

WHEREAS under section 11 of the Regulations Act (R.S.Q., c. R-18.1), no proposed regulation may be made before the expiry of 45 days from its publication in the *Gazette officielle du Québec*, or before the expiry of the period indicated in the notice accompanying it or in the Act under which it may be made, where the notice or the Act provides for a longer period;

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 pursuant to section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority making 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 Government, the urgency owing to the following circumstances justifies the absence of prior publication and such coming into force:

— it is essential to extend the Decree so that it remains in force for the time required to make a decision on its industrial jurisdiction, taking into account that a committee will analyse new alternatives to the inclusion of the manufacturing of doors and windows in the industrial jurisdiction of the Decree;

— the Decree respecting the woodworking industry is in force until 31 March 1996; after that date, employers now governed by the Decree will no longer be required to grant the working conditions provided for in the Decree and employees not governed by a collective agreement could have some of their working conditions changed to their disadvantage;

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

THAT the Decree to extend the Decree respecting the woodworking industry, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Decree to extend the Decree respecting the woodworking industry

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 8)

1. The Decree respecting the woodworking industry (R.R.Q., 1981, c. D-2, r. 3), amended by Orders in Council 1103-83 dated 25 May 1983, 1124-87 dated 22 July 1987 and 1029-90 dated 11 July 1990, extended by Orders in Council 393-92 dated 18 March 1992, 1411-92 dated 23 September 1992, 1886-92 dated 16 December 1992, 874-93 dated 16 June 1993, 1719-93 dated 1 December 1993, amended by Order in Council 306-94 dated 2 March 1994, extended by Order in Council 319-95 dated 15 March 1995, amended by Orders in Council 605-95 dated 3 May 1995 and 989-95 dated 19 July 1995, extended by Order in Council 1168-95 dated 30 August 1995, is further extended to 31 March 1997.

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

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Gouvernement du Québec

O.C. 295-96, 6 March 1996

Highway Safety Code
(R.S.Q., c. C-24.2)

Fees exigible and return of confiscated objects — Amendments

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

WHEREAS under paragraph 1 of section 624 of the Highway Safety Code (R.S.Q., c. C-24.2), the Société de l'assurance automobile du Québec may, by regulation, determine the amount of the fee exigible for obtaining the registration of a road vehicle and the amount of the fee exigible on payment of the duties and insurance contribution referred to in section 31.1 of that Code and establish the terms and conditions of payment of such fees;

WHEREAS under paragraph 1.1 of section 624 of that Code, the Société may, by regulation, fix the amount of any additional fee exigible on payment of the duties and insurance contribution prescribed under section 31.1 of

that Code, in cases of failure to pay within the period determined by a regulation made under paragraph 8.8 of section 618 of that Code;

WHEREAS under paragraph 3.1 of section 624 of that Code, the Société may, by regulation, fix the amount of any additional fee exigible on payment of the duties and insurance contribution prescribed under section 93.1, in cases of failure to pay during the period determined by a regulation made under paragraph 4.2 of section 619 of that Code;

WHEREAS under paragraph 15 of section 624 of that Code, the Société may, by regulation, fix the amount of the administrative fee exigible in respect of a cheque without sufficient funds or returned by a financial institution for any other reason;

WHEREAS under section 625 of that Code, every regulation made by the Société is subject to the approval of the Government;

WHEREAS the Société made the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, approved by Order in Council 646-91 dated 8 May 1991;

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

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

WHEREAS in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication:

— the Société must present a balanced budget for its 1996 fiscal year;

— among the measures chosen to reach that goal, it must revise, by 1 April 1996, the receipts from fees exigible from its clients who are more than 30 days late paying the amount prescribed to retain their driver's licence or their vehicle registration and the receipts from fees applicable for cheques without sufficient funds;

WHEREAS it is expedient to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects;

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

THAT the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

Highway Safety Code
(R.S.Q., c. C-24.2, s. 624, 1st par.,
subpars 1, 1.1, 3.1 and 15)

1. The Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, approved by Order in Council 646-91 dated 8 May 1991 and amended by regulations approved by O.C. 1423-91 dated 16 October 1991, 1877-92 dated 16 December 1992, and 532-95 dated 12 April 1995, is further amended by substituting the following for section 2.1:

“**2.1** The owner of road vehicles who makes payment by two instalments of the sums covered by the first paragraph of section 31.1 of the Highway Safety Code in application of section 25 of the Regulation respecting road vehicle registration, shall, in addition to the fees fixed in paragraph 3 of section 2, pay the fee exigible at the time of the second instalment calculated according to the following formula:

$$F = s \times i \times \frac{n}{365}$$

where:

F: is the fee;

s: one-half of the sum of the following amounts:

(1) the fees payable to retain the right to operate each of the owner's vehicles, covered by Chapter IV of the Regulation respecting road vehicle registration;

(2) the insurance contribution payable to retain the right to operate each of the owner's vehicles, covered by Division V of Chapter IV of the Regulation insurance contributions, approved by Order in Council 1422-91 dated 16 October 1991;

(3) the tax on the insurance contribution covered by section 512 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1);

(4) the fees payable to retain the right to operate each of the owner's vehicles, covered by paragraph 3 of section 2;

i: the rate of interest equal to the rate determined under the first paragraph of section 28 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31);

n: the number of days comprising the period of five months following the date on which the first instalment is payable.”.

2. The following is substituted for section 3 of the Regulation:

“**3.** The additional fee exigible in case of failure, during more than thirty days, to pay the fees and insurance contribution prescribed by sections 68, 69, 72, 74, 76 and 77 of the Regulation respecting road vehicle registration, corresponds to the greater of the following amounts:

(1) \$10;

(2) the amount arrived at using the following formula:

$$F = s \times i \times \frac{n}{365}$$

where

F: is the additional fee;

s: the total of unpaid fees and insurance contributions that are prescribed by sections 68, 69, 72, 74, 76 and 77 of the Regulation respecting road vehicle registration, and unpaid fees set by paragraph 3 of section 2;

i: the rate of interest equal to the rate determined under the first paragraph of section 28 of the Act respecting the Ministère du Revenu;

n: the number of days during which the owner of a road vehicle is prohibited from putting it back into operation under the third paragraph of section 31.1 of the Highway Safety Code. For calculation purposes, the first 30 days of prohibition for the owner are not counted but the day on which the Société autorizes the owner to again operate the vehicle enters into the calculation, as does the day on which the owner notifies the Société that he renounces the operation of his vehicle.”.

3. The following is substituted for section 4.2 of the Regulation:

“**4.2** The additional fee exigible in case of failure, during more than thirty days, to pay the fees and insurance contribution prescribed by sections 63, 64, 66, 67, 69 and 71 to 73 of the Regulation respecting licences, corresponds to the greater of the following amounts:

(1) \$10;

(2) the amount arrived at using the following formula:

$$F = s \times i \times \frac{n}{365}$$

where:

F: is the additional fee;

s: the total of unpaid fees prescribed by sections 63, 64, 66, 67, 69 and 71 to 73 of the Regulation respecting licences, the unpaid insurance contribution prescribed by sections 86 to 88, 90, 106 to 110, 113, 120 to 122 and 124 of the Regulation respecting insurance contributions made by Order in Council 1422-91 dated 16 October 1991, and unpaid fees set by paragraph 3 of section 4;

i: the rate of interest equal to the rate determined under the first paragraph of section 28 of the Act respecting the Ministère du Revenu;

n: the number of days during which the licence holder is prohibited from driving a road vehicle under the third paragraph of section 93.1 of the Highway Safety Code. For calculation purposes, the first 30 days of prohibition for the holder are not counted but the day on which the Société autorizes the owner to again drive a vehicle enters into the calculation, as does the day on which the owner notifies the Société that he renounces the operation of a vehicle.”.

4. The following is substituted for section 10 of the Regulation:

“**10.** Whoever pays by means of a cheque that the financial institution on which it is drawn refuses to honour, because of insufficient funds or for any other reason, shall pay the fees set by the first paragraph of section 12.2 of the Act respecting the Ministère du Revenu.”.

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