

Gouvernement du Québec

O.C. 760-98, 3 June 1998

Labour Code
(R.S.Q., c. C-27)

Application of the definition of “employee” given in the Labour Code to certain public servants of the Conseil du trésor

WHEREAS under subparagraph 3.2 of paragraph 1 of section 1 of the Labour Code (R.S.Q., c. C-27), the definition of “employee” does not include a public servant of the Conseil du trésor, except in the cases that the Government may determine by order;

WHEREAS by Order in Council 611-96 dated 22 May 1996, the public servants of the Conseil du trésor in the Service de la vérification interne and in the Direction générale de l’administration and the public servants whose services have been made available to the Minister responsible for the administration of the Act respecting government services to departments and public bodies (R.S.Q., c. S-6.1) were included in the definition of “employee” given in the Labour Code, except the public servants in the office of the associate secretary, Services gouvernementaux, and in the Direction des ressources humaines;

WHEREAS it is expedient to replace Order in Council 611-96 in order to exclude from the definition of “employee” given in the Labour Code the public servants of the Conseil du trésor in the Service de la vérification interne;

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

THAT the public servants of the Conseil du trésor in the Direction générale de l’administration and the public servants whose services have been made available to the Minister responsible for the administration of the Act respecting government services to departments and public bodies (R.S.Q., c. S-6.1) be included in the definition of “employee” given in paragraph 1 of section 1 of the Labour Code, except the public servants in the office of the associate secretary, Services gouvernementaux, and in the Direction des ressources humaines;

THAT this Order in Council replace Order in Council 611-96 dated 22 May 1996.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

2299

Gouvernement du Québec

O.C. 776-98, 10 June 1998

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

French-language and English-language school boards

— Establishment
— Amendments

Regulation to amend the Regulation respecting the establishment of French-language and English-language school boards

WHEREAS under the first paragraph of section 540 of the Education Act (R.S.Q., c. I-13.3), amended by section 50 of Chapter 47 of the Statutes of 1997, the Government may, by regulation, adopt any other transitional provision to remedy any omission in order to ensure the carrying out of the Education Act in the territory of a new French-language or English-language school board on 1 July in the year following the year of publication of the order respecting territorial division;

WHEREAS under the second and third paragraphs of that section, the Regulations Act (R.S.Q., R-18.1) does not apply to such regulation or proposed regulation, which comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein, and it may, once published and if it so provides, apply from any date not prior to the date of publication of the order respecting territorial division;

WHEREAS Order in Council 1014-97 dated 13 August 1997 respecting the division of the territory of Québec into territories for French-language school boards and territories for English-language school boards was published in the *Gazette officielle du Québec* of 27 August 1997;

WHEREAS under section 516 of the Education Act, the provisional councils of the new school boards are responsible for taking the preliminary measures leading to the operation of the new school boards in their territories from 1 July 1998;

WHEREAS under section 519 of that Act, the provisional councils of the school boards, in co-operation with the other provisional councils concerned, shall decide as to the allocation of the rights of ownership in immovables of the existing school boards situated in the territory of the new school boards;

WHEREAS under section 521 of that Act, the provisional councils, in co-operation with the other provi-

sional councils concerned, shall decide as to the allocation of the rights, other than the rights of ownership in immovables, and obligations of the existing school boards situated wholly or partly within the territories of the new school boards;

WHEREAS section 535 of that Act provides that, on 1 July 1998, the rights and obligations of existing school boards become the rights and obligations of the new school boards having jurisdiction in its territory, to the extent provided in the plan of allocation of rights and obligations established under sections 519 and 521 of that Act;

WHEREAS in the Education Act there are no provisions applicable where the provisional councils concerned fail to establish the plan of allocation of rights and obligations of existing school boards under sections 519 and 521 of that Act;

WHEREAS by Order in Council 1281-97 dated 1 October 1997, the Government made the Regulation respecting the establishment of French-language and English-language school boards;

WHEREAS it is expedient to amend that Regulation;

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

THAT the Regulation to amend the Regulation respecting the establishment of French-language and English-language school boards, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the establishment of French-language and English-language school boards(*)

Education Act
(R.S.Q., c. I-13.3, s. 540; 1997, c. 47, s. 50)

1. The Regulation respecting the establishment of French-language and English-language school boards is amended by inserting the following section after section 3.1:

* The Regulation respecting the establishment of French-language and English-language school boards was made by Order in Council 1281-97 dated 1 October 1997 (1997, *G.O.* 2, 5115) and was amended by the Regulation made by Order in Council 618-98 dated 6 May 1998 (1998, *G.O.* 2, 2005).

“3.2 Failure on the part of the provisional councils concerned to have established, by 17 June 1998, a plan for the allocation of all the rights and obligations of an existing school board situated in their territory under sections 519 and 521 of the Act is a dispute within the meaning of section 533 of the Act.

The Minister shall rule on the dispute, *ex officio*, but the Minister shall respect all the agreements entered into between the new school boards concerning certain rights and obligations of the existing school boards situated in their territory.

Notwithstanding the foregoing, the provisional councils concerned may continue to discuss the matter after 17 June 1998 in order to establish such an allocation plan and any agreement entered into before 1 July 1998 is substituted for the Minister’s decision concerning what is provided for therein.”.

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

2305

Gouvernement du Québec

O.C. 798-98, 10 June 1998

Highway Safety Code
(R.S.Q., c. C-24.2)

Highway Safety Code — Identification stickers for using parking spaces reserved for handicapped persons

Regulation respecting identification stickers for using parking spaces reserved for handicapped persons

WHEREAS under paragraph 20 of section 618 of the Highway Safety Code (R.S.Q., c. C-24.2), amended by paragraph 2 of section 8 of Chapter 49 of the Statutes of 1997, the Government may by regulation determine terms and conditions for obtaining, using and renewing the identification sticker provided for in section 11 of the Code and fix its period of validity;

WHEREAS under section 13 of the Act to amend the Act respecting the Société de l’assurance automobile du Québec and other legislative provisions (1997, c. 49), the Société de l’assurance automobile shall be responsible for the application of section 30.1 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., c. E-20.1) and the regulatory provisions thereunder;