

Regulations and other acts

Gouvernement du Québec

O.C. 589-2000, 17 May 2000

An Act respecting the Ministère des Affaires municipales et de la Métropole (R.S.Q., c. M-22.1; 1999, c. 43)

Signing of certain documents

Regulation respecting the signing of certain documents of the Ministère des Affaires municipales et de la Métropole

WHEREAS under section 18 of the Act respecting the Ministère des Affaires municipales et de la Métropole (R.S.Q., c. M-22.1; 1999, c. 43), the Government may, by regulation, determine the cases in which the signing of a document by a public servant is binding on the Minister and may be attributable to the Minister;

WHEREAS the Government made the Regulation respecting the signing of certain documents of the Ministère des Affaires municipales et de la Métropole by Order in Council 420-98 dated 1 April 1998;

WHEREAS it is expedient to replace that Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs and Greater Montréal:

THAT the Regulation respecting the signing of certain documents of the Ministère des Affaires municipales et de la Métropole, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting the signing of certain documents of the Ministère des Affaires municipales et de la Métropole

An Act respecting the Ministère des Affaires municipales et de la Métropole (R.S.Q., c. M-22.1, s. 18)

1. The signing of a document referred to in a paragraph of section 2, by the public servant of the Ministère des Affaires municipales et de la Métropole who is

mentioned in that paragraph, is binding on the Minister of Municipal Affairs and Greater Montréal and may be attributable to the Minister.

The first paragraph applies even if the public servant is the acting holder of the position.

2. Section 1 applies to the signing by

(1) an assistant deputy minister of

(a) documents referred to in paragraphs 2 to 13;

(b) documents resulting from the exercise of the powers of the Minister prescribed in the Act respecting municipal industrial immovables (R.S.Q., c. I-0.1), the Act respecting Ville de Brossard (1969, c. 99), the Act respecting the acquisition of immovables by Ville de Berthierville (1985, c. 56) and article 964*h* of the Charter of Ville de Montréal (1959-1960, c. 102);

(c) documents resulting from the exercise of the powers of the Minister provided for in sections 278, 339, 346 and 568 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2);

(d) memoranda of understanding and their addenda pertaining to the granting of subsidies from the Greater Montréal Development Fund, the Regional Development Fund or any other fund or program where the norms, terms and conditions of attribution have been approved by the Conseil du Trésor;

(e) documents resulting from the exercise of the powers of the Minister provided for in sections 468.1, 468.11, 468.49, 468.53 and 469.1 of the Cities and Towns Act (R.S.Q., c. C-19) and in sections 570, 580, 618, 622 and 624 of the Municipal Code of Québec (R.S.Q., c. C-27.1);

(2) the director of the direction responsible for municipal finances of:

(a) documents resulting from the exercise of the powers of the Minister provided for in section 15 of the Act respecting municipal debts and loans (R.S.Q., c. D-7);

(b) documents resulting from the exercise of the power of approval or authorization of the Minister for borrowing or for allocation of surplus funds;

(c) documents resulting from the exercise of the power of authorization of the Minister for security;

(d) documents resulting from the exercise of the power of authorization of the Minister for borrowing commitments; and

(e) documents resulting from the exercise of the powers of the Minister provided for in sections 554 of the Cities and Towns Act and 1065 of the Municipal Code of Québec;

(3) a director under the authority of the assistant deputy minister responsible for policies of:

(a) documents resulting from the exercise of the power of the Minister provided for in section 264 of the Act respecting municipal taxation (R.S.Q., c. F-2.1);

(b) documents resulting from the exercise of the power of the Minister provided for in section 20 of the Regulation respecting the real estate assessment roll (R.R.Q., 1981, F-2.1, r. 13.4);

(4) the director of the direction responsible for programs related to infrastructures of:

(a) memoranda of understanding and their addenda;

(b) documents relating to an extension of time for carrying out works;

(5) the director of the direction responsible for land use planning and local development of :

(a) the notices provided for in each of the last paragraphs of sections 50, 53.6, 56.3, 56.13 and 64 of the Act respecting land use planning and development (R.S.Q., c. A-19.1);

(b) documents resulting from the exercise of the power of the Minister provided for in section 239 of that Act;

(6) the director of the direction responsible for regional operations of the documents resulting from the exercise of the powers of the Minister provided for in the Act respecting municipal territorial organization (R.S.Q., c. O-9) as regards an extension of time;

(7) the director general of the branch responsible for administrative services of:

(a) professional and auxiliary services contracts including expenditures or receipts not exceeding \$100 000;

(b) supply, leasing and construction contracts, including maintenance and repairs;

(c) documents that include an application or a commitment by the Department to the Société immobilière du Québec;

(d) service agreements with other departments and public bodies;

(8) the director of the direction responsible for personnel services of the following documents, provided that they include expenditures or receipts not exceeding \$25 000:

(a) professional and auxiliary services contracts;

(b) supply, leasing and construction contracts, including maintenance and repairs;

(c) documents that include an application or a commitment by the Department to the Société immobilière du Québec;

(9) the director of the direction responsible for financial services of the following documents, provided that they include expenditures or receipts not exceeding \$25 000:

(a) professional and auxiliary services contracts;

(b) supply and leasing contracts;

(c) documents that include an application or a commitment by the Department to the Société immobilière du Québec;

(10) the person responsible for supplying the following documents provided that they include expenditures or receipts not exceeding \$5 000:

(a) auxiliary services contracts;

(b) supply and leasing contracts;

(11) the director of a direction, for the objects within the jurisdiction of his direction, of:

(a) professional and auxiliary services contracts including expenditures or receipts not exceeding \$25 000;

(b) supply and leasing contracts including expenditures or receipts not exceeding \$5 000;

(12) the department head, for the objects within the jurisdiction of his department, of:

(a) professional and auxiliary services contracts including expenditures or receipts not exceeding \$10 000;

(b) supply and leasing contracts including expenditures or receipts not exceeding \$1 000;

(13) a regional representative, for the objects within the jurisdiction of his regional office, of:

(a) professional and auxiliary services contracts including expenditures or receipts not exceeding \$5 000;

(b) supply and leasing contracts including expenditures or receipts not exceeding \$1 000;

(c) documents related to financial assistance programs to municipalities whose territory is included in that which comes under the jurisdiction of the regional office.

3. Subparagraphs *c* and *d* of paragraph 2 of section 2 do not have the effect of authorizing the signatory to exercise the powers mentioned in the third paragraph of subsection 3 of section 28 and in the second paragraph of section 29.3 of the Cities and Towns Act nor the powers mentioned in the third paragraph of section 9 and in the second paragraph of section 14.1 of the Municipal Code of Québec.

4. This Regulation replaces the Rules respecting the signing of certain documents of the Ministère de la Métropole made by Order in Council 969-96 dated 7 August 1996 and the Regulation respecting the signing of certain documents of the Ministère des Affaires municipales made by Order in Council 420-98 dated 1 April 1998.

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

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Gouvernement du Québec

O.C. 595-2000, 17 May 2000

An Act respecting the civil aspects of international and interprovincial child abduction
(R.S.Q., c. A-23.01)

Application of the Act respecting the civil aspects of international and interprovincial child abduction to Belarus, Costa Rica, Fidji, Republic of Moldova, Paraguay and Turkmenistan

WHEREAS section 41 of the Act respecting the civil aspects of international and interprovincial child abduction (R.S.Q., c. A-23.01) provides that the Government, upon the recommendation of the Minister of Justice and, as the case may be, of the Minister responsible for Canadian Intergovernmental Affairs or the Minister of International Relations, shall designate by order published in the *Gazette officielle du Québec* any State, province or territory in which it considers that Québec residents may benefit from measures similar to those set out in the Act;

WHEREAS that section also provides that the order shall indicate the date of the taking of effect of the Act for each State, province or territory designated in it;

WHEREAS Belarus, Costa Rica, Fidji, Republic of Moldova, Paraguay and Turkmenistan ratified the Convention on the Civil Aspects of International Child Abduction;

WHEREAS pursuant to section 38 of that Convention, the accession of a State has effect only as regards the relations between the acceding State and such Contracting States as have declared their acceptance of the accession;

WHEREAS the Government considers that Québec residents may benefit in the above-mentioned States from measures similar to those set out in the Act respecting the civil aspects of international and interprovincial child abduction from the date of coming into force of the Convention between those States and Québec;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Justice and of the Minister of International Relations:

THAT the Gouvernement du Québec accept the accession of Belarus, Costa Rica, Fidji, Republic of Moldova, Paraguay and Turkmenistan to the Convention on the Civil Aspects of International Child Abduction;

THAT those States be designated as States to which the Act respecting the civil aspects of international and interprovincial child abduction applies;

THAT, as regards those States, the Act take effect on a later date to be fixed by the Government.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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