

Regulations and other acts

Gouvernement du Québec

O.C. 1483-97, 19 November 1997

Cities and Towns Act
(R.S.Q., c. C-19)

Municipal Code of Québec
(R.S.Q., c. C-27.1)

An Act respecting the Communauté urbaine de l'Outaouais
(R.S.Q., c. C-37.1)

An Act respecting the Communauté urbaine de Montréal
(R.S.Q., c. C-37.2)

An Act respecting the Communauté urbaine de Québec
(R.S.Q., c. C-37.3)

Economic promotion and development — Financial contribution of local municipalities

Regulation respecting the financial contribution of local municipalities to economic promotion and development

WHEREAS under section 466.3 of the Cities and Towns Act (R.S.Q., c. C-19), sections 627.3 and 688.11 of the Municipal Code of Québec (R.S.Q., c. C-27.1), section 84.5.2 of the Act respecting the Communauté urbaine de l'Outaouais (R.S.Q., c. C-37.1), section 121.6 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., c. C-37.2), and section 96.0.1.2 of the Act respecting the Communauté urbaine de Québec (R.S.Q., c. C-37.3), respectively enacted by sections 4, 15, 17, 26, 31 and 35 of the Act to amend various legislative provisions concerning municipal affairs (1997, c. 53), the Government may, by regulation, prescribe the rules for the determination of the amount of the sum that a local municipality is required to pay annually in support of a non-profit organization having economic promotion and development as its object that acts, as the case may be, in its territory or in that of the regional county municipality or of the urban community on whose council the mayor sits, and has been designated by the Government;

WHEREAS under the third paragraphs of sections 55 and 56 of the Act to amend various legislative provisions concerning municipal affairs (1997, c. 53), the

first regulation made under the provisions previously mentioned is not subject to the publication requirements of section 11 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation respecting the financial contribution of local municipalities to economic promotion and development, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the financial contribution of local municipalities to economic promotion and development

Cities and Towns Act
(R.S.Q., c. C-19, s. 466.3; 1997, c. 53, s. 4)

Municipal Code of Québec
(R.S.Q., c. C-27.1, ss. 627.3 and 688.11; 1997, c. 53, ss. 15 and 17)

An Act respecting the Communauté urbaine de l'Outaouais
(R.S.Q., c. C-37.1, s. 84.5.2; 1997, c. 53, s. 26)

An Act respecting the Communauté urbaine de Montréal
(R.S.Q., c. C-37.2, s. 121.6; 1997, c. 53, s. 31)

An Act respecting the Communauté urbaine de Québec
(R.S.Q., c. C-37.3, s. 96.0.1.2; 1997, c. 53, s. 35)

DIVISION 1 APPLICATION

1. The rules provided for in Division 2 apply to the determination of the amount of the sum a local municipality is required to pay for a municipal fiscal year, hereinafter called "fiscal year in question", as an annual contribution to the organization benefiting from that contribution, if, at the time of the adoption of the budget of the body making the contribution for the fiscal year in question, there is no by-law in force establishing other rules for the same purpose.

For the purposes of the first paragraph,

(1) “organization benefiting from the contribution” means any non-profit organization having economic promotion and development as its object that acts in the territory of the body making the contribution and has been designated by the Government;

(2) “body making the contribution” means the regional county municipality or urban community whose territory includes that of the local municipality, or the latter if its territory is not included in that of any regional county municipality or urban community.

DIVISION 2 CALCULATION RULES

§1. Local municipality whose territory is neither included in that of a regional county municipality nor in that of an urban community

2. The amount of the sum that the local municipality whose territory is not included in that of a regional county municipality nor in that of an urban community shall pay for the fiscal year in question is equivalent to the amount of the sum that it paid for the 1996 fiscal year to one or more non-profit organizations having economic promotion and development as their object and that act in its territory.

If no such amount was paid by the local municipality for the 1996 fiscal year, the amount of the sum it shall pay for the fiscal year in question is the result obtained by multiplying by 0.0001 its standardized real estate value, within the meaning of section 261.1 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), established according to the data available at the time of the adoption of its budget for the fiscal year in question.

§2. Local municipality whose territory is included in that of a regional county municipality

3. The amount of the sum that a local municipality whose territory is included in that of a regional county municipality shall pay for the fiscal year in question shall be equivalent to the amount of the sum it paid, for the 1996 fiscal year, to one or more non-profit organizations having economic promotion and development as their object and that act in the territory of the regional county municipality on whose council the mayor sat in 1996, directly or through its aliquot share in the expenditure incurred for that purpose by the regional county municipality.

If no such amount was paid by the local municipality for the 1996 fiscal year, the amount of the sum it shall pay

for the fiscal year in question is that obtained by multiplying its standardized real estate value, established for the purposes of the apportionment of the expenditures of the regional county municipality for the fiscal year in question, by the rate equivalent to the quotient obtained by dividing the amount provided for in subparagraph 1 by that provided for in subparagraph 2:

(1) the amount of the sum that the regional county municipality on whose council the mayor sits and the local municipalities whose territories were included in 1996 in that of the regional county municipality paid, for the 1996 fiscal year, to one or more non-profit organizations having economic promotion and development as their object and that act in their territories;

(2) the total amount of the standardized real estate values, established for the purposes of the apportionment of the expenditures of the regional county municipality for the 1996 fiscal year, of the local municipalities that made a contribution either toward the payment of the sum referred to in subparagraph 1 or toward the payment of the expenditure that such payment constitutes.

If, for the 1996 fiscal year, no sum was paid to an organization referred to in subparagraph 1 of the second paragraph by the regional county municipality and local municipalities referred to in that subparagraph, the amount of the sum the local municipality shall pay for the fiscal year in question is the result obtained by multiplying by 0.0001 its standardized real estate value, established for the purposes of the apportionment of the expenditures of the regional county municipality for the fiscal year in question.

§3. Local municipality whose territory is included in that of an urban community

4. The amount of the sum that the local municipality whose territory is included in that of an urban community shall pay for the fiscal year in question shall be equivalent to the amount of the sum that it paid, for the 1996 fiscal year, to one or more non-profit organizations having economic promotion and development as their object and that act on the territory of the urban community on whose council the mayor sat in 1996, directly or through its aliquot share in the expenditure incurred for that purpose by the urban community.

If no such amount was paid by the local municipality for the 1996 fiscal year, the amount of the sum it shall pay for the fiscal year in question is that obtained by multiplying its fiscal potential, established for the purposes of the apportionment of the expenditures of the urban community for the fiscal year in question, by the

rate equivalent to the quotient obtained by dividing the amount provided for in subparagraph 1 by that provided for in subparagraph 2:

(1) the amount of the sum that the urban community on whose council the mayor sits and the local municipalities whose territories were included in 1996 in that of the urban community paid, for the 1996 fiscal year, to one or more non-profit organizations having economic promotion and development as their object and that act in their territories;

(2) the total amount of fiscal potentials, established for the purposes of the apportionment of the expenditures of the urban community for the 1996 fiscal year, of the local municipalities that made a contribution either toward the payment of the sum referred to in subparagraph 1 or toward the payment of the expenditure that such payment constitutes.

DIVISION 3

TRANSITIONAL AND FINAL PROVISIONS

5. The definition of “organization benefiting from the contribution”, provided for in subparagraph 1 of the second paragraph of section 1, applies subject to the second paragraph of sections 55 and 56 of Chapter 53 of the Statutes of 1997 in respect of the sum payable for the 1998 fiscal year.

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

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Notice

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Standards and tables of personal home assistance

Notice is hereby given that the Commission de la santé et de la sécurité du travail adopted the final text of the “Regulation respecting the standards and tables of personal home assistance”, the text of which appears below.

This Regulation was prepublished in accordance with the Regulations Act (R.S.Q., c. R-18.1) on page 5000 of the *Gazette officielle du Québec* of 1 October 1997 with a Notice that, upon the expiry of 45 days following that

publication, the Commission de la santé et de la sécurité du travail could adopt the final text.

TREFFLÉ LACOMBE,
*Chairman of the board and
chief executive officer
of the Commission de la santé
et de la sécurité du travail*

Regulation respecting the standards and tables of personal home assistance

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, ss.160, 454, par. 2.1)

DIVISION I

PERSONAL HOME ASSISTANCE

1. In accordance with sections 145 and 158 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), personal home assistance may be granted to a worker who, as a result of the employment injury he has suffered, meets the following conditions:

1° he has sustained permanent physical or mental impairment;

2° he is unable to care for himself and to perform, without assistance, the household tasks that he would normally perform himself; and

3° such assistance proves to be necessary for him to remain in or return to his residence.

2. In accordance with section 159 of the Act, personal home assistance includes payment of the cost of hiring a person to provide for the worker’s assistance and supervision needs.

That person may be the worker’s spouse.

3. The assistance measures are intended, in accordance with the worker’s needs, to help him to care for himself and to perform the household tasks he would normally perform himself were it not for his injury.

4. The supervision measures are intended to help the worker to care for himself between the periods during which he is performing his personal activities and his household tasks, described in section 2.1 of Schedule 1, where he has permanent impairment entailing neurological or mental aftereffects and he has assistance needs in accordance with the standards established in the form for evaluating the personal home assistance needs provided for in that Schedule.