

# Gazette officielle du Québec

## Part 2 Laws and Regulations

Volume 131  
28 July 1999  
No. 30

### Summary

Table of Contents  
Acts 1999  
Regulations and other acts  
Draft Regulations  
Index

Legal deposit — 1st Quarter 1968  
Bibliothèque nationale du Québec  
© Éditeur officiel du Québec, 1999

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 1999

30	An Act to amend the Act respecting elections and referendums in municipalities and other legislative provisions .....	2143
39	An Act respecting the Société nationale du cheval de course .....	2165
42	An Act respecting the construction of infrastructures and equipment by Hydro-Québec on account of the ice storm of 5 to 9 January 1998 .....	2175
43	An Act respecting certain declarations of exception in Acts relating to education .....	2181
44	An Act to amend the Police Act .....	2185
45	An Act to amend certain legislative provisions respecting the Public Curator .....	2189
46	An Act to amend the Act respecting municipal taxation and the Act respecting municipal debts and loans .....	2197
48	An Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec ....	2207
52	An Act to amend the Fire Investigations Act .....	2217
53	An Act respecting the Corporation d'hébergement du Québec .....	2223
60	An Act respecting environmental assessment of the proposed Churchill River hydroelectric development .....	2241
61	An Act respecting the Société de la faune et des parcs du Québec .....	2245
69	An Act to amend the Act respecting prescription drug insurance .....	2275
71	An Act respecting the transport of bulk material under municipal contracts .....	2279

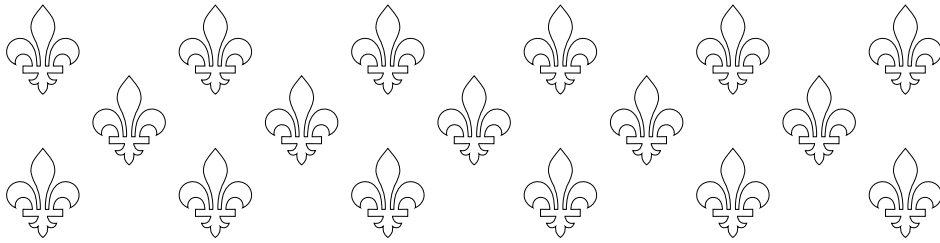
### Regulations and other acts

Conditions of employment of senior executives of general and vocational colleges (Amend.) .....	2283
Conditions of employment of senior staff of general and vocational colleges (Amend.) .....	2284

### Draft Regulations

Automobiles — Saguenay–Lac-Saint-Jean .....	2287
Furniture industry — Levy .....	2295





---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 30  
(1999, chapter 25)

**An Act to amend the Act respecting  
elections and referendums in  
municipalities and other legislative  
provisions**

---

---

**Introduced 11 May 1999  
Passage in principle 1 June 1999  
Passage 18 June 1999  
Assented to 19 June 1999**

---

**Québec Official Publisher  
1999**

## EXPLANATORY NOTES

*This bill amends the Act respecting elections and referendums in municipalities to harmonize certain provisions relating to the electoral process with the provisions of the Election Act. A new chapter on election posters and billboards is introduced and the rules relating to the marking of ballot papers are modified. The bill provides that every municipal elector must have been domiciled in Québec for six months, except in the case of an elector who is the owner of an immovable or the occupant of a place of business.*

*The bill introduces provisions into the Act respecting elections and referendums in municipalities similar to those in the Election Act governing authorizations granted to political parties and independent candidates, the financing of those entities and control of their election expenses. Before applying for authorization, a political party will be able to reserve a name for up to six months. The bill reduces to 15% the percentage of votes a candidate is required to obtain to be entitled to reimbursement of election expenses, and allows an elector to make contributions of up to \$1,000 to each of the authorized parties and independent candidates.*

*The powers of the chief electoral officer are extended by the bill to enable the chief electoral officer to give directives to returning officers. As well, the powers of the chief electoral officer are broadened as regards inquiries and penal matters, and immunity is granted to certain municipal election officers. The bill provides that the chapter relating to the financing of parties and candidates and the control of election expenses will also apply to municipalities having a population of 5,000 or over.*

*Lastly, the bill remedies various problems of application. It clarifies the powers of the Minister to authorize a returning officer to change the Sunday fixed for the holding of a by-election and enables the Commission municipale du Québec to ascertain, on its own initiative, the end of an elected person's term.*

**LEGISLATION AMENDED BY THIS BILL :**

- Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);
- Election Act (R.S.Q., chapter E-3.3);
- Act respecting municipal territorial organization (R.S.Q., chapter O-9).





## Bill 30

### AN ACT TO AMEND THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

1. Section 47 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is replaced by the following section :

“47. Every person of full age, being a Canadian citizen and being neither under curatorship nor under any voting disqualification pursuant to section 53, is an elector of a municipality upon fulfilling one of the following two conditions :

(1) the person has been domiciled in the territory of the municipality and, for at least six months, in Québec;

(2) the person has been, for at least 12 months, the owner of an immovable or the occupant of a place of business, within the meaning of the Act respecting municipal taxation (chapter F-2.1), situated in the territory of the municipality.”

2. Section 52 of the said Act, amended by section 14 of chapter 34 of the statutes of 1997, is again amended by replacing the first paragraph by the following paragraph :

“52. To exercise the right to vote, a person must, at the time of voting, be an elector of the municipality and have his name entered on the list of electors of the municipality.”

3. Section 54 of the said Act is amended by replacing the second paragraph by the following paragraph :

“However,

(1) in the case of a sole owner of an immovable or a sole occupant of a place of business, an entry as such is conditional upon the receipt by the municipality of a writing signed by the owner or occupant and requesting such an entry ;

(2) in the case of undivided co-owners of an immovable or co-occupants of a place of business, only the co-owner or the co-occupant designated for that purpose by a power of attorney is entitled to have his name entered on the list of electors as the owner of the immovable or as the occupant of the place of business, and the entry as such is conditional upon the receipt by the municipality of the power of attorney.”

4. Section 55 of the said Act, amended by section 15 of chapter 34 of the statutes of 1997, is again amended by striking out the second and third paragraphs.

5. The said Act is amended by inserting the following section after section 55:

“55.1. An application for entry referred to in subparagraph 1 of the second paragraph of section 54 or the power of attorney referred to in section 55 must be transmitted to the returning officer not later than 35 days before polling day. It takes effect upon receipt and remains valid until it is withdrawn or replaced.

An application for entry or a power of attorney transmitted after the time prescribed in the first paragraph but before the end of the work of the board of revisors on the last day fixed for making applications under section 132 shall be considered an application to amend the list of electors unless the returning officer has taken it into account before the deposit of the list. The returning officer shall transmit the application for entry or the power of attorney, as the case may be, to the competent board of revisors.”

6. Section 56 of the said Act, amended by section 16 of chapter 34 of the statutes of 1997, is replaced by the following section:

“56. Not later than 40 days before polling day, the returning officer shall give a public notice stating that sole owners or occupants and designated co-owners and co-occupants are entitled to have their names entered on the list of electors and mentioning how they may obtain information on the rules governing the entry of their names on the list of electors.

The notice shall invite sole owners and occupants who wish to make a first application for entry or to withdraw the existing entry to transmit to the returning officer, within the prescribed time, the application or a signed writing requesting the withdrawal.

The notice shall also invite co-owners and co-occupants who wish to make a first designation or replace the existing designation to transmit to the returning officer, within the prescribed time, the power of attorney.”

7. Section 61 of the said Act is amended by striking out “, where that right does not derive from his capacity as a domiciled person,” in the third and fourth lines.

8. Section 66 of the said Act, amended by section 17 of chapter 34 of the statutes of 1997, is again amended by replacing “article 107” in the second last line of the second paragraph by “articles 107 and 724”.

9. The said Act is amended by inserting the following section after section 88:

“88.1. No penalty may be imposed by the municipality on any election officer who is an officer or employee of the municipality for acts performed in good faith by the election officer in the performance of his duties, even outside the election period within the meaning of section 364.

Any contravention of the first paragraph authorizes the person on whom the penalty is imposed to assert his rights before a labour commissioner appointed under the Labour Code (chapter C-27), in the same manner as if it were a case of dismissal, suspension or transfer of an employee, of the practice of discrimination, the taking of reprisals or the imposition of any other sanction by reason of the exercise by the employee of a right arising under the Labour Code. Sections 15 to 20, 118 to 137, 139, 139.1, 140, 146.1 and 150 to 152 of the Labour Code then apply, with the necessary modifications.

The second paragraph does not apply if the person on whom the penalty is imposed may appeal therefrom, under section 72 of the Cities and Towns Act (chapter C-19) or article 181 of the Municipal Code of Québec (chapter C-27.1), before the Commission municipale du Québec.”

10. Section 89 of the said Act is amended by inserting “and issue directives” after “recommendations” in the first line.

11. The said Act is amended by inserting the following sections after section 90:

“90.1. The chief electoral officer may, of his own initiative or at the request of a person, inquire into the application of this chapter, Chapters VI to VII.1, Division I of Chapter XII and Chapters XIII and XIV.

“90.2. The chief electoral officer may refuse to make or to pursue an inquiry where he considers the request frivolous, vexatious or made in bad faith, or unnecessary in the circumstances.

“90.3. Where the chief electoral officer refuses to make or to pursue an inquiry at the request of a person, he must inform that person of his refusal and give the reasons therefor in writing.

“90.4. For his inquiries, the chief electoral officer or the person designated by him is vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

Articles 307 to 309 of the Code of Civil Procedure (chapter C-25) apply to witnesses heard at an inquiry.”

12. Section 91 of the said Act is amended by replacing “or all of his powers” by “power or any function he indicates that is assigned to him under this Act”.

13. Section 122 of the said Act, replaced by section 21 of chapter 34 of the statutes of 1997, is amended by adding the following paragraph after the second paragraph:

“The chairman of the board of revisors may, after consulting with the returning officer, extend the hours of sittings of the board of revisors.”

14. Section 132 of the said Act, replaced by section 21 of chapter 34 of the statutes of 1997, is amended

(1) by adding “, subject to any extension decided by the chairman of the board of revisors under the third paragraph of section 122” at the end of the first paragraph;

(2) by replacing “Celui-ci” in the first line of the French text of the second paragraph by “Le président d’élection”.

15. Section 137 of the said Act, replaced by section 21 of chapter 34 of the statutes of 1997, is amended by adding the following subparagraph after subparagraph 2 of the third paragraph:

“(3) the person has met with and confirmed to a revising officer that he is not entitled to have his name entered on the list of electors.”

16. The said Act is amended by inserting the following sections after section 137:

“137.1. The board of revisors, on its own initiative or on an application, may revoke or review a decision to strike off or refuse to enter a person’s name

(1) where a new fact is discovered which, had it been known in time, could have warranted a different decision;

(2) where the person concerned, owing to reasons considered sufficient, could not present observations.

“137.2. In every case where the board of revisors makes a decision in the absence of the person concerned by the application or filing the application, the board shall immediately notify the person in writing of its decision, unless the person is under curatorship.”

17. Section 148 of the said Act is amended by replacing “one-third” and “two-thirds” in the second line by “two-thirds” and “one-third”, respectively.

18. Section 151 of the said Act is amended by adding “, or if the application for a change of name is made during the election period within the meaning of section 364” at the end of the first paragraph.

19. Section 152 of the said Act is amended by adding “, or the recognition of a ticket which changes its name during the election period within the meaning of section 364” at the end of the second paragraph.

20. Section 221 of the said Act is amended by adding the following paragraph at the end:

“The deputy returning officer shall also give the elector a pencil.”

21. Section 222 of the said Act is amended by replacing the first paragraph by the following paragraph:

“222. The elector shall enter the polling booth and mark the ballot paper in the circle placed opposite the indications pertaining to the candidate for whom the elector intends to vote, using the pencil given to him by the deputy returning officer. For the purposes of this paragraph, a co-candidate and the candidate with whom the co-candidate is associated shall be counted as one candidate for the office of councillor.”

22. Section 226 of the said Act is amended

(1) by replacing subparagraphs 1 and 2 of the first paragraph by the following subparagraphs:

“(1) by a person who is the elector’s spouse or a relative within the meaning of section 131;

“(2) by another person, in the presence of the deputy returning officer and the poll clerk.”;

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

“The person referred to in subparagraph 2 of the first paragraph shall declare under oath that he has not assisted another elector during the poll.”

23. Section 233 of the said Act is amended by adding the following paragraph after paragraph 6:

“(7) has been marked otherwise than with the pencil given to the elector by the deputy returning officer.”

24. Section 236 of the said Act is amended by adding “or that the circle is not completely filled” at the end.

25. Section 277 of the said Act is amended by striking out “concerning undivided co-owners of immovables and co-occupants of places of business” in the first and second lines of the fifth paragraph.

26. The said Act is amended by inserting the following chapter after section 285 :

#### **“CHAPTER VII.1**

##### **“ELECTION POSTERS AND BILLBOARDS**

“285.1. Notwithstanding any inconsistent legislative or regulatory provision, election posters and billboards shall not be subject, during an election period, to any restriction or condition except as provided by this Act.

For the purposes of this section, the expression “election period” has the meaning assigned by section 364.

“285.2. Election posters and billboards may be placed on any property, other than buildings, of the municipality, the Government, public bodies, state enterprises and school boards situated in the territory of the municipality.

Election posters may also be placed on public utility poles.

“285.3. Election posters and billboards must be placed so as not to hinder vehicular or pedestrian traffic, interfere visually with road signs or compromise road safety or public security.

“285.4. No election poster or billboard may be placed on a classified historic monument or in a classified historic site within the meaning of the Cultural Property Act (chapter B-4) or in a site declared a national historical site under that Act.

“285.5. No election poster or billboard may be placed on a monument, sculpture, tree, fire hydrant, bridge, viaduct or electrical tower.

No election poster or billboard may be placed on a bus shelter or on a public bench, unless space is provided for that purpose, in which case the applicable rules must be complied with.

“285.6. Posters and billboards and their supports must be made of good quality materials and must be safe and kept in good repair.

Posters and billboards must be affixed in such a manner that they can be easily removed.

“285.7. Election posters placed on public utility poles must meet the following conditions:

- (1) the highest part of the poster must not be more than five metres above ground;
- (2) the poster must not have any metal or wood frame;
- (3) the poster must not be affixed with nails or metal fasteners;
- (4) the poster must not obstruct any identification plate on the pole.

Moreover, no election banner, streamer or flag may be affixed to a public utility pole.

Workers who maintain public utility poles may, if they consider it necessary for the purposes of the work to be done, remove any election poster from a pole. Except in an emergency, they shall first notify, as the case may be, the candidate or the authorized party concerned or the private intervenor referred to in Division VIII.1 of Chapter XIII responsible for the poster.

“285.8. All election posters and billboards must be removed not later than 15 days after the date fixed for the polling, failing which they may be removed by the municipality or by the owner of the property or poles at the expense of, as the case may be, the party or candidate concerned or the private intervenor responsible for them, following the expiry of a five-day notice to that effect transmitted to the party, candidate or private intervenor.

The notice shall indicate the places where posters or billboards are to be removed. If posters or billboards had to be removed by the municipality or by the owner at the expense of the party, candidate or private intervenor, the bill shall indicate the place and date of removal.

“285.9. The party, candidate or private intervenor, as the case may be, shall ensure that the provisions of this chapter are complied with.”

27. Section 303 of the said Act is amended by replacing “next sitting of the council, committee or commission he attends” in the third and fourth lines of subparagraph *a* of subparagraph 2 of the first paragraph by “first sitting of the council, committee or commission attended by the person after becoming aware of the fact that the matter was taken up for consideration”.

28. Section 320 of the said Act is amended by inserting the following paragraph after the second paragraph:

“The Commission may, even though it has not been notified as required by the first paragraph, act in accordance with the second paragraph.”

29. Section 333 of the said Act is amended by adding “or, if the council cannot sit, give public notice of the vacancy” after “sitting” in the second line.

30. Section 339 of the said Act is amended by inserting “, even outside the four-month period provided for in the first paragraph,” after “change” in the second line of the second paragraph.

31. Section 343 of the said Act, amended by section 29 of chapter 34 of the statutes of 1997, is again amended by striking out “concerning undivided co-owners of immovables and co-occupants of places of business” in the fourth and fifth lines of the second paragraph.

32. Section 345 of the said Act is amended by inserting “, including an election under section 336,” after “election” in paragraph 1.

33. Section 361 of the said Act is amended by replacing “next sitting he attends” in the second and third lines of the fourth paragraph by “first sitting attended by the member after becoming aware of that fact”.

34. Section 365 of the said Act, amended by section 85 of chapter 31 of the statutes of 1998, is again amended

(1) by replacing “10,000” in the second line of the first paragraph by “5,000”;

(2) by replacing “10,000” in the second line of the second paragraph by “5,000”.

35. Section 366 of the said Act, amended by section 86 of chapter 31 of the statutes of 1998, is again amended

(1) by replacing “10,000” in the third line of the first paragraph by “5,000”;

(2) by replacing “10,000” in the second line of the second paragraph by “5,000”.

36. Section 368 of the said Act is amended by striking out paragraph 5.

37. Sections 370 to 374 of the said Act are repealed.

38. Section 375 of the said Act is amended by striking out “also” in the first line.

39. The said Act is amended by inserting the following section after section 376:

“376.1. Section 88.1 applies, with the necessary modifications, to the treasurer.”

40. Section 392 of the said Act is amended



(1) by adding the following sentence at the end of the second paragraph: “If the notice cannot be given by one of those persons, it may be given by another officer.”;

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

“The notice of the appointment of the new leader of the party must be accompanied with a copy of the resolution to that effect passed in conformity with the by-laws of the party and certified by two or more officers of the party.”

41. Section 396 of the said Act is amended by adding the following paragraph at the end:

“However, in the case of a municipality whose regular elections are not general elections, the undertaking shall consist in presenting candidates for at least two-thirds of the offices of councillor open for nominations at every future regular election. For the application of sections 389 and 406 to such a municipality, the expression “general election” means a regular election.”

42. Section 397 of the said Act is amended by inserting the following subparagraph after subparagraph 4 of the first paragraph:

“(4.1) the name, address and telephone number of two officers of the party other than the leader;”.

43. Section 399 of the said Act is amended by adding “, or if the application for a change of name is made during the election period” at the end of the first paragraph.

44. The said Act is amended by inserting the following section after section 399:

“399.1. Before filing an application for authorization, the leader of a party may apply in writing to the chief electoral officer to have a name reserved for a period not exceeding six months. The application must specify the municipality in whose territory the party intends to carry on its activities and the council for which it intends to present candidates.

The second and third paragraphs of section 398 apply to the reservation, with the necessary modifications.

A party having reserved a name may, however, specify another name in its application for authorization.”

45. Section 403 of the said Act is amended by adding the following sentence at the end of the second paragraph: “In the case of a party, the application must also be accompanied with a copy of the resolution to that effect passed in conformity with the by-laws of the party and certified by two or more officers of the party.”

46. Section 405 of the said Act is amended by adding “, or the authorization of a party which changes its name during the election period” at the end.

47. Section 406 of the said Act is amended by replacing “presents candidates for less than one-third of the offices of councillor” in the fourth and fifth lines by “does not present the required number of candidates”.

48. Section 415 of the said Act is amended by inserting the following subparagraph after subparagraph 5 of the first paragraph:

“(5.1) the name, address and telephone number of two officers of the party other than the leader;”.

49. Section 417 of the said Act is amended by striking out the third paragraph.

50. Section 422 of the said Act is amended by replacing “the closing financial report is attached” in the third and fourth lines of the third paragraph by “the copy of the resolution of the party and the closing financial report are attached”.

51. Section 424 of the said Act is amended by inserting the following paragraph after paragraph 1:

“(1.1) the name, address and telephone number of at least two officers of the party other than the leader;”.

52. Section 425 of the said Act is amended by adding the following paragraph after the second paragraph:

“In the case of a party, the information may be furnished by another officer if none of the persons referred to in the second paragraph is able to furnish it.”

53. Section 428 of the said Act is amended by replacing paragraph 7 by the following paragraph:

“(7) at the option of the official representative, applied equally to all the participants, an entrance fee to a political activity or rally, where the fee is not over \$60 per day, up to one admission per person.”

54. Section 431 of the said Act is replaced by the following section:

“431. The total amount of contributions by the same elector for the same fiscal year shall not exceed \$1,000 to each of the authorized parties and independent candidates.”

55. Section 453 of the said Act, amended by section 97 of chapter 52 of the statutes of 1998, is again amended by inserting the following paragraph after paragraph 4:

“(4.1) the cost of the food and beverages served at a political activity where the cost is included in the entrance fee paid by participants;”.

56. Section 462 of the said Act is amended by striking out “up to the amount of \$2 250 for the office of mayor and \$750 for the office of councillor” in the fourth, fifth and sixth lines of the first paragraph.

57. Section 475 of the said Act is amended by replacing “20” in the sixth line by “15”.

58. Section 476 of the said Act is amended by replacing “20” in the fourth line of the first paragraph by “15”.

59. Section 480 of the said Act is amended

(1) by replacing “50” in the first line of paragraph 4 by “60”;

(2) by replacing “admission” in the second line of paragraph 4 of the French text by “entrée”.

60. Section 488 of the said Act is replaced by the following section:

“488. The auditor of an authorized party shall examine the financial report of the party and issue to the official representative, not later than five days before the expiry of the time prescribed by section 479 for the filing of the financial report, the audit report prepared in accordance with the directive on preparation issued by the chief electoral officer.”

61. Section 507 of the said Act is replaced by the following section:

“507. Where an error is found in a report or return that has been filed, the official agent or the official representative may correct it at any time within the period prescribed for filing the report or return.

After the period prescribed for filing, the leader of the party or the independent candidate must obtain leave from the chief electoral officer to correct the error on establishing that it was made through inadvertence. Any opposition to the application for correction shall be submitted to the chief electoral officer.

If there is no opposition to the application or the chief electoral officer considers that the opposition is not justified, the chief electoral officer shall allow the correction. Otherwise, the leader or candidate shall apply for leave to the judge having jurisdiction.”

62. Section 512.6 of the said Act, enacted by section 99 of chapter 52 of the statutes of 1998, is repealed.

63. Section 513.3 of the said Act, enacted by section 88 of chapter 31 of the statutes of 1998, is amended by adding “, and sections 376 and 376.1 apply to the treasurer” at the end.

64. The said Act is amended by inserting the following section after section 516:

“516.1. The provisions of Division IV of Chapter V of Title I apply, with the necessary modifications, in respect of this Title.”

65. Section 518 of the said Act is replaced by the following section:

“518. A person is a qualified voter of the municipality or, as the case may be, of the sector concerned, if, on the date of reference, the person is not disqualified from voting under section 524 and meets one of the following two requirements:

(1) the person has been domiciled in the territory of the municipality or, as the case may be, in the sector concerned and, for at least six months, in Québec;

(2) the person has been, for at least 12 months, the owner of an immovable or the occupant of a place of business, within the meaning of the Act respecting municipal taxation (chapter F-2.1), situated in the territory of the municipality or, as the case may be, in the sector concerned.

A natural person must also be, on the date of reference, of full age and a Canadian citizen, and must not be under curatorship.”

66. Section 523 of the said Act, amended by section 31 of chapter 34 of the statutes of 1997, is again amended by replacing the first and second paragraphs by the following paragraphs:

“523. To exercise a right conferred by a provision of this Title, a qualified voter must, on the date of exercising the right, meet the requirements that would, if that date were the date of reference, qualify the person as a voter entitled to have his name entered on the referendum list of the municipality or, as the case may be, of the sector concerned.

In the case of the right to vote, the person’s name must also, at the time of voting, be entered on the referendum list of the municipality or, as the case may be, of the sector concerned.”

67. Section 525 of the said Act is amended by replacing the second paragraph by the following paragraph:

“However,

(1) in the case of a sole owner of an immovable or a sole occupant of a place of business, an entry as such is conditional upon the receipt by the municipality of a writing signed by the owner or occupant and requesting such an entry ;

(2) in the case of undivided co-owners of an immovable or co-occupants of a place of business, only the co-owner or the co-occupant designated for that purpose by a power of attorney is entitled to have his name entered on the referendum list as the owner of the immovable or as the occupant of the place of business, and the entry as such is conditional upon the receipt by the municipality of the power of attorney.”

68. Section 526 of the said Act, amended by section 32 of chapter 34 of the statutes of 1997, is again amended by striking out the second and third paragraphs.

69. The said Act is amended by inserting the following section after section 526:

“526.1. An application for entry referred to in subparagraph 1 of the second paragraph of section 525 or the power of attorney referred to in section 526 must be transmitted to the clerk or the secretary-treasurer not later than 30 days before the day the referendum is to be held. It takes effect upon receipt and remains valid until it is withdrawn or replaced.

An application for entry or a power of attorney transmitted after the time prescribed in the first paragraph but before the end of the work of the board of revisors on the last day fixed for making applications under sections 132 and 561 shall be considered an application to amend the referendum list unless the clerk or the secretary-treasurer has taken it into account before the deposit of the list. The clerk or the secretary-treasurer shall transmit the application for entry or the power of attorney, as the case may be, to the competent board of revisors.”

70. Section 527 of the said Act, amended by section 33 of chapter 34 of the statutes of 1997, is replaced by the following section :

“527. Not later than 40 days before the day fixed for the referendum poll, the clerk or the secretary-treasurer shall give a public notice stating that sole owners or occupants and designated co-owners and co-occupants are entitled to have their names entered on the referendum list and mentioning how they may obtain information on the rules governing the entry of their names on the referendum list.

The notice shall invite sole owners and occupants who wish to make a first application for entry or to withdraw the existing entry to transmit to the clerk or the secretary-treasurer, within the prescribed time, the application or a signed writing requesting the withdrawal.

The notice shall also invite co-owners and co-occupants who wish to make a first designation or replace the existing designation to transmit to the clerk or the secretary-treasurer, within the prescribed time, the power of attorney.”

71. Section 528 of the said Act, amended by section 34 of chapter 34 of the statutes of 1997, is again amended by replacing “at voting time” in the first line of the second paragraph by “upon exercising any of those rights”.

72. Section 533 of the said Act is amended by striking out the second and third paragraphs.

73. Section 545 of the said Act is amended by inserting “, meets the requirements set out in the first paragraph of section 523” after “list” in the second line of the second paragraph.

74. Section 546 of the said Act, amended by section 67 of chapter 23 of the statutes of 1995, is again amended by inserting “and meets the requirements set out in the first paragraph of section 523” at the end of the last paragraph.

75. Section 547 of the said Act is amended

(1) by adding “and meets the requirements set out in the first paragraph of section 523” at the end of the first paragraph;

(2) by inserting “, that he meets the requirements set out in the first paragraph of section 523” after “name” in the fourth line of the second paragraph.

76. Section 560 of the said Act is amended by striking out “respecting undivided co-owners of immovables, co-occupants of places of business and legal persons” in the ninth and tenth lines of the second paragraph.

77. Section 567 of the said Act is amended by replacing subparagraph 1 of the first paragraph by the following subparagraph:

“(1) the provisions of Division III of Chapter V respecting election officers;”.

78. Section 591 of the said Act is amended

(1) by replacing subparagraph 1 of the third paragraph by the following subparagraph:

“(1) to an official agent who provides, as election expenses, food or beverages at a private assembly of electors held during an election to promote the election of a candidate;”;

(2) by replacing “such food or non-alcoholic” in the second line of subparagraph 2 of the third paragraph by “food or”;

(3) by striking out “non-alcoholic” in the first line of subparagraph 3 of the third paragraph.

79. Section 592 of the said Act is amended

(1) by replacing subparagraph 1 of the third paragraph by the following subparagraph:

“(1) at his own expense, provides food or beverages at a private assembly of qualified voters held to promote or oppose the holding of a referendum poll; or who,”;

(2) by striking out “non-alcoholic” in the first line of subparagraph 2 of the third paragraph.

80. Section 593 of the said Act is amended

(1) by replacing subparagraph 1 of the third paragraph by the following subparagraph:

“(1) at his own expense, provides food or beverages at a private assembly of qualified voters held to promote an affirmative or a negative answer to the referendum question; or who,”;

(2) by striking out “non-alcoholic” in the first line of subparagraph 2 of the third paragraph.

81. Section 607 of the said Act is amended

(1) by adding “other than an expense necessary for the payment of debts resulting from election expenses then incurred or for the disposal, for political, religious, scientific or charitable purposes or purposes listed in section 498, of the sums or goods remaining in his possession from those obtained by the candidate in his capacity as such” after “expense” in paragraph 3;

(2) by adding “other than a loan necessary for the payment of debts resulting from election expenses then incurred or for the disposal, for political, religious, scientific or charitable purposes or purposes listed in section 498, of the sums or goods remaining in his possession from those obtained by the candidate in his capacity as such” at the end of paragraph 4.

82. The said Act is amended by inserting the following section after section 636:

“636.1. The following persons are guilty of an offence:

(1) every person who erects an election poster or billboard in contravention of any of the provisions of sections 285.2 to 285.5 or without complying with the conditions set out in the first paragraph of section 285.7;

(2) every person who places an election banner, streamer or flag on a public utility pole.”

83. Section 639 of the said Act, amended by section 93 of chapter 31 of the statutes of 1998, is again amended by replacing “and 631 to 635” in the second line by “, 631 to 635 and 636.1”.

84. Section 647 of the said Act is replaced by the following section:

“647. The chief electoral officer may institute proceedings for any offence described in this Title. However, proceedings may not be instituted for an offence described in section 630 unless the loss of the right to attend a sitting mentioned in that section results from the application of Chapter XIII of Title I.”

#### ELECTION ACT

85. Section 40.2 of the Election Act (R.S.Q., chapter E-3.3) is amended by striking out the second paragraph.

86. Section 40.25 of the said Act is amended by striking out the second paragraph.

#### ACT RESPECTING MUNICIPAL TERRITORIAL ORGANIZATION

87. Section 78 of the Act respecting municipal territorial organization (R.S.Q., chapter O-9) is amended by replacing the second paragraph by the following paragraph:

“For the purpose of determining whether a person is qualified as an elector, a candidate or a qualified voter at an election or a referendum in the territory of the municipality, any period, prior to the constitution, during which the person was resident, continuously or not, in the formerly unorganized territory or was the owner of an immovable or the occupant of a place of business situated in that territory shall be counted as if the person had been a resident, owner or occupant in the territory of the municipality from the beginning of that period.”

88. Section 111 of the said Act is amended by replacing “general” in the first line of the first paragraph and in the fourth line of the fourth paragraph by “regular”.

89. Section 123 of the said Act is amended by replacing the second paragraph by the following paragraph:

“For the purpose of determining whether a person is qualified as an elector, a candidate or a qualified voter at an election or a referendum in the territory of the municipality, any period, prior to the amalgamation, during which the person was resident, continuously or not, in the territory of an applicant



municipality or was the owner of an immovable or the occupant of a place of business situated in that territory shall be counted as if the person had been a resident, owner or occupant in the territory of the municipality from the beginning of that period.”

90. Section 175 of the said Act is replaced by the following section :

“175. For the purpose of determining whether a person is qualified as an elector, a candidate or a qualified voter at an election or a referendum in the territory of the annexing municipality, any period, prior to the annexation, during which the person was resident, continuously or not, in the annexed territory or was the owner of an immovable or the occupant of a place of business situated in that territory shall be counted as if the person had been a resident, owner or occupant in the territory of the annexing municipality from the beginning of that period.”

#### TRANSITIONAL AND FINAL PROVISIONS

91. Every party already authorized on 18 June 1999 must transmit to the chief electoral officer the information referred to in subparagraph 4.1 of the first paragraph of section 397 of the Act respecting elections and referendums in municipalities, enacted by section 42, not later than 19 December 1999.

92. The first regulation made after 19 June 1999 and amending the regulation made under the first paragraph of section 582 of the Act respecting elections and referendums in municipalities is not subject to the publication requirements of section 11 of the Regulations Act (R.S.Q., chapter R-18.1).

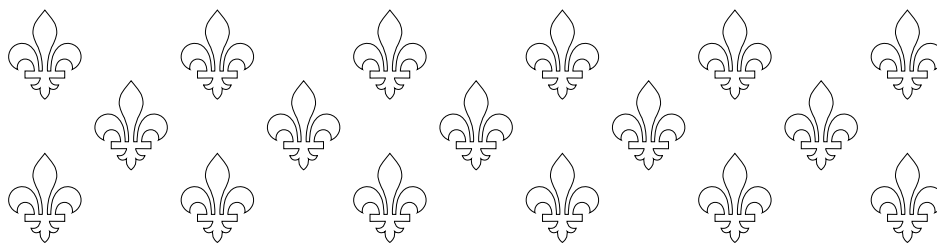
93. The provisions replaced or amended by sections 1, 3, 4, 6, 7, 25, 31, 65, 67, 68, 70, 76, 87, 89 and 90 continue to apply, as they read before being replaced or amended, in respect of any election for which the notice of election was given before 19 June 1999 and in respect of any referendum whose date of reference within the meaning of section 514 of the Act respecting elections and referendums in municipalities is before that date.

94. Sections 34 and 35 have effect from 1 September 1999.

95. The provisions amended by sections 57 and 58 continue to apply, as they read before being amended, in respect of any election for which the notice of election was given before 19 June 1999.

96. This Act comes into force on 19 June 1999.





---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 39  
(1999, chapter 26)

## **An Act respecting the Société nationale du cheval de course**

---

---

**Introduced 13 May 1999**  
**Passage in principle 28 May 1999**  
**Passage 18 June 1999**  
**Assented to 19 June 1999**

---

**Québec Official Publisher  
1999**

### **EXPLANATORY NOTES**

*The object of this bill is to establish a new administrative framework for the Société de promotion de l'industrie des courses de chevaux (SPICC) inc., whose name is to be replaced by "Société nationale du cheval de course".*

*The bill provides that the Société will be composed of members from the horseracing industry, namely racehorse owners, breeders, trainers and drivers.*

*The bill also proposes the establishment of a committee to be known as the "Comité des membres", which will elect the board of directors of the Société.*

*Lastly, the bill proposes transitional provisions.*

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

– Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., chapter M-14).

## Bill 39

### AN ACT RESPECTING THE SOCIÉTÉ NATIONALE DU CHEVAL DE COURSE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The name of the Société de promotion de l'industrie des courses de chevaux (SPICC) inc., incorporated by letters patent issued on 10 December 1993 under Part III of the Companies Act (R.S.Q., chapter C-38), is changed to the name "Société nationale du cheval de course". The Inspector General of Financial Institutions shall deposit a notice of change of the Société's name in the register of sole proprietorships, partnerships and legal persons.

The mission of the Société nationale du cheval de course is to foster the promotion and development of the horseracing industry in Québec.

2. Subject to such admission formalities as may be prescribed in the by-laws of the Société, the following persons are members of the Société and shall elect the members of the members' committee established under section 4 :

(1) every racehorse owner and every holder of shares representing at least one unit, provided they hold an owner's licence issued pursuant to the Act respecting racing (R.S.Q., chapter C-72.1) ;

(2) every racehorse breeder, provided the breeder is the holder of an owner's licence issued pursuant to the Act respecting racing and provided all mares or stallions owned by the breeder or in respect of which the breeder holds shares representing at least one unit are registered for breeding purposes with the Société or a body recognized by the Société ;

(3) every racehorse trainer, provided the trainer is the holder of a trainer's licence issued pursuant to the Act respecting racing ;

(4) every racehorse driver, provided the driver is the holder of a driver's licence issued pursuant to the Act respecting racing.

The Société may, by by-law, establish conditions additional to those set out in subparagraphs 1 to 4 that may vary according to whether the persons concerned are owners, breeders, trainers and drivers of Standardbred horses, Thoroughbred horses or Quarter Horses. Such a by-law comes into force upon approval by the Government.

3. No person may be a member of the Société in more than one capacity.

4. A members' committee to be known as the "Comité des membres" is hereby established to

(1) elect the directors of the Société subject to the conditions provided in section 10;

(2) advise the board of directors of the Société on any matter submitted by the board that is within its jurisdiction;

(3) advise the Minister on any matter submitted to it by the Minister with respect to the development of the horseracing industry in Québec.

5. The members' committee shall be composed of

(1) twenty-three members elected for a term of four years as follows:

(a) eight members elected by and from among the members of the Société who are Standardbred owners, at least four of whom shall be from the different regions defined in the schedule to the Regulation respecting betting houses made by Order in Council 1209-93 (G.O. 2, 5124);

(b) eight members elected by and from among the members of the Société who are Standardbred breeders, at least four of whom shall be from the different regions defined in the schedule to the regulation mentioned in subparagraph *a*;

(c) three members elected by and from among the members of the Société who are racehorse trainers, at least one of whom shall be from outside the region defined in paragraph 1 of the schedule to the regulation mentioned in subparagraph *a*;

(d) one member elected by and from among the members of the Société who are racehorse drivers;

(e) two members elected by and from among the members of the Société who are Thoroughbred owners or breeders;

(f) one member elected by and from among the members of the Société who are Quarter Horse owners or breeders;

(2) the president of the Société des propriétaires et éleveurs de chevaux Standardbred du Québec inc., the president of the Association québécoise des conducteurs amateurs Standardbred inc., the president of the Association Trot et Amble du Québec, the president of the Circuit régional des courses de chevaux du Québec (C.R.C.C.Q.), the president of the Association du Jockey Club des courses montées du Québec, the president of the Association québécoise Quarter Horse and one person designated by the equine medicine research group of the Faculty of Veterinary Medicine of the Université de Montréal;

(3) eight members, known as “associate members”, chosen by reason of their expertise, five of whom shall be initially appointed by the Minister and the remaining three by such five members. Of the three members so appointed, at least two must be chosen from among the members referred to in subparagraph 1. In addition, at least two of the eight associate members must be chosen from among Thoroughbred owners or breeders. The term of an associate member is five years.

If the number of Thoroughbred brood mares covered during a given year represents over ten percent of the total number of Standardbred and Thoroughbred brood mares covered during the same year, the Thoroughbred owners and breeders will be entitled to elect two additional members from among their number to the members’ committee, and the associate members will be required to appoint an additional member to be chosen from among the members of the Société who are Thoroughbred owners or breeders. For the purposes of this paragraph, only the brood mares registered with the Société in accordance with its by-laws are to be considered.

6. On the expiry of the term of an associate member, the other associate members shall fill the vacant position by replacing the member whose term has expired or, with the approval of the members of the members’ committee, by reappointing the member. Where the member is replaced, the rule set out in the second paragraph of section 9 shall apply.

7. Where the members’ committee is of the opinion that a body mentioned in subparagraph 2 of the first paragraph of section 5 is no longer representative of the group concerned, the members’ committee may replace the body by any other body that, in its opinion, is representative of that group.

8. For the purposes of elections under subparagraph 1 of the first paragraph of section 5, the votes may be cast by mail.

The polling procedure shall be determined in a by-law of the Société. Failing a by-law, the procedure provided for in sections 67 to 74 of the Professional Code (R.S.Q., chapter C-26), adapted as required, shall apply to the poll.

9. Any vacancy in an elective position on the members’ committee shall be filled, for the unexpired portion of the term, by the board of directors of the Société, subject to the conditions that were applicable to the election of the member being replaced.

Any vacancy in the position of associate member shall be filled by the other associate members in accordance with the following rule : the first position to become vacant shall be filled from among the persons who are serving or have served as elected members of the members’ committee ; the next position that becomes vacant may be filled from among persons other than the abovementioned persons, and so forth for subsequent vacancies.

For the purposes of this section, a by-law of the Société may provide for the cases and circumstances in which a position becomes vacant.

10. The board of directors of the Société shall be composed of nine directors elected for a term of four years as follows:

(1) five directors, one of whom must be a Thoroughbred or Quarter Horse owner or breeder, elected by the members referred to in subparagraphs 1 and 2 of the first paragraph of section 5 from among the members elected under subparagraph 1 of the first paragraph of that same section;

(2) four directors elected by and from among the associate members.

Any person designated by the Minister shall also be a member of the board of directors of the Société, for the duration of the fiscal year in which the Société receives, in any form whatsoever, a subsidy from the Government or any government body.

In the event that the second paragraph of section 5 applies, at least one director referred to in subparagraph 2 must be a Thoroughbred owner or breeder.

The president of a body connected with the horse industry may not serve as a director under this section.

Any vacancy in the position of elected director of the board of directors shall be filled, for the unexpired portion of the term, by the board of directors, subject to the conditions that were applicable to the election of the member being replaced.

11. The Société shall, for any fiscal year in which it has received, in any form whatsoever, a subsidy from the Government or any government body, file with the Minister, within 30 days of the holding of its annual meeting, its financial statements, including a detailed statement of the use of the subsidy, prepared in accordance with generally accepted accounting principles and submitted with the auditor's report.

The Minister shall table the financial statements before the National Assembly within 30 days of receiving them or, if it is not sitting, within 30 days of resumption.

The competent parliamentary committee of the National Assembly shall examine the financial statements and, where required, shall hear the officers of the Société.

12. The Société may not, except with the authorization of, and in accordance with the terms and conditions determined by, the Government, alienate or encumber



(1) the immovable described in the deed of sale executed before André Auclair, notary, on 28 May 1998 under No. 26306 of his minutes and registered on 2 June 1998 at the registry office of the registration division of Montréal under No. 5013802, or

(2) any other immovable designated by the Minister and constructed, acquired or renovated by the Société with funds granted by the Government.

The provisions of the first paragraph apply to a subsidiary of the Société but do not apply to transactions between the Société and a subsidiary, or between subsidiaries.

13. In the event of dissolution, the property of the Société devolves to the State after payment of its debts. The Government may, however, transfer all or part of the property to a legal person whose objectives coincide with those of the Société.

14. The first members' committee must be established before the 180<sup>th</sup> day preceding the expiry of the term of the directors referred to in section 15, and the term of the elected members mentioned hereinafter will be established as follows :

(1) of the eight members of the committee elected from among Standardbred owners, the four who receive the greatest number of votes shall serve for four years, and the remaining four shall serve for two years ;

(2) of the eight members of the committee elected from among Standardbred breeders, the four who receive the greatest number of votes shall serve for four years, and the remaining four shall serve for two years ;

(3) of the three members of the committee elected from among racehorse trainers, the two who receive the greatest number of votes shall serve for four years, and the remaining member shall serve for two years ;

(4) of the two members of the committee elected from among Thoroughbred owners or breeders, the member who receives the greatest number of votes shall serve for four years, and the remaining member shall serve for two years.

The term of the associate members will be established as follows :

(1) of the five associate members to be appointed by the Minister, two will be designated by the Minister to serve for three years, one for five years and two for seven years ;

(2) of the three members to be appointed by the five associate members mentioned above, two shall be designated by them to serve for four years. The remaining member shall serve for six years.

15. For the first two years following the coming into force of this Act, the affairs of the Société shall be administered by a board of directors composed of

(1) the directors of the Société de promotion de l'industrie des courses de chevaux (SPICC) inc. in office on (*insert here the date of the day preceding the day on which this Act comes into force*);

(2) six other directors appointed by the Minister, three of whom must be chosen from among the persons recommended by the bodies referred to in subparagraph 2 of the first paragraph of section 5.

The president of a body connected with the horse industry may not serve as director under this section.

The directors shall remain in office, notwithstanding the expiry of their term, until the first election held under section 10. Any vacancy on the board shall be filled by the Minister for the unexpired portion of the term of the director to be replaced.

16. The term of office of the directors elected at the first election held under section 10 shall be established as follows :

(1) of the five directors elected under subparagraph 1 of the first paragraph of section 10, the three who receive the greatest number of votes shall serve for four years, and the remaining two shall serve for two years ;

(2) of the four directors elected under subparagraph 2 of the first paragraph of section 10, the two who receive the greatest number of votes shall serve for four years, and the remaining two shall serve for two years.

17. The letters patent of the Société de promotion de l'industrie des courses de chevaux (SPICC) inc. are amended

(1) by adding the following sentence at the end of the provisions respecting the objects of the corporation :

“— La corporation peut, en outre, conclure toute entente en vue de favoriser le développement du cheval de compétition.”;

“— The corporation may also enter into an agreement to further the development of competition horses.” [TRANSLATION];

(2) by striking out the following provision :

“Les administrateurs doivent joindre à toute demande présentée à l'Inspecteur général des institutions financières pour l'obtention de lettres patentes supplémentaires, en vue de modifier les dispositions ci-dessus, une résolution unanime de tous les membres de la corporation.”.

“The directors must include, with any application for the issue of supplementary letters patent made to the Inspector General of Financial Institutions for the purpose of amending the abovementioned provisions, a unanimous resolution of all the members of the corporation.”  
[TRANSLATION]

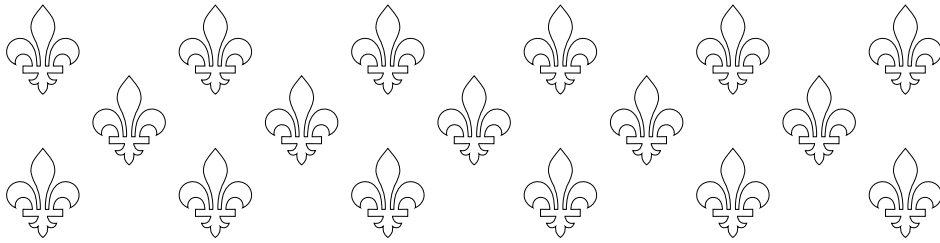
18. The provisions of this Act prevail over any incompatible provision of the Companies Act applicable to the Société and over any incompatible provision of its letters patent and by-laws.

19. The Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (R.S.Q., chapter M-14) is amended by replacing “Société de promotion de l’industrie des courses de chevaux (SPICC) inc.” in sections 21.6 and 21.7 by “Société nationale du cheval de course”.

20. The Government shall designate the minister responsible for the administration of this Act.

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





---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 42  
(1999, chapter 27)

**An Act respecting the construction of  
infrastructures and equipment by  
Hydro-Québec on account of the ice  
storm of 5 to 9 January 1998**

---

---

**Introduced 6 May 1999  
Passage in principle 2 June 1999  
Passage 17 June 1999  
Assented to 19 June 1999**

---

**Québec Official Publisher  
1999**

**EXPLANATORY NOTE**

*The object of this bill is to give legal validity to the construction of infrastructures and equipment by Hydro-Québec on account of the ice storm of 5 to 9 January 1998.*

## Bill 42

### AN ACT RESPECTING THE CONSTRUCTION OF INFRASTRUCTURES AND EQUIPMENT BY HYDRO-QUÉBEC ON ACCOUNT OF THE ICE STORM OF 5 TO 9 JANUARY 1998

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The object of this Act is to give legal validity to the construction by Hydro-Québec of infrastructures and equipment in the administrative regions of Estrie, Mauricie, Montérégie, Montréal, Outaouais and Québec on account of the ice storm of 5 to 9 January 1998.

2. The construction by Hydro-Québec, prior to 11 March 1999, of the infrastructures and equipment referred to in Part I of the Schedule is retroactively exempted from authorization by the Government under the Hydro-Québec Act (R.S.Q., chapter H-5).

The same applies to the acquisition by expropriation of the immovables and real rights necessary for the construction and operation of such infrastructures and equipment, as regards both government authorization under the above-mentioned Act and authorization under the Expropriation Act (R.S.Q., chapter E-24).

3. The operations referred to in Part I of the Schedule and operations accessory thereto, carried out prior to 11 March 1999, as well as the operation of the infrastructures and equipment constructed prior to that date, are retroactively exempted from the application of the Act respecting land use planning and development (R.S.Q., chapter A-19.1), the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., chapter P-41.1) and the Environment Quality Act (R.S.Q., chapter Q-2).

Past or future operations to preserve and secure such infrastructures and equipment as well as restoration operations required by property damaged by the construction of such infrastructures and equipment are also exempted from the application of those Acts.

4. The exemptions provided for in sections 2 and 3 are applicable, as regards both past and future operations, to the connection of the line referred to in paragraph 2 of Part I of the Schedule to the Des Cantons and Saint-Césaire Substations and, in an emergency, to the operation of that 230 kV line.

5. The construction of the proposed infrastructures and equipment referred to in Part II of the Schedule may be continued by Hydro-Québec, subject to the following provisions.

The Acts referred to in section 3 shall apply in respect of the proposed operations referred to in Part II of the Schedule and operations accessory thereto, as though they were part of projects separate from those that gave rise to the operations referred to in Part I of the Schedule.

The continuation of such construction operations is subject to authorization by the Government, which shall stand in lieu of the authorization required under subparagraph 1 of the first paragraph of section 73 of the Act respecting the Régie de l'énergie (1996, chapter 61).

6. To determine the rate base pursuant to subparagraph 1 of the first paragraph of section 49 of the Act respecting the Régie de l'énergie, the infrastructures and equipment referred to in Part I of the Schedule are deemed to be assets prudently acquired and useful for the operation of Hydro-Québec's power transmission system.

7. The location of the infrastructures and equipment referred to in Part I of the Schedule is shown on the maps reproduced in sessional paper number 284-19990506 tabled in the National Assembly on 6 May 1999.

8. No act to which Hydro-Québec is party is invalid for the sole reason that it relates to an operation which, in the absence of this Act, would be inconsistent with the objectives of a development plan or would contravene the provisions of a by-law of a regional county municipality, an Act referred to in section 2 or 3 or a statutory instrument under such an Act.

9. No proceedings against the Government or Hydro-Québec may be admitted or maintained on the grounds that operations referred to in Part I of the Schedule or operations accessory thereto, carried out prior to 11 March 1999, were carried out without the authorizations referred to in section 2 or in contravention of an Act referred to in section 3 or its statutory instruments or on the grounds that infrastructures or equipment referred to in Part I of the Schedule constructed prior to that date are being operated in contravention of such an Act or statutory instrument.

The same applies to past operations referred to in section 4.

10. This Act comes into force on 19 June 1999.



## SCHEDULE

## Part I

(Sections 2, 3 and 4)

## 1. 315 KV DUVERNAY - ANJOU LINE

Construction of 315 kV line between Duvernay Substation and point of connection to Duvernay - Langelier - Notre-Dame Line at Anjou.

Alteration of Duvernay Substation for connection of line.

## 2. DES CANTONS - MONTÉRÉGIE - HERTEL LINE ( 735 KV DES CANTONS - SAINT-CÉSAIRE SECTION)

Construction of 735 kV line between Des Cantons and Saint-Césaire Substations.

## 3. 230 KV OUTAOUAIS - MASSON LINE

Construction of temporary 315-230 kV substation.

315 kV connection (branch) of temporary substation to 315 kV Chénier - Vignan Line.

Construction of 230 kV double-circuit line between temporary 315-230 kV Outaouais Substation and Maclaren Company Masson Substation at Masson.

## 4. 315 KV AQUEDUC - ATWATER LINE

Construction of 315 kV double-circuit line between Aqueduc and Atwater Substations and operation at 120 kV.

## 5. 315 KV JACQUES-CARTIER - MAURICIE LINE

Construction of six towers for 315 kV line between Jacques-Cartier Substation and existing lines between Jacques-Cartier and Mauricie Substations.

## Part II – Proposed infrastructures and equipment

(Section 5)

## 1. DES CANTONS - MONTÉRÉGIE - HERTEL LINE (735 KV HERTEL - SAINT-CÉSAIRE SECTION)

Construction of 735 kV Hertel - Saint-Césaire Line.

Alteration of Hertel Substation for connection and temporary operation at 230 kV.

Construction of Montérégie 735-120-230 kV transformer station.

Alteration of Des Cantons and Hertel Substations for connection and operation of 735 kV line.

## 2. OUTAOUAIS - ONTARIO BORDER LINE

Construction of Outaouais 315-230 kV converter bridge.

Connection of 315 kV Chénier - Vignan Line to Outaouais converter bridge.

Connection of 230 kV line to Outaouais Substation.

Construction of 230 kV line between the Maclaren Company Masson Substation and Ontario border.

## 3. GRAND-BRÛLÉ - VIGNAN LINE

Construction of 315 kV double-circuit line between Grand-Brûlé and Vignan Substations.

Alteration of Grand-Brûlé and Vignan Substations for connection of line.

## 4. DOWNTOWN MONTRÉAL LINE

Dismantling of 120 kV lines between Aqueduc and Atwater Substations.

Burying of 120 kV underground cable between Hadley and Atwater Substations.

Alteration of Hadley Substation for connection of cable.

Burying of 120 kV underground cable between Aqueduc - Atwater Line and Atwater Substation.

Alteration of Atwater Substation for connection of Hadley - Atwater and Aqueduc - Atwater Lines.

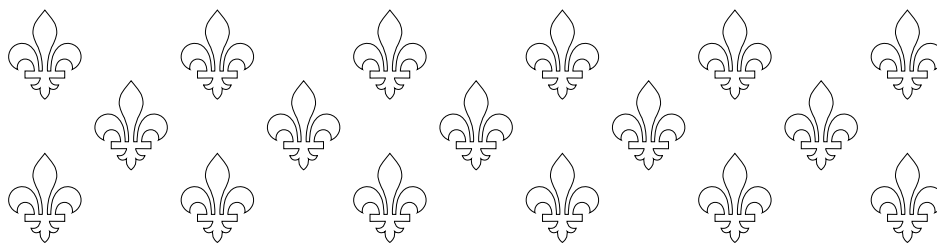
Alteration of Aqueduc and Viger Substations for connection of three-phase circuit of 315 kV Aqueduc - Atwater Line.

## 5. JACQUES-CARTIER - MAURICIE LINE

Alteration of seven substations in Québec and Mauricie regions.

Alterations for connection of line to Deschambault, Jacques-Cartier and Mauricie Substations.

Completion of construction of 315 kV line between Jacques-Cartier Substation and existing lines between Jacques-Cartier and Mauricie Substations.



---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 43  
(1999, chapter 28)

## **An Act respecting certain declarations of exception in Acts relating to education**

---

---

**Introduced 13 May 1999**  
**Passage in principle 8 June 1999**  
**Passage 17 June 1999**  
**Assented to 19 June 1999**

---

**Québec Official Publisher  
1999**

**EXPLANATORY NOTE**

*This bill re-enacts the declaration of exception to paragraph a of section 2 and section 15 of the Constitution Act, 1982, which is to have effect until 1 July 2001 in respect of the provisions of the Act respecting the Conseil supérieur de l'éducation, the Education Act, the Education Act for Cree, Inuit and Naskapi Native Persons and the Act respecting the Ministère de l'Éducation under which rights and privileges are granted to a religious confession.*

**LEGISLATION AMENDED BY THIS BILL :**

- Act respecting the Conseil supérieur de l'éducation (R.S.Q., chapter C-60);
- Education Act (R.S.Q., chapter I-13.3);
- Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., chapter I-14);
- Act respecting the Ministère de l'Éducation (R.S.Q., chapter M-15).

## Bill 43

### AN ACT RESPECTING CERTAIN DECLARATIONS OF EXCEPTION IN ACTS RELATING TO EDUCATION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 32 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., chapter C-60), section 727 of the Education Act (R.S.Q., chapter I-13.3), section 721 of the Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., chapter I-14) and section 18 of the Act respecting the Ministère de l'Éducation (R.S.Q., chapter M-15) are re-enacted and, consequently, shall read as follows:

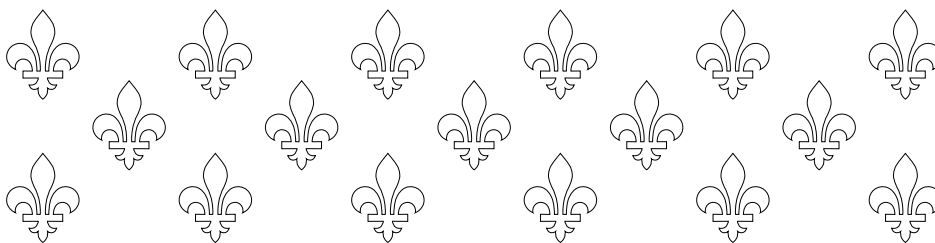
“The provisions of this Act which grant rights and privileges to a religious confession shall operate notwithstanding the provisions of paragraph *a* of section 2 and section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of Parliament of the United Kingdom).”

2. Section 520 of the Education Act, amended by sections 36, 52 and 68 of chapter 47 of the statutes of 1997 and by section 157 of chapter 96 of the statutes of 1997, is again amended by striking out the last paragraph.

3. The sections referred to in section 1 cease to have effect on 1 July 2001.

4. This Act comes into force on 1 July 1999.





---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 44  
(1999, chapter 29)

## **An Act to amend the Police Act**

---

---

**Introduced 11 May 1999**  
**Passage in principle 27 May 1999**  
**Passage 17 June 1999**  
**Assented to 19 June 1999**

---

**Québec Official Publisher**  
**1999**

**EXPLANATORY NOTE**

*The object of this bill is to amend certain provisions of the Police Act relating to the management personnel of the Sûreté du Québec. As well, it allows the Government to make a regulation determining the qualifications required to engage in investigative activities within a police force. Lastly, the bill provides that municipalities will be required to appoint an interim chief of police without delay if the office of chief of the police force becomes vacant.*



## Bill 44

### AN ACT TO AMEND THE POLICE ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 6.1 of the Police Act (R.S.Q., chapter P-13) is amended by inserting “to carry out investigations for a police force, in the cases determined by the regulation, and” after “required” in paragraph 6.

2. Section 43 of the said Act, amended by section 211 of chapter 75 of the statutes of 1988, is again amended

(1) by replacing “four officers” at the beginning of subparagraph 2 of the first paragraph by “officers, in the number determined by the Government”;

(2) by striking out “and replace him when he dies or is absent or temporarily unable to act” at the end of subparagraph 2 of the first paragraph;

(3) by striking out the second paragraph.

3. Section 44 of the said Act is amended by adding the following at the end of the second paragraph: “A Director General may not remain in office for more than 10 years.”

4. The said Act is amended by inserting the following section after section 44 :

“44.1. In the case of the Director General’s death, absence or inability to act, the Deputy Director General designated by the Minister shall act as Director General in the interim.”

5. Section 59 of the said Act is amended

(1) by replacing “the members of the Police Force contemplated in paragraphs 1 to 3” in the first paragraph by “a member of the Police Force referred to in paragraph 1 or 2 or the members referred to in paragraph 3”;

(2) by replacing “the officer referred to in subparagraph 1 of the first paragraph” in the second paragraph by “the officers referred to in paragraph 1 or 2”.

6. The said Act is amended by inserting the following section after section 59 :

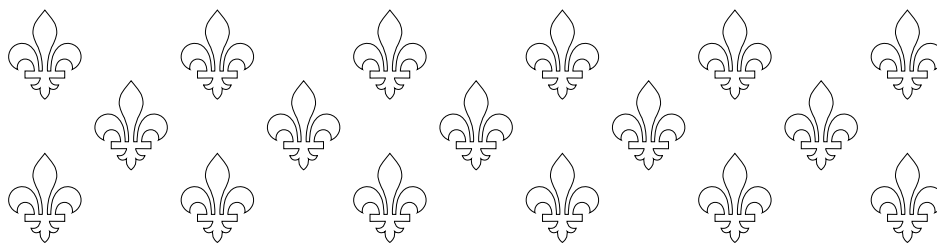
“59.1. Notwithstanding paragraph 5 of section 4 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the Government may cause the Government and Public Employees Retirement Plan to be applicable to a member of the Police Force referred to in subparagraph 1 or 2 of the first paragraph of section 43 if that plan applied to that member upon his appointment.”

7. Section 68 of the said Act is amended by inserting the following paragraph after the first paragraph :

“Where the office of chief is vacant, the municipality shall appoint an interim chief without delay.”

8. Section 6 of this Act has effect from 5 November 1998.

9. This Act comes into force on 19 June 1999.



---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 45  
(1999, chapter 30)

## **An Act to amend certain legislative provisions respecting the Public Curator**

---

---

**Introduced 12 May 1999**  
**Passage in principle 26 May 1999**  
**Passage 18 June 1999**  
**Assented to 19 June 1999**

---

**Québec Official Publisher**  
**1999**

## EXPLANATORY NOTES

*This bill first amends the rules applicable to the financing of the activities of the Public Curator. In the future, expenditures made by the Public Curator will be charged to the appropriations voted each year by Parliament and his revenues will be paid into the consolidated revenue fund. The Public Curator's power to charge fees for the protection and representation of persons and the administration of their property will be temporarily suspended.*

*As regards investments, the Public Curator will be exempt from the application of the rules on investments presumed sound with respect to joint portfolios that are under the management of the Caisse de dépôt et placement du Québec or its subsidiaries.*

*The Minister of Relations with the Citizens and Immigration is given the power to appoint a committee to advise the Public Curator on the protection and representation of incapable and protected persons.*

*The Auditor General will audit all the books and accounts of all the public or private funds under the administration of the Public Curator and a number of amendments are introduced to facilitate the exercise of the functions of the Public Curator.*

*Lastly, two amendments to the Civil Code of Québec are proposed: one to enable the Public Curator or another person to take, with the authorization of the court, provisional measures to protect an incapable person where protective supervision is about to be instituted, and the other to enable the Public Curator, where acting as a tutor or curator to a person of full age treated in a health or social services institution, to delegate to an employee of the institution or a person exercising duties within the institution the management of the person's monthly expense allowance.*

## LEGISLATION AMENDED BY THIS BILL :

- Civil Code of Québec ;
- Public Curator Act (R.S.Q., chapter C-81) ;
- Act to amend the Public Curator Act and other legislative provisions relating to property under the provisional administration of the Public Curator (1997, chapter 80).

## Bill 45

### AN ACT TO AMEND CERTAIN LEGISLATIVE PROVISIONS RESPECTING THE PUBLIC CURATOR

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### PUBLIC CURATOR ACT

1. Section 7 of the Public Curator Act (R.S.Q., chapter C-81) is replaced by the following section :

“7. The Public Curator shall designate in writing one or more persons from his personnel to replace him if he is absent. The designation shall be published in the *Gazette officielle du Québec* but shall take effect upon the signing by the Public Curator of the instrument evidencing it.

The Public Curator may also, in writing and to the extent he indicates, delegate the exercise of his functions to his public servants or employees. The Public Curator may, in the instrument of delegation, authorize the subdelegation of such functions as he indicates ; in that case, the Public Curator shall identify the public servants or employees to whom the functions may be subdelegated.”

2. The said Act is amended by inserting the following section after section 7 :

“7.1. An act, document or writing is binding on or may be attributed to the Public Curator only if it is signed by the Public Curator or, to the extent provided in the instrument of delegation of signature, by a public servant or an employee designated by the Public Curator. The delegation shall be published in the *Gazette officielle du Québec* but shall take effect upon the signing by the Public Curator of the instrument evidencing it.”

3. The said Act is amended by inserting the following sections after section 17 :

“17.1. The Minister of Relations with the Citizens and Immigration shall appoint a committee to advise the Public Curator on the protection and representation of incapable or protected persons.

“17.2. The committee on protection and representation of incapable or protected persons shall be composed of six persons who are not members of the personnel of the Public Curator.

The members of the committee shall be appointed for a term of not over three years. At the end of their term, the members of the committee shall remain in office until they are reappointed or replaced.

The committee shall meet at least twice each year. The quorum of the committee shall be four members.

“17.3. The members of the committee shall receive no remuneration except in such cases, on such conditions and to such extent as the Government may determine. 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.

“17.4. The Public Curator shall make available to the members of the committee all documents relevant to the carrying out of their mandate.”

4. Section 44 of the said Act is replaced by the following sections :

“44. The Public Curator may, under conditions set out in an investment policy established after consultation with the investment committee referred to in section 46, constitute joint portfolios with the available moneys that derive from the property administered by the Public Curator.

The Public Curator shall manage the portfolios so constituted in accordance with the rules of the Civil Code relating to investments presumed sound. The Public Curator may, nevertheless, make investments to bearer, provided they are investments presumed sound within the meaning of article 1339 of the Civil Code.

“44.1. Notwithstanding section 44, the Public Curator may entrust the management of the joint portfolios to the Caisse de dépôt et placement du Québec or to a subsidiary all the voting shares of which are held by the Caisse de dépôt et placement du Québec.

In that case, the management of the portfolios shall be governed solely by the investment policy established by the Public Curator, which may depart from the rules of the Civil Code relating to investments presumed sound.”

5. Section 45 of the said Act is amended by striking out “, subject to section 56” at the end.

6. Section 56 of the said Act is repealed.

7. Section 57 of the said Act is amended by striking out “and any fees charged” in the second line.

8. Section 58 of the said Act, replaced by section 31 of chapter 80 of the statutes of 1997, is again replaced by the following section :

“58. Expenditures made by the Public Curator for the purposes of this Act shall be charged to the appropriations voted each year for such purposes by Parliament.

The fees, interest and other sums collected by the Public Curator under sections 55 and 57 shall be paid into the consolidated revenue fund and shall, for all purposes, constitute appropriations for the fiscal year in which they are so paid, on the conditions and to the extent determined by the Government.”

9. Section 58.1 of the said Act, enacted by section 31 of chapter 80 of the statutes of 1997, is repealed.

10. Section 59 of the said Act, replaced by section 32 of chapter 80 of the statutes of 1997, is repealed.

11. Section 59.1 of the said Act, enacted by section 32 of chapter 80 of the statutes of 1997, is repealed.

12. Section 61 of the said Act, amended by section 34 of chapter 80 of the statutes of 1997, is repealed.

13. Section 63 of the said Act is repealed.

14. Section 64 of the said Act, amended by section 36 of chapter 80 of the statutes of 1997, is repealed.

15. Section 65 of the said Act is repealed.

16. Section 66 of the said Act is replaced by the following section :

“66. The books and accounts relating to the property administered by the Public Curator shall be audited each year by the Auditor General and whenever so ordered by the Government.

The report of the Auditor General must accompany the report of activities and the financial statements of the Public Curator.”

17. Section 67 of the said Act, amended by section 37 of chapter 80 of the statutes of 1997, is replaced by the following sections :

“67. The Public Curator must, not later than 30 June each year, file with the Minister of Relations with the Citizens and Immigration his financial statements and a report of activities for the preceding fiscal year.

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

“67.0.1. The Minister of Relations with the Citizens and Immigration shall table the report of activities and the financial statements of the Public Curator in the National Assembly within 30 days of receiving them or, if the Assembly is not in session, within 30 days of resumption.”

18. Sections 67.1 to 67.4 of the said Act, enacted by section 38 of chapter 80 of the statutes of 1997, are repealed.

19. Section 68 of the said Act, amended by section 39 of chapter 80 of the statutes of 1997, is again amended

- (1) by striking out paragraph 1;
- (2) by striking out paragraph 8;
- (3) by striking out “and fees charged” in paragraph 9;
- (4) by striking out paragraph 11.

#### ACT TO AMEND THE PUBLIC CURATOR ACT AND OTHER LEGISLATIVE PROVISIONS RELATING TO PROPERTY UNDER THE PROVISIONAL ADMINISTRATION OF THE PUBLIC CURATOR

20. Sections 79 and 80 of the Act to amend the Public Curator Act and other legislative provisions relating to property under the provisional administration of the Public Curator (1997, chapter 80) are repealed.

#### CIVIL CODE OF QUÉBEC

21. Article 264 of the Civil Code of Québec (1991, chapter 64) is amended by adding “or if the function delegated is the management, according to the Public Curator’s instructions, of the monthly personal expense allowance granted to the person” at the end of the first paragraph.

22. Article 272 of the said Code is amended by adding the following paragraph at the end:

“Even before the proceedings, the Court may, if protective supervision is about to be instituted and it is necessary to act in order to save the person of full age from serious harm, designate the Public Curator or another person provisionally to ensure protection of the person of full age or to represent him in the exercise of his civil rights.”

#### TRANSITIONAL AND FINAL PROVISIONS

23. The application of the provisions of section 55 of the Public Curator Act, replaced by section 30 of chapter 80 of the statutes of 1997, is, insofar as it concerns the fees that the Public Curator may charge for the protection and



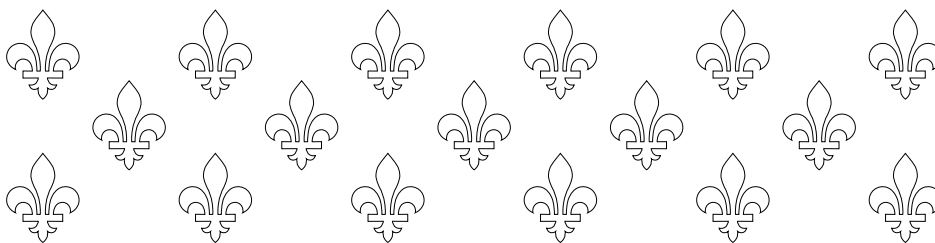
representation of persons and the administration of their property, suspended for the period beginning on 1 July 1999 and ending on (*insert here the date preceding the date of coming into force of section 24*).

24. The sums constituting the working fund of the Public Curator on (*insert here the date of coming into force of this section*) and the sums constituting the general fund of the Public Curator on that date shall be paid into the consolidated revenue fund without delay.

25. During the period beginning on 1 July 1999 and ending on (*insert here the date preceding the date of coming into force of section 24*), the books and accounts of the Public Curator shall be audited by the Auditor General each year, if applicable, and whenever ordered by the Government.

26. The provisions of this Act come into force on 1 July 1999, except the provisions of sections 7 to 15, 17 and 18, paragraphs 1, 3 and 4 of section 19 and sections 20 and 24, which come into force on the date or dates, subsequent to 1 July 1999, to be fixed by the Government.





---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 46  
(1999, chapter 31)

**An Act to amend the Act respecting  
municipal taxation and the Act  
respecting municipal debts and loans**

---

---

**Introduced 12 May 1999  
Passage in principle 1 June 1999  
Passage 18 June 1999  
Assented to 19 June 1999**

---

**Québec Official Publisher  
1999**

## EXPLANATORY NOTES

*The amendments made by this bill are intended to remedy problems of application arising from the Québec municipal taxation scheme.*

*The bill amends the definition of the word “owner” in the Act respecting municipal taxation so that persons in a group of usufructuaries who each have a periodic and successive right of enjoyment in an immovable are not deemed to be owners of the immovable.*

*The bill authorizes the municipal assessor to include the aggregate of the structures forming part of a wireless telecommunications system that are situated in the territory of the municipality and installed in or on an immovable owned by another person in a separate unit of assessment entered on the roll in the name of the operator of the system. The assessor may also, where another unit of assessment is already entered on the roll of the municipality in the name of the operator, add that aggregate of structures to the unit. The bill specifies, however, that a structure installed on the land of a public body cannot be included in the aggregate if no building other than the structure is installed on the land.*

*The bill provides that after the filing of an application for review by a taxpayer, each step in the contestation of the assessment roll must have an appropriate and separate time limit. Any overlapping between the times in which the assessor’s reply to the taxpayer is to be sent or an agreement between the taxpayer and the assessor is to be reached and, where there is no agreement, a proceeding is to be brought before the Administrative Tribunal of Québec, will consequently be eliminated. In addition, the normal time limit granted to the assessor to reply to the taxpayer may be extended to 1 April if the local municipality agrees to the extension.*

*The bill relaxes the current rules that allow a local municipality to require an intermunicipal body to pay compensation as consideration for services rendered by the municipality in connection with an immovable belonging to that body and situated within the municipality. The maximum amount of the compensation payable in respect of a regional park will be an amount calculated on the basis*

*of the value of the park and on a rate that is either that of the general real estate tax or \$0.50 per \$100 of assessment, whichever is less. As for other regional immovables, the bill provides that the amount of the compensation payable in their respect will cease to be the product of the multiplication of a value by a rate. Rather, the local municipality will be allowed to prescribe rules to be applied to calculate the amount of the compensation, insofar as the amount obtained does not exceed the amount that the intermunicipal body would have paid, if exemptions were not available to the body and its immovable, in taxes, compensations and tariffing.*

*The bill specifies that the person to whom the municipality must refund a personal tax or compensation overpayment or the person who must pay the municipality a personal tax or compensation supplement is the person who was the debtor of the personal tax or compensation payable during the period for which the amount paid proves, after the alteration, to be an excess or an insufficient amount.*

*The bill provides that the averaging measure for the variation in taxable values continues to apply where an alteration to the unit of assessment results in a loss of taxable value. As well, the bill provides that, within the framework of the transitional diversification of the rates of certain taxes, the composition of the classes may be changed if the assessor alters the value to correct an error, retroactively to the date of coming into force of the roll.*

*The bill amends the Act respecting municipal debts and loans to extend to six months the time period in which a municipality may refinance a loan.*

*Lastly, the bill authorizes the executive committee of the Communauté urbaine de Montréal to order that the real estate assessment rolls and the rolls of rental values of all of the municipalities whose territory forms part of the territory of the Community are to remain in force until the end of the year 2000.*

**LEGISLATION AMENDED BY THIS BILL :**

- Act respecting municipal debts and loans (R.S.Q., chapter D-7);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1).



## Bill 46

### AN ACT TO AMEND THE ACT RESPECTING MUNICIPAL TAXATION AND THE ACT RESPECTING MUNICIPAL DEBTS AND LOANS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### ACT RESPECTING MUNICIPAL TAXATION

1. Section 1 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), amended by section 257 of chapter 43 of the statutes of 1997, is again amended in the definition of “owner” in the first paragraph,

- (1) by replacing “or 3” in the second line of paragraph 1 by “, 3 or 4”;
- (2) by inserting “or 4” after “3” in the third line of paragraph 2;
- (3) by striking out “usufructuary,” in the first line of paragraph 3;
- (4) by adding the following paragraph after paragraph 3:

“(4) the person who possesses an immovable as usufructuary otherwise than as a member of a group of usufructuaries each having a right of enjoyment periodically and successively in the immovable;”.

2. Section 14.1 of the said Act is amended by replacing “an initiatives and development association for commercial districts” in the fourth and fifth lines of the fourth paragraph by “a commercial development association”.

3. The said Act is amended by inserting the following subdivision after section 41 :

“§6. — *Structure forming part of a wireless telecommunications system*

“41.1. The assessor may decide that the aggregate of the structures forming part of a wireless telecommunications system that are situated in the territory of the local municipality and installed in or on an immovable owned by another person constitutes a separate unit of assessment entered on the roll in the name of the operator of the system.

The assessor may also, where another unit of assessment is entered on the roll of the municipality in the name of the operator, decide that the aggregate of such structures is added to that unit or, if there are several such units, to one of them.

However, a structure installed on the land of a public body is excluded from the aggregate referred to in the first or second paragraph, provided no building other than such a structure is installed on that land.”

4. Sections 138.3 and 138.4 of the said Act are replaced by the following sections :

“138.3. The assessor seized of an application for review shall assess the merits of the contestation. The assessor shall, within the time limit prescribed in the second or third paragraph, as the case may be, make a written proposal to the applicant to alter the roll or inform the applicant in writing, giving the reasons for the decision, that no alteration will be proposed.

Where an application for review must be filed before 1 May following the coming into force of the roll, the assessor shall comply with the first paragraph on or before the following 1 September.

In every other case, the assessor shall comply with the first paragraph on or before the later of 1 September following the coming into force of the roll and the date occurring four months after the date of the filing of the application for review.

The municipal body responsible for assessment may, before 15 August of the year following the coming into force of the roll, extend the time limit of 1 September prescribed in the second paragraph until the following 1 November or, where the local municipality consents thereto, until a date not later than the following 1 April.

The clerk of the body must, as soon as possible, give notice of the extension in writing to the Tribunal and to the persons having filed an application for review referred to in the second paragraph and to whom one of the writings required under the first paragraph has not been sent. However, the clerk need not notify those persons if the form they used pursuant to section 129 for the filing of their application for review contained the information concerning the extension.

“138.4. The applicant may, where the applicant has not brought a proceeding under section 138.5, enter into an agreement with the assessor on an alteration to the roll.

The agreement may be entered into

(1) on or before the thirtieth day following the sending by the assessor of the writing required under the first paragraph of section 138.3;

(2) before the expiry of the applicable time limit for the sending of the writing required under the first paragraph of section 138.3, if the assessor has not sent the writing within that time limit.



The agreement must be in writing and specify the date from which the alteration to the roll resulting from the agreement is to have effect.

An agreement entered into after the expiry of the time limit set out in the second paragraph is null.”

5. Section 138.5 of the said Act, amended by section 266 of chapter 43 of the statutes of 1997, is again amended

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

“138.5. The person having filed the application for review may, if the person has not entered into an agreement under section 138.4, bring before the Tribunal a proceeding relating to the same subject-matter as the application.”;

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

“A proceeding under the first paragraph must be brought before the thirty-first day after the expiry of the time limit prescribed in the second paragraph of section 138.4 for the making of an agreement.”

6. Section 205 of the said Act is replaced by the following sections :

“205. Every local municipality may, by by-law, impose the payment of compensation for municipal services on the owners of immovables situated in its territory and referred to in any of paragraphs 4, 5, 10 and 11 of section 204.

However, another local municipality is exempt from the payment of compensation that would otherwise be payable because the local municipality is the owner of

(1) a structure intended for lodging persons, sheltering animals or storing things that forms part of a waterworks or sewer system or of a plant or equipment for water or garbage treatment ;

(2) land that is the site of a structure referred to in subparagraph 1.

Every local municipality may also, by by-law, impose the payment of compensation for municipal services on the owners of land situated in its territory and referred to in paragraph 12 of section 204.

The compensation provided for in this section, whether or not payment thereof is imposed and whether or not an owner is exempt from the payment, stands in lieu, in respect of every immovable concerned, of taxes, compensations and modes of tariffing imposed by the municipality on a person as the owner, lessee or occupant of the immovable.

The first four paragraphs do not apply in respect of an immovable that becomes taxable under the second paragraph of section 208.

“205.1. The amount of the compensation provided for in section 205, in respect of an immovable referred to in any of paragraphs 4, 10 and 11 of section 204 or of a regional park referred to in paragraph 5 of that section, is established by multiplying the non-taxable value of the immovable, entered on the real estate assessment roll, by the rate fixed by the municipality in the by-law; that rate may vary according to the classes of immovables established in the by-law but shall not exceed the rate of the general real estate tax or \$0.50 per \$100 of assessment.

The amount of the compensation provided for in section 205, in respect of a parcel of land referred to in paragraph 12 of section 204, is established by multiplying the non-taxable value of the parcel of land, entered on the real estate assessment roll, by the rate fixed by the municipality in the by-law but that shall not exceed the rate of the general real estate tax or \$0.80 per \$100 of assessment.

The amount of the compensation provided for in section 205, in respect of an immovable, other than a regional park, referred to in paragraph 5 of section 204, is established by applying the rules of computation prescribed by the municipality in the by-law and that may vary according to the classes of immovables established in the by-law. However, the amount shall not exceed

(1) in the case of an immovable described in subparagraph 1 or 2 of the second paragraph of section 205, the total amount of the sums resulting from modes of tariffing that would be payable in respect of the immovable, were it not for the fourth paragraph of that section, for the municipal services in respect of which the immovable or its owner or occupant derives a benefit within the meaning of section 244.3;

(2) in every other case, the total amount of the sums resulting from municipal taxes, compensations or modes of tariffing that would be payable in respect of the immovable were it not for paragraph 5 of section 204 and the fourth paragraph of section 205, except sums resulting from the business tax imposed under section 232 or the surtax or tax on non-residential immovables imposed under section 244.11 or 244.23.”

7. Section 206 of the said Act is amended by striking out “in addition to the compensation exigible under section 205,” in the fourth and fifth lines.

8. Section 245 of the said Act is amended

(1) by adding the following sentence at the end of the first paragraph: “Except in the last case, for the purpose of determining the debtor of the supplement or the creditor of the overpayment, the entry on the roll shall be considered, as the case may be, on the date on which the demand for payment of the supplement is sent or the date on which the refund is paid.”;

(2) by replacing “or of Division IV.4” in the sixth line of the second paragraph by “, of Division IV.4 or of Division IV.5”;

(3) by adding the following sentence at the end of the third paragraph: “In the case of a tax or a compensation referred to in this paragraph, however, the debtor of the supplement or the creditor of the overpayment is the person who was the debtor of the tax or the compensation payable for the period for which the amount paid proves, after the alteration, to have been an insufficient or an excess amount, as the case may be.”

9. Section 253.31 of the said Act is amended by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) by a new adjusted value for the fiscal year concerned corresponding to the product obtained by multiplying the adjusted value for that fiscal year as established prior to the alteration by the difference between 100% and the percentage loss of taxable value resulting from the alteration.”

10. Section 253.49 of the said Act is amended

(1) by replacing “fifth” in the third line of the first paragraph by “third”;

(2) by replacing “fifth” in the second line of each of subparagraphs 1, 2 and 4 of the second paragraph by “third”;

(3) by replacing “fifth” in the second line of the third paragraph by “third”.

11. Section 253.58 of the said Act, enacted by section 15 of chapter 43 of the statutes of 1998, is amended by adding the following after subparagraph 3 of the second paragraph:

“(4) a unit changes classes, retroactively to the date of the coming into force of the roll, where the re-application of section 253.56 as provided in the third paragraph gives rise to the change.

Where an alteration is made under any of paragraphs 1, 2, 4, 5 and 16 of section 174 after the date of the coming into force of the roll, and the effect of the alteration is to alter retroactively to that day the taxable value of a unit, section 253.56 shall be re-applied taking the new value into account. For the purposes of the re-application, the corresponding alteration made to the preceding roll shall also be taken into account. Any alteration made under section 182 that the assessor should have made under any of the paragraphs mentioned above shall be considered to be an alteration referred to in that paragraph.”

12. Section 253.59 of the said Act, enacted by section 15 of chapter 43 of the statutes of 1998, is amended by adding the following paragraph after the second paragraph:

“If the unit changes classes, the resulting change in the applicable rate is taken into consideration in the same manner as the alteration to the taxable

value referred to in the third paragraph of section 253.58 in calculating the amount of the tax supplement to be paid or of tax to be refunded as a result of the alteration.”

#### ACT RESPECTING MUNICIPAL DEBTS AND LOANS

13. Section 2 of the Act respecting municipal debts and loans (R.S.Q., chapter D-7) is amended by replacing “seven days” in the third line of the fourth paragraph by “six months”.

#### TRANSITIONAL AND FINAL PROVISIONS

14. The establishment of a unit of assessment in conformity with the rules set out in the first or second paragraph of section 41.1 of the Act respecting municipal taxation, enacted by section 3, is valid for any real estate assessment roll applicable to a municipal fiscal year subsequent to the fiscal year 1996 and preceding a fiscal year to which such a roll that comes into force after 19 June 1999 applies.

15. Sections 4 and 5 have effect in respect of any application for review of an entry on or an omission from a real estate assessment roll or a roll of rental values that is filed after 31 December 1999.

16. The first regulation made after 19 June 1999 amending the regulation made under paragraph 2 of section 263 of the Act respecting municipal taxation is not subject to the publication requirements set out in section 11 of the Regulations Act (R.S.Q., chapter R-18.1).

17. The first paragraph of section 205.1 of the Act respecting municipal taxation, enacted by section 6, has effect in respect of a regional park for the purposes of any municipal fiscal year from the fiscal year 1999.

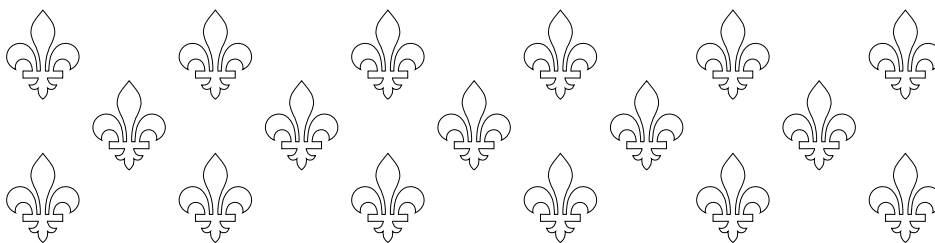
Subject to the first paragraph, sections 6 and 10 have effect for the purposes of any municipal fiscal year from the fiscal year 2000.

18. Section 7 has effect from 15 December 1995.

19. Paragraph 2 of section 8 and sections 11 and 12 have effect for the purposes of any municipal fiscal year from the fiscal year 2000.

20. The executive committee of the Communauté urbaine de Montréal may order that the real estate assessment rolls and the rolls of rental values of all of the municipalities whose territory forms part of the territory of the Community, in force on 19 June 1999, remain in force until the end of 2000.

21. This Act comes into force on 19 June 1999.



---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 48  
(1999, chapter 32)

**An Act respecting the Bureau  
d'accréditation des pêcheurs et  
des aides-pêcheurs du Québec**

---

---

**Introduced 13 May 1999  
Passage in principle 25 May 1999  
Passage 18 June 1999  
Assented to 19 June 1999**

---

**Québec Official Publisher  
1999**

## **EXPLANATORY NOTES**

*This bill proposes the creation of a certification board called the “Bureau d’accréditation des pêcheurs et des aides-pêcheurs du Québec”.*

*The mission of the certification board is to develop and implement a system of certification of the professional qualifications of fishermen and fisherman’s helpers. In that respect, it may issue a certificate attesting that they qualify to carry on their trade in accordance with commercial fishing requirements.*

*The certification board will be composed of persons appointed by the Government, in the majority fishermen and fisherman’s helpers chosen after consultation with the most representative associations.*

*The bill defines the powers the certification board may exercise and sets out the financial provisions applicable to the certification board.*

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

- Act respecting administrative justice (1996, chapter 54).

## Bill 48

### AN ACT RESPECTING THE BUREAU D'ACCREDITATION DES PÊCHEURS ET DES AIDES-PÊCHEURS DU QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### CHAPTER I

##### ESTABLISHMENT AND MISSION

1. A certification board is hereby established under the name “Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec”.

The certification board is a legal person.

2. The mission of the certification board is to develop and implement a system of certification of the professional qualifications of fishermen and fisherman's helpers operating in tidal waters, other than in relation to the fishing for anadromous and catadromous species.

In that regard, the certification board

(1) issues certificates attesting that the applicants qualify to carry on their trade of fisherman or fisherman's helper in keeping with commercial fishing requirements ;

(2) advises the Minister on any matter relating to the professional qualifications of fishermen and fisherman's helpers.

#### CHAPTER II

##### ORGANIZATION AND OPERATION

3. The head office of the certification board shall be at the place the certification board determines. Notice of the location or of any change of location shall be published in the *Gazette officielle du Québec*.

4. The affairs of the certification board shall be administered by a board of directors consisting of nine members, including the chair, appointed by the Government. One member shall be chosen from among the members of the Régie des marchés agricoles et alimentaires du Québec and the other members shall be appointed as follows after consultation with the associations most representative throughout Québec of each of the following groups :

- (1) three midshore fishermen ;
- (2) three inshore fishermen ; and
- (3) one midshore fisherman's helper and one inshore fisherman's helper, who are not entitled to vote on any question concerning the professional certification of fishermen.

The Government may designate one additional member, who is not entitled to vote, chosen from among the persons interested in the harvesting sector.

5. The term of office of the members of the board of directors shall not exceed three years.

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

6. Any vacancy on the board of directors shall be filled in accordance with the rules of appointment set out in section 4 for the unexpired portion of the term of the member to be replaced.

Absence from the number of board meetings determined by regulation of the certification board constitutes a vacancy, in the cases and circumstances indicated therein.

7. The members of the board of directors receive no remuneration except in such cases, on such conditions and to such extent as the Government may determine. They are, however, entitled to be reimbursed for expenses incurred in exercising their functions, on the conditions and to the extent determined by the Government.

8. The chair of the board of directors shall call and preside at 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 members of the board of directors shall designate a vice-chair from among their number. The vice-chair shall exercise the functions of the chair when the latter is absent or unable to act.

9. The quorum at meetings of the board of directors is a majority of the members entitled to vote.

In the case of a tie-vote, the chair has a casting vote.

10. The certification board may establish rules of operation.

11. The members of the personnel of the certification board shall be appointed in accordance with the staffing plan established by the certification



board by regulation. The regulation shall, in addition, determine the pay scales and rates, employee benefits and other conditions of employment of the personnel members.

The regulation is subject to the approval of the Government, which may amend it.

12. Any member of the personnel of the certification board who has a direct or indirect interest in an enterprise causing the personnel member's personal interest to conflict with that of the certification board must, on pain of forfeiture of office, disclose the interest in writing to the certification board.

13. In no case may proceedings be instituted against the certification board, its directors or any person or body to whom or which the certification board has entrusted the exercise of its powers by reason of acts performed in good faith in the exercise of their functions.

### **CHAPTER III**

#### **POWERS**

14. The certification board shall make regulations determining

(1) the criteria for the issue of a fisherman's or fisherman's helper's certificate, in particular the professional training required, including apprenticeship at sea, and the fees payable;

(2) the criteria for the issue of an apprentice fisherman's certificate, in particular the fees payable;

(3) the issue, content and updating of a fisherman's or fisherman's helper's booklet and of an apprentice fisherman's booklet.

A regulation made pursuant to subparagraph 1 of the first paragraph must also provide for qualifications that are equivalent to those it determines, including experience.

The certification board may make regulations determining

(1) the obligations of certificate holders, in particular as regards continuing education and the information and documents to be communicated to the certification board or preserved;

(2) the professional conduct of certificate holders;

(3) the cases in which certain persons may be exempted from the application of all or part of the regulations under this section, subject to any conditions provided.

15. The regulations of the certification board made pursuant to section 14 are subject to the approval of the Government, which may amend them. If the certification board fails to make the regulations under the first paragraph of that section or fails to make the amendments within the time fixed by the Minister, the Government may make or amend the regulations, in which case they become the regulations of the certification board.

16. The certification board may suspend or revoke a holder's certificate if the holder

(1) no longer meets the criteria determined by regulation for the issue of the certificate ;

(2) obtained the certificate by false or misleading representations ;

(3) does not comply with the provisions of the regulations under this Act ;  
or

(4) does not comply with generally recognized commercial fishing practices applicable to professional fishermen and fisherman's helpers.

The certification board shall not suspend or revoke a certificate without giving the certificate holder 10 days notice in writing to enable the holder to present observations.

17. A refusal to issue a certificate or the suspension or revocation of a certificate may be contested by the interested person before the Administrative Tribunal of Québec within 30 days of the notification.

18. The certification board may, to the extent and on the conditions it determines by regulation approved by the Government, entrust the exercise of its functions with respect to the issue of certificates or the issue and updating of booklets to any other person or body.

19. The certification board may, according to law, enter into an agreement with a government other than the Government of Québec, with a department of such a government, with an international organization or with a body of that government or organization.

20. An agreement entered into between the certification board and the authority responsible for the application of the Fisheries Act (Revised Statutes of Canada, 1985, chapter F-14) in Québec may allow for an exchange of nominative information necessary to ascertain a person's status as holder of a fisherman's, fisherman's helper's or apprentice fisherman's certificate or booklet, as well as the information necessary for the purposes of this Act and the regulations.

The agreement must be submitted to the Commission d'accès à l'information for an opinion in accordance with the procedure prescribed in section 70 of the

Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1).

#### **CHAPTER IV**

##### **FINANCIAL PROVISIONS**

21. The certification board may not, except with 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.

22. The certification board shall finance its activities. It may, by regulation approved by the Government, which may amend it, prescribe the payment of annual fees by the certificate holders, and the payment of fees for the examination of an application or for any other act performed by the certification board.

23. 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 certification board and the performance of its obligations;

(2) authorize the Minister of Finance to advance to the certification board 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.

24. The monies received by the certification board must be allocated to the payment of its obligations. Any surplus shall be retained by the certification board, unless the Government decides otherwise.

## **CHAPTER V**

### **ACCOUNTS AND REPORTS**

25. The fiscal year of the certification board ends on 31 March.

26. The certification board shall formulate a plan of activities according to the form, content and intervals fixed by the Minister. The plan must be submitted to the Government for approval.

27. The books and accounts of the certification board shall be audited by the Auditor General each year and whenever so ordered by the Government.

The Auditor General's report must accompany the certification board's report of activities and financial statements.

28. The certification board shall, not later than 30 June each year, file with the Minister its financial statements and a report of its activities for the preceding fiscal year.

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

29. The Minister shall table the report of activities and financial statements of the certification board in the National Assembly within 30 days of receiving them or, if the Assembly is not sitting, within 30 days of resumption.

30. The certification board shall forward to the Minister, within the time and in the form prescribed by the Minister, any documents or other information the Minister requires on its activities.

## **CHAPTER VI**

### **MISCELLANEOUS PROVISIONS**

31. Where in the opinion of the Minister the certification board neglects or is unable to carry out its responsibilities, the Minister shall, after giving the certification board the opportunity to present observations, order it to take the necessary corrective measures; if the certification board fails to act, the Minister shall take the appropriate measures to ensure the Act and the regulations are applied, in particular by substituting the Minister's decisions for those of the certification board.

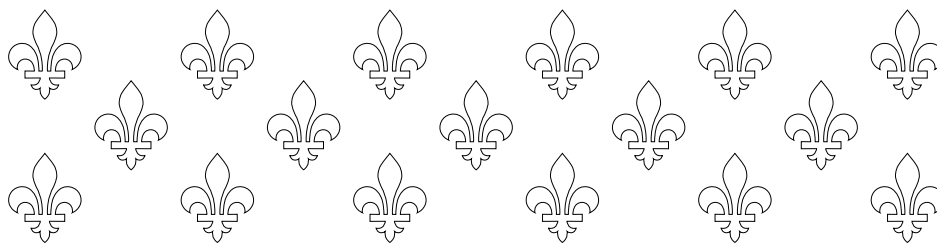
32. Schedule IV to the Act respecting administrative justice (1996, chapter 54), amended by section 16 of chapter 20 of the statutes of 1997, section 20 of chapter 64 of the statutes of 1997, section 874 of chapter 43 of the statutes of 1997 and section 172 of chapter 40 of the statutes of 1998, is again amended by inserting the following paragraph after paragraph 4:

“(4.0.1) section 17 of the Act respecting the Bureau d’accreditation des pêcheurs et des aides-pêcheurs du Québec (1999, chapter 32).”

33. The Minister of Agriculture, Fisheries and Food is responsible for the administration of this Act.

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





---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 52  
(1999, chapter 33)

## **An Act to amend the Fire Investigations Act**

---

---

**Introduced 13 May 1999**  
**Passage in principle 27 May 1999**  
**Passage 17 June 1999**  
**Assented to 19 June 1999**

---

**Québec Official Publisher  
1999**

## EXPLANATORY NOTES

*This bill amends the Fire Investigations Act so as to redefine the powers and obligations of the fire investigation commissioner as regards investigations and inquiries. The bill empowers the investigation commissioner to investigate the cause, origin and circumstances of any fire or explosion that has caused bodily injuries or property damage and then hold an inquiry if there is reason to do so.*

*The bill provides that the investigation commissioner is not authorized to render a verdict or to draw a conclusion as to civil liability or criminal responsibility. Before deciding to hold an inquiry, the commissioner must make sure that it will not hinder any police investigation in progress. Finally, the investigation commissioner is authorized to make any recommendation designed to better ensure the safety of persons and property.*



## Bill 52

### AN ACT TO AMEND THE FIRE INVESTIGATIONS ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 11 of the Fire Investigations Act (R.S.Q., chapter E-8) is amended by replacing the first paragraph by the following paragraph :

“11. The fire investigation commissioner may investigate the cause, origin and circumstances of any fire or explosion that has caused bodily injuries or property damage.”

2. Section 13 of the said Act is amended

(1) by replacing “the fire or explosion was the result of mere negligence or was purely accidental, he” in the second and third lines of the first paragraph by “no inquiry is necessary, the investigation commissioner”;

(2) by replacing “inquiry was held” in the fifth line of the first paragraph by “fire or explosion occurred”.

3. The said Act is amended by inserting the following section after section 13:

“13.1. In no case may an investigation commissioner making an investigation draw a conclusion as to civil liability or criminal responsibility.”

4. Section 14 of the said Act is amended by replacing the first paragraph by the following paragraph :

“14. Following an investigation, the fire investigation commissioner may hold an inquiry into the cause, origin and circumstances of any fire or explosion that has caused bodily injuries or property damage if the investigation commissioner has reason to believe that holding an inquiry would be expedient and would not impede the progress of any police investigation.”

5. The said Act is amended by inserting the following section after section 14:

“14.1. In determining whether it is expedient to hold an inquiry, the investigation commissioner shall consider whether it is necessary to hear witnesses, in particular

(1) to obtain information that will allow the cause, origin and circumstances of the fire or explosion to be determined;

(2) to inform the public about the cause, origin and circumstances of the fire or explosion;

(3) to allow recommendations to be made to better ensure the safety of persons and property.”

6. Section 15 of the said Act is replaced by the following section:

“15. Notwithstanding section 14, where criminal proceedings are brought against a person in connection with a fire or explosion, the investigation commissioner may not hold or continue an inquiry into the fire or explosion until the judgment on those proceedings has become *res judicata*.”

7. Section 25 of the said Act is replaced by the following section:

“25. The investigation commissioner has authority over the presentation of evidence and the conduct of the inquiry. The investigation commissioner must ensure that the inquiry is conducted in a fair manner. The investigation commissioner may admit any evidence the commissioner considers relevant to the purposes of the inquiry, exclude any evidence that is repetitious or the conclusiveness of which is minimal, and limit any vexatious examination or cross-examination of a witness.”

8. Section 28 of the said Act is amended

(1) by striking out “containing his verdict,” in the third line of the first paragraph;

(2) by replacing the second, third and fourth paragraphs by the following paragraphs:

“The return shall state, in relation to the fire or explosion,

(1) the date and place;

(2) the probable origin and cause;

(3) the circumstances;

(4) any recommendation designed to better ensure the safety of persons and property.”

9. The said Act is amended by inserting the following section after section 28:

“28.1. In no case may an investigation commissioner holding an inquiry draw a conclusion as to civil liability or criminal responsibility.”

10. The said Act is amended by inserting the following section after section 29:

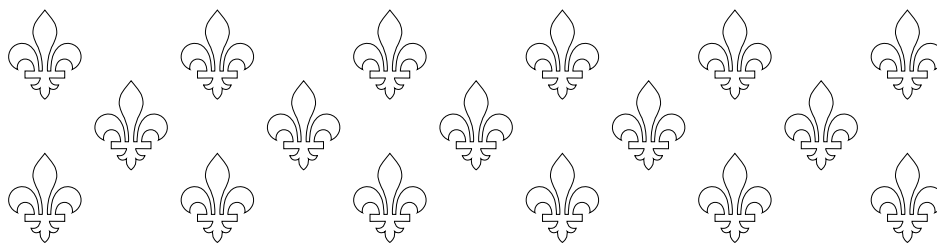
“29.1. If the investigation commissioner considers it necessary in the public interest or for the protection of a person’s privacy, reputation or right to a just and fair trial, the investigation commissioner may ban the publication or release of all or some of the documents referred to in subparagraphs *b* and *c* of the first paragraph of section 29 for the period determined by the investigation commissioner. The investigation commissioner shall inform accordingly the Minister of Public Security and the clerk of the Court of Québec at whose office the investigation commissioner’s return is deposited.

However, where warranted in the public interest, the Minister may publish or release information that is subject to the ban.”

11. Section 34.1 of the said Act is amended by replacing “in a fire or explosion in a building” in the first and second lines of the first paragraph by “in a fire or an explosion”.

12. This Act comes into force on 19 June 1999.





---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 53  
(1999, chapter 34)

## **An Act respecting the Corporation d'hébergement du Québec**

---

---

**Introduced 13 May 1999**  
**Passage in principle 8 June 1999**  
**Passage 17 June 1999**  
**Assented to 19 June 1999**

---

**Québec Official Publisher**  
**1999**

## EXPLANATORY NOTES

*This bill gives effect to the reform of government accounting policies announced by the Minister of Finance in the Budget Speech of 31 March 1998. To that end, the bill provides that the Corporation d'hébergement du Québec, established on 10 September 1974 under Part III of the Companies Act, is to become a legal person with share capital and a mandatary of the State.*

*The Corporation's mission is to provide to stakeholders in the health and social service sector the technical and financial expertise and the financing necessary for the management, construction, maintenance and acquisition of the required installations, equipment and infrastructures. The mission of the Corporation includes owning property used or to be used by bodies or agencies of the health and social service sector.*

*The bill contains provisions relating to the operation and organization of the Corporation, financial provisions concerning, in particular, the authorized capital of the Corporation and provisions concerning the financial commitments that the Corporation and its subsidiaries are authorized to make.*

*Lastly, the bill includes amending, transitional and final provisions.*

## LEGISLATION AMENDED BY THIS BILL:

- Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);
- Financial Administration Act (R.S.Q., chapter A-6);
- Archives Act (R.S.Q., chapter A-21.1);
- Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2);
- Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01);
- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);

- Act respecting health services and social services (R.S.Q., chapter S-4.2);
- Securities Act (R.S.Q., chapter V-1.1).





## **Bill 53**

### **AN ACT RESPECTING THE CORPORATION D'HÉBERGEMENT DU QUÉBEC**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### **CHAPTER I**

##### **CONTINUANCE AND MISSION**

1. The Corporation d'hébergement du Québec, constituted on 10 September 1974 by letters patent issued under Part III of the Companies Act (R.S.Q., chapter C-38), becomes a legal person with share capital. The Corporation d'hébergement du Québec may be designated by the abbreviation "CHQ".

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

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

3. The mission of the Corporation is to provide to stakeholders in the health and social service sector, for consideration and in a self-financing perspective, technical and financial expertise and the financing necessary for the management, construction, maintenance and acquisition of health and social service installations, equipment and infrastructures.

The mission of the Corporation includes owning property used or to be used by a health and social services institution, regional board or regional council referred to in the Act respecting health services and social services (R.S.Q., chapter S-4.2) or in the Act respecting health services and social services for Cree Native persons (R.S.Q., chapter S-5), or by any person, partnership or association designated by the Minister or the Government.

4. In the pursuit of its mission, the Corporation may, in particular,

(1) manage installations in the health and social service sector;

(2) invest in, carry out or facilitate the carrying out of construction, acquisition, investment or financing projects relating to installations, equipment or infrastructures in the health and social service sector;

(3) provide financial support and technical expertise to the Minister and stakeholders in the health and social service sector to foster the carrying out of projects, activities or particular operations falling within the scope of their mission;

(4) develop property management expertise in the health and social sector in partnership with the private sector.

5. The Corporation must carry out any mandate entrusted to it by the Government in any field in which the Corporation exercises its powers and jurisdiction, and the cost of which is borne by the Government.

6. The Corporation may, according to law, enter into an agreement with a government other than that of Québec, with a department of such a government, with an international organization or with a body of such a government or organization.

The Corporation may, in the same manner, enter into an agreement and take part in joint projects with a Québec government department or body or with any person or agency.

7. The Corporation may, with the authorization of the Government, acquire or establish any subsidiary required in the pursuit of its mission.

A legal person or partnership is a subsidiary of the Corporation if the Corporation 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 interests in the partnership, or if the Corporation may elect a majority of the directors of the legal person or partnership.

8. Subsidiaries all of whose shares are held directly or indirectly by the Corporation are mandataries of the State. The provisions of this Act apply to such subsidiaries, with the necessary modifications, except sections 1, 13 to 17, the first paragraph of section 18, sections 20, 28, 29, 31 to 37, the second paragraph of section 40 and sections 41 to 76.

9. The Corporation shall not, except with 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 issued by 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 issued by 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 Government may prescribe that one of the provisions of the first paragraph applies to all or only one of the subsidiaries of the Corporation.

However, the provisions of the first paragraph do not apply to transactions between the Corporation and a subsidiary or between subsidiaries.

10. The Corporation may acquire by expropriation any immovable or real right necessary for the pursuit of its mission.

11. Notwithstanding any inconsistent provision, where a public institution referred to in any of the Acts mentioned in the second paragraph of section 3 must ensure the financing of major expenditures resulting from a financial reorganization or the carrying out of an investment project related to the institution's installations or infrastructures, the Minister may, on the terms and conditions the Minister determines, authorize the institution

(1) to obtain a loan from the Corporation and to hypothecate any property owned by the institution to secure the repayment of the loan;

(2) to transfer any property it owns to the Corporation to enable the Corporation to carry out any planned investment project, and to receive, as consideration, the sum necessary for the payment of any debt pertaining to the transferred property and, where applicable, to the financing of expenditures incurred in connection with its financial reorganization;

(3) to lease any property transferred to the Corporation in return of a rent that ensures the repayment of the principal of and interest on any sum paid to the institution by the Corporation or, as the case may be, assumed by the Corporation for the carrying out of an investment project;

(4) to resume, if necessary, ownership of the property once the Corporation has been repaid in full.

The provisions of the Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) do not apply to a transfer or resumption of ownership of property referred to in this section.

## CHAPTER II

### ORGANIZATION AND OPERATION

12. The head office of the Corporation shall be located in the territory of the Communauté urbaine de Québec. Notice of the location of the head office shall be published in the *Gazette officielle du Québec*.

13. The affairs of the Corporation shall be administered by a board of directors composed of the following persons, who shall become members of the board upon their appointment by the Government:

- (1) one person appointed to act as the chief executive officer;
- (2) four persons exercising functions in the health and social service sector;
- (3) two persons exercising functions in the economic sector, other than the financial sector;
- (4) two persons exercising functions in the financial sector.

14. The chief executive officer of the Corporation shall be appointed for a term not exceeding five years; the term of the other members of the board of directors shall not exceed three years.

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

15. A person shall cease to be a member of the board of directors upon ceasing to qualify for appointment to the board.

16. The chief executive officer shall also be the chair of the board of directors of the Corporation.

The chief executive officer shall see that the decisions of the board of directors are carried out and be responsible for the administration and management of the Corporation within the scope of its by-laws and policies. The office of chief executive officer is a full-time position.

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

17. The members of the board of directors shall designate a vice-chair from among their number, who shall chair the board of directors when the chief executive officer is absent or unable to act.

18. Any vacancy on the board of directors, other than in the position of chief executive officer, shall be filled in accordance with the rules of

appointment set out in section 13 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 Corporation, in the cases and circumstances specified therein, constitutes a vacancy.

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

The other members of the board of directors shall receive no remuneration, except in such cases, on such conditions and to such extent as may be 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.

20. The board of directors may hold its meetings at any place in Québec.

21. The quorum at meetings of the board of directors is the majority of its members, including the chief executive officer or the vice-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.

22. The minutes of a meeting of the board of directors, approved by the board and certified by the chair or the vice-chair of the board of directors, the secretary or any other person so authorized by the Corporation, are authentic, as are documents and copies of documents emanating from the Corporation or forming part of its records where so certified.

23. An intelligible transcription of a decision or other data stored by the Corporation on a computer or any other computer storage medium is a document of the Corporation and is proof of its contents where certified true by a person referred to in section 22.

24. A document is binding on the Corporation or may be attributed to it only if it is signed by the chief executive officer, the vice-chair of the board of directors or the secretary or, to the extent determined in the internal by-laws of the Corporation, by another member of the Corporation's personnel.

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

25. The internal by-laws of the Corporation may allow, subject to the conditions and on the documents determined therein, 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 has the same force as the signature itself only if the document is countersigned by a person referred to in section 24.

26. The Corporation 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 also provide for the delegation of the powers of the board of directors to a member of the personnel of the Corporation.

27. The secretary and the other members of the personnel of the Corporation shall be appointed in accordance with the staffing plan established by regulation of the Corporation. The regulation shall also determine the conditions of appointment, the pay scales and rates, the employee benefits and the other conditions of employment of the members of the personnel.

The by-laws must be submitted to the Government for approval.

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

29. Notwithstanding the provisions of sections 49 to 49.5 of the Financial Administration Act (R.S.Q., chapter A-6), the Corporation may, by regulation,

(1) establish the conditions concerning contracts entered into by the Corporation and determine the cases in which a call for tenders is required ;

(2) determine the conditions and procedure for the purchase and acquisition of goods and services.

The regulation shall be submitted to the Government for approval.

30. No regulation of the Corporation is subject to ratification by the shareholder.

31. The Minister may issue directives concerning the policy and general objectives to be pursued by the Corporation.

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 Corporation and the Corporation must comply with them.

Every directive shall be tabled in the National Assembly within 15 days of being approved by the Government or, if the Assembly is not sitting, within 15 days of resumption.

32. The provisions of Part II of the Companies Act (R.S.Q., chapter C-38), except the provisions 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 and sections 123.87 to 123.89 of Part IA of the said Act apply to the Corporation.

**CHAPTER III****FINANCIAL PROVISIONS**

33. The authorized share capital of the Corporation is \$500,000,000, divided into 5,000,000 shares having a par value of \$100 each.

34. The shares of the Corporation shall form part of the domain of the State and shall be allotted to the Minister of Finance.

35. The Minister of Finance may, with the authorization of the Government, pay to the Corporation, out of the consolidated revenue fund, the sum of \$500,000,000 for 5,000,000 fully paid shares of its share capital for which certificates shall be issued to the Minister.

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

36. After a reduction in the share capital of the Corporation and an equivalent repayment of capital 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 for shares of the Corporation for an amount that shall not exceed the amount of the repayment. The shares shall be paid out of the consolidated revenue fund. Certificates shall be issued when the shares are fully paid.

37. The Government may, on the terms and conditions it determines, transfer any property forming part of the domain of the State to the Corporation and receive in return any property, including shares of the capital of the Corporation.

38. A transfer of property pursuant to section 37 is registered in the land register on presentation of a declaration describing the transfer, referring to the order in council, containing the description of the immovable property transferred and indicating the effective date of the transfer.

39. Subject to the provisions of the business plan referred to in section 47, the Corporation may determine a tariff of commitment, professional and other fees for the use of the goods and services it provides.

40. The Government may, on the terms and conditions it determines,

(1) guarantee the payment of the principal of and interest on any loan contracted by the Corporation or a subsidiary referred to in section 8, and the execution of its obligation;

(2) make any commitment in relation to the carrying out or financing of an initiative in which the Corporation or one of its subsidiaries is participating;

(3) authorize the Minister of Finance to advance to the Corporation or one of its subsidiaries any amount considered necessary for the fulfilment of their obligations or the pursuit of their mission.

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

41. The Corporation shall finance its operations out of the revenues it derives from the leasing and management of its immovables, its financial interventions, its investments, the fees, commissions and management charges it collects and the other sums it receives.

More particularly, the principal of and interest on any loan the Corporation has contracted on or after (*insert here the date of coming into force of this section*) shall be repaid out of the revenues from the institutions in the health and social services network which receive their funding mainly from the Government, and the revenues from the other users of the goods and services it provides.

42. The Corporation may deposit with the Minister of Finance, to be managed by the Minister of Finance, sums intended for the payment of the principal of any loan, in order to constitute a sinking fund for the purpose of repaying out of such sums the principal of the loan, at the maturities under the terms of the loan.

The provisions of the second paragraph of section 469 of the Act respecting health services and social services apply in respect of the use of revenues of the sinking fund.

43. The dividends payable by the Corporation shall be fixed by the Government.

## **CHAPTER IV**

### **ACCOUNTS AND REPORTS**

44. The fiscal year of the Corporation ends on 31 March.

45. The Corporation shall, not later than 31 July each year, file with the Minister its financial statements, a report of operations for the preceding fiscal year and an assessment of its operations for the year just ended.

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



46. The Minister shall table the report of operations and the financial statements of the Corporation in the National Assembly within 30 days of receiving them or, if the Assembly is not sitting, within 30 days of resumption.

47. The Corporation shall establish, according to the form, content and intervals fixed by the Government, a business plan that must include the operations of its subsidiaries. The plan must be submitted to the Government for approval.

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

49. The books and accounts of the Corporation shall be audited by the Auditor General each year and whenever ordered by the Government.

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

50. The Corporation shall communicate to the Minister any information required by the Minister concerning its operations and the operations of its subsidiaries.

51. Before 1 April of each year, the Corporation shall prepare an operating budget, which it shall transmit to the Minister.

52. The Corporation shall establish a three-year investment plan, submit the plan to the Government for approval and shall establish an annual investment plan, which it shall transmit to the Minister.

The Government shall determine the form and content of the three-year investment plan and the time in which it must be submitted.

## **CHAPTER V**

### **AMENDING PROVISIONS**

53. The words and figures "referred to in section 471 of that Act" and "referred to in section 471 of the said Act" are struck out wherever they appear in the following provisions:

(1) the first paragraph of section 7 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);

(2) subparagraph 3.1 of the first paragraph of section 69.6 of the Financial Administration Act (R.S.Q., chapter A-6);

(3) paragraph 6.1 of the Schedule to the Archives Act (R.S.Q., chapter A-21.1);

(4) section 20.5 of the Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2);

(5) the second paragraph of section 4 of the Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01).

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

54. 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, 296-98 and 297-98 dated 18 March 1998, 730-98 dated 3 June 1998, 764-98 dated 10 June 1998, 1155-98 dated 9 September 1998 and 1524-98 dated 16 December 1998, and by section 35 of chapter 26 of the statutes of 1997, section 33 of chapter 27 of the statutes of 1997, section 13 of chapter 36 of the statutes of 1997, section 631 of chapter 43 of the statutes of 1997, section 57 of chapter 50 of the statutes of 1997, section 121 of chapter 63 of the statutes of 1997, section 52 of chapter 79 of the statutes of 1997, section 37 of chapter 83 of the statutes of 1997, section 61 of chapter 17 of the statutes of 1998, section 48 of chapter 42 of the statutes of 1998 and section 53 of chapter 44 of the statutes of 1998, is again amended by inserting the following in paragraph 1 at the place determined by the alphabetical order:

“the Corporation d’hébergement du Québec”.

#### ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

55. Section 266 of the Act respecting health services and social services (R.S.Q., chapter S-4.2), amended by section 85 of chapter 39 of the statutes of 1998, is again amended by striking out the second paragraph.

56. Section 471 of the said Act is amended

(1) by striking out “, which is incorporated for exclusively charitable purposes,” in the first paragraph;

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

“This section applies only to obligations and loans contracted before (*insert here the date of coming into force of section 41 of this Act*).”

57. Sections 472, 473 and 474 of the said Act are repealed.

58. Section 485 of the said Act is amended by striking out “, and to the Corporation d’hébergement du Québec”.

59. Section 488.1 of the said Act is repealed.

## SECURITIES ACT

60. Section 41 of the Securities Act (R.S.Q., chapter V-1.1) is amended by striking out “, incorporated under Part III of the Companies Act (chapter C-38)” in subparagraph *c* of paragraph 2.

## CHAPTER VI

### TRANSITIONAL AND FINAL PROVISIONS

61. The Corporation shall remit to the Minister of Finance, on the terms and conditions the latter determines, an amount equal to the Corporation's accumulated assets as at 31 March 1999. The Minister shall subscribe for and pay the Corporation for shares of a value equivalent to that amount for which certificates shall be issued to the Minister.

62. Subject to the provisions determining the conditions of employment applicable to the employees of the Ministère de la Santé et des Services sociaux on (*insert here the date of coming into force of this section*), every employee designated by order in council becomes an employee of the Corporation.

63. Every employee referred to in section 62 shall hold the office and exercise the functions assigned to the employee by the Corporation, subject to the provisions of a collective agreement that are applicable to them.

64. Every employee of the Corporation who, on being appointed to the Corporation, 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 (R.S.Q., chapter F-3.1.1).

65. Section 35 of the Public Service Act applies to an employee referred to in section 64 who enters a competition for promotion to a position in the public service.

66. Every employee referred to in section 64 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 the employee left the public service, as well as the years of experience and the formal training acquired in the course of employment with the Corporation.

If the employee is transferred subsequent to the application of the first paragraph, the deputy minister or the 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 65, the employee's classification must be based on the criteria set out in the first paragraph.

67. Where some or all of the operations of the Corporation are discontinued or if there is a shortage of work, an employee referred to in section 64 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 66.

68. A person who, in accordance with the conditions of employment applicable, refuses to be transferred to the Corporation shall be assigned to it 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 67, who shall remain in the employ of the Corporation.

69. Subject to any remedy available under a collective agreement, an employee referred to in section 64 who is terminated or dismissed may bring an appeal under section 33 of the Public Service Act.

70. The directors of the Corporation in office on (*insert here the date of coming into force of section 1 of this Act*) shall remain in office until the date determined by the Government.

71. The records, documents and archives of the Ministère de la Santé et des Services sociaux relating to the operations within the scope of the mission of the Corporation are transferred to the Corporation.

72. Notwithstanding sections 58 and 59, the Corporation shall continue to be governed by the rules applicable to the awarding of contracts until a regulation is made by the Corporation pursuant to section 29.

73. The provisions of the regulations and by-laws made by the Corporation shall remain applicable to the extent that they are compatible with this Act, until they are repealed, replaced or amended by regulations and by-laws made under this Act.

74. The status of the Corporation is deemed not to have been changed with regard to obligations contracted before (*insert here the date of coming into force of section 1 of this Act*) until full performance of its obligations.

75. The appropriations granted for the fiscal year 1999-2000 to the Ministère de la Santé et des Services sociaux for the financing of the operations within the scope of the mission of the Corporation shall, to the extent determined by the Government, be used for the purposes of this Act.

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

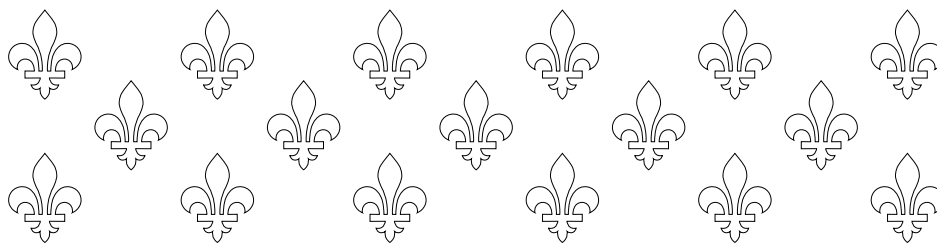
76. As regards loans contracted by the Corporation, not repaid at the time section 1 of this Act comes into force, and for which the payment by instalments provided for in relation to a subsidy granted in the name of the Government by the Minister of Health and Social Services is no longer made, the Corporation shall henceforth assume, in respect of a lender or trust company, the undertakings contracted by the Minister according to the prescribed terms and conditions, including the payment of sums into the sinking funds in accordance with sections 468 and 469 of the Act respecting health services and social services.

For the purposes of the first paragraph, the undertakings of the Minister shall be assumed by the Corporation out of the revenues from the institutions of the health and social services network the financial resources of which are provided for by the Government.

77. The Minister of Health and Social Services is responsible for the administration of this Act.

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





---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 60  
(1999, chapter 35)

**An Act respecting environmental  
assessment of the proposed Churchill  
River hydroelectric development**

---

---

**Introduced 13 May 1999  
Passage in principle 8 June 1999  
Passage 17 June 1999  
Assented to 19 June 1999**

---

**Québec Official Publisher  
1999**

**EXPLANATORY NOTES**

*The object of this bill is to authorize the establishment, pursuant to an agreement, of a single process for the environmental assessment of the proposed Churchill River hydroelectric development.*

*The matters that may be dealt with in the agreement are specified as well as the effect of the agreement on the application of the Environment Quality Act and the regulations.*

*The financing of the implementation of the agreement is also provided for.*



## Bill 60

### AN ACT RESPECTING ENVIRONMENTAL ASSESSMENT OF THE PROPOSED CHURCHILL RIVER HYDROELECTRIC DEVELOPMENT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Minister of the Environment may, in accordance with the law, conclude an agreement with the Government of Canada and the Government of Newfoundland in order to establish a single environmental assessment process for the Churchill River hydroelectric development proposed by Hydro-Québec and Newfoundland and Labrador Hydro (hereinafter referred to as “the Project”).

Any interested Native party may also be a signatory to the agreement.

The agreement must be tabled in the National Assembly within ten days of its conclusion or, if the Assembly is not in session, within ten days of resumption.

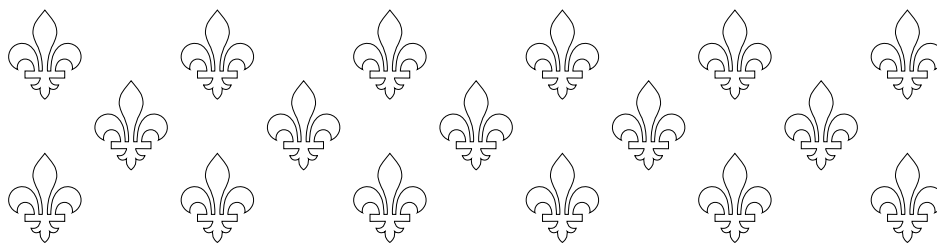
2. The agreement concluded under section 1 may provide for the constitution of a body to be charged with conducting the single environmental assessment of the Project and specify the mode of operation of the body.

The agreement may also, having regard to the requirements of the Environment Quality Act (R.S.Q., chapter Q-2) and the regulations, stipulate conditions for the assessment of the environmental effects of the Project and for the holding, by the body, of public information and consultation sessions and public hearings on the Project.

The provisions of the agreement pertaining to the matters referred to in the first and second paragraphs shall be substituted for the provisions of the Environment Quality Act and the regulations pertaining to the same matters. Thus, the assessment of the environmental effects conducted and the public information and consultation sessions and public hearings held in accordance with the provisions of the agreement are deemed to meet the requirements of that Act and the regulations.

3. The sums required for the implementation of the agreement concluded under section 1 shall be taken out of the consolidated revenue fund, to the extent determined by the Government.

4. The Minister of the Environment is responsible for the administration of this Act.
5. This Act comes into force on the date to be fixed by the Government.



---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 61  
(1999, chapter 36)

## **An Act respecting the Société de la faune et des parcs du Québec**

---

---

**Introduced 13 May 1999**  
**Passage in principle 2 June 1999**  
**Passage 18 June 1999**  
**Assented to 19 June 1999**

---

**Québec Official Publisher**  
**1999**

## EXPLANATORY NOTES

*The “Société de la faune et des parcs du Québec” is established by this bill.*

*The mission of the Société is to oversee the conservation and development of wildlife and the development and management of parks in a manner consistent with sustainable development.*

*The rules governing the operation of the Société and the composition of its board of directors are defined in the bill.*

*The Act respecting the conservation and development of wildlife is amended to transfer certain powers of the Minister responsible for the administration of that Act to the Société, in particular the powers relating to the development of standards and the monitoring of their application and the powers to issue authorizations, licences and permits.*

*The Parks Act and the Act respecting the Saguenay — St. Lawrence Marine Park are amended to transfer certain powers of the minister responsible for the administration of those Acts to the Société as regards the issue of authorizations, licences and permits and control of how standards are applied.*

*Lastly, the bill contains transitional and consequential provisions.*

## LEGISLATION AMENDED BY THIS BILL :

- Act respecting land use planning and development (R.S.Q., chapter A-19.1);
- Health Insurance Act (R.S.Q., chapter A-29);
- Cities and Towns Act (R.S.Q., chapter C-19);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Act respecting the Communauté urbaine de l’Outaouais (R.S.Q., chapter C-37.1);
- Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);

- Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3);
- Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);
- Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., chapter D-13.1);
- Act respecting threatened or vulnerable species (R.S.Q., chapter E-12.01);
- Act respecting the establishment and enlargement of certain waste elimination sites (R.S.Q., chapter E-13.1);
- Executive Power Act (R.S.Q., chapter E-18);
- Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);
- Hydro-Québec Act (R.S.Q., chapter H-5);
- Retail Sales Tax Act (R.S.Q., chapter I-1);
- Taxation Act (R.S.Q., chapter I-3);
- Mining Act (R.S.Q., chapter M-13.1);
- Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (R.S.Q., chapter M-14);
- Act respecting the Ministère de l’Environnement et de la Faune (R.S.Q., chapter M-15.2.1);
- Government Departments Act (R.S.Q., chapter M-34);
- Act respecting the implementation of international trade agreements (R.S.Q., chapter M-35.2);
- Parks Act (R.S.Q., chapter P-9);
- Pesticides Act (R.S.Q., chapter P-9.3);
- Tree Protection Act (R.S.Q., chapter P-37);
- Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01);

- Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., chapter P-41.1);
- Act respecting the artificial inducement of rain (R.S.Q., chapter P-43);
- Environment Quality Act (R.S.Q., chapter Q-2);
- Watercourses Act (R.S.Q., chapter R-13);
- Ecological Reserves Act (R.S.Q., chapter R-26.1);
- Act respecting the Société des établissements de plein air du Québec (R.S.Q., chapter S-13.01);
- Act respecting the Société québécoise d’assainissement des eaux (R.S.Q., chapter S-18.2.1);
- Act respecting the Société québécoise de récupération et de recyclage (R.S.Q., chapter S-22.01);
- Act respecting the sale and distribution of beer and soft drinks in non-returnable containers (R.S.Q., chapter V-5.001);
- Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1);
- Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);
- Act respecting administrative justice (1996, chapter 54);
- Act respecting the Saguenay — St. Lawrence Marine Park (1997, chapter 16);
- Act to provide for the protection of groundwater (1998, chapter 25).

## Bill 61

### AN ACT RESPECTING THE SOCIÉTÉ DE LA FAUNE ET DES PARCS DU QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### CHAPTER I

#### ESTABLISHMENT AND MISSION

1. The “Société de la faune et des parcs du Québec” is hereby established.

The Société may also use the name “Faune et Parcs Québec” or the acronym “FAPAQ”.

2. The Société is a legal person and 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 none but itself when it acts in its own name.

3. The mission of the Société is to oversee the conservation and development of wildlife and wildlife habitats, in a manner consistent with sustainable and harmonious development from a cultural, social, economic and regional standpoint; it shall also oversee, in the same manner, the development and management of parks to allow for conservation, education and the pursuit of recreational activities.

4. In pursuing its mission, the Société shall, in particular,

(1) oversee the management of wildlife harvesting activities within the scope of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1), in particular with regard to the development and application of related standards, and with regard to authorizations, licences, permits and the leasing of exclusive rights;

(2) ensure adequate control of and monitor the use of wildlife resources;

(3) administer the territory within the boundaries of a park pursuant to the Parks Act (R.S.Q., chapter P-9) and the Act respecting the Saguenay — St. Lawrence Marine Park (1997, chapter 16), in particular with regard to authorizations, licences and permits;

- (4) ensure adequate control and protection of parks;
- (5) promote joint action and ensure coordination, in connection with wildlife and wildlife habitats and as concerns park development and management, among and with the partners in the sectors concerned;
- (6) participate, where appropriate, in concerted action regarding the management of forest resources;
- (7) propose policies to the Minister as regards wildlife, wildlife habitats and parks, assume responsibility for their implementation and coordinate their application.

## CHAPTER II

### ORGANIZATION AND OPERATION

5. The head office of the Société shall be located in the territory of the Communauté urbaine de Québec. Notice of the location of the head office shall be published in the *Gazette officielle du Québec*. The Société may hold its meetings at any place in Québec.

6. The affairs of the Société shall be administered by a board of directors composed of 11 members, including the chair of the board and the chief executive officer, appointed by the Government; the members, except the chair of the board and the chief executive officer, shall be appointed after consultation with the persons, organizations or associations concerned.

The function of chief executive officer shall be exercised on a full-time basis.

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

7. The members of the board of directors shall designate from among their number a person to act as chair of the board when the chair of the board is absent or unable to act.

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

The other members of the board shall receive no remuneration except in such cases, on such conditions and to such extent as may be 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.



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

A vacancy occurring before the expiry of a member's term shall be filled in the manner and for the time specified in section 6.

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

10. The quorum at meetings of the board of directors is the majority of its members, including 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 chair of the board of directors shall call and preside at 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.

12. The chief executive officer is responsible for the administration and direction of the Société within the scope of its by-laws and policies.

13. 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.

14. The members of the board 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. The participants are, in such a case, deemed to have attended the meeting.

15. 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.

16. The Government may appoint up to three vice-chairs of the Société for a term not exceeding five years; the vice-chairs shall hold office on a full-time basis.

The Government shall determine the remuneration, employment benefits and other conditions of employment of the vice-chairs of the Société.

17. The secretary and the other members of the personnel of the Société shall be appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

The chief executive officer shall exercise in that regard the powers assigned by the Public Service Act to a chief executive officer.

18. The Société may make by-laws concerning its internal management.

19. The minutes of meetings of the board of directors, approved by the board and certified by the chair of the board, the chief executive officer, the secretary or any other person so authorized by the by-laws of the Société, are authentic, as are documents and copies emanating from the Société or forming part of its records where so certified.

20. An intelligible transcription of a decision or other data stored by the Société on a computer or on any other computer storage medium is a document of the Société and is proof of its contents where certified true by a person referred to in section 19.

21. A document is binding on the Société or may be attributed to it only if it is signed by the chief executive officer, the chair of the board, the secretary or another member of the board or, in the cases determined in a by-law of the Société, by a member of the Société's personnel or by the holder of a position.

22. The internal by-laws of the Société may allow, subject to the conditions and on the documents determined therein, 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 has the same force as the signature itself only if the document is countersigned by a person referred to in section 19.

23. The members of the board of directors of the Société or its personnel, and the holders of a position may not be prosecuted by reason of an official act performed in good faith in the exercise of their functions.

### **CHAPTER III**

#### **POWERS**

24. The Société may, according to law, enter into an agreement with a government other than that of Québec, with a department of such a government, with an international organization or with a body of such a government or organization.

25. The Société 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 Government may prescribe that one of the provisions of the first paragraph applies to all subsidiaries of the Société or to only one of them.

However, the provisions of the first paragraph do not apply to transactions between the Société and its subsidiaries or between the subsidiaries.

26. The Société may, by by-law, delegate the exercise of its powers or functions to the chief executive officer, a member of its personnel or the holder of a position designated in the by-law.

## **CHAPTER IV**

### **ACCOUNTS AND REPORTS**

27. The fiscal year of the Société ends on 31 March.

28. 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.

29. The Minister shall table the report of operations and financial statements of the Société in the National Assembly within 30 days of receiving them or, if the Assembly is not sitting, within 30 days of resumption.

30. The Société shall formulate, according to the form, content and intervals fixed by the Government, a development plan that must, where applicable, include the operations of its subsidiaries. The plan must be submitted to the Government for approval and reflect all the functions specified in section 4.

31. The books and accounts of the Société shall be audited by the Auditor General each year and whenever so ordered by the Government.

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

32. The Société shall communicate to the Minister any information required by the Minister concerning its operations.

## **CHAPTER V**

### **FUNDING**

33. The sums required for the purposes of this Act shall be taken out of the appropriations voted annually for that purpose by the National Assembly.

34. The Société may collect, in particular, the fees for the issue, modification or renewal of licences and permits.

The sums collected by the Société shall be paid into the consolidated revenue fund. They constitute, for all intents, an appropriation for the fiscal year in which they are paid into the consolidated revenue fund, to the extent and on the terms and conditions determined by the Government.

## **CHAPTER VI**

### **POWERS OF THE MINISTER**

35. The Minister may issue directives concerning the policy and general objectives to be pursued by the Société.

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 Société, and the Société must comply with them.

Every directive shall be tabled before the National Assembly within 15 days of being approved by the Government or, if the Assembly is not sitting, within 15 days of resumption.

36. The Minister may designate public servants to assist the Minister in exercising the powers and functions conferred on the Minister by this Act; they shall be appointed and remunerated in accordance with the Public Service Act.

## **CHAPTER VII**

### **AMENDING PROVISIONS**

#### **HEALTH INSURANCE ACT**

37. Section 65 of the Health Insurance Act (R.S.Q., chapter A-29), amended by section 128 of chapter 63 of the statutes of 1997, section 90 of chapter 73 of the statutes of 1997 and section 180 of chapter 39 of the statutes of 1998, is again amended by striking out “Ministère de l’Environnement et de la Faune” in the fifth paragraph and by inserting “, the Société de la faune et des parcs du

Québec established under section 1 of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36)” after “Société de l’assurance automobile du Québec” in the same paragraph.

#### ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

38. The Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1) is amended by inserting the following section after section 1.1 :

“1.1.2. In this Act, “Société” means the Société de la faune et des parcs du Québec, established under section 1 of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36)”.

39. Section 2 of the said Act is repealed.

40. Section 4 of the said Act, amended by section 1 of chapter 95 of the statutes of 1997, is replaced by the following section :

“4. The Minister may designate public servants to assist the Minister in exercising the powers and functions conferred on the Minister by this Act; they shall be appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

The Minister may also, for the same purpose, assign a mandate to the Société or to any other person or partnership.”

41. Section 8 of the said Act, replaced by section 2 of chapter 62 of the statutes of 1996, is amended

(1) by replacing “Minister” in the first, third and fifth lines of the first paragraph by “Société”;

(2) by replacing “Minister” in the second line of the fourth paragraph by “Société”.

42. Section 8.1 of the said Act is amended by replacing “Minister of the Environment and Wildlife” in the third line by “Société”.

43. Section 11 of the said Act is replaced by the following section :

“11. The Government may authorize the Minister to expropriate an immovable or a real right necessary for wildlife conservation or management or for the conservation of a wildlife habitat.”

44. Section 12 of the said Act is amended by inserting “the Société or a person acting on behalf of the Société,” after “Minister,” in the first line of the first paragraph.

45. Section 13.1 of the said Act, amended by section 8 of chapter 62 of the statutes of 1996, is again amended by replacing “Minister” in the second paragraph by “Société”.

46. Section 17 of the said Act, amended by section 48 of chapter 62 of the statutes of 1996, is again amended by replacing “Minister” in the second line by “Société”.

47. Section 22 of the said Act is amended by replacing “Minister” in the first line of the second paragraph by “Société”.

48. Section 24 of the said Act is amended by replacing “Minister” in the fourth line by “Société”.

49. Section 26 of the said Act is amended by replacing “Minister” in the first line of the third paragraph by “Société”, and by replacing “he” in that first line by “it”.

50. Section 26.1 of the said Act, replaced by section 1 of chapter 29 of the statutes of 1998, is amended by replacing “Minister” in the third line of the first paragraph and in the second line of the second paragraph by “Société”.

51. Section 36 of the said Act is amended

(1) by striking out the comma after “privé” in the first line of the French text of the first paragraph;

(2) by striking out “a member of an organization accredited by the Minister or if the owner is” in the second and third lines of the first paragraph;

(3) by replacing “Minister” in the third line of the first paragraph by “Société”;

(4) by replacing “The document evidencing the accreditation or” in the first line of the second paragraph by “The”.

52. Section 37 of the said Act is amended by replacing “Minister” in the first line by “Société”.

53. Section 44 of the said Act is amended by replacing “Minister” in the first line by “Société”.

54. Section 47 of the said Act, amended by section 2 of chapter 95 of the statutes of 1997 and by section 2 of chapter 29 of the statutes of 1998, is again amended

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

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

“The holder of the licence must comply with the conditions specified by the Société or, as the case may be, by the Minister, on the licence.”

55. Section 54 of the said Act is amended

(1) by replacing “Minister” in the first line of the first paragraph by “Société”, by replacing “he” in the first line of the first paragraph by “it” and by replacing “Minister” in the third line of the first paragraph by “Société”;

(2) by replacing “Minister” in the first line of the third paragraph by “Société”.

56. Section 54.1 of the said Act, replaced by section 7 of chapter 29 of the statutes of 1998, is amended by replacing “Minister” in the first line by “Société”.

57. Section 56 of the said Act, amended by section 8 of chapter 29 of the statutes of 1998, is again amended

(1) by replacing “Minister” in the second paragraph by “Société”;

(2) by replacing “Minister” in the fourth paragraph by “Société”;

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

“A regulation made by the Société under this section must be submitted to the Minister for approval.”

58. Section 56.1 of the said Act, replaced by section 9 of chapter 29 of the statutes of 1998, is amended by replacing “Minister” wherever it occurs in the first line by “Société”.

59. Section 58 of the said Act is amended by replacing “Minister” and “he” in the first line of the first paragraph by “Société” and “it”, respectively, and by inserting “du troisième alinéa” before “de l’article 56” in the fifth line of the first paragraph of the French text.

60. Section 70.1 of the said Act is amended by replacing “Minister” in the first line of the first paragraph by “Société”.

61. Section 73 of the said Act, amended by section 11 of chapter 29 of the statutes of 1998, is again amended by replacing “Minister” in the third line of paragraph 6 by “Société”.

62. Section 74 of the said Act is amended by replacing “Minister” in the first line of the first paragraph and in the second line of the second paragraph by “Société”.

63. Section 75 of the said Act, amended by section 208 of chapter 43 of the statutes of 1997, is again amended

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

(2) by replacing “Minister” in the fourth line of the first paragraph by “Société”;

(3) by replacing “Minister” in the fifth line of the first paragraph by “Société”;

(4) by replacing “Minister” in the second and fifth lines of the second paragraph by “Société”.

64. Section 76 of the said Act is amended by replacing “Minister” in the first and second lines by “Société”.

65. Section 78 of the said Act is amended by adding the following paragraph:

“For the purposes of this section and of section 77, “Minister” means the minister designated by the Government as the minister responsible for the administration of those sections.”

66. Section 79 of the said Act is amended by replacing “Minister” in the first line by “Société”.

67. Section 80 of the said Act is amended by replacing “Government” in the first line by “Société” and “the Minister of Justice” in the fifth line by “it”.

68. Section 81 of the said Act is amended

(1) by replacing “Government” in the first line of the first paragraph by “Société”;

(2) by striking out “, in the opinion of the Minister of Justice or according to a judgment of the court,” in the first and second lines of the first paragraph;

(3) by replacing “Government” in the fifth line of the first paragraph by “Société”;

(4) by replacing “Government” in the first line of the second paragraph by “Société”.

69. Section 82 of the said Act is amended by replacing “Minister of Justice” in the second line by “Société” and “Government” in the fourth line by “Société”.



70. Section 84.1 of the said Act, enacted by section 12 of chapter 29 of the statutes of 1998, is amended by replacing “Minister” in the first line of the first and second paragraphs by “Société”.

71. Section 84.3 of the said Act, enacted by section 12 of chapter 29 of the statutes of 1998, is amended by replacing “An order made by the Minister under section 84.1 or 84.2” in the first line by “A decision made by the Société under section 84.1 or an order made by the Minister under section 84.2”.

72. Section 86 of the said Act is amended

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

(2) by replacing “He” in the first line of the second paragraph by “The Société”.

73. Section 86.1 of the said Act is amended by replacing “Minister” and “he” in the sixth line of the first paragraph by “Société” and “it”, respectively.

74. Section 86.2 of the said Act, amended by section 14 of chapter 29 of the statutes of 1998, is again amended by replacing “Minister” in the fourth line of the first paragraph by “Société”.

75. Section 87 of the said Act is amended by replacing “Minister” in the seventh line by “Société”.

76. Section 89 of the said Act, amended by section 15 of chapter 29 of the statutes of 1998, is again amended by replacing “Minister” in the second line by “Société”.

77. Section 90 of the said Act is amended by replacing “Minister” in the first line by “Société”.

78. Section 91 of the said Act is amended

(1) by replacing “Minister” in the second and third lines of the first paragraph by “Société”;

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

(3) by replacing “Minister” in the second line of the third paragraph by “Société”.

79. Section 92 of the said Act is amended by replacing “Minister” in the second line by “Société”.

80. Section 93 of the said Act, amended by section 16 of chapter 29 of the statutes of 1998, is again amended by replacing “Minister” in the second line of the first paragraph by “Société”.

81. Section 94 of the said Act is amended by replacing “Minister” in the second and third lines of the first paragraph by “Société”.

82. Section 95 of the said Act is amended by replacing “Minister” in the first and fourth lines of the second paragraph by “Société”.

83. Section 102 of the said Act is amended by replacing “Minister” in paragraph 7 by “Société”.

84. Section 105 of the said Act is amended by replacing “Minister” in the third line by “Société”.

85. Section 106 of the said Act is amended

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

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

(3) by replacing “He” in the fourth line of the second paragraph by “It”.

86. Section 107 of the said Act is amended

(1) by replacing “Minister” in the first line of the first paragraph by “Société” and “he” in the first and second lines of the first paragraph by “it”;

(2) by replacing “Minister may, without obtaining authorization under section 11,” in the first line of the second paragraph by “Société may”;

(3) by replacing “he” in the third line of the second paragraph by “it”;

(4) by replacing “Minister” and “he” in the first line of the third paragraph by “Société” and “it”, respectively.

87. Section 108 of the said Act is repealed.

88. Section 109 of the said Act is amended

(1) by replacing “Minister” in the first line by “Société” and “he” in the second line by “it”;

(2) by striking out “, by order,” in the third line.

89. Section 110.1 of the said Act is amended

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

(2) by replacing “Minister” in the second line of the third paragraph by “Société”.

90. Section 110.2 of the said Act is amended

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

(2) by replacing “Minister” in the first line of the second and third paragraphs by “Société”.

91. Section 112 of the said Act is amended by replacing “Minister” in the third line by “Société”.

92. Section 118 of the said Act is amended

(1) by replacing “Minister” in the first line of the first paragraph by “Société” and “he” in the first and second lines of the first paragraph by “it”;

(2) by replacing “He” and “he” in the first and fourth lines of the second paragraph by “The Société” and “it”, respectively.

93. Section 119 of the said Act is amended by replacing “Minister” in the sixth line by “Société”.

94. Section 120 of the said Act is amended

(1) by replacing “Minister” in the first line by “Société” and “he” in the second line by “it”;

(2) by striking out “, by order,” in the third line.

95. Section 120.1 of the said Act is amended by replacing “Minister” in the first line by “Société” and “him” in the third line by “it”.

96. Section 122 of the said Act, amended by section 20 of chapter 29 of the statutes of 1998, is again amended by replacing the first paragraph by the following paragraph:

“122. The Minister may establish on lands in the domain of the State, on private lands or on both, after consulting the Minister of Natural Resources in the case of lands in the domain of the State, a wildlife preserve the resources whereof may be used on conditions fixed with a view to preserving the wildlife habitat or the habitat of a species of wildlife.”

97. Section 123 of the said Act is amended by replacing “Minister” in the third line by “Société”.

98. Section 124 of the said Act is repealed.

99. Section 126 of the said Act is amended

(1) by replacing “Minister” in the first line and “he” in the second line by “Société” and “it”, respectively;

(2) by striking out “, by order,” in the third line.

100. Section 127 of the said Act is amended

(1) by replacing “Minister” and “he” in the first line and “he” in the second line of the first paragraph by “Société”, “it” and “it”, respectively;

(2) by replacing “Minister” and “he” in the first line and “He” and “he” in the fourth line of the second paragraph by “Société”, “it”, “The Société” and “it”, respectively.

101. Section 128 of the said Act is amended by replacing “Minister” in the second line by “Société”.

102. Section 128.4 of the said Act is amended by replacing “Minister” by “Société”, “he prepares” by “prepared by the Minister” and “he shall transmit” by “it shall transmit”.

103. Section 128.5 of the said Act is amended by replacing “The Minister shall” by “The Société shall”.

104. Section 128.6 of the said Act, amended by section 21 of chapter 29 of the statutes of 1998, is again amended by inserting “the Société,” after “authorized by” in subparagraph 3 of the second paragraph.

105. Section 128.7 of the said Act is amended

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

(2) by replacing “He” and “he” in the first line of the second paragraph by “The Société” and “it”, respectively;

(3) by replacing “Minister” in the first line of the third paragraph by “Société”.

106. Section 128.9 of the said Act is amended by striking out the second paragraph.

107. Section 128.10 of the said Act is amended

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

(2) by replacing “Minister”, “he” and “his” in the first line of the second paragraph by “Société”, “it” and “its”, respectively.

108. Section 128.11 of the said Act is amended by replacing “Minister” and “he” in the first line and “his” in the second line by “Société”, “it” and “its”, respectively.

109. Section 128.12 of the said Act is amended by replacing “Minister” in the first line by “Société, or the Minister in the cases referred to in sections 128.8 and 128.9,”.

110. Section 128.13 of the said Act is amended by replacing “Minister” in the second line by “Société, or the Minister in the cases referred to in sections 128.8 and 128.9,”.

111. Section 128.14 of the said Act, amended by section 209 of chapter 43 of the statutes of 1997, is again amended by replacing “Minister” in the second line by “Société, or the Minister in the cases referred to in sections 128.8 and 128.9”.

112. Section 128.15 of the said Act, amended by section 210 of chapter 43 of the statutes of 1997, is again amended

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

(2) by replacing “Minister” in the second and fourth lines of the fourth paragraph by “Société”;

(3) by replacing “Minister” in the second line of the fifth paragraph by “Société”;

(4) by adding the following paragraph:

“The Minister may, in the cases referred to in sections 128.8 and 128.9, make an order under the first paragraph in accordance with the conditions set out in this section.”

113. Section 128.16 of the said Act is amended

(1) by replacing “Minister” in the first line, “he” in the second line and “his” in the third line of the first paragraph by “Société”, “it” and “its”, respectively;

(2) by replacing “Minister” in the first line of the third paragraph by “Société”.

114. Section 128.17 of the said Act is amended by replacing “Minister” in the first line by “Société”.

115. Section 128.18 of the said Act is amended by replacing “Minister” in the second line of paragraph 3 by “Société or the Minister in the cases referred to in sections 128.8 and 128.9”.

116. Section 155.1 of the said Act is amended by replacing “Minister” by “Société” and “he” by “the Société”.

117. Section 155.2 of the said Act is amended by replacing “Minister” in the first and second paragraphs by “Société” and “he” in the second paragraph by “the Société”.

118. Section 164 of the said Act, replaced by section 23 of chapter 29 of the statutes of 1998, is amended by replacing “Minister” in the first line by “Société”.

119. Section 171.3 of the said Act is amended by replacing “Minister” in the first and third lines of the second paragraph by “Société”.

120. Section 171.5 of the said Act is amended

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

(2) by replacing “Minister” in the first line of the second paragraph by “Société”.

121. Section 175 of the said Act is amended by replacing “Minister” in the second line of the third paragraph by “Société”.

122. Section 177 of the said Act, amended by section 211 of chapter 43 of the statutes of 1997, is again amended

(1) by replacing “Minister” in the first line of the first, second and third paragraphs by “Société”;

(2) by replacing “Minister” in the fourth line of the second paragraph by “Société”.

123. Section 188 of the said Act is repealed.

124. Section 191.1 of the said Act, amended by section 27 of chapter 29 of the statutes of 1998, is again amended by striking out “of the Environment and Wildlife” in the second line of the second paragraph.

125. Section 192 of the said Act is amended by replacing “Minister of the Environment and Wildlife” by “minister designated by the Government”.

#### ACT RESPECTING HUNTING AND FISHING RIGHTS IN THE JAMES BAY AND NEW QUÉBEC TERRITORIES

126. Section 1 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., chapter D-13.1) is amended by replacing “Minister of Environment and Wildlife” in paragraph *o* by “minister designated by the Government”.

127. The said Act is amended by inserting the following sections after section 101 :

“101.1. The Minister may designate public servants to assist the Minister in exercising the powers and functions conferred on the Minister by this Act; they shall be appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

The Minister may also, for the same purpose, assign a mandate to the Société de la faune et des parcs du Québec, established under section 1 of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36), or to any other person or partnership.

“101.2. A document is binding on the Minister or may be attributed to the Minister only if it is signed by the Minister or by a public servant designated by the Minister and, in the latter case, only to the extent determined by the Minister.”

#### ACT RESPECTING THREATENED OR VULNERABLE SPECIES

128. Section 6 of the Act respecting threatened or vulnerable species (R.S.Q., chapter E-12.01) is amended

(1) by striking out “and Wildlife” in the first line of the first and second paragraphs;

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

“With regard to species of wildlife, the policy shall be proposed jointly with the minister designated by the Government, and implemented by that minister.”

129. Section 7 of the said Act is amended by replacing “and Wildlife may” in the first line by “or the minister designated by the Government may, according to their respective responsibilities,”.

130. Section 9 of the said Act is amended by replacing “and Wildlife, by order, may establish” in the first line of the first paragraph by “and the minister designated by the Government may establish jointly, by order,”.

131. Section 10 of the said Act is amended by replacing “recommendation of the Minister of the Environment and Wildlife” in the first and second lines by “joint recommendation of the Minister of the Environment and the minister designated by the Government”.

132. Section 11 of the said Act is amended by replacing “Minister of the Environment and Wildlife” in the second and third lines by “minister designated by the Government”.

133. Sections 8, 12 to 19, 23, 25, amended by section 231 of chapter 43 of the statutes of 1997, 26, 28, 29, 33, 39, 41 and 47 of the said Act are amended by striking out the words “and Wildlife” wherever they appear.

134. Section 57 of the said Act is replaced by the following section :

“57. The Minister of the Environment is responsible for the administration of this Act, except where it applies to the protection and management of wildlife species and their habitats ; the administration of the provisions relating to wildlife species and their habitats shall be under the responsibility of the minister designated by the Government.

The latter minister may designate public servants to assist the minister in exercising the powers and functions conferred on the minister by this Act ; they shall be appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

The latter minister may also, for the same purpose, assign a mandate to the Société de la faune et des parcs du Québec, established under section 1 of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36), or to any other person or partnership.”

#### ACT TO SECURE THE HANDICAPPED IN THE EXERCISE OF THEIR RIGHTS

135. Section 7 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1), amended by section 128 of chapter 63 of the statutes of 1997, is again amended by striking out “, the Deputy Minister of Environment and Wildlife”.

#### ACT RESPECTING THE MINISTÈRE DE L'ENVIRONNEMENT ET DE LA FAUNE

136. The title of the Act respecting the Ministère de l'Environnement et de la Faune (R.S.Q., chapter M-15.2.1) is amended by striking out “et de la Faune”.

137. Sections 1 and 2 of the said Act are amended by striking out the words “et de la Faune” and “and Wildlife” wherever they occur.



138. Section 10 of the said Act is amended by striking out “and Wildlife” and “and the conservation and development of wildlife habitats”.

139. Section 11 of the said Act is amended

(1) by striking out subparagraph 3 of the first paragraph;

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

“(4) the establishment and management of ecological reserves;”;

(3) by striking out “animal and” in subparagraph 5 of the first paragraph.

140. Section 15 of the said Act is amended by striking out “et de la Faune”.

#### PARKS ACT

141. Section 1 of the Parks Act (R.S.Q., chapter P-9) is amended by replacing “Minister of the Environment and Wildlife” in paragraph *a* by “minister designated by the Government”.

142. The said Act is amended by inserting the following section after section 1:

“1.1. In this Act, “Société” means the Société de la faune et des parcs du Québec, established under section 1 of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36).”

143. Section 6 of the said Act is amended by replacing “Minister” in the first line of the first paragraph by “Société” and “He” in the first line of the second paragraph by “The Société”.

144. Section 6.1 of the said Act is amended by replacing “Minister” in the third and fourth lines by “Société”.

145. Section 7 of the said Act is amended by replacing “Minister” in the fourth line of the second paragraph by “Société”.

146. Section 8 of the said Act is amended by replacing “Minister” in the third line by “Société”.

147. Section 8.1 of the said Act is amended by replacing “Minister” and “his” in the second line of the first paragraph by “Société” and “its”, respectively.

148. Section 8.2 of the said Act is amended by replacing “Minister” in the first line by “Société”.

149. Section 9.1 of the said Act is amended by replacing “Minister” in the first line of subparagraph *a* of the first paragraph by “Société”.

150. The said Act is amended by inserting the following section after section 15:

“15.1. The Minister may designate public servants to assist the Minister in exercising the powers and functions conferred on the Minister by this Act; they shall be appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

The Minister may also, for the same purpose, assign a mandate to the Société or to any other person or partnership.”

#### ACT RESPECTING THE SOCIÉTÉ DES ÉTABLISSEMENTS DE PLEIN AIR DU QUÉBEC

151. Section 4 of the Act respecting the Société des établissements de plein air du Québec (R.S.Q., chapter S-13.01) is amended

(1) by replacing “seven” in the second line by “nine”;

(2) by replacing “six” in the first line of paragraph 2 by “eight”.

#### ACT RESPECTING THE SAGUENAY—ST. LAWRENCE MARINE PARK

152. Section 3 of the Act respecting the Saguenay—St. Lawrence Marine Park (1997, chapter 16) is amended

(1) by replacing “Minister of the Environment and Wildlife” in subparagraph 3 of the first paragraph by “minister responsible for the administration of this Act”;

(2) by adding, at the end of the second paragraph, “and “Société” means the Société de la faune et des parcs du Québec established under section 1 of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36)”.

153. Section 11 of the said Act is amended by replacing “Minister” in the first line of the first paragraph by “Société”.

154. Section 12 of the said Act is amended by replacing “Minister” and “he” by “Société” and “it”, respectively.

155. Section 13 of the said Act is replaced by the following section:

“13. The Société shall appoint a park superintendent. The superintendent shall, under the authority of the Société, exercise the powers and perform the duties assigned to the Société under this Act that the Société delegates to the superintendent.”

156. The said Act is amended by inserting the following section after section 23:

“23.1. The Minister may designate public servants to assist the Minister in exercising the powers and functions conferred on the Minister by this Act; they shall be appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

The Minister may also, for the same purpose, assign a mandate to the Société or to any other person or partnership.”

157. Section 24 of the said Act is amended by replacing “Minister of the Environment and Wildlife” by “minister designated by the Government”.

## CHAPTER VII

### TRANSITIONAL AND FINAL PROVISIONS

158. The words “Minister of the Environment and Wildlife”, “Deputy Minister of the Environment and Wildlife” and “Ministère de l’Environnement et de la Faune”, wherever they occur in the following provisions, are replaced by “Minister of the Environment”, “Deputy Minister of the Environment” and “Ministère de l’Environnement”, respectively :

(1) sections 165.2 and 227.1 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1);

(2) section 412 of the Cities and Towns Act (R.S.Q., chapter C-19);

(3) article 555 of the Municipal Code of Québec (R.S.Q., chapter C-27.1);

(4) sections 113, 114, 115, 118 and 126 of the Act respecting the Communauté urbaine de l’Outaouais (R.S.Q., chapter C-37.1);

(5) sections 133, 141, 142, 143, 144, 151.0.1 and 151.2 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);

(6) sections 126, 127, 128, 130, 136 and 136.2 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3);

(7) section 2 of the Act respecting the establishment and enlargement of certain waste elimination sites (R.S.Q., chapter E-13.1);

(8) section 4 of the Executive Power Act (R.S.Q., chapter E-18);

- (9) section 32 of the Hydro-Québec Act (R.S.Q., chapter H-5);
- (10) section 18.2 of the Retail Sales Tax Act (R.S.Q., chapter I-1);
- (11) section 710.0.1 of the Taxation Act (R.S.Q., chapter I-3);
- (12) sections 122, 156, 164, 206, 232.5 and 232.11 of the Mining Act (R.S.Q., chapter M-13.1);
- (13) section 2 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., chapter M-14);
- (14) section 1 of the Government Departments Act (R.S.Q., chapter M-34);
- (15) section 7 of the Act respecting the implementation of international trade agreements (R.S.Q., chapter M-35.2);
- (16) sections 8, 128 and 132 of the Pesticides Act (R.S.Q., chapter P-9.3);
- (17) section 1 of the Tree Protection Act (R.S.Q., chapter P-37);
- (18) sections 10 and 36 of the Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01);
- (19) section 79.10 of the Act to preserve agricultural land and agricultural activities (R.S.Q., chapter P-41.1), as replaced by section 47 of chapter 26 of the statutes of 1996;
- (20) section 1 of the Act respecting the artificial inducement of rain (R.S.Q., chapter P-43);
- (21) sections 1, 116.1 and 118.4 of the Environment Quality Act (R.S.Q., chapter Q-2);
- (22) sections 1, 2, 2.2, 7, 8, 23, 24, 34, 35, 40, 41, 58, 59, 65, 73, 74, 81 and 84 and the forms of the Watercourses Act (R.S.Q., chapter R-13);
- (23) sections 2, 4, 6 and 23 of the Ecological Reserves Act (R.S.Q., chapter R-26.1);
- (24) sections 24 and 27 of the Act respecting the Société québécoise d'assainissement des eaux (R.S.Q., chapter S-18.2.1);
- (25) section 42 of the Act respecting the Société québécoise de récupération et de recyclage (R.S.Q., chapter S-22.01);
- (26) sections 2 and 10 of the Act respecting the sale and distribution of beer and soft drinks in non-returnable containers (R.S.Q., chapter V-5.001);

(27) section 21 of the Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1);

(28) section 20 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);

(29) Schedule III to the Act respecting administrative justice (1996, chapter 54);

(30) sections 1 and 2 of the Act to provide for the protection of groundwater (1998, chapter 25).

159. The words “Minister of the Environment and Wildlife”, wherever they occur in the following provisions, are replaced by the words “minister designated by the Government as the minister responsible for the administration of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36)”:

(1) section 207 of the Forest Act (R.S.Q., chapter F-4.1), renumbered as section 28.2 by section 37 of chapter 55 of the statutes of 1993;

(2) section 1 of the Act respecting Mauricie Park and its surroundings (R.S.Q., chapter P-7);

(3) sections 1, 3 and 5 of the Act respecting Forillon Park and its surroundings (R.S.Q., chapter P-8);

(4) sections 7 and 19 of the Act respecting the support program for Inuit beneficiaries of the James Bay and Northern Québec Agreement for their hunting, fishing and trapping activities (R.S.Q., chapter P-30.2).

160. Unless otherwise indicated by the context and subject to such modifications as are necessary, in every other Act and in every regulation, order in council, order, proclamation, authorization, ordinance, contract, lease, agreement, accord or other legal deed or document,

(1) the words “Minister of the Environment and Wildlife”, “Deputy Minister of the Environment and Wildlife” or “Ministère de l’Environnement et de la Faune” are replaced, according to the subject matter concerned, respectively by “Minister of the Environment”, “Deputy Minister of the Environment” or “Ministère de l’Environnement”, “minister designated by the Government as the minister responsible for the administration of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36)” or “Société de la faune et des parcs du Québec established under section 1 of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36)”;

(2) the words “minister responsible for Wildlife and Parks” are replaced, according to the subject matter concerned, by “minister designated by the Government as the minister responsible for the administration of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36)”

or “Société de la faune et des parcs du Québec established under section 1 of the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36)”;

(3) a reference to the Act respecting the Ministère de l’Environnement et de la Faune or to a provision of that Act is, according to the subject matter concerned, a reference to the Act respecting the Ministère de l’Environnement or the Act respecting the Société de la faune et des parcs du Québec (1999, chapter 36) or to the corresponding provision of either of those Acts.

161. The files, documents and records of the minister designated by the Government as the minister responsible for wildlife and parks shall, according to the subject matter concerned, become the files, documents and records of the Société de la faune et des parcs du Québec or of the minister designated by the Government as the minister responsible for the administration of this Act.

162. The civil proceedings to which the Attorney General of Québec is a party in connection with files transferred to the Société de la faune et des parcs du Québec shall be continued by or against the Attorney General.

163. Appropriations granted, for the fiscal year 1999-2000, to the Wildlife and Parks portfolio shall be, to the extent and according to the terms and conditions determined by the Government, used for the purposes of the administration of this Act.

164. All employees of the Ministère de l’Environnement et de la Faune who exercise functions in connection with wildlife and parks on (*insert here the date of coming into force of this section*) and who are designated by government order shall, subject to the conditions of employment applicable to them, become employees of the Société de la faune et des parcs du Québec.

165. All employees of the Ministère de la Justice who are exercising functions on (*insert here the date of coming into force of this section*) and who are designated by government order shall, subject to the conditions of employment applicable to them, become employees of the Société de la faune et des parcs du Québec.

166. The order made by the Minister of the Environment and Wildlife on 31 August 1998 under section 4 of the Act respecting the conservation and development of wildlife shall remain in force until replaced or repealed by a by-law of the Société de la faune et des parcs du Québec under section 26 of this Act.

167. The rules governing the signing of certain documents of the Ministère de l’Environnement et de la Faune and concerning the wildlife and parks sectors, made by Order in Council 677-95 dated 17 May 1995, shall remain in force until replaced or repealed by a by-law of the Société de la faune et des parcs du Québec under section 21 of this Act.

168. All regulations or by-laws made by the Minister under section 26.1, 54.1 or 56, or the second paragraph of section 110.2 of the Act respecting the conservation and development of wildlife before (*insert here the date of coming into force of this section*) shall remain in force until replaced or repealed by a by-law of the Société de la faune et des parcs du Québec made under those sections.

All orders made by the Minister under sections 84.1 and 120.1 of the said Act before (*insert here the date of coming into force of this section*) shall remain in force until replaced or repealed by a decision of the Société de la faune et des parcs du Québec made under those sections.

169. The Government may, by regulation, enact any other transitional provisions necessary for the carrying out of this Act.

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

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







---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 69  
(1999, chapter 37)

## **An Act to amend the Act respecting prescription drug insurance**

---

---

**Introduced 11 June 1999**  
**Passage in principle 15 June 1999**  
**Passage 17 June 1999**  
**Assented to 19 June 1999**

---

**Québec Official Publisher**  
**1999**

### EXPLANATORY NOTES

*This bill amends the basic drug insurance plan to exempt from the payment of any contribution persons receiving benefits under a last resort assistance program or over 60 and under 65 years of age who hold a valid claim booklet issued under the Health Insurance Act, where they have a severely limited capacity for employment.*

*The bill also specifies that the list of medications whose cost is covered by the basic plan will be drawn up by the Minister in a regulation. The cases in which, conditions on which and therapeutic indications for which the cost of certain medications will be covered by the basic plan will now be determined in a regulation made by the Minister, rather than by the Government.*

## Bill 69

### AN ACT TO AMEND THE ACT RESPECTING PRESCRIPTION DRUG INSURANCE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 8 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01) is amended

(1) by replacing “drawn up by the Minister” in the third line of the first paragraph by “drawn up by the Minister in a regulation made”;

(2) by striking out “, specified by government regulation,” in the fifth and sixth lines of the first paragraph;

(3) by replacing, in the French text, “par ce” in the last line of the first paragraph by “par le”.

2. Section 28 of the said Act, amended by section 1 of chapter 38 of the statutes of 1997, is again amended by adding “, unless they are exempted pursuant to section 29” at the end of subparagraph 2 of the first paragraph.

3. Section 29 of the said Act is amended by adding the following paragraph at the end :

“The following persons are also exempted from the payment of any contribution :

(1) persons referred to in paragraph 2 of section 15, where they have a severely limited capacity for employment within the meaning of section 25 of the Act respecting income support, employment assistance and social solidarity (1998, chapter 36), and the spouse of such a person within the meaning of that Act;

(2) persons referred to in paragraph 3 of section 15, where they have a severely limited capacity for employment within the meaning of section 25 of the Act respecting income support, employment assistance and social solidarity.”

4. Section 60 of the said Act is amended

(1) by inserting “and update periodically, by regulation, after consulting the Conseil consultatif de pharmacologie,” after “draw up” in the first line of the first paragraph;

(2) by replacing the fifth paragraph by the following paragraphs:

“The list shall also contain exceptional medications the cost of which is covered by the basic plan in the cases, on the conditions and for the therapeutic indications determined in a regulation made by the Minister; 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.

A regulation made under this section is not subject to the requirements concerning publication and date of coming into force contained in sections 8 and 17 of the Regulations Act (chapter R-18.1). The regulation shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed in the regulation.”

5. Section 61 of the said Act is repealed.

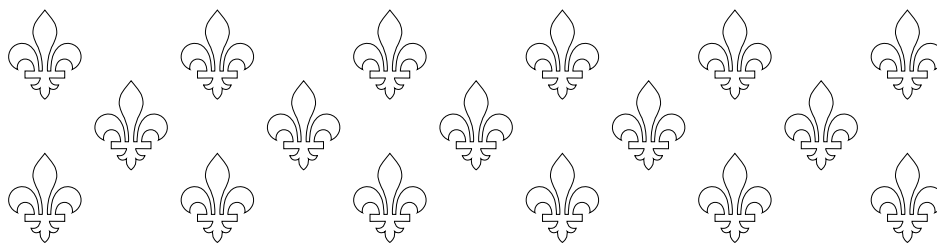
6. Section 78 of the said Act is amended by striking out subparagraph 3 of the first paragraph.

7. Section 79 of the said Act is repealed.

8. Section 80 of the said Act is amended by inserting “Besides any regulation made under section 60,” at the beginning.

9. Until the date of coming into force of section 25 of the Act respecting income support, employment assistance and social solidarity (1998, chapter 36), the reference to that section in subparagraphs 1 and 2 of the second paragraph of section 29 of the Act respecting prescription drug insurance, enacted by section 3 of this Act, shall be read as a reference to paragraph 1 of section 6 of the Act respecting income security (R.S.Q., chapter S-3.1.1).

10. The provisions of this Act come into force on the date or dates to be fixed by the Government, except the provisions of sections 2, 3 and 9, which come into force on 1 October 1999.



---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 71  
(1999, chapter 38)

## **An Act respecting the transport of bulk material under municipal contracts**

---

---

**Introduced 17 June 1999**  
**Passage in principle 18 June 1999**  
**Passage 18 June 1999**  
**Assented to 19 June 1999**

---

**Québec Official Publisher**  
**1999**

**EXPLANATORY NOTE**

*The object of this bill is to authorize municipalities to include, in contracts they award through a call for tenders, a stipulation whereby the contracting partner to which the contract has been awarded undertakes to allow truck operators subscribing to the brokerage service of an association holding a brokerage permit issued under the Transport Act to participate in the proportion determined by the municipalities in the trucking work involved in the performance of the contract.*

**LEGISLATION AMENDED BY THIS BILL :**

- Cities and Towns Act (R.S.Q., chapter C-19);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Charter of the city of Montréal (1959-60, chapter 102).

## Bill 71

### AN ACT RESPECTING THE TRANSPORT OF BULK MATERIAL UNDER MUNICIPAL CONTRACTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Cities and Towns Act (R.S.Q., chapter C-19) is amended by inserting the following section after section 573.1.2 :

“573.1.3. A municipality may, in a contract awarded in accordance with section 573 or 573.1 involving the transport of bulk material, stipulate that small bulk trucking enterprises subscribing to the brokerage service of an association holding a brokerage permit issued under the Transport Act (chapter T-12) shall participate in the performance of the contract in the proportion and on the conditions determined by the municipality, in particular as regards the applicable tariff.”

2. The Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by inserting the following article after article 936.2 :

“936.3. A municipality may, in a contract awarded in accordance with article 935 or 936 involving the transport of bulk material, stipulate that small bulk trucking enterprises subscribing to the brokerage service of an association holding a brokerage permit issued under the Transport Act (chapter T-12) shall participate in the performance of the contract in the proportion and on the conditions determined by the municipality, in particular as regards the applicable tariff.”

3. The charter of the city of Montréal (1959-60, chapter 102) is amended by inserting the following article after article 107.1 :

“107.2. The city may, in a contract awarded in accordance with article 107 involving the transport of bulk material, stipulate that small bulk trucking enterprises subscribing to the brokerage service of an association holding a brokerage permit issued under the Transport Act (R.S.Q., chapter T-12) shall participate in the performance of the contract in the proportion and on the conditions determined by the city, in particular as regards the applicable tariff.”

4. This Act comes into force on the date to be fixed by the Government. However, before fixing the date of coming into force of this Act, the Government shall satisfy itself that the brokerage services are open to the trucking enterprises and truck operators of other Canadian provinces in accordance with intergovernmental agreements on the opening of public procurement.



## Regulations and other acts

---

M.O., 1999

**Order of the Minister of Education dated 9 July 1999 concerning the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges**

General and Vocational Colleges Act  
(R.S.Q., c. C-29)

GIVEN section 18.1 of the General and Vocational Colleges Act (R.S.Q., c. C-29), the Minister of Education may determine, by regulation, the conditions of employment for, the classification and the maximum number per class of the positions held by, and the remuneration, recourses and rights of appeal of the members of the staff who are not members of a certified association within the meaning of the Labour Code (R.S.Q., c. C-27);

GIVEN the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges was made by Minister's Order 1-89;

CONSIDERING the Minister of Education is of the opinion that it is expedient to amend the Regulation;

The Minister of Education adopts the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges attached hereto.

Québec, 9 July 1999

FRANÇOIS LEGAULT,  
*Minister of Éducation*

---

### **Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges (\*)**

General and Vocational Colleges Act  
(R.S.Q., c. C-29, s. 18.1)

1. The Regulation respecting certain conditions of employment of senior executives of general and vocational colleges is amended by substituting the following for the last paragraph of section 16 of Chapter III:

“— where a senior executive has attained the maximum rate of his salary scale and this salary rate does not enable him to maintain a difference of 7 % between his salary and that of a senior staff member of a college or, for a principal of a constituent college, that of a senior staff member of a constituent college, his salary shall be increased to maintain such a difference and he shall not be considered as overscale.”

2. The following Division VII is added to Chapter III:

#### **“DIVISION VII PERFORMANCE BONUSES**

**28.2** On June 30 of a given year, the college may pay a lump-sum amount to a principal, an academic dean or a principal of a constituent college in recompense for his performance during the year that is ending.

Such a bonus may also be paid in the form of professional improvement or in any other nonmonetary manner.

Any person appointed temporarily to a senior executive position may also be granted a lump-sum amount if he does not benefit from any other bonus for the same year.

---

\* The latest amendments to the Regulation respecting certain conditions of employment of senior executive staff of general and vocational colleges (Minister's Order 1-89 of the Minister of Higher Education and Science dated 7 December 1989 (1989, *G.O.* 2, 488) were made by the Minister's Order 1-98 of the Minister of Education dated 23 September 1998 (1998, *G.O.* 2, 5494). For previous amendments, see *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

**28.3** The parameters for allocating a performance bonus are as follows:

1° performance considered substantially beyond the expectations indicated:

— between 4 % and 6 % of the salary on 30 June of the principal;

— between 4 % and 5 % of the salary on 30 June of the academic dean and the principal of a constituent college;

2° performance beyond the expectations indicated;

— between 2 % and 4 % of the salary on 30 June;

3° performance meeting the expectations indicated:

— equal to or less than 2 % of the salary on 30 June.”

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

3000

## M.O., 1999

### **Order of the Minister of Education dated 9 July 1999 concerning the Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges**

General and Vocational Colleges Act  
(R.S.Q., c. C-29)

GIVEN section 18.1 of the General and Vocational Colleges Act (R.S.Q., c. C-29), the Minister of Education may determine, by regulation, the conditions of employment for, the classification and the maximum number per class of the positions held by, and the remuneration, recourses and rights of appeal of the members of the staff who are not members of a certified association within the meaning of the Labour Code (R.S.Q., c. C-27);

GIVEN the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges was made by Minister's Order 2-89;

CONSIDERING the Minister of Education is of the opinion that it is expedient to amend the Regulation;

The Minister of Education adopts the Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges attached hereto;

Quebec, 9 July 1999

FRANÇOIS LEGAULT,  
*Minister of Education*

### **Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges<sup>1</sup>**

General and Vocational Colleges Act  
(R.S.Q., c. C-29, s. 18.1)

**1.** The Regulation respecting certain conditions of employment of senior staff of general and vocational colleges is amended by substituting the following for the last paragraph of section 21 of Chapter III:

“— where a senior staff member has attained the maximum rate of his salary scale and this salary rate does not enable him to maintain a difference of 7 % between his salary and that of a senior staff member of whom he is the immediate superior, his salary shall be increased to maintain such a difference and he shall not be considered as overscale.”

**2.** The following Division VII is added to Chapter III:

#### **“DIVISION VII PERFORMANCE BONUSES**

**36.1.1** On June 30 of a given year, the college may pay a lump-sum amount to a senior staff member in recompense for his performance during the year that is ending.

To this end, the college shall set aside a sum of money made up of 2 % of the senior staff salaries on that date. Any sum of money that has not been used during a given year shall be transferred to the budget of the following year to serve for the same purposes.

<sup>1</sup> The latest amendments to the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges (Minister's Order 2-89 of the Minister of Higher Education and Science, dated December 7, 1989 (1989, *G.O.* 2, 502)), were made by the Minister's Order 2-98 of the Minister of Education dated September 23, 1998 (1998, *G.O.* 2, 5491). For previous amendments, see *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

**36.1.2** In order to pay such performance bonuses, the college must have a policy for evaluating its senior staff and use that sum of money to reward the exceptional contribution of a senior staff member whose efficiency is considered exceptional in comparison with previously indicated expectations.

Such a policy may provide that the bonus, granted from the monetary mass prescribed under section 36.1.1, maybe paid to a senior staff member in the form of professional development or in any other nonmonetary manner, such as vacation.

**36.1.3** On 30 June 1999, the college shall not be required to comply with section 36.1.2 for the purposes of evaluating the efficiency of senior staff in 1998-1999. In such a case, it must consult with the local committee of the Association des cadres des collèges du Québec prior to establishing the manner in which it will evaluate and pay such performance bonuses.”

3. The 2nd paragraph of the definition “salary” in section 39 of Chapter V is substituted for the following:

“2° the lump-sum payment resulting from the application of Division II of Chapter III and sections 128 and 132 of this regulation.”

4. The address of the chairman of the appeals committee in sections 151 and 170 of Chapter XI is substituted for the following:

“Greffe des comités de recours et d’appel  
575, rue Saint-Amable, 2° étage  
Québec (Québec) G1R 5Y8”.

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



## Draft Regulations

### Draft Decree

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

#### Automobiles

— Saguenay – Lac Saint-Jean  
— Amendments

Notice is hereby given that the Minister of State for Labour and Employment and Minister of Labour has received petitions for amendments to the Decree respecting garage employees in the Saguenay – Lac Saint-Jean region (R.R.Q., 1981, c. D-2, r.50) from the current contracting parties as well as from associations governed by the Decree and that, under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) and under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Decree amending the Decree respecting garage employees in the Saguenay – Lac Saint-Jean region, 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 Decree is to update most of the conditions of employment which have remained unchanged since August 17, 1989.

To do so, it proposes, in particular, new definitions of trades, to add new associations as contracting parties, to abolish certain classifications governed by the Decree currently in force and to specify the exclusions which will apply henceforth, to allow the regular workweek to be staggered to include Saturday and Sunday for certain trades, to eliminate the setting of working hours within a given day, to change the conditions of application and of premiums for overtime, to change the conditions of entitlement to statutory general holidays, to replace the holiday on December 31 by the Monday preceding May 25, to harmonize provisions governing recall to work, annual leave with pay, special leave and the notice of termination of employment with provisions of the Act respecting labour standards, to increase wages to varying degrees depending on the employee's classification and, finally, to change the duration of the Decree as well as the conditions for opposing the Decree.

During the consultation period, the impact of the amendments sought will be clarified. According to the 1998 annual report of the Comité paritaire de l'industrie de l'automobile de la région du Saguenay – Lac Saint-

Jean, the Decree governs 516 employers, 111 artisans and 2361 employees.

Further information may be obtained by contacting Mr. Denis Laberge, Direction des décrets, Ministère du Travail, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1 (telephone: 418-528-9701, fax: 418-528-0559, e-mail: denis.laberge@travail.gouv.qc.ca).

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

NORMAND GAUTHIER,  
*Deputy Minister of Labour*

### Decree amending the Decree respecting garage employees in the Saguenay – Lac Saint-Jean region\*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2, 6.1, 6.2 and 10)

1. The title of the Decree respecting garage employees in the Saguenay – Lac Saint-Jean region is replaced by the following:

“Decree respecting the automotive services industry in the Saguenay - Lac Saint-Jean region”.

2. The Decree is amended by deleting the part preceding section 1.00.

3. Section 1.01 of the Decree is replaced by the following:

“1.01. For the purposes of this Decree, the following expressions mean:

(1) “artisan”: person working on his own account, alone or in partnership and who performs work subject to this Decree for others;

\* The Decree respecting garage employees in the Saguenay – Lac Saint-Jean region (R.R.Q. 1981, c. D-2, r.50) was last amended by the regulation made by Order in Council n° 1569-98 dated December 16, 1998 (1998, G.O. 2, 4815). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to March 1, 1999.

(2) “parts clerk”: employee whose duties consist mainly in distributing or selling vehicle parts, accessories or tires to garages, service stations, parts shops, new or used car dealers and to any establishment whose activities are subject to this Decree;

(3) “messenger”: employee working in an establishment where the work subject to this Decree is performed, whose duties consist mainly in delivering vehicle parts, accessories or tires;

(4) “journeyman”: employee whose duties are related mainly to maintenance, tests, inspection, repairs and alterations or other work of the same type, necessary or useful to keep vehicles in good working order, and who has been qualified by the parity committee for one or more of the trades related to the automobile industry;

(5) “consort”: a man or a woman who:

(a) are married and cohabiting;

(b) are living together as husband and wife and are the father and mother of the same child;

(c) have been living together as husband and wife for one year or more;

(6) “disassembler”: employee whose duties consist mainly in disassembling vehicles for the purposes of selling or storing the parts;

(7) “class”: period during which an employee acquires 2,000 hours’ experience in one of the classifications provided for in this Decree. Statutory general holidays are taken into account in the computation of hours of experience, but not annual leave with pay or special leave;

(8) “combination of road vehicles”: a combination of vehicles composed of a motorized heavy road vehicle hauling a trailer, a semi-trailer or a detachable axle;

(9) “washer”: employee whose duties are related mainly to one of the following tasks: washing, cleaning, wiping or waxing vehicles or their parts, by hand or with machines;

(10) “semiskilled worker”: employee whose duties are related mainly to one of the following tasks:

(a) restoring, overhauling, repairing or retooling vehicle parts or accessories without assembling them on the vehicle, and examining parts or accessories sold with guarantees and installed or not on a vehicle where they are returned because of a defect;

(b) installing upholstery, hubcaps, windshields or windows;

(11) “pump attendant”: employee whose duties are related mainly to the sale of gasoline or lubricants and to the supervision of pumps;

(12) “service attendant”: employee whose duties are related mainly to one of the following tasks:

(a) lubricating, changing oil, applying anti-rust, balancing wheels, installing, repairing and dismantling radiators, shock absorbers, tires, windshield wipers, headlights, filters, mufflers and radios, and installing or boosting batteries;

(b) transporting customers only if he performs other tasks subject to this Decree;

(13) “uninterrupted service”: the uninterrupted period during which the employee is bound to the employer by a contract of employment, even if the performance of work has been interrupted without cancellation of the contract, and the period during which fixed-term contracts succeed one another without an interruption that would, in the circumstances, give cause to conclude that the contract was not renewed;

(14) “motor vehicle”: a road vehicle as defined in section 4 of the Highway Safety Code (R.S.Q., c. C-24.2), excluding mopeds and motorcycles as defined in section 4 of the Code, an all-terrain vehicle as defined in section 1 of the Regulation respecting all-terrain vehicles made by Order in Council n° 58-88 dated January 13, 1988, a snowmobile as defined in section 1 of the Regulation respecting snowmobiles (R.R.Q., 1981, c. C-24, r.21) and any other vehicle intended to be used off public roads owing to its nature, purpose or the operation of a law;

(15) “heavy road vehicle”: a road vehicle whose net mass is 4 500 kg or more.”.

4. The Decree is amended by adding, after section 1.01, the following:

#### **“1.02 Names of Contracting Parties**

(1) Group representing the employers’ party:

La Corporation des concessionnaires d’automobiles du Saguenay – Lac St-Jean inc.;

L’Association des industries de l’automobile du Canada;

Association des spécialistes du pneu du Québec inc.;

L'Association des marchands Canadian Tire du Québec inc.;

Fédération du secteur de l'automobile «région 02» inc.;

Association des carrossiers professionnels du Québec;

(2) Group representing the employee's party:

Le Syndicat démocratique des employés de garage Saguenay-Lac St-Jean;

Le Syndicat des travailleurs de production Centropneus (CSN)".

5. The heading of Division 2.00 is replaced by the following:

**"2.00. Jurisdiction".**

6. Section 2.01 of the Decree is replaced by the following:

**"2.01. Professional and Industrial Jurisdiction:**

(1) This Decree applies to the following work performed on a motor vehicle:

(a) repairing, altering or inspecting a vehicle, its parts or accessories;

(b) restoring, overhauling, repairing, retooling or any other work of the same type performed on vehicle parts, accessories or tires, as well as their installation on those vehicles;

(c) completely or partially disassembling parts of motor vehicles;

(d) selling gasoline, lubricants or any other similar products used for motor vehicles where, in the establishment where such work is performed, work specified in paragraph *a*, *b*, *c* or *f* is also performed;

(e) washing, waxing or cleaning motor vehicles where, in the establishment where such work is performed, work specified in paragraph *a*, *b*, *c* or *f* is also performed;

(f) distributing or selling vehicle parts, accessories or tires to garages, service stations, parts shops, new or used car dealers or to any establishment whose activities are governed by this Decree;

(g) delivering vehicle parts, accessories or tires where, in the establishment where such work is performed, other work subject to this Decree is also performed.

(2) Exclusion: This Decree does not apply to:

(a) work specified in subsection 1 where done exclusively for the employer's own service or own needs or where done exclusively on farm machinery;

(b) work specified in subsection 1 performed on a vehicle leased for 12 months or less if the economic activity of the establishment where the work is performed consists solely in leasing motor vehicles; however, that work is subject to this Decree, when performed on a vehicle leased for more than 12 months;

(c) vulcanizing and retreading;

(d) the sale of parts to parts shops or to wholesalers, in a warehouse or in a distribution centre;

(e) the sale of parts in a warehouse only, where an employer's establishment is used both as a parts warehouse and as a parts shop."

7. Sections 3.01 to 8.02 of the Decree are replaced by the following:

**"3.01.** The regular workweek is 40 hours scheduled:

(1) from Monday to Friday, for the apprentice and the journeyman;

(2) over no more than five consecutive days for the parts clerk, the messenger, the disassembler, the washer, the semiskilled worker, the pump attendant and the service attendant;

(3) over no more than six consecutive days for all the employees of an employer where the work specified in paragraph *a* or *b* of subsection 1 of section 2.01 is performed on or pertains to heavy road vehicles or to combinations of road vehicles.

**3.02.** The regular workday is 10 hours scheduled over a maximum period of 11 consecutive hours.

**3.03.** An employee may require a rest period of up to one hour, without pay, for meals, and the employer cannot require that the employee work more than five hours between each meal. That period is remunerated if the employee is not authorized to leave his work station.

**3.04.** An employee is deemed to be at work during the coffee break.



**3.05.** An employee is entitled to a weekly minimum rest period of 24 consecutive hours.

#### **4.00. Overtime hours**

**4.01.** Any hours worked in addition to the regular workday or workweek entail a premium of 50 % of the hourly wage currently paid to the employee, except for premiums computed on an hourly basis.

Notwithstanding the first paragraph, the employer may, at the request of the employee, replace the payment of overtime by paid leave equivalent to the overtime worked plus 50 %.

The leave must be taken during the 12 months following the overtime at a date agreed upon between the employer and the employee; otherwise the overtime must be paid. However, where the contract of employment is terminated before the employee is able to benefit from the leave, the overtime must be paid at the same time as the last payment of wages.

**4.02.** For the purposes of computing overtime, annual leave and statutory general holidays with pay are counted as days of work.

**4.03.** The hours worked between 9:00 p.m. and 7:00 a.m. by employees except for employees specified in paragraph 3 of section 3.01 entail a premium of 10 % of the hourly rate currently paid. The amount of the premium must not exceed \$0.80 per hour.

#### **5.00. Recall to Work**

**5.01.** An employee who reports to work at his place of employment at the express demand of his employer or in the regular course of his employment and who works fewer than three consecutive hours, except in the case of a fortuitous event, is entitled to an indemnity equal to three hours' wages at the hourly rate currently paid and, as the case may be, increased, in accordance with section 4.01 of this Decree.

**5.02.** An employee who is at his place of employment and is required to wait for work to be assigned to him is deemed to be working.

#### **6.00. Statutory General Holidays**

This Division applies to all employees, except for section 6.07 which applies to pump attendants and to washers only.

**6.01.** The following days are statutory general holidays and non-working days with pay, regardless of the

day of the week with which they coincide: January 1 and 2, Good Friday or Easter Monday, the Monday preceding May 25, July 1 or, where July 1 falls on a Sunday, July 2, the first Monday in September, the second Monday in October, December 25 and 26.

**6.02.** To be entitled to a holiday provided for in section 6.01, the employee must be credited with 60 days of uninterrupted service in the undertaking and not be absent from work on the first working day in his work schedule preceding and following that holiday.

However, an employee is deemed not to be absent from work on the first working day in his work schedule preceding and following a statutory general holiday if:

(1) the absence of the employee is authorized by a law or the employer or is for a valid cause, and if the employee receives for the statutory general holiday no indemnity from the Commission de la santé et de la sécurité du travail or from any private compensation plan for accidents, sickness or disability;

(2) the employee was laid off for less than 20 days preceding or following January 1 and 2 and for December 25 and 26, or for less than 48 hours for the other holidays provided for in section 6.01.

**6.03.** The employer must pay to an employee who is entitled to a holiday provided for in section 6.01 an indemnity equal to the average of his daily wages for the days worked during the complete period of pay preceding that holiday, excluding overtime.

**6.04.** An employee who must work on one of the holidays provided for in section 6.01 is paid for the hours worked at his current wage, as well as receiving the indemnity for that holiday.

**6.05.** If an employee is on annual leave on one of the holidays provided for in section 6.01, the employer must pay him the indemnity provided for in section 6.03 or grant him a compensatory holiday of one day on a date agreed upon between the employer and the employee.

**6.06.** St. John the Baptist's Day is a statutory general holiday under the National Holiday Act (R.S.Q., c. F-1.1).

**6.07.** A pump attendant and a washer are entitled to the holiday provided for in section 6.01 where that holiday coincides with a working day, if they are credited with 60 days of uninterrupted service in the undertaking and are not absent from work without the employer's authorization or without valid cause, on the first working day provided for in their work schedule before or after that holiday.



The first paragraph does not confer any benefit on employees who would not have been entitled to remuneration on a day listed in section 6.01, except insofar as section 6.05 applies.

### **7.00. Annual Leave with Pay**

**7.01.** The reference year is a period of 12 consecutive months during which an employee progressively acquires entitlement to an annual leave. That period extends from May 1 of the preceding year to April 30 of the current year.

**7.02.** An employee who, at the end of a reference year, is credited with less than one year of uninterrupted service with the same employer during that period, is entitled to an uninterrupted leave for a duration determined at the rate of one working day for each month of uninterrupted service, for a total leave not exceeding two weeks.

The indemnity for that leave is 4 % of the employee's gross wages during the reference year.

**7.03.** An employee who, at the end of a reference year, is credited with one year of uninterrupted service with the same employer during that period, is entitled to an annual leave of a minimum duration of two consecutive weeks.

The indemnity for that leave is 4 % of the employee's gross wages during the reference year.

The employee is also entitled to one week of additional annual leave without pay where he so requests.

**7.04.** An employee who, at the end of a reference year, is credited with five years of uninterrupted service with the same employer during that period, is entitled to an annual leave of a minimum duration of three consecutive weeks.

The indemnity for that leave is 6 % of the employee's gross wages during the reference year.

**7.05.** An employee who, at the end of a reference year, is credited with 15 years of uninterrupted service with the same employer during that period, is entitled to an annual leave of a minimum duration of four weeks, three of which are consecutive.

The indemnity for that leave is 8 % of the employee's gross wages during the reference year.

**7.06.** The annual leave must be taken within 12 months following the end of the reference year.

Any period of salary insurance, sickness insurance or disability insurance interrupted by a leave taken in accordance with the first paragraph is continued, where applicable, after the leave, as if it had never been interrupted.

**7.07.** The annual leave may be divided into two periods where so requested by the employee. However, the employer may refuse the request if he closes his establishment for a period equal to or greater than that of the employee's annual leave.

The annual leave may also be divided into more than two periods where so requested by the employee, provided the employer consents thereto.

A leave not exceeding one week cannot be divided.

**7.08.** An employee is entitled to know the date of his annual leave at least four weeks in advance.

An employee must notify the employer of when he prefers to take the annual leave at least four weeks in advance.

**7.09.** An employee must receive the indemnity for the annual leave in a single payment before the leave begins.

However, where the annual leave is divided in accordance with section 7.07, the indemnity will correspond to the fraction of the annual leave.

**7.10.** Employers are prohibited from replacing a leave provided for in sections 7.02 to 7.05 by a compensatory indemnity. At the request of the employee, the third week of leave and, where applicable, the fourth week, may, however, be replaced by a compensatory indemnity if the establishment closes for two weeks on the occasion of the annual leave.

**7.11.** Should an employee provided for in sections 7.03 to 7.05 be absent owing to sickness or accident or on maternity leave during the reference year and should that absence result in the reduction of that employee's annual leave indemnity, the employee is then entitled to an indemnity equal, as the case may be, to twice, three or four times the weekly average of the wage earned during the period of work. An employee provided for in section 7.02 whose annual leave is less than two weeks is entitled to that amount in proportion to the days of leave credited to his account.

Notwithstanding the first paragraph, the annual leave indemnity must not exceed the indemnity to which the employee would have been entitled if he had not been

absent or on leave owing to a reason provided for in the first paragraph.

**7.12.** Where an employee leaves his job, he receives the indemnity related to the leave acquired before the preceding May 1, if the leave was not taken, as well as the indemnity due to him for the period which has elapsed since that date.

### **8.00. Special Leaves**

**8.01.** An employee may be absent from work for three days without reduction of wages by reason of the death or the funeral of his consort, his child or the child of his consort, or of his father, mother, brother or sister. He may also be absent from work, without pay, for two more days on such occasion.

**8.02.** An employee may be absent from work for one day without reduction of wages by reason of the death or the funeral of a son-in-law, daughter-in-law, one of his grandparents or grandchildren, or of the father, mother, brother or sister of his consort.

**8.03.** In the circumstances referred to in sections 8.01 and 8.02, the employee must advise his employer of his absence as soon as possible.

**8.04.** An employee may be absent from work for one day without reduction of wages, on his wedding day.

An employee may also be absent from work, without pay, on the wedding day of one of his children, of his father, mother, brother or sister or of a child of his consort.

The employee must advise his employer of his absence not less than one week in advance.

**8.05.** An employee may be absent from work for five days at the birth of his child or the adoption of a child. The first two days of absence are remunerated if the employee is credited with 60 days of uninterrupted service.

This leave may be divided into days at the request of the employee. It may not be taken more than 15 days after the child arrives at the residence of his or her father or mother.

The employee must advise his employer of his absence as soon as possible.

However, an employee who adopts the child of his consort may be absent from work for only two days, without pay.”

**8.** Sections 10.00 to 13.01 of the Decree are replaced by the following:

### **“10.00. Wages**

**10.01.** The minimum hourly wage rates are as follows:

#### **Classes of Employment**

**As of  
(insert here the  
date of the coming  
into force of this  
decree)**

(1) apprentice:

1st year	\$8.46
2nd year	\$8.75
3rd year	\$9.33
4th year	\$10.10

(2) journeyman:

mechanic, diesel mechanic,  
welder, electrician, bodybuilder,  
wheel balancer, automatic  
transmission specialist, painter,  
saddler, body repairer:

A	\$15.80
B	\$13.80
C	\$11.91

(3) parts clerk:

class 1	\$7.55
class 2	\$8.00
class 3	\$8.50
class 4	\$9.15
class 5	\$9.75
class 6	\$10.75
class 7	\$11.25
class 8	\$11.75

(4) messenger: \$6.90

(5) disassembler:

class 1	\$7.55
class 2	\$8.50
class 3	\$9.25
class 4	\$10.00

(6) washer: \$7.00

**Classes of Employment**

**As of  
(insert here the  
date of the coming  
into force of this  
decree)**

(7) semiskilled worker:

class 1	\$8.50
class 2	\$9.25
class 3	\$10.00

(8) pump attendant: \$7.00

(9) service attendant:

class 1	\$7.80
class 2	\$8.55
class 3	\$9.30
class 4	\$10.00.

**10.02.** Wages must be paid in cash in a sealed envelope or by cheque by Thursday at the latest. The payment may be made by bank transfer if so provided in a written agreement.

An employee is deemed not to have received payment of the wages due to him if the cheque delivered to him is not cashable within two working days following its receipt.

After agreement with his employees, an employer may pay them every two weeks.

The wages of an employee must be paid directly to him, at his place of employment and on a working day, except where the payment is made by bank transfer or is sent by mail. The wages of an employee may also, at his written request, be remitted to a third person.

If the usual day of payment of wages falls on a general statutory holiday, the wages are paid to the employee on the working day preceding that day.

**10.03.** The employer must remit to the employee, together with his wages, a pay sheet containing sufficient information to enable the employee to verify the computation of his wages. That pay sheet must include, in particular, the following information, where applicable:

- (1) the name of the employer;
- (2) the surname and given name of the employee;
- (3) the identification of the employee's occupation;

(4) the date of the payment and the work period corresponding to the payment;

(5) the number of hours paid at the prevailing rate;

(6) the number of hours of overtime paid or replaced by a leave with the applicable premium;

(7) the nature and amount of the bonuses, premiums, commissions, indemnities or allowances that are being paid;

(8) the prevailing wage rate;

(9) the amount of wages before deductions;

(10) the nature and amount of the deductions effected;

(11) the amount of the net wages paid to the employee.

**10.04.** The hourly wage rates provided for in section 10.01 are minimum hourly rates. Any commission, bonus, premium and any other form of remuneration must be paid to the employee in addition to the minimum hourly wage rate. No compensation or benefit having pecuniary value may be taken into account in computing the minimum hourly rate.

**10.05.** No signing formality other than that establishing that the sum remitted to the employee corresponds to the amount of net wages indicated on the pay sheet may be required upon payment of the wages.

**10.06.** Acceptance of a pay sheet by an employee does not entail his renunciation of the payment of all or part of the wages that are due to him.

**10.07.** No employer may make deductions from wages unless he is required to do so pursuant to an Act, a regulation, a court order, a collective agreement or a decree or unless he is authorized to do so in writing by the employee.

The employee may at any time revoke that authorization. The employer must remit the sums so withheld to their intended receiver.

**10.08.** Any gratuity paid directly or indirectly by a patron to an employee belongs to him of right and does not form part of the wages that are otherwise due to him. Any gratuity collected by the employer must be remitted to the employee. The word "gratuity" includes the service charge added to the patron's bill.

**10.09.** An employee called upon occasionally or regularly to occupy different positions receives the hourly wage corresponding to the position receiving the most pay and is entitled to all the related conditions of employment.

An employee assigned permanently to a new position receives the hourly rate corresponding to his new position and is entitled to all the related conditions of employment.

**10.10.** If an employer terminates an employee's contract of employment and takes him back in the same employment within six months before the end of the contract, he must pay to the employee at least the wage rate he paid to him before the end of the contract of employment.

**10.11.** Notwithstanding any other provision of this Decree, the employee's weekly wage cannot be less than that he would receive if he were remunerated in accordance with the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3).

#### **11.00. Notice of Termination of Employment or Layoff, and Work Certificate**

**11.01.** The employer must give written notice to an employee before terminating his contract of employment or laying him off for six months or more.

The notice shall be of one week if the employee is credited with less than one year of uninterrupted service, two weeks if he is credited with one year to five years of uninterrupted service, four weeks if he is credited with five years to ten years of uninterrupted service and eight weeks if he is credited with ten years or more of uninterrupted service.

A notice of termination of employment given to an employee during the period when he is laid off is null, except in the case of employment that usually lasts for not more than six months each year due to the influence of the seasons.

**11.02.** Section 10.01 does not apply to an employee

- (1) who has less than three months of uninterrupted service;
- (2) whose contract for a fixed term or for a specific undertaking expires;
- (3) who has committed a serious fault;
- (4) for whom the end of the contract of employment or the layoff is a result of a fortuitous event.

**11.03.** An employer who does not give the notice prescribed in section 11.01, or who gives insufficient notice, must pay the employee a compensatory indemnity equal to his regular wage, excluding overtime, for a period equal to the period or remaining period of notice to which he was entitled.

The indemnity must be paid at the time the employment is terminated or at the time the employee is laid off for a period expected to last more than six months, or at the end of a period of six months after a layoff of indeterminate length, or a layoff expected to last less than six months but which exceeds that period.

**11.04.** At the expiry of the contract of employment, an employee may require his employer to issue to him a work certificate in which the following information, and only the following information, is set forth: the nature and the duration of the employment, the dates on which his employment began and terminated, and the name and address of the employer. The certificate must not carry any mention of the quality of the work or the conduct of the employee.

#### **12.00. Miscellaneous**

**12.01.** Where an employer requires that a uniform be worn, he cannot deduct any amount from the salary for the purchase, use or care of the uniform.

#### **13.00. Duration of Decree**

**13.01.** This Decree remains into force until (*insert here the date following the second anniversary of the coming into force of this Decree*). It is then renewed automatically from year to year, unless the group comprising the employer's party or the employee's party opposes it by sending written notice to the Minister of Labour and to all the contracting parties comprising the other group, during the month of (*insert here the 6th month preceding the date of expiry of this Decree*) or during the month of (*indicate here the same month*) of any subsequent year."

9. Schedule 1 to the Decree is amended:

(1) by deleting the title "REGION 02 — SAGUENAY — LAC SAINT-JEAN";

(2) by replacing "Village d'Albanel, canton d'Albanel, Alma" by "Albanel, ville d'Alma";

(3) by replacing "Chicoutimi" by "ville de Chicoutimi";

(4) by deleting “Chicoutimi, partie Lalemant, Chicoutimi, partie Mont-Valin, Chicoutimi, partie Rivière-à-Mars”;

(5) by replacing “Desbiens, Dolbeau, Ferland-et-Boileau” by “ville de Desbiens, ville de Dolbeau-Mistassini, Ferland-et-Boileau”;

(6) by replacing “Hébertville-Station, Jonquière, Kénogami” by “village de Hébertville-Station, ville de Jonquière, Lac-Kénogami”;

(7) by replacing “La Baie” by “ville de La Baie”;

(8) by replacing “La Doré” by “paroisse de La Doré”;

(9) by deleting “Lac-à-la-Croix”;

(10) by deleting “Lac-Saint-Jean-Est, partie Belle-Rivière, Lac-Saint-Jean-Ouest, partie Châte-des-Passes, Lac-Saint-Jean-Ouest, partie Lac-Chigoubiche, Lac Saint-Jean-Ouest, partie Rivière-Mistassini”;

(11) by replacing “Larouche, L’Ascension-de-Notre-Seigneur, Laterrière, Métabetchouan” by “paroisse de Larouche, paroisse de L’Ascension-de-Notre-Seigneur, ville de Laterrière, ville de Métabetchouan-Lac-à-la-Croix”;

(12) by deleting “ville de Mistassini”;

(13) by replacing “Normandin” by “ville de Normandin”;

(14) by replacing “Roberval” by “ville de Roberval”;

(15) by replacing “Saint-André-du-Lac-Saint-Jean, Saint-Augustin” by “village de Saint-André-du-Lac-Saint-Jean, paroisse de Saint-Augustin”;

(16) by replacing “Saint-Eugène, Saint-Félicien” by “Saint-Eugène-d’Argentenay, ville de Saint-Félicien”;

(17) by deleting “Saint-Méthode”;

(18) by replacing “Sainte-Jeanne-d’Arc” by “village de Sainte-Jeanne-d’Arc”;

(19) by replacing “Sainte-Rose-du-Nord” by “paroisse de Sainte-Rose-du-Nord”;

(20) by replacing “Taché” by “Saint-Nazaire”;

(21) by replacing “Tremblay” by “canton de Tremblay”.

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

3004

## Draft Regulation

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

### Furniture industry — Levy — Amendments

Notice is hereby given, in accordance with the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Comité paritaire de l’industrie du meuble, following its meeting held on 5 March 1999, has petitioned the Minister of State for Labour and Employment and Minister of Labour to recommend to the Government that it make the “Regulation to amend the Levy Regulation of the Comité paritaire de l’industrie du meuble”. Pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), this draft Regulation, a copy of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of this draft Regulation is to amend the levy rate currently in effect for the employers and the employees governed by the Decree respecting the furniture industry.

To that end, it proposes to lower the levy rate for both the employer and the employee by changing the rate from 0,15 % to 0,115 % for a temporary period of 36 months.

A study of this matter indicates that this decision was made as a result of the levy *suppluses* accumulated by the Comité paritaire de l’industrie du meuble.

According to the 1998 annual report of the Comité paritaire de l’industrie du meuble, this Decree covers 889 employers, 662 artisans and 18 134 employees.

Further information may be obtained by contacting Mrs. Michèle Poitras, Direction des décrets, Ministère du Travail, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1 (Telephone: 418 646-2631; FAX: 418 528-0559; e-mail: michele.poitras@travail.gouv.qc.ca).

Any interested person having comments to make concerning this matter is asked to send them in writing, before the expiry of the 45-day period, to the Deputy

Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage,  
Québec (Québec) G1R 5S1.

NORMAND GAUTHIER,  
*Deputy minister of Labour*

---

## **Regulation to amend the Levy Regulation of the Comité paritaire de l'industrie du meuble\***

An Act respecting collective agreement decrees  
(R.S.Q., c. D-2, s. 22, par. i)

1. The Levy Regulation of the Comité paritaire de l'industrie du meuble is amended by substituting the following for sections 2 and 3:

“2. The professional employer shall, as of (*insert here the date of the coming into force of this regulation*), remit to the Comité paritaire de l'industrie du meuble an amount equal to 0,115 % of the gross wages paid to his employees governed by the Decree and an amount equal to 0,15 % as of (*insert here the date of the third anniversary's date following the date of the coming into force of this regulation*).

3. The employee shall, as of (*insert here the date of the coming into force of this regulation*), remit an amount equal to 0,115 % of his gross wages and an amount equal to 0,15 % as of (*insert here the date of the third anniversary's date following the date of the coming into force of this regulation*).”.

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

3003

---

\* The Levy Regulation of the Comité paritaire de l'industrie du meuble, made under Order in Council n° 2626-85 dated 11 December 1985 (1985, *G.O.* 2, 4379) was amended by the Regulation made under Order in Council n° 1262-87 dated 12 August 1987 (1997, *G.O.* 2, 3205).

## Index Statutory Instruments

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

<b>Regulations — Statutes</b>	<b>Page</b>	<b>Comments</b>
Access to documents held by public bodies and the Protection of personal information, An Act respecting..., amended . . . . . (1999, Bill 53)	2223	
Administrative justice, An Act respecting..., amended . . . . . (1999, Bill 48)	2207	
Administrative justice, An Act respecting..., amended . . . . . (1999, Bill 61)	2245	
Archives Act, amended . . . . . (1999, Bill 53)	2223	
Artificial inducement of rain, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245	
Automobiles — Saguenay–Lac-Saint-Jean . . . . . (An Act respecting collective agreement decrees, R.S.Q., c. D-2)	2287	Draft
Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec, An Act respecting the... . . . . . (1999, Bill 48)	2207	
Caisse de dépôt et placement du Québec, An Act respecting the..., amended . . . (1999, Bill 53)	2223	
Charter of the city of Montréal, amended . . . . . (1999, Bill 71)	2279	
Cities and Towns Act, amended . . . . . (1999, Bill 71)	2279	
Cities and Towns Act, amended . . . . . (1999, Bill 61)	2245	
Civil Code of Québec, amended . . . . . (1999, Bill 45)	2189	
Collective agreement decrees, An Act respecting... — Automobiles — Saguenay–Lac-Saint-Jean . . . . . (R.S.Q., c. D-2)	2287	Draft
Collective agreement decrees, An Act respecting... — Furniture industry — Levy . . . . . (R.S.Q., c. D-2)	2295	Draft
Communauté urbaine de l'Outaouais, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245	
Communauté urbaine de Montréal, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245	
Communauté urbaine de Québec, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245	
Conditions of employment of senior executives of general and vocational colleges . . . . . (General and Vocational Colleges Act, R.S.Q., c. C-29)	2283	M



Conditions of employment of senior staff of general and vocational colleges ... (General and Vocational Colleges Act, R.S.Q., c. C-29)	2284	M
Conseil supérieur de l'éducation, An Act respecting the..., amended .....	2165	
(1999, Bill 39)		
Conseil supérieur de l'éducation, An Act respecting the..., amended .....	2181	
(1999, Bill 43)		
Conservation and development of wildlife, An Act respecting the..., amended ...	2245	
(1999, Bill 61)		
Construction of infrastructures and equipment by Hydro-Québec on account of the ice storm of 5 to 9 January 1998, An Act respecting the... ..	2175	
(1999, Bill 42)		
Corporation d'hébergement du Québec, An Act respecting the... ..	2223	
(1999, Bill 53)		
Cree Villages and the Naskapi Village Act, amended .....	2245	
(1999, Bill 61)		
Declarations of exception in Acts relating to education, An Act respecting certain... ..	2181	
(1999, Bill 43)		
Ecological Reserves Act, amended .....	2245	
(1999, Bill 61)		
Education Act for Cree, Inuit and Naskapi Native Persons, amended .....	2181	
(1999, Bill 43)		
Education Act, amended .....	2181	
(1999, Bill 43)		
Election Act, amended .....	2143	
(1999, Bill 30)		
Elections and referendums in municipalities and other legislative provisions, An Act to amend the Act respecting... ..	2143	
(1999, Bill 30)		
Elections and referendums in municipalities, An Act respecting..., amended ...	2143	
(1999, Bill 30)		
Environment Quality Act, amended .....	2245	
(1999, Bill 61)		
Environmental assessment of the proposed Churchill River hydroelectric development, An Act respecting... ..	2241	
(1999, Bill 60)		
Establishment and enlargement of certain waste elimination sites, An Act respecting the..., amended .....	2245	
(1999, Bill 61)		
Executive Power Act, amended .....	2245	
(1999, Bill 61)		
Financial Administration Act, amended .....	2223	
(1999, Bill 53)		
Fire Investigations Act, An Act to amend the... ..	2217	
(1999, Bill 52)		



Furniture industry — Levy . . . . .	2295	Draft
(An Act respecting collective agreement decrees, R.S.Q., c. D-2)		
General and Vocational Colleges Act — Conditions of employment of senior executives of general and vocational colleges . . . . .	2283	M
(R.S.Q., c. C-29)		
General and Vocational Colleges Act — Conditions of employment of senior staff of general and vocational colleges . . . . .	2284	M
(R.S.Q., c. C-29)		
Government and Public Employees Retirement Plan, An Act respecting the..., amended . . . . .	2223	
(1999, Bill 53)		
Government Departments Act, amended . . . . .	2245	
(1999, Bill 61)		
Health Insurance Act, amended . . . . .	2245	
(1999, Bill 61)		
Health services and social services, An Act respecting..., amended . . . . .	2223	
(1999, Bill 53)		
Hunting and fishing rights in the James Bay and New Québec territories, An Act respecting..., amended . . . . .	2245	
(1999, Bill 61)		
Hydro-Québec Act, amended . . . . .	2245	
(1999, Bill 61)		
Implementation of international trade agreements, An Act respecting the..., amended . . . . .	2245	
(1999, Bill 61)		
Land use planning and development, An Act respecting..., amended . . . . .	2223	
(1999, Bill 53)		
Land use planning and development, An Act respecting..., amended . . . . .	2245	
(1999, Bill 61)		
Mining Act, amended . . . . .	2245	
(1999, Bill 61)		
Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, An Act respecting the..., amended . . . . .	2165	
(1999, Bill 39)		
Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, An Act respecting the..., amended . . . . .	2245	
(1999, Bill 61)		
Ministère de l'Éducation, An Act respecting the..., amended . . . . .	2181	
(1999, Bill 43)		
Ministère de l'Environnement et de la Faune, An Act respecting the..., amended . . . . .	2245	
(1999, Bill 61)		
Municipal Code of Québec, amended . . . . .	2279	
(1999, Bill 71)		
Municipal Code of Québec, amended . . . . .	2245	
(1999, Bill 61)		

Municipal debts and loans, An Act respecting..., amended . . . . . (1999, Bill 46)	2197
Municipal taxation and the Act respecting municipal debts and loans, An Act to amend the Act respecting... . . . . . (1999, Bill 46)	2197
Municipal taxation, An Act respecting..., amended . . . . . (1999, Bill 46)	2197
Municipal territorial organization, An Act respecting..., amended . . . . . (1999, Bill 30)	2143
Northern villages and the Kativik Regional Government, An Act respecting..., amended . . . . . (1999, Bill 61)	2245
Parks Act, amended . . . . . (1999, Bill 61)	2245
Pesticides Act, amended . . . . . (1999, Bill 61)	2245
Police Act, An Act to amend the... . . . . (1999, Bill 44)	2185
Prescription drug insurance, An Act to amend the Act respecting... . . . . (1999, Bill 69)	2275
Preservation of agricultural land and agricultural activities, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245
Protection of non-smokers in certain public places, An Act respecting the..., amended . . . . . (1999, Bill 53)	2223
Protection of non-smokers in certain public places, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245
Provide for the protection of groundwater, An Act to..., amended . . . . . (1999, Bill 61)	2245
Public Curator Act and other legislative provisions relating to property under the provisional administration of the Public Curator, An Act to amend the..., amended . . . . . (1999, Bill 45)	2189
Public Curator Act, amended . . . . . (1999, Bill 45)	2189
Public Curator, An Act to amend certain legislative provisions respecting the... . . . (1999, Bill 45)	2189
Retail Sales Tax Act, amended . . . . . (1999, Bill 61)	2245
Saguenay—St.Lawrence Marine Park, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245
Sale and distribution of beer and soft drinks in non-returnable containers, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245

Secure the handicapped in the exercise of their rights, An Act to..., amended . . . (1999, Bill 61)	2245
Securities Act, amended . . . . . (1999, Bill 53)	2223
Société de la faune et des parcs du Québec, An Act respecting the... . . . . . (1999, Bill 61)	2245
Société des établissements de plein air du Québec, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245
Société nationale du cheval de course, An Act respecting the... . . . . . (1999, Bill 39)	2165
Société québécoise de récupération et de recyclage, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245
Société québécoise d'assainissement des eaux, An Act respecting the..., amended . . . . . (1999, Bill 61)	2245
Taxation Act, amended . . . . . (1999, Bill 61)	2245
Threatened or vulnerable species, An Act respecting..., amended . . . . . (1999, Bill 61)	2245
Transport of bulk material under municipal contracts, An Act respecting the... . . . (1999, Bill 71)	2279
Tree Protection Act, amended . . . . . (1999, Bill 61)	2245
Watercourses Act, amended . . . . . (1999, Bill 61)	2245

