

## Regulations and other acts

Gouvernement du Québec

### O.C. 146-99, 24 February 1999

An Act respecting the Government and Public Employees Retirement Plan  
(R.S.Q., c. R-10)

#### Designation of classes of employees and determination of special provisions — Amendments

Amendments to the designation of classes of employees and the determination of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan

WHEREAS under the first paragraph of section 10.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may, notwithstanding any inconsistent provision of that plan, except the provisions of Chapter VII.1 of the Act, establish special provisions with respect to classes of employees it designates;

WHEREAS the Government made Order in Council 245-92 dated 26 February 1992 concerning the designation of classes of employees and the determination of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan;

WHEREAS it is expedient to amend that Order in Council;

WHEREAS under the second paragraph of section 10.1 of the Act respecting the Government and Public Employees Retirement Plan, an order under the first paragraph of that section may have effect 12 months or less before it is made;

IT IS ORDERED, therefore, on the recommendation of the Minister for Administration and the Public Service, Chairman of the Conseil du trésor:

THAT the amendments to the Order in Council concerning the designation of classes of employees and the determination of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan, attached to this Order in Council, be made;

THAT it take effect on 1 January 1999;

THAT the amendment provided for in section 4 have effect 12 months before the making of the Order in Council.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

#### Amendments to the Order in Council concerning the designation of classes of employees and the determination of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan<sup>1</sup>

An Act respecting the Government and Public Employees Retirement Plan  
(R.S.Q., c. R-10, s. 10.1)

**1.** Section 5 of the Order in Council concerning the designation of classes of employees and the determination of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan is amended by deleting the first paragraph.

**2.** The words “of the second paragraph” are struck out in the second sentence of the third paragraph of section 17.

**3.** Section 20 is amended

(1) by substituting “, subject to section 5” for “or with section 5”; and

(2) by inserting the following paragraph after the first paragraph:

<sup>1</sup> Order in Council 245-92 dated 26 February 1992 concerning the designation of classes of employees and the determination of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan was last amended by Order in Council 1404-97 dated 29 October 1997 (1997, *G.O.* 2, 5447). For previous amendments, refer to the *Tableau de modifications et Index sommaire*, Éditeur officiel du Québec, 1998, updated to 1 September 1998.

“For the years or parts of a year of service prior to 1 January 1999, the contributions referred to in the first paragraph shall be those that would have been withheld in accordance with section 29 of the Act or with section 5 of this Regulation as it read during those years or parts thereof.”

**4.** The following is substituted for subparagraph 13 of the first paragraph of Schedule II:

“(13) for the health and social services sector, the non-medical executives of Class 23 and higher classes, and the medical executives of Class C and higher classes.”

**5.** This Order in Council has effect from 1 January 1999, except section 4, which has effect 12 months before the making of this Order in Council.

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Gouvernement du Québec

### **O.C. 153-99, 24 February 1999**

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

#### **Bailiffs**

#### **— Trust accounting and indemnity fund of the Chambre**

Regulation respecting trust accounting by bailiffs and the indemnity fund of the Chambre des huissiers de justice du Québec

WHEREAS under section 89 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Chambre des huissiers de justice du Québec must determine, by regulation, the terms, conditions and standards for receipt, custody and disposition of the sums of money and securities that the bailiffs are called upon to hold for the account of their clients and the terms, conditions and standards relating to the keeping and auditing of trust accounts, books and registers of bailiffs;

WHEREAS under that section, the Bureau shall also establish an indemnity fund to be used to repay the amounts of money or other securities used by a bailiff for purposes other than those for which they had been delivered to him in the practice of his profession and it shall fix the rules of administration and of investment of the sums of money making up the fund;

WHEREAS under the same section, the Bureau made the Regulation respecting trust accounting by bailiffs and the indemnity fund of the Chambre des huissiers de justice du Québec;

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

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 4 March 1998 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Professional Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting trust accounts by bailiffs and the indemnity fund of the Chambre des huissiers de justice du Québec, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

### **Regulation respecting trust accounting by bailiffs and the indemnity fund of the Chambre des huissiers de justice du Québec**

Professional Code  
(R.S.Q., c. C-26, s. 89)

#### **CHAPTER I TRUST ACCOUNTING**

#### **DIVISION I GENERAL**

**1.** In this Regulation, the word “bailiff” means a person entered on the roll of the Chambre des huissiers de justice du Québec, who practises alone or in partnership.