

## Regulations and other acts

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Gouvernement du Québec

### **O.C. 1129-96, 11 September 1996**

An Act respecting government services  
to departments and public bodies  
(R.S.Q., c. S-6.1)

#### **Government services**

##### **— Signing of certain acts, documents or writings**

##### **— Amendments**

Regulation to amend the Regulation respecting the signing of certain acts, documents or writings by members of the personnel of the Conseil du trésor assigned to government services

WHEREAS under section 8 of the Act respecting government services to departments and public bodies (R.S.Q., c. S-6.1), no act, document or writing is binding on the Minister or may be attributed to him unless it is signed by him, by the Deputy Minister of the department or the chief executive officer of the body designated under section 6 or by a member of the personnel of the department or body and, in the case of such a member, only to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS under section 28 of that Act, no act, document or writing is binding on the Official Publisher or may be attributed to him unless it is signed by him or by a member of the personnel of the department or body designated under section 6 and, in the case of such a member, only to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS the Regulation respecting the signing of certain acts, documents or writings by members of the personnel of the Conseil du trésor assigned to government services was made by Order in Council 1433-94 dated 7 September 1994;

WHEREAS under Order in Council 1171-94 dated 3 August 1994, made under section 6 of the Act respecting government services to departments and public bodies, the Conseil du trésor was designated as the public body required to place members of its personnel at the disposal of the Minister responsible for that Act;

WHEREAS under Order in Council 1128-96 dated 11 September 1996, made under section 6 of the Act respecting government services to departments and public bodies and amending Order in Council 1171-94 dated 3 August 1994, the ministère des Relations avec les citoyens et de l'Immigration was designated as the department required to place members of its personnel at the disposal of the Minister responsible for functions respecting government information;

WHEREAS it is expedient, in consequence of the foregoing, to amend the Regulation respecting the signing of certain acts, documents or writings by members of the personnel of the Conseil du trésor assigned to government services;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Administration and the Public Service and Chairman of the Conseil du trésor, of the Minister of Relations with the Citizens and Immigration and of the Minister for Relations with the Citizens and Immigration:

THAT the Regulation to amend the Regulation respecting the signing of certain acts, documents or writings by members of the personnel of the Conseil du trésor assigned to government services, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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### **Regulation to amend the Regulation respecting the signing of certain acts, documents or writings by members of the personnel of the Conseil du trésor assigned to government services**

An Act respecting government services  
to departments and public bodies  
(R.S.Q., c. S-6.1, ss. 8 and 28)

1. The Regulation respecting the signing of certain acts, documents or writings by members of the personnel of the Conseil du trésor assigned to government services, made by Order in Council 1433-94 dated 7 September 1994 and amended by Orders in Council 1637-94 dated 24 November 1994 and 599-95 dated 3 May 1995, is further amended by substituting the following for the Title:

**“Regulation respecting the signing of certain acts, documents or writings by the personnel assigned to government services”.**

**2.** Section 1 is amended by deleting the words “of the Conseil du trésor”.

**3.** The following is inserted after section 2:

“**2.1** An associate deputy minister and an assistant deputy minister are authorized to sign all contracts.”.

**4.** This Regulation comes into force on 1 October 1996.

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**M.O., 1996**

**Order No 96-04 of the Minister of Health and Social Services dated September 5, 1996**

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation to amend the Regulation respecting building construction by establishments, regional councils and the Corporation d’hébergement du Québec

WHEREAS under section 485 of the Act respecting health services and social services (R.S.Q., c. S-4.2), the Minister of Health and Social Services may, with the approval of the Conseil du trésor, make regulations applicable to institutions and regional boards, and to the Corporation d’hébergement du Québec respecting the standards, conditions and procedure to be observed for procurement of goods and services, joint purchases and mandates given for that purpose, franchising of services, construction of immovables, alienation of property, leasing of immovables and contracts related to such matters;

WHEREAS the Regulation respecting building construction by establishments, regional councils and the Corporation d’hébergement du Québec, approved by the Conseil du trésor by decision T.B. 148183 dated 10 January 1984 and amended by the Regulation made by Minister’s Order 94-01 dated 28 April 1994, prescribes in section 11 that tenders for professional services shall be invited by public call for tenders where the estimated cost of the work is greater than \$10 000 000 in which case the call for tenders shall be addressed exclusively to teams, and by invitation to tender in all other cases;

WHEREAS under the same section, the owner may choose to make a public call for tenders where the estimated cost of the work is greater than \$5 000 000;

WHEREAS it is expedient to amend the Regulation so that public calls for tenders be opened to any firm in the specialization determined by the owner and that such soliciting procedure be used where the estimated cost of the work is equal to or greater than \$5 000 000;

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

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

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

WHEREAS in the opinion of the Minister of Health and Social Services, the urgency to make changes to the procedure for awarding contracts for services under the Regulation justifies the absence of prior publication and such coming into force:

— team-based selection does not confer any significant advantage since nothing guarantees that the firm with the best expertise in a specialization will be selected on a team;

— the imminence of several large-scale construction projects in the health and social services network;

— the health and social services network remains the only network of public or parapublic bodies to reserve a category of projects to teams;

— those amendments are in keeping with the will of the Government to harmonize its present regulations;

WHEREAS by T.B. decision C.T. 189191 dated August 14, 1996, the Conseil du trésor has given its approval for the making of the Regulation, attached hereto, by the Minister;

THEREFORE, the Minister of Health and Social Services makes the Regulation to amend the Regulation respecting building construction by establishments, regional councils and the Corporation d’hébergement du Québec, the text of which is attached to this Order.

JEAN ROCHON,  
*Minister of Health  
and Social Services*