

Draft Regulations

Draft Regulation

Police Act
(R.S.Q., c. P-13)

Amount payable by the municipalities for the services of the Sûreté du Québec — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the amount payable by the municipalities for the services of the Sûreté du Québec, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to entrust the Minister of Public Security with the responsibility of collecting the amount payable by the municipalities. In addition, the period of financial neutrality is extended from 8 to 11 years for the municipalities that were subject to amalgamations.

Further information may be obtained by contacting Daniel St-Onge, Direction des affaires policières et de la sécurité incendie, ministère de la Sécurité publique, 2525, boulevard Laurier, 4^e étage, Sainte-Foy (Québec) G1V 2L2, tel.: (418) 644-9774, fax: (418) 646-3564.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Jacques Brind'Amour, Deputy Minister, ministère de la Sécurité publique, 2525, boulevard Laurier, 5^e étage, Sainte-Foy (Québec) G1V 2L2.

PIERRE BÉLANGER,
Minister of Public Security

Regulation to amend the Regulation respecting the amount payable by the municipalities for the services of the Sûreté du Québec⁽¹⁾

Police Act
(R.S.Q., c. P-13, s. 6.1, par. 10)

1. The Regulation respecting the amount payable by the municipalities for the services of the Sûreté du Québec is amended by substituting the following for section 1:

“1. For the purposes of this Regulation, “contribution” means the amount that a municipality must pay to the Government for police services of the Sûreté du Québec pursuant to section 64.3, 64.4 or 73.1 of the Police Act (R.S.Q., c. P-13). The amount of the contribution is established according to all the police services provided to the municipality by the Sûreté du Québec or partial or supplementary services or services provided during special events.”

2. Section 2 is amended by inserting the words “police services of the Sûreté du Québec, except for partial or supplementary services or services provided during special events for” after the words “The amount of the contribution for”.

3. The following is substituted for section 10:

“10. Notwithstanding section 9, the rate by which the standardized real estate value of a municipality resulting from an amalgamation that came into force after 31 December 1990 is multiplied is, for any of the first 11 fiscal years following the last fiscal year that began before the amalgamation came into force, the product obtained by multiplying the rate that would otherwise be applicable under section 9 by the coefficient established in accordance with the second or third paragraph, as the case may be.

¹ The Regulation respecting the amount payable by the municipalities for the services of the Sûreté du Québec, made by Order in Council 326-92 dated 4 March 1992 (1992, G.O. 2, 1115), was last amended by the Schedule to Chapter 73 of the Statutes of 1996. For previous amendments, refer to the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 1998, updated to 1 September 1998.

For the purpose of establishing the rate referred to in the first paragraph for any of the first eight fiscal years following the last fiscal year that began before the amalgamation came into force, the coefficient referred to in that paragraph is the quotient obtained by dividing the aggregate referred to in subparagraph 1 by the product referred to in subparagraph 2:

(1) the aggregate of the contributions payable, by the municipalities whose territories have been amalgamated, for the last fiscal year that began before the amalgamation came into force;

(2) the product obtained by multiplying the aggregate of the standardized real estate values of the municipalities referred to in subparagraph 1 for the second fiscal year preceding the fiscal year referred to in that subparagraph by the rate appearing in Column B of Schedule I opposite the range, in Column A of that Schedule, that comprises the total population of the municipalities on 1 January of the fiscal year referred to in subparagraph 1.

For the purpose of establishing the rate referred to in the first paragraph for any of the ninth, tenth and eleventh fiscal years following the last fiscal year that began before the amalgamation came into force, the coefficient referred to in that paragraph is the sum obtained by adding to the quotient established in accordance with the second paragraph one-quarter, one-half or three-quarters, depending on whether it is for the ninth, tenth or eleventh fiscal year, the difference obtained by subtracting that quotient from 1.000000.

For the purposes of the second paragraph, a situation described in section 1 is deemed to have existed for the entire fiscal year referred to in subparagraph 1 of that paragraph and, if that fiscal year precedes the 1992 fiscal year, this Regulation and the legislative provisions to which it refers are deemed to have applied during the fiscal year.

Notwithstanding section 3, the product resulting from the multiplication referred to in the first paragraph, the quotient resulting from the division referred to in the second paragraph and the results of the operations referred to in the third paragraph are expressed as a decimal number comprising 5 decimals. The fifth decimal is increased by 1 where the sixth decimal would have been greater than 4.”

4. The following is substituted for section 11:

“11. The Minister of Public Security shall collect the contribution.”

5. Section 12 is amended by

(1) adding the following before the first paragraph:

“The Minister of Municipal Affairs shall send to the Minister of Public Security no later than 28 February of each fiscal year, the list of the local municipalities as of 1 January of the fiscal year referred to, giving the populations and the standardized real estate value for each one.”;

(2) by deleting the second paragraph.

6. The following is substituted for section 13:

“13. Where a municipality ceases to be in a situation described in section 1 after 1 January of the fiscal year, or begins to be in such a situation after that date, the Minister of Public Security shall modify his list accordingly.”

7. Section 14 is amended

(1) by substituting the following for the first paragraph:

“14. No later than 31 March of each fiscal year, the Minister of Public Security shall send, to each municipality on the list drawn up under the second paragraph of section 12 for the fiscal year, a written demand for payment of the contribution.”;

(2) by inserting the words “of Public Security” after the words “the Minister” in the second paragraph.

8. The following is substituted for section 15:

“15. Where a municipality began to be in a situation described in section 1 after 1 January of the fiscal year, the Minister of Public Security may send a demand for payment of the contribution, even after 31 March. In such a case, the dates of 30 June and 31 October referred to in the second paragraph of section 17 shall be replaced by the last day of the third and seventh months, respectively, following the month during which the demand is sent.”

9. Section 16 is amended

(1) by substituting the following for the first paragraph:

“16. Where a municipality ceases to be in a situation described in section 1 after 1 January of the fiscal year for which the contribution is payable, the Minister of Public Security may send it a written notice of the amount it must pay.”;

(2) by substituting the words “a demand sent previously” for the words “the demand” in the second paragraph.

10. Section 17 is amended

(1) by substituting the words “of Public Security” for the words “of Municipal Affairs” in the first paragraph;

(2) by adding the words “of Public Security” after the word “Minister” in the third paragraph.

11. Section 18 is amended by substituting the words “of Public Security” for the words “of Municipal Affairs” in the first paragraph.

12. The following is substituted for section 20:

“**20.** The Minister of Public Security may collect the amount payable by withholding any sum that he should otherwise pay to the municipality in default or, where the withholding is insufficient to cover all of the amount payable, by requesting of any other Minister or Government body responsible for paying the municipality a sum referred to in section 19, to withhold all or part of that sum, in such a manner that the total withholdings made in accordance with this section cover the total amount payable.”.

13. Section 22 is amended by adding the words “of Public Security” after the word “Minister”.

14. The following Division is inserted after section 25:

**“DIVISION 4.1
CONTRIBUTION FOR PARTIAL OR
SUPPLEMENTARY SERVICES AND SERVICES
PROVIDED DURING SPECIAL EVENTS**

25.1. The contribution payable for services provided by the Sûreté du Québec for partial or supplementary services or services provided during special events is calculated using the following formula:

(Number of officers x Number of hours) x Hourly remuneration + employer contributions + general costs).

Hourly remuneration is determined on the basis of the average of the annual salaries of an officer at the 36-month, 48-month and 60-month levels, in force on 1 July of the preceding year, divided by 1966 hours. That average is established on the basis of the remuneration determined in the collective agreement of the officers of the Police Force. Where overtime services are provided, the hourly rate is increased by 50 %.

Employer contributions consist of contributions to the pension plans (current service), the Régie de l'assurance-maladie du Québec, the Régie des rentes du Québec and the Commission de la santé et de la sécurité du travail, according to the rate and contribution limits in force on 1 July of the preceding year.

General costs are established at 15 % of hourly remuneration.

25.2. The municipality must pay the amount payable within 30 days of receipt of the invoice.

25.3. Sections 11 and 18 to 22 of the Regulation apply to this Division, *mutatis mutandis*.”.

15. Sections 26 to 28 are revoked.

16. The following is substituted for Schedule I:

**“SCHEDULE I
(s. 9)**

**RATE MULTIPLIERS FOR THE STANDARDIZED
REAL ESTATE VALUE**

A Population	B Rate
0 to 3000	0.00180
3001 to 3100	0.00184
3101 to 3200	0.00191
3201 to 3300	0.00198
3301 to 3400	0.00205
3401 to 3500	0.00211
3501 to 3600	0.00217
3601 to 3700	0.00223
3701 to 3800	0.00228
3801 to 3900	0.00233
3901 to 4000	0.00238
4001 to 4100	0.00242
4101 to 4200	0.00247
4201 to 4300	0.00251
4301 to 4400	0.00254
4401 to 4500	0.00258
4501 to 4600	0.00262
4601 to 4700	0.00265
4701 to 4800	0.00268
4801 to 4900	0.00272
4901 to 5000	0.00275
5001 to 5100	0.00279
5101 to 5200	0.00285
5201 to 5300	0.00291
5301 to 5400	0.00296
5401 to 5500	0.00301
5501 to 5600	0.00307

A Population	B Rate
5601 to 5700	0.00311
5701 to 5800	0.00316
5801 to 5900	0.00321
5901 to 6000	0.00325
6001 to 6100	0.00329
6101 to 6200	0.00334
6201 to 6300	0.00338
6301 to 6400	0.00341
6401 to 6500	0.00345
6501 and +	0.00350

Notwithstanding the rate multipliers for the standardized real estate value applicable to a municipality, the maximum contribution payable by the municipality shall not exceed \$1 500 000.”.

17. Schedule II is revoked.

18. 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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Draft Regulation

Automobile Insurance Act
(R.S.Q., c. A-25)

Insurance contributions — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Regulation respecting insurance contributions” made by the Société de l’assurance automobile du Québec, the text of which appears below, may be submitted to the Government for approval after forty-five days have elapsed from the date of this publication.

Section 4 of the Highway Safety Code (R.S.Q., c. C-24.2), amended by section 55 of chapter 40 of the statutes of 1998, defines “tool vehicle” (*véhicule-outil*), presently defined as “special mobile equipment” by the Regulation respecting vehicle registration and by the Regulation respecting insurance contributions. Since the new definition of tool vehicle excludes some types of cranes and compressors, the insurance rate for a truck would be applied to them whereas the accident risk associated with cranes and compressors is similar to that of a tool vehicle. Further, vehicles equipped with well-

drills or concrete pumps are currently charged the rate for trucks whereas the associated risk is similar to that of a tool vehicle.

Therefore, a definition is proposed for “equipment transport vehicle” to cover cranes, compressors, well-drills and concrete pumps, and to set their annual insurance contribution at \$122.94, and their monthly insurance contribution at \$10.25. The draft Regulation also changes the definition of a truck, a tow truck, a commercial vehicle and a special mobile equipment so as to be coherent with the definitions contained in the draft Regulation to amend the Regulation respecting vehicle registration and in section 4 of the Highway Safety Code.

Further information is available from Mr. Bernard Drolet, Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, C-3-12, P.O. Box 19600, Québec, QC G1K 8J6, tel. (418) 528-3233.

Any person wishing to make comments on the matter must forward them in written form, before expiry of the 45-day period, to the Chairman and CEO of the Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, P.O. Box 19600, Québec, QC G1K 8J6.

JEAN-YVES GAGNON,
*Chairman and CEO of the
Société de l’assurance automobile du Québec*

Regulation to amend the Regulation respecting insurance contributions*

Automobile Insurance Act
(R.S.Q., c. A-25, ss. 151.1 and 151.2, par. 2 of the first par., and the third par.)

Section 3 of the Regulation respecting insurance contributions is amended:

(1) by substituting the following for the definition of “truck”:

““truck” means a road vehicle having a net weight of more than 3,000 kg, built solely for the transportation of goods or of machinery with which it is permanently equipped and of goods (*camion*);”;

* The last amendment to the Regulation respecting insurance contributions, approved by Order in Council 1422-91 dated 16 October 1991 (1991, *G.O.* 2, 4159) was made by the Regulation approved by O.C. 1424-97 dated 29 October 1997 (1997, *G.O.* 2, 5451). For prior amendments, see the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 September 1998.