



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 242

(Private)

**An Act respecting Municipalité régionale
de comté du Domaine-du-Roy**

Introduced 6 November 1996

Passage in principle 20 December 1996

Passage 20 December 1996

Assented to 23 December 1996

**Québec Official Publisher
1996**

Bill 242

(Private)

AN ACT RESPECTING MUNICIPALITÉ RÉGIONALE DE COMTÉ DU DOMAINE-DU-ROY

WHEREAS it is necessary to grant certain powers to Municipalité régionale de comté du Domaine-du-Roy ;

Whereas it is expedient to authorize Municipalité régionale de comté du Domaine-du-Roy to form a general partnership with the Société des établissements de plein air du Québec ;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Municipalité régionale de comté du Domaine-du-Roy, hereinafter referred to as the “regional county municipality”, is authorized to form, with the Société des établissements de plein air du Québec, hereinafter referred to as the “Société”, a general partnership on an equal share basis whose object is to manage, operate and develop the Village de Val-Jalbert tourist attraction.

To that end, the partnership may hold the movable and immovable property which constitutes Village de Val-Jalbert or is necessary for its operation.

2. The regional county municipality may acquire half the movable and immovable property constituting Village de Val-Jalbert in order to contribute the property to the partnership. The Société shall contribute the remaining half of the property to the partnership.

3. The affairs of the partnership shall be managed by a board composed of nine directors, one of whom shall be appointed by the Société, another by the regional county municipality and the remaining seven, jointly by the Société and the regional county municipality.

4. The general partnership contract shall contain

(1) a detailed description of the object of the partnership ;

(2) the obligations of the partners, including their required financial contribution ;

(3) the obligations of the partners in the event of total or partial non-performance of the partnership contract ; and

(4) the term of the contract, the mode of dissolution of the partnership or the mode of renewal of the contract.

5. No local municipality whose territory is included in the territory of *Municipalité régionale de comté du Domaine-du-Roy* may withdraw from the deliberations of the council of the regional county municipality pertaining to the subject of this Act.

The deliberations of the council of the regional county municipality pertaining to that subject are deemed to be subject to the fourth paragraph of section 188 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1).

6. The partnership may raise loans and, by hypothec or otherwise, offer partnership property as security for the loans.

7. Notwithstanding the *Municipal Aid Prohibition Act* (R.S.Q., chapter I-15), the regional county municipality may grant assistance and subsidies to the partnership.

8. Every by-law made by the partnership and every unanimous agreement between the partners requires the approval of the Minister of Municipal Affairs.

9. Every general meeting of the partnership and every meeting of its board of directors and of the executive committee of the board, if any, shall be held in Québec.

10. The voluntary winding-up or dissolution of the partnership requires the authorization of the Minister of Municipal Affairs.

11. Any person who, during his term of office as a member of the council of *Municipalité régionale de comté du Domaine-du-Roy* or of any local municipality whose territory is included in the territory of the regional county municipality, has a direct or indirect interest in a contract to which the partnership is a party is disqualified from holding that office.

12. An action for declaration of disqualification may be brought, in respect of a disqualification under section 13, in accordance with sections 308 to 312 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2).

13. A director of the partnership shall abstain from taking part in any deliberation or decision of the board of directors that would cause his personal interest to conflict with his directorial duties.

14. Any person having a direct or indirect interest in a contract with the partnership is disqualified from holding an office as an officer or employee of the regional county municipality other than as an employee within the meaning of the *Labour Code* (R.S.Q., chapter C-27).

- 15.** The partnership shall take out and maintain liability insurance covering its directors, officers and other representatives.
- 16.** The partnership shall furnish to the Minister of Municipal Affairs any information he requires on the activities of the partnership.
- 17.** The partnership is a municipal body within the meaning of section 5 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1).
- 18.** This Act comes into force on 23 December 1996.