

Minister, where the verification carried out by the Minister shows discrepancies greater than 3 %.

Where re-scaling is required, the re-scaled timber must be left undisturbed at the place where it was scaled until the expiry of one of the time periods provided for in the first paragraph of section 16, as the case may be.

DIVISION VII STANDARDS APPLICABLE TO SEALED CONTAINERS

18. Any sealed container required for the purpose of this Regulation shall

- (1) be made of a hard structure;
- (2) have a volume of no less than 0.2 m³;
- (3) be waterproof and impervious enough to shelter the documents deposited therein from bad weather;
- (4) be equipped with a padlocked door allowing the persons in charge of the application of this Regulation to have access to the documents deposited therein;
- (5) bear the notice “scaling”, in the case of a sealed container referred to in section 6 or 13, or the notice “transportation”, in the case of a sealed container referred to in section 8 or 11; and
- (6) be located in an accessible place.

DIVISION VIII PENAL PROVISIONS

19. Any person harvesting timber in a forest in the domain of the State who contravenes any of the provisions of the first paragraph of section 4 or of the first and second paragraphs of section 5 commits an offence punishable under section 181 of the Forest Act (R.S.Q., c. F-4.1).

Any holder of a forest management permit issued for the supply of a wood processing plant whose source of supply is timber harvested in forests in the domain of the State who contravenes any of the provisions referred to in the first paragraph also commits an offence punishable under section 181 of the Forest Act.

20. Any holder of a forest management permit issued for the supply of a wood processing plant who harvests timber or whose source of supply is timber harvested in forests in the domain of the State and who contravenes any provision of sections 6 to 17 commits an offence punishable under section 181 of the Forest Act.

21. Any driver of a road vehicle who contravenes any provision of section 7, 8, 10 or 11 commits an offence punishable under section 181 of the Forest Act.

Where an offence referred to in the first paragraph is committed by the driver of a heavy vehicle, within the meaning of the Act respecting owners and operators of heavy vehicles (1998, c. 40), any owner or operator of that vehicle, within the meaning of that Act, who did not take the measures necessary to ensure that the driver of the vehicle complies with the provisions referred to in the first paragraph commits an offence punishable under section 181 of the Forest Act.

DIVISION IX MISCELLANEOUS

22. This Regulation replaces the Regulation respecting the scaling standards for timber harvested in forests in the public domain, made by Order in Council 654-94 dated 4 May 1994.

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

3224

Gouvernement du Québec

O.C. 1271-99, 17 November 1999

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Bread distributors – Montréal — Amendments

Decree amending the Decree respecting bread distributors in the Montréal region

WHEREAS the Government made the Decree respecting bread distributors in the Montréal region (R.R.Q., 1981, c. D-2, r.28);

WHEREAS the contracting parties within the meaning of that Decree have petitioned the Minister of State for Labour and Employment and Minister of Labour to make certain amendments to that Decree;

WHEREAS sections 2, 6.1 and 6.2 of of the Act respecting collective agreement decrees (R.S.Q., c. D-2) authorize the Government to order the extension of a collective agreement and to amend an extension decree at the request of the contracting parties by making, where applicable, the amendments it deems appropriate;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft of the amending decree attached hereto was published in Part 2 of the *Gazette officielle du Québec* of 23 June, 1999 and, on that same date, in a French language newspaper and an English language newspaper, with a notice that it could be made by the Government on the expiry of the 45 day period following that publication;

WHEREAS it is expedient to make that draft Decree with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT the Decree amending the Decree respecting bread distributors in the Montréal region, attached hereto, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Decree amending the Decree respecting bread distributors in the Montréal region*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2, 6.1 and 6.2)

1. The first “WHEREAS” of the Decree respecting bread distributors in the Montréal region is amended by replacing the name “Le Syndicat international des travailleurs et travailleuses de la boulangerie, confiserie et du tabac, section locale 55, FAT-COI-CTC-FTQ” by the name “Le Syndicat international des travailleurs et travailleuses de la boulangerie, confiserie, tabac et meunerie, local 55, FAT-COI-CTC-FTQ”.

2. Section 1.01 of the Decree is amended by inserting, after paragraph *c*, the following:

“(c.1) “spouses”: means either of two persons who:

- i. are married and cohabiting;

- ii. are living together in a de facto union and are the father and mother of the same child;

- iii. are of opposite sex or the same sex and have been living together in a de facto union for one year or more;”.

3. Section 2.01 of the Decree is replaced by the following:

“**2.01.** This Decree applies over the territory of the following municipalities:

ADMINISTRATIVE REGION 06 — MONTRÉAL

Communauté urbaine de Montréal

Ville d’Anjou, ville de Baie-d’Urfé, ville de Beaconsfield, cité de Côte-Saint-Luc, ville de Dollard-des-Ormeaux, cité de Dorval, ville de Hampstead, ville de Kirkland, ville de Lachine, ville de LaSalle, ville de L’Île-Bizard, ville de l’Île-Dorval, ville de Montréal, ville de Montréal-Est, ville de Montréal-Nord, ville de Montréal-Ouest, ville de Mont-Royal, ville de Outremont, ville de Pierrefonds, ville de Pointe-Claire, ville de Roxboro, ville de Sainte-Anne-de-Bellevue, ville de Sainte-Geneviève, ville de Saint-Laurent, ville de Saint-Léonard, ville de Saint-Pierre, village de Senneville, ville de Verdun, ville de Westmount.

ADMINISTRATIVE REGION 13 — LAVAL

Ville de Laval.

ADMINISTRATIVE REGION 14 — LANAUDIÈRE

In the regional county municipality of Les Moulins:

Ville de Lachenaie, ville de Mascouche, ville de Terrebonne.

ADMINISTRATIVE REGION 15 — LAURENTIDES

In the regional county municipality of Deux-Montagnes:

Ville de Saint-Eustache.

In the regional county municipality of Thérèse-de-Blainville:

Ville de Boisbriand, ville de Bois-des-Filion, ville de Lorraine, ville de Rosemère, ville de Sainte-Thérèse.

* The Decree respecting bread distributors in the Montréal region (R.R.Q. 1981, c. D-2, r.28) was last amended by the regulation made by Order in Council No. 757-98 dated 3 June 1998 (1998, *G.O.* 2, 2216). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

ADMINISTRATIVE REGION 16 — MONTÉRÉGIE

In the regional county municipality of Champlain:

Ville de Brossard, ville de Greenfield Park, ville de LeMoyné, ville de Longueuil, ville de Saint-Hubert, ville de Saint-Lambert.

In the regional county municipality of Lajemmerais:

Ville de Boucherville, ville de Sainte-Julie.

In the regional county municipality of La-Vallée-du-Richelieu:

Ville de Saint-Bruno-de-Montarville.

In the regional county municipality of Roussillon:

Ville de Candiac, réserve indienne de Kahnawake, ville de La Prairie, ville de Sainte-Catherine.

In the regional county municipality of Vaudreuil-Soulanges:

Ville de L'Île-Perrot, Notre-Dame-de-L'Île-Perrot, ville de Pincourt, Terrasse-Vaudreuil.”

4. Section 4.01 of the Decree is replaced by the following:

“**4.01.** An employee’s minimum wages are as follows:

	for a regular five-day week	for one day
as of December 1, 1999	\$340	\$68
as of September 1, 2000:	\$355	\$71.”

5. Section 5.01 of the Decree is replaced by the following:

“**5.01.** For the purposes of computation of overtime hours, the regular workweek is 41 hours and 40 hours as of October 1, 2000.”

6. Section 5.07 of the Decree is replaced by the following:

“**5.07.** The delivery, transportation or shipping, unless the transportation or shipping involve bakery products in transit or intended for a location other than a retail trade establishment, may be carried out seven days

a week provided that the person working five days a week is entitled to two consecutive days off per week.”

7. Section 6.02 of the Decree is replaced by the following:

“**6.02.** However, if the employee must work on one of the statutory general holidays provided for in section 6.01, the employer, in addition to paying to the employee working on the holiday the wage corresponding to the work performed, must pay him the indemnity provided for in section 6.06 or grant him a compensatory holiday of one day which must be taken within the three weeks preceding or following the holiday.

This section does not apply to an employee carrying out the delivery, transportation or shipping of home-made style bread and specialty bread.”

8. Section 6.03 of the Decree is revoked.

9. Section 6.05 of the Decree is replaced by the following:

“**6.05.** Where a holiday coincides with a working day for an employee, the employer must pay to him an indemnity equal to the average of his daily wages for the days worked during the complete period of pay preceding that holiday, excluding overtime.

Notwithstanding the first paragraph, the indemnity paid to an employee remunerated mainly by commission must be equal to the average of his daily wages established from all the complete periods of pay in the three months preceding the holiday.”

10. Section 6.06 of the Decree is replaced by the following:

“**6.06.** If one of the statutory general holidays provided for in section 6.01 falls on a non-working day, the employer must pay to the employee, as an indemnity for that statutory holiday, a lump sum of \$68 and, as of September 1, 2000, a lump sum of \$71.

This section does not apply to an employee carrying out the delivery, transportation or shipping of home-made style bread and specialty bread.”

11. The Decree is amended by adding, after section 6.06, the following:

“**6.07.** If an employee is on annual leave on one of the statutory general holidays provided for in section 6.01, the employer must pay him the indemnity provided for in section 6.06 or grant him a compensatory holiday of one

day on a date agreed upon between the employer and the employee.

6.08. To benefit by a statutory general holiday provided for in section 6.01, the employee must be credited with 60 days of uninterrupted service in the undertaking and not be absent from work without the employer's authorization or without valid cause, on the day preceding or on the day following that holiday.”.

12. Sections 8.02 and 8.03 of the Decree are replaced by the following:

“**8.02.** An employee may be absent from work for two days without reduction of wages, by reason of the death or the funeral of his consort, his child or the child of his consort, or of his father, mother, brother or sister. He may also be absent from work, without pay, for three more days on such occasion.

8.03. An employee may be absent from work for one day, without reduction of wages, by reason of the death or the funeral of a son-in-law, daughter-in-law, one of his grandparents or grandchildren, or of the father, mother, brother or sister of his consort.

8.04. An employee may be absent from work for one day without reduction of wages, on his wedding day.

An employee may also be absent from work, without pay, on the wedding day of one of his children, of his father, mother, brother or sister or of a child of his consort.

8.05. An employee may be absent from work for five days at the birth of his child or the adoption of a child. The first two days of absence are remunerated if the employee is credited with 60 days of uninterrupted service.

This leave may be divided into days at the request of the employee. It may not be taken more than 15 days after the child arrives at the residence of his or her father or mother.

However, an employee who adopts the child of his consort may be absent from work for only two days, without pay.

8.06. In the circumstances referred to in sections 8.02 to 8.05, the employee must advise his employer of his absence as soon as possible.”.

13. Section 10.01 of the Decree is replaced by the following:

“**10.01.** This Decree remains in force until March 31, 2001.”.

14. This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

3225

Gouvernement du Québec

O.C. 1290-99, 24 November 1999

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1)

Plans exempted from the application of certain provisions of the Act — Amendments

In the matter of the Regulation to amend the Regulation respecting plans exempted from the application of certain provisions of the Supplemental Pension Plans Act

WHEREAS pursuant to section 2 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), the Government may, by regulation and on the conditions it sets, exempt any category of pension plan from the application, in whole or in part, of the Act;

WHEREAS the establishment of flexible pension plans, which allow members to make additional contributions in order to obtain ancillary benefits, has been allowed under tax rules since November 1996;

WHEREAS the tax rules applicable to flexible pension plans may conflict with certain provisions of the Supplemental Pension Plans Act;

WHEREAS it is expedient to exempt flexible pension plans from the application of certain provisions of the Supplemental Pension Plans Act that are incompatible with the said rules;

WHEREAS pursuant to sections 10 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to Amend the Regulation respecting plans exempted from the application of certain provisions of the Supplemental Pension Plans Act was published in Part 2 of the *Gazette officielle du Québec* on 7 April 1999, together with a notice indicating that it could be submitted to the Government for approval on the expiry of 45 days following that publication;