

24. The Minister of Justice, having consulted the Ministers responsible for the administration of statutes providing for recourses before the division of the Tribunal where there is a vacant position, shall recommend to the Government the name of a person who has been declared apt to be appointed as member of the Tribunal.

Where the vacant position is the position of president or a position of vice-president of the Tribunal, the Minister of Justice shall recommend to the Government the name of a member of the Tribunal or the name of a person declared apt to be appointed as member of the Tribunal.

DIVISION IX **RENEWAL OF TERMS OF OFFICE**

25. In the 12 months before the expiry of a member's term of office, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif shall ask the member to provide him with the information mentioned in subparagraphs 6 and 7 of the first paragraph of section 4 and with a written statement in which he agrees to a verification with, *inter alia*, a disciplinary body, any professional order of which he is or was a member and police authorities and, where applicable, in which he agrees that the persons or organizations mentioned in section 14 be consulted.

26. The Associate Secretary General shall form a committee to examine the renewal of the term of the member and shall designate the chairman thereof.

The committee shall be composed of the President of the Tribunal or another member of the Tribunal designated by the President, a member of the staff of the Ministère du Conseil exécutif or the Ministère de la Justice and a representative of the legal community. Notwithstanding the foregoing, the President of the Tribunal may not be represented by the person who has been, during the last year of the term of the member whose renewal is examined, the vice-president of the division to which the member was assigned.

In the case of a member who performs administrative duties within the Tribunal, the committee in charge of examining the renewal of his term of office shall be composed of a member of the staff of the Ministère de la Justice, a member of the staff of the Ministère de la Justice and a representative of the legal community.

Sections 6 to 9 then apply.

27. The committee shall determine whether the member still fulfils the criteria set out in section 15, taking

into account the needs of the Tribunal, and may hold the consultations provided for in section 14 on any matter in the record.

28. Committee decisions shall be made by a majority vote of its members. In the case of a tie-vote, the chairman of the committee shall have a casting vote. A member may register his dissent.

The committee shall forward its recommendation to the Associate Secretary General and to the Minister of Justice.

29. The Associate Secretary General shall be the agent empowered to notify a member of the non-renewal of his term of office.

DIVISION X **CONFIDENTIALITY**

30. The names of candidates, the reports of selection or renewal committees, the register, the list of candidates declared apt to be appointed to the Tribunal, as well as any information or document relating to a consultation or decision by a committee, are confidential.

Notwithstanding the foregoing, a member whose term of office is not renewed may consult the recommendation of the renewal committee concerning him.

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

2091

Gouvernement du Québec

O.C. 318-98, 18 March 1998

Administrative Tribunal of Québec **— Remuneration and other conditions of office**

Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec

WHEREAS under the first and second paragraphs of section 56 of the Act respecting administrative justice (1996, c. 54), the Government may, by regulation, determine the mode, standards and scales of remuneration of the members of the Administrative Tribunal of Québec, as well as the conditions subject to which and the extent to which a member may be reimbursed the expenses incurred in the performance of his duties; the Government may also determine other conditions of office ap-

plicable to all or certain members, including fringe benefits other than the pension plan;

WHEREAS the third paragraph of section 56 of the Act provides that regulatory provisions may vary according to whether they apply to full-time or part-time members or to a member charged with an administrative office within the Tribunal;

WHEREAS the fourth paragraph of section 56 of the Act provides that the regulations come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec* or on any later date indicated therein;

WHEREAS under Order in Council 1524-97 dated 26 November 1997, section 56 of the Act comes into force on 1 April 1998;

WHEREAS section 55 of the Interpretation Act (R.S.Q., c. I-16) provides in particular that whenever an act or any provision of an act comes into force at a date subsequent to its sanction, the regulations contemplated therein may validly be made and published before such date;

WHEREAS it is expedient to make the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec attached to this Order in Council;

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

THAT the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec

An Act respecting administrative justice
(1996, c. 54, s. 56)

DIVISION I REMUNERATION

1. The salary scales applicable to the president, vice-presidents and members of the Administrative Tribunal of Québec are those in Schedule I.

The salary scales shall be revised in keeping with the policy adopted by the Government for holders of senior positions appointed by the Government.

2. Part-time members of the Tribunal shall receive fees in accordance with the hourly rate in Schedule I, up to a maximum of seven hours' work a day.

The maximum number of work hours may be exceeded where authorized by the president of the Tribunal and where special circumstances warrant it.

For the purposes of this Regulation, fees paid to the members of the Tribunal are considered to be a salary.

3. The starting salary of a full-time member of the Tribunal shall be determined by his experience and education, the position available, and his income at the time of his appointment established in accordance with the standards prescribed in Schedule II.

A civil servant appointed as a full-time member of the Tribunal may not receive a salary lower than the regular salary to which he was entitled before his appointment, in accordance with his classification in the Québec public service.

4. A person who has retired from the public sector defined in Schedule III and is appointed member of the Tribunal shall receive a salary corresponding to the salary determined in accordance with the standards of this Regulation, from which shall be deducted half the amount of the retirement pension he receives from the public sector. The deduction shall be established in the instrument of appointment or upon renewal of the member's term of office. The salary may therefore be lower than the regular minimum of the scale applicable to the position.

5. Whoever has received or is receiving a severance pay or allowance from the public sector defined in Schedule III and receives a salary as a member of the Tribunal during the period covered by such pay or allowance shall reimburse the portion of the severance pay or allowance that covers the period for which he was receiving a salary, or shall cease to receive it during that period.

However, if the salary he receives as a member of the Tribunal is lower than what he was receiving prior to his appointment, he shall repay only that portion of the severance pay or allowance up to the amount of his new salary, or he may continue to receive the portion of the severance pay or allowance that exceeds his new salary.

The period covered by the severance pay or allowance corresponds to that which would have been covered by the same amount if the member had received it as salary for his office, employment or previous position.

6. Upon renewal of a term of office, the salary shall remain the same as the salary paid before such renewal, subject to section 4.

7. Where a member of the Tribunal already in office is designated as vice-president of the Tribunal, his salary shall be increased by 5 %. However, the new salary may not be lower than the regular minimum salary of the scale applicable to that position.

Where a vice-president of the Tribunal already in office is designated as president of the Tribunal, his salary shall be increased by 5 %. However, the new salary may not be lower than the regular minimum salary of the scale applicable to that position.

Where a member of the Tribunal already in office is designated as president of the Tribunal, his salary shall be the regular minimum salary of the scale applicable to that position. However, the new salary may not be lower than the regular salary to which the member was entitled before the designation.

8. A full-time member of the Tribunal who ceases to hold an administrative office within the Tribunal in accordance with the second paragraph of section 58 of the Act respecting administrative justice (1996, c. 54), shall receive, starting on the effective date, a salary equivalent to what he was receiving without exceeding the maximum of the salary scale for a member's position.

However, in such cases, a public servant may not receive a salary lower than the regular salary to which he would be entitled according to his classification in the Québec public service.

9. The salary of a member of the Tribunal shall be revised in keeping with the performance assessment carried out according to the job factors and job ratings in Schedule IV and in keeping with the policy adopted by the Government for holders of senior positions appointed by the Government.

Revision of the salary of a member of the Tribunal who has retired from the public sector defined in Schedule III shall also take into account the deduction made in the instrument of appointment or upon renewal of his term of office in accordance with section 4 of this Regulation.

10. The annual performance assessment of a member of the Tribunal shall be carried out by the president of the Tribunal or by a vice-president he designates. The job factors and job ratings for assessing a member's performance, in accordance with the principle of independent exercise of jurisdictional functions, are shown in Schedule IV.

The annual performance assessment of a vice-president of the Tribunal shall be carried out by the president of the Tribunal and shall address, with respect to his administrative office, the efficiency and effectiveness of the management of resources at his disposal to carry out the Tribunal's mission. If applicable, it shall also address his performance as a member. The job factors and job ratings for the assessment, in keeping with the principle of independent exercise of jurisdictional functions, are shown in Schedule IV.

The annual performance assessment of the president of the Tribunal shall be carried out by the Minister of Justice and shall address only the efficiency and effectiveness of the management of resources at his disposal to carry out the Tribunal's mission. The job factors and job ratings for assessing his performance are shown in Schedule IV.

11. A member of the Tribunal whose term of office has expired and who is concluding the cases he has begun to hear but has yet to determine in accordance with the first paragraph of section 55 of the Act respecting administrative justice, shall continue to be remunerated, for a period to be determined by the president, according to the annual salary to which he was entitled. However, if the president considers that the new situation warrants his performing his duties part time, the member may be remunerated according to an hourly rate calculated in keeping with the annual salary he was receiving at the time his term of office expired. For the purposes of this paragraph, a member is deemed to work 35 hours a week.

If the situation applies to a part-time member, he shall receive the hourly rate to which he was entitled.

12. A vice-president of the Tribunal who replaces the president in accordance with section 63 of the Act respecting administrative justice shall receive an additional remuneration equivalent to 5 % of his annual salary for the duration of that replacement.

A vice-president of the Tribunal who replaces another vice-president in accordance with section 63 of the Act shall receive an additional remuneration equivalent to 3 % of his annual salary for the duration of that replacement.

The additional remuneration shall be paid only in the event of a replacement lasting at least 45 consecutive days.

DIVISION II **OTHER CONDITIONS OF OFFICE**

§1. Insurance plans

13. Full-time members of the Tribunal shall participate in the group insurance plans for managerial staff of the Québec public and parapublic sectors.

In case of disability of a member who is entitled to salary insurance benefits during his term of office, the benefits provided for under the long- or short-term salary insurance plans shall be paid and the member shall be exempted from paying premiums to the pension and insurance plans for the duration of the period of disability, even if the member's term expires during that period.

§2. Pension plans

14. In accordance with section 59 of the Act respecting administrative justice and subject to any special provisions included in the following plans and prescribed by order in council,

(1) full-time members of the Tribunal shall participate in the Government and Public Employees Retirement Plan (RREGOP) applicable to non unionizable employees or, as the case may be, in the Civil Service Superannuation Plan;

(2) the vice-presidents of the Tribunal shall participate in the Government and Public Employees Retirement Plan (RREGOP) applicable to non unionizable employees and are subject to the special retirement provisions of Order in Council 245-92 dated 26 February 1992 and any consequential amendments;

(3) the president of the Tribunal shall participate in the Government and Public Employees Retirement Plan (RREGOP) applicable to non unionizable employees and are subject to the special retirement provisions of Orders in Council 245-92 dated 26 February 1992 and 461-92 dated 1 April 1992 and any consequential amendments.

§3. Annual vacation leave

15. Full-time members and vice-presidents of the Tribunal shall be entitled to a paid annual vacation of 20 working days, to be calculated proportionally to the time in office during the fiscal year.

Members who are on full leave without pay from the Québec public service shall be entitled to an annual vacation equivalent to the number of days of leave they would be entitled to under their classification in the public service.

Where part or all of the annual vacation to which a member or vice-president is entitled cannot be taken in a given fiscal year, a request for its carryover shall be made to the president of the Tribunal before the end of that fiscal year.

The number of days of annual vacation carried over may not exceed the number of days of annual vacation to which a member or vice-president is entitled.

16. The president of the Tribunal shall be entitled to a paid annual vacation of 25 working days, to be calculated proportionally to the time in office during the fiscal year.

Where part or all of the annual vacation to which he is entitled cannot be taken in a given fiscal year, a request for its carryover shall be made to the Associate Secretary-General for Senior Positions of the Ministère du Conseil exécutif.

The number of days of annual vacation carried over may not exceed the number of days of annual vacation to which he is entitled.

§4. Legal holidays

17. A full-time member of the Tribunal shall have the same annual paid legal holidays as those that apply to the Québec public service.

§5. Expenses incurred in office

18. The president and vice-presidents of the Tribunal are entitled to the reimbursement of expenses, with supporting documents but without prior authorization, that were incurred in the performance of their duties up to the amount of \$3 600 per fiscal year for the president and \$2 100 per fiscal year for a vice-president.

The expenses are reimbursed in accordance with Décret 1308-80 concernant les dépenses de fonction des présidents et de certains vice-présidents et membres à plein temps d'organismes gouvernementaux, dated 28 April 1980, and any consequential amendments.

§6. Travel and living expenses

19. Members of the Tribunal shall be entitled to the reimbursement of travel and living expenses incurred in

the performance of their duties in accordance with Décret 2500-83 concernant les règles sur les frais de déplacement des présidents, vice-présidents et membres d'organismes gouvernementaux, dated 30 November 1983, and any consequential amendments.

20. For the purposes of reimbursing expenses incurred, the principal location for the performance of duties of members of the Tribunal is that provided for by order in council.

§7. Notice of resignation

21. For the purposes of section 52 of the Act respecting administrative justice, a notice of resignation given to the Minister of Justice shall be sent to the president of the Tribunal who shall forward a copy to the Associate Secretary-General for Senior Positions of the Ministère du Conseil exécutif.

§8. Full leave without pay from the public service

22. For the purposes of section 60 of the Act respecting administrative justice, a public servant who is appointed member of the Tribunal shall be on full leave without pay from the Ministère de la Justice.

23. A member of the Tribunal who is on full leave without pay from the Ministère de la Justice and resigns his office or whose term is not renewed shall be reintegrated into the Ministère de la Justice with the salary he had at the Tribunal if that salary is equal to or lower than the maximum of the applicable salary scale in the Québec public service. If his salary at the Tribunal was higher, he shall be reintegrated with a salary equivalent to the maximum of the salary scale applicable to him according to his classification in the public service.

§9. Transition allowance and other similar measures

24. A full-time member of the Tribunal who is not on full leave without pay from the Québec public service and whose term of office is not renewed or who does not request a renewal of his term, shall receive a transition allowance.

The allowance at the time of departure is equivalent to one month's salary for each year of continuous service since the beginning of his term as full-time holder of a senior position appointed by the Government, without exceeding twelve months.

If the period is less than one year, the allowance shall be calculated proportionally to the number of days of service completed.

25. A member of the Tribunal who is dismissed or removed shall not receive a transition allowance in accordance with sections 53 or 54 of the Act respecting administrative justice.

26. A member of the Tribunal who no longer performs his duties, who received or is receiving the transition allowance prescribed in section 24 and who holds an office, employment or any other remunerated position in the public sector defined in Schedule III during the period to which the allowance applies, shall either reimburse that portion of the allowance that covers the period for which he received a salary, or cease to receive it during that period.

However, if the salary he receives is lower than that which he previously received, he shall reimburse the allowance only up to the amount of the new salary, or he may continue to receive the portion of the allowance that exceeds his new salary.

The period covered by the transition allowance is the same as that which would have been covered by the same amount had the member received it as a salary while holding an office, an employment or a previous position.

27. A full-time member of the Tribunal who no longer performs his duties, who has benefitted from a departure incentive program or its equivalent and who, within the two years following his departure holds an office, employment or any other remunerated position in the public sector defined in Schedule III shall reimburse the amount equivalent to the amount received under the program up to the amount of the remuneration received during that two-year period as a result of his return.

28. Part-time teaching activities are not governed by sections 26 and 27.

29. Sections 9 and 10 of this Regulation come into force on 1 April 1999. Any salary revision made before that date in the case of persons referred to in section 841 of the Act respecting the implementation of the Act respecting administrative justice (1997, c. 43) shall be carried out, if applicable, in accordance with the rules applicable before the coming into force of this Regulation.

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

SCHEDULE I

(ss. 1, 2)

SALARY SCALES APPLICABLE TO THE PRESIDENT, VICE-PRESIDENTS AND MEMBERS OF THE ADMINISTRATIVE TRIBUNAL OF QUÉBEC

1. The salary scale applicable to the president of the Tribunal corresponds to the scale established for Level 6 chief executive officers under Décret 1018-95 dated 2 August 1995, and any consequential amendments.

2. The salary scale applicable to vice-presidents of the Tribunal corresponds to the scale established for Level 5 vice-presidents of government bodies under the Order in Council referred to in section 1.

3. The salary scale applicable to full-time members of the Tribunal corresponds to the scale established for Level 3 full-time members of government bodies under the Order in Council referred to in section 1.

4. The salary scale applicable to physicians who are full-time members of the Tribunal corresponds to the scale established for physicians who are full-time members of government bodies under the Order in Council referred to in section 1.

5. The hourly rates paid to members of the Tribunal performing their duties part time, including physicians, are calculated as follows:

Members: the maximum of the scale applicable to Level 3 full-time members of bodies + 20 %* ÷ 261 working days ÷ 7 hours per working day

Physicians: the maximum of the scale applicable to physicians who are full-time members of bodies + 20 %* ÷ 261 working days ÷ 7 hours per working day

* Compensation for the absence of fringe benefits

SCHEDULE II

(s. 3)

DETERMINATION OF THE STARTING SALARY OF A MEMBER APPOINTED TO THE ADMINISTRATIVE TRIBUNAL OF QUÉBEC

For the purposes of determining the income to be used as a basis for the calculation of the starting salary of a member appointed to the Administrative Tribunal of Québec, the following rules shall apply:

1. Take into account the regular salary with the previous employer, supported by a compulsory attestation by the employer.

2. Determine self-employment income by one of the following means:

— a financial statement prepared by an accounting firm;

— a copy of the T4 or Relevé 1 slip(s) showing the income for the year(s) of reference required;

— an affidavit in which the candidate attests to his income;

— any other acceptable and accurate proof of the candidate's financial situation.

3. Exclude from the salaries, earnings or income provided, any amount that is not of a regular nature such as premiums, overtime or other bonuses of that nature.

4. Take into account, for the purposes of determining the salary, only the income from the principal employment, thereby excluding income from casual employment or work done outside regular hours.

5. Subtract, in the case of candidates who are contract or casual employees of the Gouvernement du Québec, the percentage of their salary compensating for the absence of fringe benefits, where such a percentage is provided.

6. Establish an average over a number of years where income varies considerably because of profit-sharing income or income of another type.

SCHEDULE III

(ss. 4, 5, 9, 26, 27)

THE PUBLIC SECTOR INCLUDES

1. the Government, a government department, the Conseil exécutif and the Conseil du trésor;

2. the Lieutenant-Governor's staff, the National Assembly, the Public Protector, any person designated by the National Assembly to perform duties that come under the National Assembly, where the law provides that its personnel is appointed and remunerated in accordance with the Public Service Act and any body to which the National Assembly or one of its committees appoints the majority of the members;

3. any body that is established by an Act, pursuant to an Act or by a decision of the Government, the Conseil du trésor or a minister and that meets one of the following conditions:

(1) all or part of its appropriations for operating purposes appear under that heading in the budgetary estimates tabled in the National Assembly;

(2) its employees are required by law to be appointed or remunerated in accordance with the Public Service Act;

(3) the Government or a minister appoints at least half of its members or directors and at least half of its operating costs are borne directly or indirectly by the consolidated revenue fund or by other funds administered by a public body referred to in section 1 or 2 of this Schedule or by both at the same time;

4. the Public Curator;

5. any body or agency, other than those mentioned in sections 1, 2 or 3 of this Schedule, instituted by an Act, pursuant to an Act, or by a decision of the Government, the Conseil du Trésor or a minister and at least half of whose members or directors are appointed by the Government or a minister;

6. any joint-stock company, other than a government body mentioned in section 3 of this Schedule, of which more than 50 % of the voting shares are part of the public domain or are owned by a government body referred to in sections 1 to 3 and 5 of this Schedule or by an undertaking referred to in this section;

7. any educational institutions at the university level referred to in paragraphs 1 to 11 of section 1 of the Act respecting educational institutions at the university level (R.S.Q., c. E-14.1);

8. any general and vocational college instituted in accordance with the General and Vocational Colleges Act (R.S.Q., c. C-29);

9. any school board referred to in the Education Act (R.S.Q., c. I-13.3) or the Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., c. I-14), and the Conseil scolaire de l'Île-de-Montréal;

10. any private institution accredited for purposes of subsidies under the Act respecting private education (R.S.Q., c. E-9.1).;

11. any other educational institution of which more than one-half of the operating expenses are paid out of

the appropriations entered in the budgetary estimates tabled in the National Assembly;

12. any public institution or private institution under agreement and any regional board referred to in the Act respecting health services and social services (R.S.Q., c. S-4.2);

13. a regional council established under the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5);

14. any municipality, and any body declared by law to be the mandatary or agent of a municipality, and any body whose board of directors is composed in the majority of members of the municipal council, as well as any body otherwise under municipal authority;

15. any urban community, intermunicipal board, intermunicipal transit corporation, intermunicipal board of transport, Kativik Regional Government and any other body whose board of directors is composed in the majority of elected municipal officers, except a private body.

SCHEDULE IV

(ss. 9, 10)

JOB FACTORS AND JOB RATINGS FOR PERFORMANCE ASSESSMENTS

Annual performance assessments shall be based on the following job factors:

(1) Qualitative job factors include factors and standards for assessing the knowledge, skills, attitudes and behaviour of a member in the exercise of his powers and duties, in particular,

(a) the knowledge and use of acts, regulations, rules of evidence and procedure, and jurisprudence acquired through the means available to him;

(b) the written quality of decisions, in particular, clarity, precision and conciseness;

(c) behaviour with respect to the parties, their witnesses and their representatives, in particular during hearings;

(d) compliance with the code of ethics applicable to a member of the Tribunal;

(e) availability and interest in the duties;

(f) communications and relations with the management and staff of the Tribunal;

(g) participation in committees and activities related to the duties of a member of the Tribunal.

(2) Quantitative job factors assess the quantitative contribution of a member with respect to the handling of cases, in particular,

(a) the number of cases settled following conciliation, withdrawal or an amicable settlement;

(b) the number of cases handled following inquiries and hearings for the parties, and the testimonies, arguments and the entire documentation pertaining to a case taken under advisement;

(c) the number of decisions rendered.

The annual performance assessment shall be in keeping with the following job ratings:

A performance that far exceeds required standards

B performance that exceeds required standards

C performance that meets required standards

D performance that is below required standards

E performance that is far below required standards

2089

Gouvernement du Québec

O.C. 323-98, 18 March 1998

An Act respecting the civil aspects of international and interprovincial child abduction
(R.S.Q., c. A-23.01)

Republic of Colombia and Republic of Iceland

Taking of effect of the Act respecting the civil aspects of international and interprovincial child abduction in respect of the Republic of Colombia and the Republic of Iceland

WHEREAS under section 41 of the Act respecting the civil aspects of international and interprovincial child abduction (R.S.Q., c. A-23.01), the Government, upon the recommendation of the Minister of Justice and, as the case may be, of the Minister responsible for Canadian Intergovernmental Affairs or the Minister of International Relations, shall designate by order published in the *Gazette officielle du Québec* any State, province or

territory in which it considers that Québec residents may benefit from measures similar to those set out in the Act;

WHEREAS under the same section, the order shall indicate the date of the taking of effect of the Act for each State, province or territory designated in it;

WHEREAS by Order in Council 687-97 dated 21 May 1997, the Government designated the Republic of Columbia and the Republic of Iceland as States in which the Act respecting the civil aspects of international and interprovincial child abduction applies;

WHEREAS that Order in Council provides that the Act will take effect, in respect of those States, on a later date to be fixed by the Government;

WHEREAS it is expedient to fix the date of taking of effect of the Act in respect of those States;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Justice and the Minister of International Relations:

THAT the Act respecting the civil aspects of international and interprovincial child abduction take effect on 1 December 1997 in respect of the Republic of Columbia and the Republic of Iceland.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

2120

Gouvernement du Québec

O.C. 324-98, 18 March 1998

An Act respecting the civil aspects of international and interprovincial child abduction
(R.S.Q., c. A-23.01)

Cyprus and Republic of Zimbabwe

Taking of effect of the Act respecting the civil aspects of international and interprovincial child abduction in respect of Cyprus and the Republic of Zimbabwe

WHEREAS under section 41 of the Act respecting the civil aspects of international and interprovincial child abduction (R.S.Q., c. A-23.01), the Government, upon the recommendation of the Minister of Justice and, as the case may be, of the Minister responsible for Canadian Intergovernmental Affairs or the Minister of International Relations, shall designate by order published in