

Gouvernement du Québec

O.C. 914-99, 18 August 1999

An Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)

Limit of kill for moose – 1999

Regulation respecting the 1999 limit of kill for moose

WHEREAS under subparagraph *f* of the first paragraph of section 78 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1), the Coordinating Committee may establish the upper limit of kill for moose;

WHEREAS by its resolution 98-99:30 adopted on 9 December 1998, the Coordinating Committee established the limit of kill for moose in Area 17 to 140 moose;

WHEREAS under the last paragraph of section 78 of the Act, the Government shall make regulations to implement the measures decided by the Coordinating Committee respecting the upper limit of kill for moose, save for reasons of conservation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting the 1999 limit of kill for moose was published in Part 2 of the *Gazette officielle du Québec* of 19 May 1999 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation respecting the 1999 limit of kill for moose;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for Wildlife and Parks:

THAT the Regulation respecting the 1999 limit of kill for moose, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY
Clerk of the Conseil exécutif

Regulation respecting the 1999 limit of kill for moose

An Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1, s. 78, 1st par., subpar. *f*, and 2nd and 3rd pars.)

1. The upper limit of kill for moose allocated to Natives and non-Natives in Area 17 determined by the Fishing, Hunting and Trapping Areas Regulation, made by Order in Council 27-90 dated 10 January 1990, is 140 moose for the period extending from 1 August 1999 to 31 July 2000.

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

3056

Gouvernement du Québec

O.C. 915-99, 18 August 1999

Court Bailiffs Act
(R.S.Q., c. H-4.1)

Tariff of fees and transportation expenses of bailiffs — Amendments

Regulation to amend the Tariff of fees and transportation expenses of bailiffs

WHEREAS under section 13 of the Court Bailiffs Act (R.S.Q., c. H-4.1), a bailiff shall not charge, for acts described in section 8, fees or costs other than those fixed in the tariff established by regulation of the Government;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 26 May 1999 with a notice that it could be made by the Government upon 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 of Justice:

THAT the Regulation to amend the Tariff of fees and transportation expenses of bailiffs, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Tariff of fees and transportation expenses of bailiffs(*)

Court Bailiffs Act
(R.S.Q., c. H-4.1, s. 13)

1. Section 2 of the Tariff of fees and transportation expenses of bailiffs is amended by adding “in particular, fees claimed by a financial institution carrying on its activities in Québec, where the bailiff can accept a payment made by means of a certified cheque, a credit card or a transfer of funds” after “duties”.

2. The following is substituted for section 2.1:

“2.1. The fees and transportation expenses that a bailiff may claim must not exceed the amount calculated on the basis of the distance actually travelled, to a maximum of the one-way trip distance from the bailiff’s closest office to the place where service or execution was made.

Where the one-way trip distance actually travelled by the bailiff exceeds 15 kilometres and where he has an office less than 15 kilometres from the place where service or execution was made, the fees and transportation expenses shall be claimed for an amount equivalent to a 15-kilometre trip.

Notwithstanding the first paragraph, where the one-way trip distance actually travelled by the bailiff does not exceed 15 kilometres, the fees and transportation expenses shall be claimed for the distance actually travelled.”

3. The following is substituted for section 6:

“6. A bailiff is entitled to the fees plus half the fees where, in accordance with the law, he must execute a service on a non-judicial day, or after 22:00 or before 7:00 on a juridical day.

A bailiff is entitled to the fees plus half the fees where, in accordance with the law, he must serve an execution on a non-judicial day, or after 20:00 or before 7:00 on a juridical day.

Where an execution is begun before 20:00 and must continue after that time, the bailiff is entitled to the fees prescribed for the hourly rate, to time and a half fees for the period of time after 20:00.”

4. The following is substituted for section 7:

“7. The fees for serving an advance notice for the exercise of a hypothecary right, an assignment of rent, a notarial deed, a 30-day notice for a voluntary deposit, a putting in default or for serving any notice, deed or document not specifically provided for in this Tariff are those set in section 7 of Schedule 1.”

5. Section 7.1 is amended by substituting the amount “\$58” for the amount “50 \$”.

6. The following is inserted after section 7.2:

“7.3. For the drawing-up of the copy of a certificate of service intended for the registrar, for registration in the land register, the bailiff is entitled to the fee provided for in subsection *c* of section 8 of Schedule 1.”

7. Section 8 is amended by substituting the following for paragraph *c*:

(*c*) the execution of an order or a judgment in matters concerning confinement in an establishment or psychiatric evaluation;”

8. Section 9 is amended by adding “or the acquisition of a warrant for entry in a dwelling” after “doors” in paragraph *e*.

9. Subparagraph *b* of the first paragraph of section 10 is amended by adding the following after item *iv*:

“v. if applicable, the acquisition by the registrar of a certified statement of the rights granted by the debtor and registered in the register of personal and movable real rights;”

10. Section 13 is amended by adding the following after clause *d* of subparagraph 1:

“(*e*) the certificate of sale, if the property sold was charged with a hypothec.”

11. The following is added after section 15:

“15.1. Where, in accordance with the law, the bailiff must draw up a scheme of collocation and apportion the proceeds of the sale, he is entitled to the fees provided for in section 19.1 of Schedule 1.”

* The Tariff of fees and transportation expenses of bailiffs (R.R.Q., 1981, c. H-4, r. 3) was last amended by the Regulation made by Order in Council 1414-91 dated 16 October 1991 (1991, *G.O.* 2, 4066). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

12. The following is added after section 20:

“21. To certify the copy of minutes of seizure and of a notice of sale or a scheme of collocation, in matters of seizure of moveable property, where required by the law, the bailiff is entitled to the fee provided for in section 19.2 of Schedule 1.”

13. Section 1 of Schedule 1 is amended in the column “Class 1” by substituting the amount “\$7” for the amount “\$6” and in the column “Class 2” by substituting the amount “\$18” for the amount “\$16”.

14. Section 2 of Schedule 1 is amended in the columns “Class 1” and “Class 2” by substituting the amount “\$7” for the amount “\$6”.

15. Section 3 of Schedule 1 is amended in the column “Class 2” by substituting the amount “\$7” for the amount “\$6”.

16. Section 5 of Schedule 1 is amended in the columns “Class 1” and “Class 2” by substituting the amount “\$7” for the amount “\$6”.

17. Section 6 of Schedule 1 is amended in the columns “Class 1” and “Class 2” by substituting the amount “\$7” for the amount “\$6”.

18. Section 7 of Schedule 1 is amended in the columns “Class 1” and “Class 2” by substituting the amount “\$7” for the amount “\$6”.

19. The following is substituted for section 8 of Schedule 1:

	Class 1	Class 2
“8. The drawing-up:		
(a) in matters of service, of minutes for absence, for steps taken or for authorization to use a special mode of service:	\$5	\$5
(b) in matters of execution, of minutes for absence, for steps taken or for authorization to use a special mode of execution:	\$10	\$10
(c) the copy of a certificate of service intended for the registrar for registration in the land register:	\$5	\$5”.

20. The following is substituted for section 9 of Schedule 1:

	Class 1	Class 2
“9. The drawing-up:		
(a) of an affidavit required to support minutes:	\$5	\$5
(b) of a report following receipt of an opposition or notice to stay pursuant to a statute or court order:	\$5	\$5”.

21. Section 10 of Schedule 1 is amended in the column “Class 1” by substituting the amount “\$40” for the amount “\$35” and in the column “Class 2” by substituting the amount “\$63” for the amount “\$55”.

22. The following is inserted after section 10 of Schedule 1:

	Class 1	Class 2
“10.1 The acquisition of a warrant for entry in a dwelling:	\$10	\$10”.

23. The following is substituted for section 11 of Schedule 1:

	Class 1	Class 2
“11. (1) Demand for payment:		
(a) not followed by seizure or sale of moveable property:	\$31	\$46
(b) not followed by seizure or sale of immoveable property:	\$20	\$35
(2) Seizure or verification:	\$40	\$63
(3) <i>Nulla bona</i> report in respect of seizable property, including the demand for payment:	\$31	\$46
(4) Operations respecting the installation and removal of a device used to immobilize a motor vehicle:		
(a) for the execution of a first writ:	\$127	\$127

(b) for any additional writ:		
i. execution:	\$40	\$40
ii. service:	\$7	\$7

(5) Operations respecting the immobilization and, not less than 24 hours after that operation, the towing away of a motor vehicle:

(a) for the execution of a first writ:	\$184	\$184
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(b) for any additional writ:

i. execution:	\$40	\$40
ii. service:	\$7	\$7

(6) Operations respecting the immediate towing away of a motor vehicle:

(a) for the execution of a first writ:	\$150	\$150
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(b) for any additional writ:

i. execution:	\$40	\$40
ii. service:	\$7	\$7".

24. Section 12 of Schedule 1 is amended

(1) in the column "Class 1" by substituting the amount "\$9" for the amount "\$8" and in the column "Class 2" by substituting the amount "\$17" for the amount "\$15" in subsections 1 to 3;

(2) by adding the following after subsection 3:

	Class 1	Class 2
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(4) the acquisition by the registrar of a certified statement of the rights granted by the debtor and registered in the register of personal and movable real rights:	\$25	\$25".
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25. Subsections 1 and 2 of section 13 of Schedule 1 are amended in the column "Class 1" by substituting the amount "\$9" for the amount "\$8" and in the column

"Class 2" by substituting the amount "\$17" for the amount "\$15".

26. Paragraphs *a* to *d* of section 14 of Schedule 1 are amended in the column "Class 1" by substituting the amount "\$6" for the amount "\$5" and in the column "Class 2" by substituting the amount "\$8" for the amount "\$7".

27. The title "Writ of possession and sequestration" is substituted for the title "Writ or possession, sequestration and seals" of subdivision 2 of Division II of Chapter III of Schedule 1.

28. Section 15 of Schedule 1 is amended

(1) in the columns "Class 1" and "Class 2" of subsections 1 and 2 by substituting the amount "\$58" for the amount "\$50";

(2) by deleting subsection 3.

29. Section 15.1 of Schedule 1 is amended in the columns "Class 1" and "Class 2" by substituting the amount "\$69" for the amount "\$60".

30. Section 16 of Schedule 1 is amended in the columns "Class 1" and "Class 2" by substituting the amount "\$9" for the amount "\$8".

31. Section 17 of Schedule 1 is amended

(1) in the column "Class 1" of paragraph *a* by substituting the amount "\$40" for the amount "\$35" and in the column "Class 2" of that subparagraph by substituting the amount "\$69" for the amount "\$60";

(2) in the columns "Class 1" and "Class 2" of paragraph *b* by substituting the amount "\$75" for the amount "\$65".

32. The following is inserted after section 17 of Schedule 1:

	Class 1	Class 2
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"17.1. The certificate of sale, where the property sold was charged with a hypothec:	\$20	\$20".
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33. Section 18 of Schedule 1 is amended in the columns "Class 1" and "Class 2" by substituting the amount "\$16" for the amount "14 \$".

34. Section 19 of Schedule 1 is amended in the column "Class 1" by substituting the amount "\$29" for the amount "\$25" and in the column "Class 2" by substituting the amount "\$52" for the amount "\$45".

35. The following is inserted after section 19 of Schedule 1:

	Class 1	Class 2
"19.1. Draw up a scheme of collocation:	\$40	\$40
Apportion the proceeds of the sale:	\$20	\$20
19.2. Certify the copy of the minutes of seizure and of a notice of sale or of a scheme of collocation:	\$2	\$2".

36. The following is substituted for section 20 of Schedule 1:

	Class 1	Class 2
"20. (a) Transportation fees per kilometre travelled:	55¢/km	55¢/km
(b) Compensation for transportation expenses:	58¢/km	58¢/km".

37. Section 21 of Schedule 1 is amended in the columns "Class 1" and "Class 2" by substituting the amount "\$12" for the amount "\$10".

38. Section 23 of Schedule 1 is amended

(1) in the columns "Class 1" and "Class 2" of subsection 1 by substituting the amount "\$50" for the amount "\$45";

(2) in the columns "Class 1" and "Class 2" of subsection 2 by substituting the amount "\$50" for the amount "\$35".

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

3055

Gouvernement du Québec

O.C. 917-99, 18 August 1999

Professional Code
(R.S.Q., c. C-26)

Town planners
— Code of ethics

Code of ethics of the members of the Ordre des urbanistes du Québec

WHEREAS under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, his clients and his profession, particularly the duty to discharge his professional obligations with integrity;

WHEREAS under the same section of the Professional Code, the code of ethics must contain, *inter alia*:

(1) provisions determining which acts are derogatory to the dignity of the profession;

(2) provisions defining, if applicable, the professions, trades, industries, businesses, offices or duties incompatible with the dignity or practice of the profession;

(3) provisions to preserve the secrecy of confidential information that becomes known to the members of the order in the practice of their profession;

(4) provisions setting out the conditions and procedure applicable to the exercise of the rights of access and correction provided for in sections 60.5 and 60.6, and provisions concerning a professional's obligation to release documents to his client;

(5) provisions setting out conditions, obligations and, where applicable, prohibitions in respect of advertising by the members of the Order;

WHEREAS at its meeting held on 18 September 1998, the Bureau of the Ordre des urbanistes du Québec adopted the Code of ethics of the members of the Ordre des urbanistes du Québec as a replacement to the Code currently in force, that is, the Code of ethics of town planners (R.R.Q., 1981, c. C-26, r. 192);

WHEREAS under section 95.3 of the Professional Code, the secretary of the Order sent a draft Regulation to every member of the Order at least 30 days before the adoption of the Regulation by the Bureau;