

THAT, in the case of bodies already having such a policy:

(1) the policy filed with the Minister of Supply and Services, in accordance with Order in Council 1164-93 dated 18 August 1993, be equivalent to a policy filed with the Chairman of the Conseil du trésor, in accordance with paragraph 1 of the first paragraph of the operative part of this Order in Council;

(2) that those bodies no longer be required to apply their measures intended to fight undeclared labour in the construction industry from the date on which this Order in Council is made; that they file with the Chairman of the Conseil du trésor the amendments required to withdraw those measures from their policy, within 30 days following the making of the latter;

THAT this Order in Council replace Order in Council 1243-96, made on 2 October 1996.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 335-97, 19 March 1997

Financial Administration Act
(R.S.Q., c. A-6)

Exemption of the public bodies described in paragraph 2 of section 5 of the Auditor General Act from the application of government regulations concerning contracts

WHEREAS under section 49.3.1 of the Financial Administration Act (R.S.Q., c. A-6), the Government, upon the recommendation of the Conseil du trésor and with or without conditions, may exempt a public body described in paragraph 2 of section 5 of the Auditor General Act (R.S.Q., c. V-5.01) from the application of all regulations made under section 49 of the Financial Administration Act;

WHEREAS under Order in Council 1244-96 dated 2 October 1996, the Government exempted without conditions the public bodies described in paragraph 2 of section 5 of the Auditor General Act from the application of all regulations made under section 49 of the Financial Administration Act;

WHEREAS, however, the bodies exempted hereinabove that are responsible for carrying out construction work for a body described in section 3 or 4 or in paragraph 1 of section 5 of the Auditor General Act are exempted under the following conditions:

(1) that they adopt measures to fight undeclared labour in the construction industry in Québec inspired by the provisions of sections 7.3., 7.4., 13.1 and 13.2 of the General Regulation respecting the conditions of contracts of government departments and public bodies and the provisions of subparagraphs *b* and *c* of paragraph 7 of section 10 and of paragraph 7.01 of section 10 of the Regulation respecting construction contracts of government departments and public bodies and that they file the text of those measures and the text of any amendments that will have been made thereto with the Chairman of the Conseil du trésor, within 30 days following the making of the latter;

(2) in the case of the bodies existing at the time of the making of that Order in Council, that those measures take effect on 1 January 1997 and that they file the text of those measures with the Chairman of the Conseil du trésor, not later than on that date;

WHEREAS it is expedient to eliminate the condition that obliges the bodies to apply measures intended to fight undeclared labour in the construction industry, which they had to adopt under regulatory provisions that will be revoked;

WHEREAS it is expedient that these bodies withdraw these measures and that they so inform the Chairman of the Conseil du trésor;

WHEREAS the Conseil du trésor recommended that this Order in Council be made;

IT IS ORDERED, therefore, on the recommendation of the Minister for Administration and the Public Service, Chairman of the Conseil du trésor:

THAT the public bodies described in paragraph 2 of section 5 of the Auditor General Act (R.S.Q., c. V-5.01) be exempted, without conditions, from the application of all regulations made under section 49 of the Financial Administration Act (R.S.Q., c. A-6);

THAT these bodies no longer be obliged to apply their measures intended to fight undeclared labour in the construction industry from the date of making of this Order in Council; that they inform the Chairman of the Conseil du trésor that they have withdrawn their measures within 30 days of such withdrawal;

THAT this Order in Council replace Order in Council 1244-96, made on 2 October 1996.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 337-97, 19 March 1997

An Act respecting the Régie du logement
(R.S.Q., c. R-8.1)

Criteria for the fixing of rent — Regulation — Amendment

Regulation to amend the Regulation respecting the criteria for the fixing of rent

WHEREAS under subparagraph 3 of the first paragraph of section 108 of the Act respecting the Régie du logement (R.S.Q., c. R-8.1), amended by paragraph 2 of section 1 of Chapter 61 of the Statutes of 1995, the Government may make regulations, for the application of articles 1952 and 1953 of the Civil Code of Québec, establishing, for such categories of persons, of leases, of dwellings or of land intended for the installation of a mobile home as it may determine, the criteria for the fixing of rent or for the revision of rent and the rules of implementation of these criteria;

WHEREAS under subparagraph 6 of section 108 of that Act, amended by paragraph 4 of section 1 of Chapter 61 of the Statutes of 1995, the Government may make regulations prescribing, subject to section 85, what must be prescribed by regulation under that Act and articles 1892 to 2000 of the Civil Code of Québec;

WHEREAS under article 1953 of the Civil Code of Québec, where the court has an application before it for the fixing or adjustment of rent, it takes into consideration the standards prescribed by regulation;

WHEREAS by Order in Council 738-85 dated 17 April 1985, the Government made the Rent Review (Criteria) Regulation, the title of which was changed for "Regulation respecting the criteria for the fixing of rent" by Order in Council 454-94 dated 30 March 1994;

WHEREAS it is expedient to amend that Regulation;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation to

amend the Regulation respecting the criteria for the fixing of rent, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 22 January 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendments;

IT IS ORDERED., therefore, on the recommendation of the Minister of Municipal Affairs:

THAT the Regulation to amend the Regulation respecting the criteria for the fixing of rent, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the criteria for the fixing of rent

An Act respecting the Régie du logement
(R.S.Q., c. R-8.1, s. 108, 1st par., subpars. 3 and 6;
1995, c. 61, s. 1)

Civil Code of Québec
(1991, c. 64, a. 1953)

1. The Regulation respecting the criteria for the fixing of rent, made by Order in Council 738-85 dated 17 April 1985 and amended by the Regulations made by Orders in Council 1430-85 dated 10 July 1985, 562-86 dated 30 April 1986, 1047-87 dated 30 June 1987, 688-88 dated 11 May 1988, 528-89 dated 12 April 1989, 344-90 dated 21 March 1990, 519-91 dated 17 April 1991, 637-92 dated 29 April 1992, 580-93 dated 28 April 1993, 454-94 dated 30 March 1994, 825-94 dated 8 June 1994, 505-95 dated 12 April 1995 and 692-96 dated 12 June 1996, is further amended by adding the following after paragraph XII of Schedule I:

"XIII. Applications for the fixing of rent in respect of leases expiring between 1 April 1997 and 31 March 1998 and for contestations of adjustment of rent to take effect between 2 April 1997 and 1 April 1998:

Percentage applicable to the cost of electricity subject to the:

domestic rate (D or DM)	0.7 %
domestic dual energy rate (DT)	0.5 %
general small power rate (G)	0.0 %
all other rates	0.7 %