

## Draft Regulation

General and Vocational Colleges Act  
(R.S.Q., c. C-29)

### Norms, conditions and procedure for disposing of an immovable of a general and vocational college

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 respecting the norms, conditions and procedure for disposing of an immovable of a general and vocational college, 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 establish the norms, conditions and procedure for disposing of an immovable of a college, to provide cases or conditions where an immovable must be disposed of at a nominal price fixed by the Minister as well as to exempt from the application of the Regulation a servitude granted by a college where the consideration does not exceed \$20 000.

To date, study of the matter has revealed no particular impact on businesses.

Further information may be obtained by contacting Mr. Renaud Plamondon, Direction du financement et de l'équipement de l'enseignement supérieur, 1035, rue De La Chevrotière, 19<sup>e</sup> étage, Québec (Québec) G1R 5A5, tel. (418) 643-6524.

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 the Minister of Education, 1035, rue De La Chevrotière, 16<sup>e</sup> étage, Québec (Québec) G1R 5A5.

FRANÇOIS LEGAULT,  
*Minister of Education*

### Regulation respecting the norms, conditions and procedure for disposing of an immovable of a general and vocational college

General and Vocational Colleges Act  
(R.S.Q., c. C-29; 1997, c. 87, s. 18.0.1, 1st par., subpar. a and 2nd par.)

**1.** For the purposes of this Regulation, the value of an immovable is established according to the following rules:

In the case of an immovable which is a unit of assessment entered on the real estate assessment roll of a municipality or part of such a unit the value of which is entered separately on the roll, the value of the immovable is the product obtained by multiplying the value entered on the roll for the immovable by the factor calculated under section 264 of the Act respecting municipal taxation (R.S.Q., c. F-2.1);

In the case of an immovable which is not a unit of assessment entered on the real estate assessment roll of a municipality or part of such a unit the value of which is entered separately on the roll, the value of the immovable is calculated by a chartered appraiser.

**2.** A general and vocational college wishing to dispose of an immovable having a value exceeding \$500 000 must obtain authorization from the Minister of Education.

**3.** The disposal of an immovable of a college the value of which exceeds \$100 000 must be made through a public call for tenders. Notwithstanding the foregoing, if the immovable is enclosed, the disposal of an immovable may be made following a written invitation to tender to the owners of adjacent immovables or, if only one owner is concerned, by agreement.

**4.** A call for tenders shall be published in French:

(1) in a daily newspaper of Québec City or Montréal and in a regional weekly newspaper circulating in the region in which the immovable is located; or

(2) through an electronic tendering system.

The period for receiving tenders may not be less than 4 weeks.

The date, hour and place fixed for submitting and opening tenders shall be indicated in the public call for tenders. The opening of tenders shall be public.

The tender documents shall state that the college does not undertake to accept any tender.

**5.** A college may not dispose of an immovable for less than its value. Notwithstanding the foregoing, where all the bids received are below the value of an immovable:

(1) the Minister may authorize the disposal of the immovable in favour of the highest bidder; or

(2) the college may, if it does not ask for the authorization referred to in subparagraph 1 of the first para-

graph, entrust the sale of the immovable to a real estate broker.

Where all the bids received by the real estate broker are below the value of the immovable, the Minister may authorize the college to dispose of the immovable in favour of the highest bidder.

**6.** Notwithstanding section 3, the Minister may authorize a college to dispose of an immovable by mutual agreement, at a nominal price fixed by him, in favour of

(1) a school board or the Conseil scolaire de l'île de Montréal;

(2) a general and vocational college;

(3) a university;

(4) a private educational institution accredited for purposes of subsidies in accordance with the Act respecting private education (R.S.Q., c. E-9.1);

(5) a public institution within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or the Corporation d'hébergement du Québec;

(6) the Société d'habitation du Québec;

(7) the Société immobilière du Québec;

(8) a local municipality within the meaning of the Act respecting municipal territorial organization (R.S.Q., c. O-9), a regional county municipality or an urban community within whose territory the immovable is located;

(9) a housing cooperative;

(10) a body or an institution that is a registered charity for the purposes of the Taxation Act (R.S.Q., c. I-3) or a non-profit organization which carries on cultural, scientific, recreational, charitable or social purposes, so that such purposes be carried on;

(11) a childcare centre, a day care centre, a kindergarten or a stop over centre, within the meaning of the Act respecting childcare centres and childcare services (R.S.Q., c. S-4.1), so that the centre, the day care centre, the kindergarten or the stop over centre be established there.

Notwithstanding the foregoing, such an authorization is conditional on the insertion in the sale contract of a clause of first refusal in favour of the college under which the body shall, if it wishes to dispose of the

immovable, first offer to sell it to the college at the price it initially paid.

**7.** Notwithstanding sections 3 and 6, the Minister may authorize the disposal by mutual agreement of an immovable in favour of a person offering a consideration other than monetary having a value not less than the value of the immovable.

**8.** This Regulation does not apply to a servitude granted by a college where the consideration does not exceed \$20 000.

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

2747

## Draft Regulation

An Act respecting owners and operators of heavy vehicles (1998, c. 40)

### Regulation

#### — 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 Act respecting owners and operators of heavy vehicles, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation amends the current statutory provisions in order to exempt more persons from the obligation to be registered in the *Registre des propriétaires et des exploitants de véhicules lourds* at the Commission des transports du Québec. In addition, it amends the list of heavy vehicles exempted from the application of the Act respecting owners and operators of heavy vehicles. The fees now exigible for an application for registration as transport service intermediaries are \$100.

Further information may be obtained by contacting Mr. Pierre Mercier, Direction de la sécurité en transport, ministère des Transports du Québec, 700, boulevard René-Lévesque Est, 22<sup>e</sup> étage, Québec (Québec) G1R 5H1, tel.: (418) 644-4719, fax: (418) 644-9072.

Any interested person having comments to make on the matter is asked to send them in writing, before the