

Regulations and other acts

Gouvernement du Québec

O.C. 875-99, 4 August 1999

An Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care (1997, c. 58)

Signing of certain deeds, documents or writings of the Ministère

Signing of certain deeds, documents or writings of the Ministère de la Famille et de l'Enfance

WHEREAS by Order in Council 860-97 dated 2 July 1997, the provisions of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care (1997, c. 58) came into force on 2 July 1997, except section 180 which came into force on 19 June 1997, section 20, paragraphs 1, 2 and 3 of section 21, sections 22 and 23, paragraphs 1 and 2 of section 24, sections 42, 43, 45 to 51, 53 to 58, paragraphs 1 to 3 and 5 to 7 of section 59, sections 60 to 67, 69 to 97, 99 to 105, paragraphs 2 and 3 of section 106, sections 107 to 120, 122 to 132, paragraphs 1 and 2 of sections 135 and 136, sections 137 to 141 and sections 156 to 179, which came into force on 1 September 1997;

WHEREAS under the second paragraph of section 17 of that Act, no deed, document or writing is binding on the Minister or may be attributed to him unless it is signed by him, the Deputy Minister, a member of the personnel of the department or the holder of a position and, in the latter two cases, only so far as determined by the Government;

WHEREAS under section 19 of that Act, any document or copy of a document emanating from the department or forming part of its records, signed or certified true by a person referred to in the second paragraph of section 17 of that Act, is authentic;

WHEREAS it is expedient for the Government to determine the deeds, documents or writings which, when signed by members of the personnel of the department or by the holder of a position, is binding on the Minister and may be attributed to him and it is expedient to authorize persons referred to in the second paragraph of section 17 of that Act to certify true any document or copy of a document emanating from the department or forming part of its records;

IT IS ORDERED, therefore, on the recommendation of the Minister of Child and Family Welfare and the Minister for Child and Family Welfare:

THAT the terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille et de l'Enfance attached to this Order in Council be made;

THAT they come into force on the date of their publication in the *Gazette officielle du Québec*.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

SCHEDULE

Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille et de l'Enfance

1. Subject to the other conditions of validity that may be prescribed by law, the deeds, documents or writings listed in the provisions below and those relating thereto, when signed by the members of the personnel of the department or the position holders referred to therein or, as the case may be, by persons authorized to perform the duties of those persons on an interim basis, is binding on the Minister and may be attributed to him as though he had signed them himself, insofar as they act within their jurisdiction.

DIVISION I GENERAL

2. Assistant Deputy Ministers are authorized to sign, for their sectors of activity,

(1) services contracts entered into with natural persons, except those related to information technologies;

(2) calls for tenders and contracts for professional services, except those related to information technologies;

(3) calls for tenders and contracts for auxiliary services, except those related to information technologies;

(4) supply contracts (calls for tenders, local orders, requisitions for goods and delivery), except those related to information technologies;

(5) contracts for the leasing or chartering of equipment, vehicles or aircraft;

(6) contracts for the repair of machinery or equipment, except those related to information technologies;

(7) promises and grants of subsidies subject to standards and eligibility criteria approved by the Government or the Conseil du trésor, except those concerning the Act respecting childcare centres and childcare services (R.S.Q., c. S-4.1); and

(8) grants of subsidies not subject to standards for less than \$10 000.

Those persons are also authorized, for their sectors of activity, to certify true any document or copy thereof emanating from the department or forming part of its records.

3. The Director General of Administration is authorized to sign, for his sector of activity,

(1) services contracts entered into with natural persons;

(2) calls for tenders and contracts for professional services;

(3) calls for tenders and contracts for auxiliary services;

(4) supply contracts (calls for tenders, local orders, requisitions for goods and delivery); and

(5) contracts for the leasing or chartering of equipment, vehicles or aircraft.

The Director General of Administration is also authorized to sign, in connection with all the department's activities,

(1) services contracts entered into with natural persons, contracts for professional services, all calls for tenders, contracts for auxiliary services, supply contracts (local orders, requisitions for goods and delivery), contracts for the lease of property, related to information technologies;

(2) calls for tenders and construction contracts;

(3) services contracts related to telecommunications services;

(4) deeds or contracts for the alienation of surplus movable property;

(5) contracts for the repair of machinery and equipment; and

(6) services contracts for the physical layout of administrative units, and agreements for the occupation and equipment of immovables with the Société immobilière du Québec.

That person is also authorized, for his sector of activity, to certify true any document or copy thereof emanating from the department or forming part of its records.

4. Directors are authorized to sign, for their sectors of activity,

(1) services contracts entered into with natural persons, except those related to information technologies;

(2) calls for tenders and contracts for professional services, except those related to information technologies, for less than \$50 000;

(3) calls for tenders and contracts for auxiliary services, except those related to information technologies, for less than \$50 000;

(4) supply contracts (calls for tenders, local orders, requisitions for goods and delivery), except those related to information technologies, for less than \$50 000;

(5) contracts for the leasing or chartering of equipment, vehicles or aircraft, for less than \$5 000; and

(6) contracts for the repair of machinery or equipment, except those related to information technologies, for less than \$50 000.

Those persons are also authorized, for their sectors of activity, to certify true any document or copy thereof emanating from the department or forming part of its records.

5. In addition to the writings referred to in section 4, the Director of Financial and Material Resources is authorized to sign, in connection with all the department's activities,

(1) calls for tenders and construction contracts for less than \$50 000;

(2) services contracts related to telecommunications services for less than \$50 000;

(3) deeds or contracts for the alienation of surplus movable property;

(4) contracts for the repair of machinery and equipment for less than \$50 000; and

(5) services contracts for the physical layout of administrative units, and agreements for the occupation and equipment of immovables with the Société immobilière du Québec for less than \$50 000.

6. In addition to the writings referred to in section 4, the Director of Re-engineering and Informational Resources is authorized to sign, in connection with all the department's activities,

(1) services contracts entered into with natural persons, contracts for professional services, all calls for tenders, contracts for auxiliary services, supply contracts (local orders, requisitions for goods and delivery), contracts for the leasing of property, related to information technologies for less than \$50 000;

(2) services contracts related to telecommunications services for less than \$50 000; and

(3) contracts for the repair of machinery and equipment related to information technologies for less than \$50 000.

7. The Secretary of the department is authorized to sign, for his sector of activity,

(1) services contracts entered into with natural persons, except those related to information technologies, for less than \$25 000;

(2) calls for tenders and contracts for professional services, except those related to information technologies, for less than \$25 000;

(3) calls for tenders and contracts for auxiliary services, except those related to information technologies, for less than \$25 000;

(4) supply contracts (calls for tenders, local orders, requisitions for goods and delivery), except those related to information technologies, for less than \$25 000;

(5) contracts for the leasing or chartering of equipment, vehicles or aircraft for less than \$5 000; and

(6) contracts for the repair of machinery or equipment, except those related to information technologies, for less than \$25 000.

That person is also authorized, in connection with all the department's activities, to certify true any document or copy thereof emanating from the department or forming part of its records.

8. The officially identified purchasers of the department are authorized to sign, for their sectors of activity,

(1) calls for tenders and contracts for auxiliary services, except those related to information technologies, for less than \$5 000;

(2) supply contracts (calls for tenders, local orders, requisitions for goods and delivery), except those related to information technologies, for less than \$5 000; and

(3) contracts for the repair of machinery or equipment, except those related to information technologies, for less than \$5 000.

9. In addition to the writings referred to in section 8, a purchaser officially identified as belonging to the Direction de la réingénierie et des ressources informationnelles is authorized to sign, in connection with all the department's activities,

(1) calls for tenders and contracts for auxiliary services related to information technologies for less than \$5 000;

(2) supply contracts (calls for tenders, local orders, requisitions for goods and delivery), related to information technologies, for less than \$5 000; and

(3) contracts for the repair of machinery or equipment related to information technologies for less than \$5 000.

DIVISION II

AN ACT RESPECTING CHILDCARE CENTRES AND CHILDCARE SERVICES (R.S.Q., c. S-4.1)

10. The Assistant Deputy Minister of the Direction générale des services à la famille et à l'enfance is authorized to sign

(1) day care centre permits, nursery school permits, stop over centre permits or childcare centre permits, issued or renewed for three years or less, under sections 5, 6, 7 and 12 of the Act;

(2) the authorization given to a permit holder to temporarily carry on his activities elsewhere than at the address of the establishment appearing on the permit, under section 17 of the Act;

(3) the authorization given to a permit holder to modify certain particulars of his permit, under section 17.0.1 of the Act;

(4) approval of the plans of the premises of a permit holder, under sections 17.1 and 17.2 of the Act;

(5) a remedial notice to a person or permit holder, under section 36.1 of the Act;

(6) any agreement on the allotment of places with a reduced contribution entered into with a person who held a daycare centre permit on 11 June 1997, under section 39.1 of the Act;

(7) any document to accept measures for the arrangement of the premises that differ from the standards established pursuant to subparagraph 2 of the first paragraph of section 73 of the Act, under section 73.1 of the Act;

(8) any document relating to a refusal to issue or renew a permit, its suspension or revocation, under sections 18, 18.1, 19 and 20 of the Act;

(9) any document authorizing a person to act as an inspector, under section 34 of the Act;

(10) a decision in writing following an application for review from a parent who feels aggrieved by a decision made by the holder of a childcare centre permit or day care centre permit concerning the contribution or exemption referred to in section 39 of the Act, under sections 41.3, 41.4 and 41.5 of the Act;

(11) any document relating to the awarding of grants to an applicant for or holder of a childcare centre permit, to certain holders of a day care centre permit and to other persons or organizations provided for in the Act, under section 41.6 of the Act;

(12) any document relating to the evacuation and closing of premises where activities for which a permit is required are carried out without a permit, under section 76 of the Act; and

(13) any document relating to the cancellation or suspension, in whole or in part and under certain circumstances, of the payment of grants to the holder of a childcare centre permit, the holder of a day care centre permit or a home childcare provider, under section 76.1 of the Act.

11. The Director of the Direction de l'organisation du réseau is authorized to sign the writings referred to in paragraphs 1 to 7 of section 10.

12. The Director of the Direction de l'inspection is authorized to sign

(1) any document authorizing a person to act as an inspector, under section 34 of the Act;

(2) a remedial notice to a person or permit holder, under section 36.1 of the Act; and

(3) any document relating to the evacuation and closing of premises where activities for which a permit is required are carried out without a permit, under section 76 of the Act.

13. The Director of the Direction de l'administration des programmes d'aide à la famille et à l'enfance is authorized to sign

(1) a decision in writing following an application for review from a parent who feels aggrieved by a decision made by the holder of a childcare centre permit or day care centre permit concerning the contribution or exemption referred to in section 39 of the Act, under sections 41.3, 41.4 and 41.5 of the Act; and

(2) any document related to the awarding of grants of less than \$300 000, excluding grants for operating expenses and the leasing of places, to an applicant for or holder of a childcare centre permit, to certain holders of a day care centre permit and to other persons or organizations provided for in the Act, under section 41.6 of the Act.

14. Architects working on the plans of a permit holder's premises, pursuant to sections 17.1 and 17.2 of the Act, are authorized to sign the approval of those plans.

DIVISION III

AN ACT RESPECTING THE MINISTÈRE DE LA FAMILLE ET DE L'ENFANCE AND AMENDING THE ACT RESPECTING CHILD DAY CARE (1997, c. 58)

15. The Assistant Deputy Minister of the Direction générale des services à la famille et à l'enfance is authorized to sign

(1) the revocation of a holder's childcare centre permit, under sections 156, 157, 158, 171 and 172 of the Act;

(2) the renewal of the day care centre permit held by a school board, under sections 156 and 159 of the Act;

(3) any document related to the awarding of grants to the holder of a non-profit day care centre permit with a view to becoming a childcare centre, under sections 156 and 171 of the Act;

(4) any document concerning eligibility for the plan for the acquisition of a day care centre, under sections 156 and 172 of the Act; and

(5) any agreement related to the allotment of places with a reduced contribution and the grant determined by the Minister, under sections 156 and 173 of the Act.

16. The Director of the Direction de l'administration des programmes d'aide à la famille et à l'enfance is authorized to sign any document related to the awarding of grants of less than \$300 000, excluding grants for operating expenses, to the holder of a non-profit day care centre permit with a view to becoming a childcare centre, under sections 156 and 171 of the Act.

17. The Director of the Direction de l'organisation du réseau is authorized to sign

(1) the renewal of the day care centre permit held by a school board, under sections 156 and 159 of the Act;

(2) any document concerning eligibility for the plan for the acquisition of a day care centre, under sections 156 and 172 of the Act; and

(3) any agreement related to the allotment of places with a reduced contribution and the grant determined by the Minister, under sections 156 and 173 of the Act.

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Gouvernement du Québec

O.C. 896-99, 4 August 1999

Allocation and description of Category II-N lands to the Naskapi community of Kawawachikamach in accordance with section 191.48 of the Act respecting the land regime in the James Bay and New Québec territories

WHEREAS the Northeastern Québec Agreement, signed on 31 January 1978, provides for the constitution of Category II-N lands;

WHEREAS the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1) was made in order to give effect to the provisions respecting the land regime referred to in the Northeastern Québec Agreement;

WHEREAS under section 191.48 of the Act, the Government shall describe Category II-N lands by Order in Council;

WHEREAS once constituted into Category II-N lands, the lands shall remain lands in the public domain;

WHEREAS the Minister of Natural Resources is responsible for the administration of the Act respecting the land regime in the James Bay and New Québec territories;

WHEREAS the description and allocation of Category II-N are subject to the provisions of the Northeastern Québec Agreement and of the Act respecting the land regime in the James Bay and New Québec territories;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources and of the Minister for Native Affairs:

THAT the Government allocate and describe Category II-N lands of the Naskapi community of Kawawachikamach, whose limits are described in the technical territorial description the original of which is entered on the Greffes des arpentages under number "Divers 12/377" and a copy of which is attached to this Order in Council as an integral part thereof. The limits are illustrated on the related survey plan entered on the Greffes des arpentages under number "Divers 150-501";

THAT the Category II-N lands referred to in this Order in Council and whose limits are described in the attached Schedule, not include, where applicable, the lands stipulated hereafter in paragraphs *a* to *c*:

(*a*) lands within the perimeter of Category II-N lands whose limits are described in the attached Schedule the ownership of which was transferred by letters patent or otherwise before 31 January 1978;

(*b*) lands within the perimeter of Category II-N lands whose limits are described in the attached Schedule, which are the object of leases, occupation permits, mining claims, development licences, exploration permits, mining concessions and mining leases which were granted before 31 January 1978;

(*c*) lands within the perimeter of Category II-N lands whose limits are described in the attached Schedule, on which roads, landing strips, airport installations and sea-plane bases were located as of 31 January 1978 and have not been closed down by decision of the Gouvernement du Québec since that date;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif