

## Regulations and Other Acts

Gouvernement du Québec

### O.C. 740-97, 4 June 1997

Education Act  
(R.S.Q., c. I-13.3)

#### Computation of the maximum yield of the school tax for the 1997-1998 school year

REGULATION respecting computation of the maximum yield of the school tax for the 1997-1998 school year

WHEREAS under section 455.1 of the Education Act (R.S.Q., c. I-13.3), the Government shall, by regulation, determine the rules for establishing the allowable number of students for computing the maximum yield of the school tax that the school board and the Conseil scolaire de l'île de Montréal may levy and the rates of increase of the amounts per student and of the base amount referred to in section 308 of the Education Act;

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 provided for in section 8 of that Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed thereby warrants it;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where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed thereby warrants it;

WHEREAS in the opinion of the Government, the fiscal nature of the norms established by the Regulation justifies the absence of prior publication and such coming into force;

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

THAT the Regulation respecting computation of the maximum yield of the school tax for the 1997-1998 school year, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

#### Regulation respecting computation of the maximum yield of the school tax for the 1997-1998 school year

Education Act  
(R.S.Q., c. I-13.3, s. 455.1)

**1.** For the computation of the maximum yield of the school tax for the 1997-1998 school year, provided for in section 308 of the Education Act (R.S.Q., c. I-13.3), the allowable number of students shall be determined by

(1) calculating the number of four-year-old preschool students who may be taken into account, by multiplying by 1.00 the number of such students legally enrolled for a minimum of 144 half days on 30 September 1996 in the schools that are under the jurisdiction of the school board;

(2) calculating the number of five-year-old preschool students who may be taken into account, by multiplying by 1.80 the number of such students legally enrolled for a minimum of 180 days on 30 September 1996 in the schools that are under the jurisdiction of the school board, except students referred to in paragraphs 7 and 8;

(3) calculating the number of elementary school students who may be taken into account, by multiplying by 1.55 the number of such full-time students legally enrolled on 30 September 1996 in the schools that are under the jurisdiction of the school board, except students referred to in paragraphs 7 and 9;

(4) calculating the number of secondary school students who may be taken into account, by multiplying by 2.40 the number of such full-time students legally enrolled on 30 September 1996 in the schools that are under the jurisdiction of the school board, except students referred to in paragraphs 5, 7 and 10;

(5) calculating the number of students admitted to a program of study leading to a secondary school vocational diploma, an attestation of vocational specialization or an attestation of preparation for semi-specialized trades who may be taken into account, by

(a) multiplying by 3.40 the number, increased by 5 %, of full-time students admitted to a program of study leading to a secondary school vocational diploma, except students referred to in subparagraph *b*, or to an attestation of vocational specialization, and legally en-

rolled during the 1995-1996 school year in the schools and adult education centres that are under the jurisdiction of the school board and are recognized by the Minister of Education for the purposes of applying the budgetary rules for the 1995-1996 school year;

(b) multiplying by 3.40 the number of full-time students admitted to preparation for specialized trades or admitted, following Secondary III, to a program of study leading to a secondary school vocational diploma, and legally enrolled on 30 September 1996 in the schools and adult education centres that are under the jurisdiction of the school board and are recognized by the Minister of Education for the purposes of applying the budgetary rules for the 1996-1997 school year;

(c) multiplying by 3.40 the number of students corresponding to the difference between the number of new places, in terms of the enrollment capacity of an educational institution, allotted by the Minister of Education at 4 March 1997 for one or more vocational programs of study and the number, increased by 5 %, of full-time students admitted to such program or programs of study during the 1995-1996 school year in the schools and adult education centres that are under the jurisdiction of the school board and are recognized by the Minister of Education for the purposes of applying the budgetary rules for the 1995-1996 school year; and

(d) adding the products obtained under subparagraphs a, b and c;

(6) calculating the number of students admitted to adult education services who may be taken into account, by

(a) multiplying by 2.40 the number, increased by 5 %, of full-time students 16 to 18 years of age admitted to adult education services, with that number being obtained by dividing by 900 the number of hours of training recognized by the Minister of Education for the purposes of applying the budgetary rules for the 1995-1996 school year, except the hours of training allotted for students referred to in paragraph 5;

(b) multiplying by 2.40 the number of full-time students 19 years of age or over admitted to adult education services, with that number being obtained by dividing by 900 the number of hours of training recognized by the Minister of Education for the purposes of applying the budgetary rules for the 1995-1996 school year, except the hours of training allotted for students referred to in paragraph 5; and

(c) adding the products obtained under subparagraphs a and b;

(7) calculating the number of handicapped students who may be taken into account, by multiplying by 6.40 the number of such full-time students legally enrolled on 30 September 1996 in the schools that are under the jurisdiction of the school board;

(8) calculating the number of preschool students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 2.25 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 1996 in the schools that are under the jurisdiction of the school board;

(9) calculating the number of elementary school students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 2.40 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 1996 in the schools that are under the jurisdiction of the school board;

(10) calculating the number of secondary school students enrolled in welcoming classes and francization classes who may be taken into account, by multiplying by 3.40 the number of such full-time students enrolled in welcoming classes and francization classes and legally enrolled on 30 September 1996 in the schools that are under the jurisdiction of the school board; and

(11) adding the numbers obtained under paragraphs 1 to 10.

**2.** Where the sum obtained by adding the numbers of students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 is greater by 200 or by 2 % than the sum obtained by adding the numbers of full-time students referred to in paragraphs 2 to 4 and 7 to 10 of section 1 of the Regulation respecting computation of the maximum yield of the school tax for the 1996-1997 school year, made by Order in Council 590-96 dated 22 May 1996, and is less by at least 200 or by at least 2 % than the sum obtained by adding the numbers of full-time students in the categories referred to in paragraphs 2 to 4 and 7 to 10 of section 1, established in accordance with the enrollment estimates of the Minister of Education for the 1997-1998 school year, the following is substituted for paragraphs 2 to 4 of section 1:

(2) calculating the number of five-year-old preschool students who may be taken into account, by multiplying by 1.80 the number of such full-time students, established in accordance with the enrollment estimates of the Minister of Education for the 1997-1998 school year, except students referred to in paragraphs 7 and 8;

(3) calculating the number of elementary school students who may be taken into account, by multiplying by 1.55 the number of such full-time students, established in accordance with the enrollment estimates of the Minister of Education for the 1997-1998 school year, except students referred to in paragraphs 7 and 9;

(4) calculating the number of secondary school students who may be taken into account, by multiplying by 2.40 the number of such full-time students, established in accordance with the enrollment estimates of the Minister of Education for the 1997-1998 school year, except students referred to in paragraphs 5, 7 and 10.

**3.** For the purposes of section 1,

(1) a student enrolled on 30 September 1996 or during the 1995-1996 school year is a student present at a school or an adult education centre that is under the jurisdiction of the school board on that date or at that time or who, if he was absent on that date or at that time, attended school from the beginning of the reference period of school attendance and is sure to return;

(2) the number of full-time students is obtained by adding the number of students enrolled full-time who participate in the minimum number of hours of activities prescribed by the basic school regulation applicable to them and the number of students enrolled part-time converted into a number of full-time students by

(a) using the following equation to calculate the proportion of full-time attendance per student enrolled part-time:

$$\frac{\text{the student's number of hours of activities per school year}}{\text{the minimum number of hours of activities per school year prescribed by the basic school regulation applicable to him; and}}$$

(b) adding, for each category of students referred to in paragraphs 1 to 10 of section 1, the proportions obtained under subparagraph a.

**4.** For the computation of the maximum yield of the school tax for the 1997-1998 school year, the amount per student is \$580.17 or, if the allowable number of students is less than 1 000, \$754.20, and the base amount is \$174 047, that is, the amounts established for the 1996-1997 school year increased by 2.53 %.

**5.** The Regulation respecting computation of the maximum yield of the school tax for the 1996-1997 school year, made by Order in Council 590-96 dated 22 May 1996, is revoked.

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

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Gouvernement du Québec

**O.C. 742-97, 4 June 1997**

Environment Quality Act  
(R.S.Q., c. Q-2)

**Reduction of pollution from agricultural sources**

Regulation respecting the reduction of pollution from agricultural sources

WHEREAS paragraphs *a*, *c* to *f*, *h* and *l* of section 31, subparagraphs *c* and *k* of the first paragraph of section 70, and section 109.1 of the Environment Quality Act (R.S.Q., c. Q-2) empower the Government to make regulations respecting the matters set forth therein;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and with section 124 of the Environment Quality Act, a draft of the Regulation respecting the reduction of pollution from agricultural sources was published in Part 2 of the *Gazette officielle du Québec* of 24 August 1994, with a notice that it could be made by the Government at the expiry of 60 days following that publication;

WHEREAS owing to the numerous comments received following the publication of the Draft Regulation, the Minister of the Environment and Wildlife set up a coordinating committee whose task was to arrive at the broadest consensus possible on the major aspects of the Draft Regulation;

WHEREAS on 13 February 1996, the coordinating committee submitted a report outlining points on which a consensus had been reached in respect of the Draft Regulation;

WHEREAS it is expedient to make the Regulation with amendments, to take into account the comments received following the publication in the *Gazette officielle du Québec* and the recommendations contained in the coordinating committee's report on the draft of the Regulation respecting the reduction of pollution from agricultural sources;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment and Wildlife: