provisions must be more advantageous for employees and must not be for the purpose of avoiding the payment of overtime hours.

The employer must forward to the Parity Committee a copy of the written agreement before implementing the new provisions.

6.01.3. A weekend shift may be established where two weekly shifts have already been established with working hours scheduled from Monday through Friday. The standard workweek of the weekend shift is 36 hours scheduled from Friday through Sunday with a maximum of 12 hours per day.

6.01.4. Where regular plant production of the employer is continuous and cannot be interrupted, the employer may schedule employee working hours on a basis other than a weekly basis, if he meets the following conditions:

1. the purpose of the schedule is not to avoid the payment of overtime hours;

2. he has obtained the consent of a majority of the employees concerned or where such the case of the accredited association, where allowed by the collective agreement;

3. the schedule has the effect of granting employees a compensation for the loss in payment of overtime hours;

4. the average number of working hours is equivalent to the number of hours mentioned in 6.01;

5. working hours are scheduled over a maximum period of two weeks;

6. the duration of the workweek does not exceed 48 hours;

7. the duration of the work schedule cannot exceed one year;

8. he previously forwarded a written notice to that effect to the Parity Committee.

A scheduled period may be modified by the employer or renewed by him at its expiry on the same conditions as those mentioned in the first paragraph.".

9. Section 6.02 is amended:

1. by striking, in the part preceding subparagraph 1, ", from Monday to Friday inclusively,";

2. by substituting "section 6.01.2" for "paragraph 2 of section 6.01" in subparagraph 1;

3. by substituting the following for suparagraph 2:

"2. in accordance with section 6.01.4; in this case, the premium for overtime hours applies to hours in excess of the number of hours in the standard workweek established under this section;";

4. by substituting the words "payment for" for the words "premium for" in subparagraph 3.

10. Section 6.03 is amended by striking paragraph 4.

11. Sections 6.04 and 6.05 are revoked.

12. The following is substituted for section 6.06:

"**6.06.** The employer may, under a collective agreement or an agreement concluded by a majority of the employees concerned and previously forwarded to the parity committee, have work performed by his employees outside the hours of the standard workday or on Saturday and replace the payment of overtime hours by a paid holiday equivalent to the number of overtime hours worked at time and a half and taken during the Christmas vacation and New Year's day of the current year.

6.06.1. For the purposes of sections 6.06 and 7.08, the employer may, where applicable, establish and maintain an up-to-date register in which he records the overtime hours that have been worked and replaced by a paid holiday under those sections.

The register must be accessible at any reasonable hour for verification by parity committee inspectors.".

13. Section 7.02 is amended by inserting in the first paragraph and after the words "Good Friday", the words "Easter Monday".

14. Section 7.03 is amended in the first paragraph:

1. by substituting the following for the part preceding subparagraph 1:

"**7.03.** To be entitled to the general holidays with pay provided in section 7.02, the employee must be present at the end of his shift on the working day preceding the holiday and at the beginning of his shift on the working day following the holiday. However, the employee who is absent from work on the day preceding or the day immediately following the holiday is entitled to the indemnity for the holiday where his absence is due to:";

2. by substituting the following for subparagraph 2:

"2. a layoff or a dismissal occurring within the 10 working days before the holiday;".

15. The following is substituted for sections 7.04 and 7.05:

"**7.04.** The indemnity for an employee paid the hourly wage rate is equal to the wage he would have received for a standard workday paid at his hourly wage rate.

The indemnity for a part-time employee must be equal to his average daily wage earned during the 10 workdays preceding the holiday.

The indemnity for an employee paid the hourly rate and the piece-work rate or the employee paid exclusively the piece-work rate or the employee paid a bonus must be equal to his average daily rate for the days worked during the two weeks preceding the holiday.

7.05. The employee entitled to a holiday provided in section 7.02 and who must work on a day governed by that section is paid at time and a half his hourly wage rate. He is also entitled to the indemnity provided in section 7.04 or to a compensatory holiday of one day at his hourly wage rate, where such is provided under an agreement concluded between the employer and a ma-

jority of the employees concerned and a prior written notice was forwarded to the Parity Committee.

Such compensatory holiday to replace the paid holidays mentioned in section 7.02 is taken in the week that precedes or follows the holiday.".

16. Section 7.07 is amended:

1. by substituting "6.01.1" for "6.01";

2. by substituting "section 7.02" for "sections 7.01 and 7.02".

17. The following is substituted for section 7.08:

"**7.08. Holidays not mentioned:** under a collective agreement or after an agreement between the employer and the employees concerned, it is permitted, after having previously notified the Parity Committee, to celebrate any holiday not mentioned in this section and to recover the hours of work thus lost at the hourly wage rate during one or several days mutually agreed upon during the week preceding or following the holiday, except for holidays mentioned in section 7.02."

18. Section 10.02.1 is amended in paragraph 3:

1. by substituting "5 years" for "10 years" in the first subparagraph;

2. by striking the second subparagraph.

19. Section 10.02.1 is amended by adding the following:

"**10.02.1.1. Division:** the annual vacation may be divided into two periods at the request of the employee. The employer may refuse the request if he closes his establishment for a period equal to or longer than the annual vacation of the employee.

The holiday may also be divided into more than two periods at the request of the employee with the consent of the employer.

A vacation that is one week or less may not be divided.".

20. Section 10.02.2 is amended:

1. by striking paragraph 2;

2. by adding the following after paragraph 3:

"4. Where an employee is absent because of illness or an accident or is on maternity leave during the qualifying year and the result of that absence is a reduction in the indemnity for the annual vacation, the employee is entitled to an equivalent indemnity, and where such is the case, to two, three or four times the average weekly wage earned during the period worked.

The employee mentioned in paragraph 1 of 10.02.1 whose annual vacation is less than two weeks is entitled to that amount as a ratio of the days of vacation that he has accumulated.".

21. Section 10.07 is amended by striking "5 %,".

22. The following is substituted for section 11.01:

"**11.01.** The Decree remains in force until 1 June 2002. It is then automatically renewed from year to year thereafter, unless the group constituting the employer party of the group constituting the employee party opposes it by a written notice sent to the Minister of Labour and to the other group during the month of Feburary of the year 2002 or during the month of Feburary of any subsequent year.".

23. This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

2658

Draft Regulation

An Act respecting administrative justice
(1996, c. 54)

**Administrative Tribunal of Québec
— Rules of procedure**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Rules of procedure of the Administrative Tribunal of Québec, agreed on by the members of the Tribunal after consultation with the Conseil de la justice administrative, and the text of which appears below, may be approved by the Government upon the expiry of 45 days following this publication.

The proposed rules specify the conditions of application of the rules of evidence and procedure established by the Act respecting administrative justice and by the special statutes under which proceedings may be brought before the Tribunal.

More specifically, the Rules deal with

— the computation of the time allowed to perform an act and related matters: opening hours and non-juridical days;

— how to bring proceedings before the Tribunal;

— communications of the parties with the Tribunal;

— communications from the Tribunal to the parties;

— incidental proceedings that may occur, in particular forced or voluntary intervention, postponement of a hearing, discharge or replacement of attorneys, cessation of representation;

— the summons of witnesses and the disclosure of evidence;

— the hearing and the minutes thereof; and

— withdrawals.

The Rules will have the following impact:

— by standardizing all the rules of procedure applicable before the tribunals to which the Administrative Tribunal succeeds, they make norms easier to comply with for the justiciable;

— they impose minimum obligations on the parties so as to minimize the number of steps to be taken and to ensure that the parties' right to be heard is respected.

Further information may be obtained by contacting Ms. Danielle Corriveau at the Administrative Tribunal of Québec, 575, rue Saint-Amable, édifice Lomer-Gouin, Québec (Québec) G1R 5R4; tel.: (418) 528-8729.

Any person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the undersigned, Administrative Tribunal of Québec, 575, rue Saint-Amable, édifice Lomer-Gouin, Québec (Québec) G1R 5R4.

GAÉTAN LEMOYNE,
President of the
Administrative Tribunal of Québec

Rules of procedure of the Administrative Tribunal of Québec

An Act respecting administrative justice
(1996, c. 54. s. 109)

1. These Rules apply to all proceedings brought before the Tribunal, except those within the jurisdiction of the social affairs division acting as a review board within the meaning of the Criminal Code.

2. The secretariat of the Tribunal is open to the public from Monday to Friday, on juridical days, from 8:30 a.m. to 4:30 p.m.

3. The following are non-juridical days:

(1) Saturdays and Sundays;

(2) 1 and 2 January;

(3) Good Friday;

(4) Easter Monday;

(5) the Monday preceding 25 May;

(6) 24 June;

(7) 1 July;

(8) the first Monday in September;

(9) the second Monday in October;

(10) 24, 25, 26 and 31 December;

(11) any other holiday fixed by the Government.

4. If the date fixed for performing an act falls on a non-juridical day, it may validly be done on the next following juridical day.

5. In computing any time period, the day which marks the start of the period is not counted and, except for periods counted in clear days, the terminal day is.

Non-juridical days are counted but a period that would normally expire on such a day shall be extended to the next following juridical day.

6. The motion instituting the proceeding and the required documents and notices shall be filed with the Tribunal as follows:

(1) in person, with the secretariat of the Tribunal or, in the case of the motion instituting the proceeding, with any office of the Court of Québec;

(2) by mail, addressed to the secretariat of the Tribunal;

(3) by fax, with the secretariat of the Tribunal; or

(4) by electronic mail, if available, addressed to the secretariat of the Tribunal.

7. The date of filing of a document is the date on which it is received at the secretariat of the Tribunal or at the office of the Court of Québec, as the case may be.

8. Where an application is received by electronic mail, the secretariat of the Tribunal shall print it out, indicating on it the date of receipt. The secretariat shall then send a copy to the applicant, specifying that that version will be filed with the Tribunal and that the applicant is responsible for making any corrections in writing, within the time determined by the secretariat.

9. Where duties, fees or other expenses are established for filing a document, the document is not validly filed unless these have been paid.

However, in the case of the motion instituting proceedings, an applicant who has not fully paid the prescribed duties, fees or expenses in full may do so within 30 days following the receipt of the motion by the Tribunal.

10. A motion instituting proceedings shall be presented in writing on the form provided by the Tribunal or otherwise.

The motion shall

(1) indicate the applicant's name and address, telephone number and, where applicable, E-mail address and fax number;

(2) indicate, if the applicant is represented, the representative's name and address, telephone number and, where applicable, E-mail address and fax number;

(3) briefly state the grounds invoked in support of the recourse; and

(4) mention the conclusions sought.

The contested decision or the documents related to the facts giving rise to the recourse shall be attached to the motion. Failing that, the motion shall indicate

(1) if the recourse is to contest a decision:

(a) the authority that made the decision;

(b) the date of the decision;

(c) the file number given by that authority;

(2) if no decision is contested, the facts giving rise to the recourse.

The motion shall be signed by the applicant or the representative.

11. Any other application to the Tribunal shall be presented in writing and notice thereof shall be sent to the other parties.

The application shall indicate the names of the parties, the file number of the Tribunal, the grounds invoked in support thereof and the conclusions sought.

If the applicant is not one of the parties, the application shall indicate the applicant's name, address, telephone number and, where applicable, E-mail address and fax number. If the applicant is represented, the application shall also contain the same information for the representative.

The application shall be signed by the applicant or the representative.

An application may be presented orally if authorized by the Tribunal.

12. Any other written communication from a party to the Tribunal shall be sent by the party to the other parties.

13. Any party or representative shall inform the secretariat of the Tribunal without delay of any change in address or telephone number.

14. For any proceeding brought pursuant to the Expropriation Act (R.S.Q., c. E-24), an appendix indicating the cadastre number of each immovable involved, the nature of the expropriated right and the name of the last known holder of that right shall be attached to the general plan provided for in section 39 of that Act.

Every related notice of expropriation filed after the general plan shall bear the file number of that plan.

15. The documents relevant to a contestation in matters of municipal taxation, a copy of which must be provided under the second paragraph of section 114 of

the Act respecting administrative justice (1996, c. 54), are those that were considered by the municipal body responsible for assessment for the application for review giving rise to the proceeding brought before the Tribunal, as well as all documents that were submitted on such occasion.

16. Any person who has a sufficient interest may, with the authorization of the Tribunal and on the conditions it determines, make representations in a proceeding before the decision is rendered.

For any proceeding brought pursuant to the Environment Quality Act (R.S.Q., c. Q-2), any person making representations shall file with the Tribunal a notice to that effect at least 30 days before the date of the hearing.

17. Any party to a recourse may, with the authorization of the Tribunal and on the conditions it determines, implead a third party whose presence is necessary to resolve the dispute.

The Tribunal may, *ex officio*, order the impleading of any person whose interests could be affected by its decision.

18. A notice of hearing, in order to be valid, must be sent to the parties and their representatives at the last address filed of record.

19. A party requesting postponement of the hearing shall apply to the Tribunal as soon as the invoked grounds become known.

Such postponement shall be granted only if it is based on serious grounds and if the interests of justice are thus better served. No postponement shall be granted solely because the parties agree thereto.

20. A party who discharges or replaces his representative shall so inform the Tribunal and the other parties in writing without delay.

21. A person who agrees to represent a party after the motion is filed shall so inform the Tribunal and the other parties in writing without delay.

22. A person who ceases to represent a party shall so inform the Tribunal and all parties in writing without delay.

23. Where a party is represented, the communications of the Tribunal, except those provided for in sections 18 and 35, shall be addressed to the representative only.

24. A party who requires that a witness be summoned to appear shall complete the subpoena.

Such party is responsible for the service of the subpoena issued by a member of the Tribunal at least five clear days before the hearing, or at least ten clear days before the hearing if the subpoena is addressed to a Minister or a Deputy Minister of the Government.

In case of emergency, a member of the Tribunal may shorten the period for service of a subpoena, but it may not be less than 12 hours. The subpoena shall contain that information.

A person serving a prison term may be summoned to appear only if a member of the Tribunal orders the warden or guard, as the case may be, to bring him before the court.

25. Any person testifying as a witness shall do so under oath.

Anyone who does not understand the nature of the oath is exempted from taking it, but must be informed of the obligation to tell the truth.

26. A party who intends to adduce an expert's report as evidence shall file two copies with the secretariat of the Tribunal and send one copy to the other parties on the date fixed by the Tribunal or, failing that, at least 15 days before the date of the hearing, unless the Tribunal decides otherwise.

27. In cases involving persons who require protection because they could endanger themselves or others, the institution having custody of such a person shall provide the Tribunal with copies of the order for custody in an institution, including any renewals, and of the psychiatrist's reports on the basis of which the order was issued, no later than 24 hours before the date of the hearing.

28. For proceedings within the jurisdiction of the immovable property division, unless the Tribunal decides otherwise, an expert witness shall be heard only if, on the date fixed by the Tribunal or, failing that, no later than 15 days before the date of the hearing, the party who intends to have him testify has filed with the secretariat of the Tribunal two copies of the expert's report, with a copy for each other party, and has informed the other parties of such filing at the same time.

Such party may obtain a copy from the secretary of the Tribunal if he has already filed his expert's report or a statement to the effect that he does not intend to call any expert witness.

In the case of a proceeding brought pursuant to Chapter X of the Act respecting municipal taxation (R.S.Q., c. F-2.1), where the value is lower than that fixed in accordance with section 33 of the Act respecting administrative justice (R.S.Q., c. J-3), an expert witness may be heard without his report having been previously filed, provided that his testimony is mainly based on the documents referred to in section 15 of these Rules.

29. A party who produces documents at the hearing shall provide copies for the Tribunal and all the other parties.

30. All persons attending the hearing shall behave with dignity and show the respect due to justice. They shall refrain from doing anything that could disrupt the hearing.

31. Representations made at the hearing shall be recorded on audio tape, unless a party has them recorded by a stenographer or stenotypist at its expense.

A party who requests a transcription of the hearing shall provide a copy to the Tribunal free of charge.

The recording and transcription expenses shall be included in the costs that may be awarded by the Tribunal.

32. The minutes of the hearing shall be drawn up in the form established by the Tribunal. They shall contain the following information, in particular:

(1) the date and time of the beginning and end of the hearing, and where it takes place;

(2) the names of the members of the Tribunal;

(3) the names and addresses of the parties and, where applicable, those of their representatives and witnesses;

(4) the name and address of the person responsible for the recording;

(5) the name and address of the stenographer and proof of oath;

(6) the name and address of the interpreter and proof of oath;

(7) whether a telephone conference was held and the parties' consent thereto;

(8) the various stages of the hearing;

(9) the exhibits adduced;

(10) incidental proceedings and objections;

(11) the date when an act or action must be carried out;

(12) the Tribunal's decisions; and

(13) the date on which the case is taken under advisement.

33. Unless otherwise provided for by law, the filing of a discontinuance declaration or of a notice of settlement terminates the proceedings.

34. A written agreement reached by the parties to settle their dispute may be submitted to the Tribunal for approval.

35. The Tribunal's decision shall be forwarded to the parties and their representatives.

36. These Rules come into force on (*date*).

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Municipal Affairs

Gouvernement du Québec

O.C. 19-99, 20 January 1999

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

Amalgamation of Ville de Saint-Joseph-de-Beauce and of Paroisse de Saint-Joseph-de-Beauce

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

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

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

WHEREAS under section 108 of the aforementioned Act, amended by section 133 of Chapter 93 of the Statutes of 1997, it is expedient to grant the joint application;

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

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

1. The name of the new town is "Ville de Saint-Joseph-de-Beauce".

2. The description of the territory of the new town is the description drawn up by the Minister of Natural Resources on 13 October 1998; that description is attached as a Schedule to this Order in Council.

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

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

5. A provisional council shall hold office until the first general election. It shall be composed of all the members of the two councils existing at the time of the coming into force of this Order in Council. The quorum shall be half the members in office plus one. The mayors of the former Ville de Saint-Joseph-de-Beauce and of the former Paroisse de Saint-Joseph-de-Beauce will alternate as mayor and deputy mayor of the provisional council for two equal periods. The mayor of the former Ville de Saint-Joseph-de-Beauce will act as mayor of the new town for the first period.

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

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

Throughout the term of the provisional council, the mayors of the former Ville de Saint-Joseph-de-Beauce and of the former Paroisse de Saint-Joseph-de-Beauce shall continue to be qualified to sit on the council of the Municipalité régionale de comté de Robert-Cliche. They shall have the same number of votes as they had before the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held at the town hall located on the territory of the former Ville de Saint-Joseph-de-Beauce.

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

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

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

For the second general election, only those persons who would be eligible under that Act if such election were an election of the council members of the former Paroisse de Saint-Joseph-de-Beauce shall be eligible for seats 3 and 5.

8. Ms. Hélène Renaud, director general of the former Ville de Saint-Joseph-de-Beauce, shall act as the director general and treasurer of the new town.

Mr. Jean-Louis Lessard, secretary-treasurer of the former Paroisse de Saint-Joseph-de-Beauce, shall act as the first clerk of the new town.

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

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

10. The amounts received as a subsidy granted under the Programme d'aide financière au regroupement municipal (PAFREM) shall be apportioned as follows:

— 74.3 % shall be used for the benefit of ratepayers of the sector made up of the territory of the former Ville de Saint-Joseph-de-Beauce;

— 25.7 % shall be used for the benefit of ratepayers of the sector made up of the territory of the former Paroisse de Saint-Joseph-de-Beauce.

Those amounts shall be added to the surplus accumulated on behalf of each former municipality as the subsidy is being paid and shall be dealt with in accordance with the provisions of section 13.

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

12. The working fund of each of the former municipalities shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets. The amount of the fund that is not used on that date shall be added to the surplus accumulated on behalf of the former municipality that made it and shall be dealt with in accordance with the provisions of section 13.

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

14. The revenues from the sale of lots that belonged to the former Ville de Saint-Joseph-de-Beauce, located in the part of lots 540, 598, 605 and 634 of the cadastre of Paroisse de Saint-Joseph-de-Beauce, as described in the technical descriptions prepared by Mr. Jean Bisson, land surveyor, under his minute numbers 3094 and 3095 and the part of lots 512, 513, 514 and 515 of the cadastre of Paroisse de Saint-Joseph-de-Beauce as described in the deed of sale registered under number 431303 on 21 December 1993 at the registry office, Beauce land division, shall be paid into the surplus accumulated on behalf of the former town as the sale of lots progresses and shall be dealt with in accordance with the provisions of section 13.

15. Any revenues from the sale of the municipal garage of the former Paroisse de Saint-Joseph-de-Beauce shall be added to the surplus accumulated on behalf of the former municipality and shall be dealt with in accordance with the provisions of section 13.

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

17. The balance in principal and interest of the loan made under By-law 480-95 of the former Ville de Saint-Joseph-de-Beauce shall be charged to all the taxable immovables of the new town.

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

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

18. The balance in principal and interest of all the loans contracted under the by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in section 17 shall remain charged to the sector made up of the territory of the former municipality that contracted them, in accordance with the taxation clauses prescribed in those by-laws. If the new municipality decides to amend the taxation clauses of those by-laws in accordance with the law, those amendments may only refer to the taxable immovables located in the sector made up of the territory of the former municipality that adopted the by-law.

19. The balance available from loan by-law 459-92 of the former Ville de Saint-Joseph-de-Beauce shall be used to pay the annual instalments in principal and interest or, if the securities were issued for a shorter term than the term originally fixed, to reduce the balance of the loan.

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

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

Until the third general election following the coming into force of this Order in Council, the decisions concerning legal proceedings between the former Paroisse de Saint-Joseph-de-Beauce and the Municipalité régionale de comté de La Nouvelle-Beauce (Superior Court 350-05-000107-977) shall be made by the councillors of seats 3 and 5 representing the former Paroisse de Saint-Joseph-de-Beauce.

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

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

22. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de Saint-Joseph-de-Beauce".

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

The members of the housing bureau shall be the members of the municipal housing bureau of the former Ville de Saint-Joseph-de-Beauce.

23. In accordance with the Order in Council concerning the amendment to the agreement respecting the Ville de Sainte-Marie Municipal Court which will be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Ville de Sainte-Marie Municipal Court will have jurisdiction over the territory of the new town.

24. For the purposes of the second paragraph of section 119 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), the new town shall use the median proportions established for the 1998 fiscal year for the adjustment of the values entered on the real estate assessment rolls of the former municipalities.

For the purposes of section 121 of the aforementioned Act, the median proportion and the factor of the roll of the new town are those established for the 1998 fiscal year for the former Ville de Saint-Joseph-de-Beauce.

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

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

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW VILLE DE SAINT-JOSEPH-DE-BEAUCE IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE ROBERT-CLICHE

The current territory of Paroisse de Saint-Joseph-de-Beauce and of Ville de Saint-Joseph-de-Beauce in the Municipalité régionale de comté de Robert-Cliche, comprising part of Rivière Chaudière without cadastral description and, in reference to the cadastres of the parishes of Saint-Édouard-de-Frampton and of Saint-Joseph, the lots or parts of lots and their present and future subdivisions as well as the roads, routes, streets, railway rights-of-way, islands, islets, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the eastern angle of lot 140 of the cadastre of Paroisse de Saint-Édouard-de-Frampton; thence, successively, the following lines and demarcations: southwesterly, part of the dividing line between the cadastre of Paroisse de Saint-Édouard-de-Frampton and the cadastre of the Canton de Cranbourne to the apex of the western angle of lot 1 of the cadastre of the Canton de Cranbourne, that line crossing a watercourse that it meets; successively, easterly and southeasterly, the broken dividing line between the cadastre of Paroisse de Saint-Joseph and the Canton de Cranbourne, that line crossing, in the second segment, Rivière Calway; southwesterly, part of the dividing line between the cadastres of the parishes of Saint-Joseph and of Saint-François to the centre line of Rivière Chaudière, that line crossing secondary roads, Route 173, the railway right-of-way (part of lot 786 of the cadastre of Paroisse de Saint-Joseph) and an island of Rivière Chaudière (lot 413 of the said cadastre); in a general northwesterly direction, the centre line of the said river going downstream to its meeting with the southwestern extension of the northwest line of lot 717 of the cadastre of Paroisse de Saint-Joseph, that line skirting to the left the islands closest to the right bank; in reference to the latter cadastre, northeasterly, the said extension and the northwest line of the said lot, that line extended across the former railway right-of-way (part of lot 786), the new right-of-way of another railway and Route 173 that it meets; southerly, part of the east line of lot 717 to the apex of the western angle of lot 715; northeasterly, the northwest line of the said lot; in a general northerly direction, successively, the west side of the right-of-way of Chemin du Rang-Assomption (shown on the original cadastre) limiting to the east lots 724, 725B, 725A, 725, 733, 748, 749, 750, 759 and 760, that line crossing Route Poulin and Ruisseau des Graines that it meets, the west line of Rang Assomption crossing Rivière Morency that it meets, then again the west side of the said right-of-way limiting to the east lot 760 to its meeting with the southwestern extension of the northwest line of lot 796; northeasterly, the said extension and the northwest line of lots 796 and 796A, that line crossing Autoroute 73 that it meets; southeasterly, the northeast line of lots 800A, 800, 801, 804, 806, 807A, 812, 813, 816A, 816, 817 and 820, that line crossing Rivière Morency that it meets; northeasterly, successively, part of the northwest line of 1110, the northwest line of lots 1109 and 1108 and its extension to the northeast side of the right-of-way of a public road (shown on the original cadastre); southeasterly, the northeast side of the said right-of-way limiting to the southwest lot 1107, that line crossing Ruisseau des Graines that it meets; northeasterly, the northwest side of the right-of-way of Route du Piqueron (shown on the original cadastre) limiting to the southeast lots 1106 and 1107 to its meeting with the northwestern extension of the northeastern right-of-way of Chemin du Rang de la Petite-Montagne (shown on the original cadastre); southeasterly, the said extension and the northeast side of the said right-of-way limiting to the southwest lots 1085, 1084, 1083, 1083A and 1082 to 1073 in declining order to the apex of the western angle of lot 1072; northeasterly, successively, the northwest line of lot 1072, in lot 1086 a straight line to the apex of the western angle of lot 1267 then the northwest line of the said lot, that line crossing a watercourse and Chemin du Rang de la Grande-Montagne that it meets; southeasterly, part of the line dividing the cadastres of the parishes of Saint-Joseph and of Saint-Édouard-de-Frampton to the apex of the western angle of lot 98 of the cadastre of Paroisse de Saint-Édouard-de-Frampton; northeasterly, the northwest line of the said lot; finally, southeasterly, the broken line limiting to the northeast lots 98, 100, 102, 104, 106, 107, 109, 112, 113, 114, 116, 118, 120, 124, 126, 128, 130, 133, 135, 137, 139 and 140 of the said cadastre to the starting point, that line extended across a secondary road that it meets; the said limits define the territory of the new Ville de Saint-Joseph-de-Beauce.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 13 October 1998

Prepared by: JEAN-PIERRE LACROIX,
Land surveyor

J-156/1

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Index Statutory Instruments

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