

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;

WHEREAS under section 14 of that Act, the Regulation respecting identification stickers issued to handicapped persons made by Order in Council 1689-87 dated 4 November 1987 remains into force until it is replaced by a regulation made under paragraph 20 of section 618 of the Highway Safety Code enacted by section 8 of that Act;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting identification stickers for using parking spaces reserved for handicapped persons was published in Part 2 of the *Gazette officielle du Québec* of 8 April 1998 with a notice that it could be submitted to the Government for adoption on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation respecting identification stickers for using parking spaces reserved for handicapped persons, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

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

Highway Safety Code
(R.S.Q., c. C-24.2, s. 618, par. 20; 1997, c. 49, s. 8, par. 2)

DIVISION I INTERPRETATION

1. Unless otherwise indicated, legislative or regulatory provisions referred to in this Regulation shall be interpreted by taking into account any amendments that will be made to such provisions.

DIVISION II TERMS AND CONDITIONS FOR OBTAINING, RENEWING AND REPLACING IDENTIFICATION STICKERS ISSUED TO HANDICAPPED PERSONS

2. Any natural person who wishes to obtain an identification sticker for using parking spaces reserved for handicapped persons and the attestation certificate accompanying it shall meet the following requirements:

(1) submit an application to the Société de l'assurance automobile du Québec on the form provided by the Société, by entering his name, address, telephone number, date of birth and driver's licence number, where applicable;

(2) forward, upon request, on the form provided by the Société, an evaluation stating that he is disabled for at least 6 months which causes him to lose his autonomy or that he risks to jeopardize his health and safety while travelling a distance that does not require the use of a means of transportation; that evaluation shall be done by one of the following persons:

(a) a health professional within the meaning of section 4 of the Highway Safety Code (R.S.Q., c. C-24.2);

(b) a physiotherapist, member of the Ordre des physiothérapeutes du Québec;

(c) a specialized instructor employed by a public institution referred to in the Act respecting health services and social services (R.S.Q., c. S-4.2) or the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5);

(3) pay the fees provided for in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects made by Order in Council 646-91 dated 8 May 1991.

3. For the renewal of the identification sticker and the attestation certificate accompanying it, any handicapped person shall pay the fees mentioned in paragraph 3 of section 2.

4. For the replacement of the identification sticker and the attestation certificate accompanying it, any handicapped person shall meet the following requirements:

(1) submit to the Société a written statement attesting that the document is illegible, damaged, destroyed, lost or stolen according to the reason invoked for its replacement.

(2) pay the fees mentioned in paragraph 3 of section 2.

DIVISION III TERMS AND CONDITIONS FOR OBTAINING, RENEWING AND REPLACING IDENTIFICATION STICKERS ISSUED TO PUBLIC INSTITUTIONS

5. Any public institution referred to in the third paragraph of section 11 of the Act respecting the Société de l'assurance automobile du Québec (R.S.Q., c. S-11.011), replaced by section 5 of Chapter 49 of the Statutes of 1997, that wishes to obtain an identification sticker for

using parking spaces reserved for handicapped persons and the attestation certificate accompanying it shall meet the following requirements:

(1) submit an application to the Société, on the form provided by the Société, by entering its name and address and those of the person authorized to submit the application on its behalf;

(2) pay the fees mentioned in paragraph 3 of section 2.

6. For the renewal of an identification sticker and the attestation certificate accompanying it, that public institution shall pay the fees mentioned in paragraph 3 of section 2.

7. For the replacement of an identification sticker and the attestation certificate accompanying it, that institution shall pay the fees mentioned in paragraph 3 of section 2.

DIVISION IV STANDARDS OF USE

8. Any handicapped person who is the holder of an identification sticker or any person who is authorized to act for the account of a public institution shall respect the following standards of use:

(1) inform the Société of any change of address within 30 days following the change;

(2) inform the Société of the destruction, loss or theft of the identification sticker and the attestation certificate accompanying it immediately;

(3) return the identification sticker and attestation certificate accompanying it to the Société where their use is no longer required or where the holder does not comply with the standards provided for in section 2 or 5, as the case may be;

(4) not allow the identification sticker and the attestation certificate accompanying it to be used by another person or for the account of another institution;

(5) hang the sticker from the rear-view mirror of the road vehicle, only when the vehicle is parked in a space reserved for handicapped persons, in such a manner that the sticker is visible from the outside;

(6) have in his possession the attestation certificate while using the identification sticker.

DIVISION V PERIOD OF VALIDITY

9. The identification sticker and the attestation certificate accompanying it are valid for a 5-year period.

The period of validity of an identification sticker and of the attestation certificate accompanying it begins on the date it is issued and ends on one of the following dates:

(1) the last day of the month in which the holder has his birthday following the fifth year after the date of issue where the holder is a handicapped person;

(2) 31 October following the fifth year after the date of issue where the holder is a public institution.

DIVISION VI FINAL

10. This Regulation replaces:

(1) the Regulation respecting removable stickers issued to handicapped persons made by Order in Council 1824-88 dated 7 December 1988;

(2) the Regulation respecting identification stickers issued to handicapped persons and to public institutions made by Order in Council 1689-87 dated 4 November 1987.

11. This Regulation comes into force on 2 July 1998.
2303

Gouvernement du Québec

O.C. 799-98, 10 June 1998

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

Fees exigible
— **Return of confiscated objects**
— **Amendments**

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

WHEREAS under subparagraph 3 of the first paragraph of section 624 of the Highway Safety Code (R.S.Q., c. C-24.2), the Société de l'assurance automobile du Québec may by regulation fix, according to the nature, class or category of licence, the amount of the fee exigible