

Regulations and other acts

Gouvernement du Québec

O.C. 1078-2000, 27 September 2000

Cities and Towns Act
(R.S.Q., c. C-19)

Charter of Ville de Sherbrooke — Repeal of certain provisions

Repeal of certain provisions of the Charter of Ville de Sherbrooke

WHEREAS under section 3 of the Cities and Towns Act (R.S.Q., c. C-19), amended by section 1 of Chapter 19 of the Statutes of 2000, the Government may, upon the petition of the council of a municipality, repeal any provision of the charter of the petitioning municipality;

WHEREAS the council of Ville de Sherbrooke has petitioned the Government for the repealing of certain provisions of its charter considered useless, obsolete or ineffective;

WHEREAS the formalities prescribed by section 3 of the Cities and Towns Act have been completed;

WHEREAS it is expedient to grant the petition submitted by Ville de Sherbrooke;

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

THAT the following provisions of the Charter of Ville de Sherbrooke be repealed:

— paragraph *b* of section 4, paragraphs *c*, *e* and *f* of section 9, paragraph *d* of section 11, sections 456*c*, 456*d* and 456*e* of the Cities and Towns Act enacted by sections 12 and sections 15 and 16 of Chapter 101 of the Statutes of 1974;

— section 5 of Chapter 115 of the Statutes of 1978;

— section 299 of Chapter 38 of the Statutes of 1984;

— section 1 of Chapter 118 of the Statutes of 1987;

— section 1 of Chapter 89 of the Statutes of 1988.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1081-2000, 13 September 2000

An Act respecting the Ministère de l'Éducation
(R.S.Q., c. M-15)

Minister of Education — Delegations of powers and duties

Regulation respecting the delegations of powers and duties of the Minister of Education

WHEREAS under the first paragraph of section 12.1 of the Act respecting the Ministère de l'Éducation (R.S.Q., c. M-15) amended by section 49 of chapter 24 of the Statutes of 2000, the Government may, by regulation, authorize the Deputy Minister of Education, an assistant deputy minister or another officer to exercise any power conferred on the Minister under any Act which is under his responsibility or any duty entrusted to the Minister pursuant thereto but, in the case of an officer, only to the extent determined by regulation;

WHEREAS under the second paragraph of that section, every regulation made under that section comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS under section 12.1 of that Act, the Government made the Regulation respecting certain delegations of power, made by Order in Council 521-93 dated 7 April 1993;

WHEREAS it is expedient to replace that Regulation in order to take into account the recent changes made to the structure of the Ministère de l'Éducation and to improve the exercise of the delegation of certain powers of the Minister of Education;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Regulation respecting the delegations of powers and duties of the Minister of Education, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting the delegations of powers and duties of the Minister of Education

An Act respecting the Ministère de l'Éducation (R.S.Q., c. M-15, a. 12.1; 2000, c. 24, s. 49)

1. The Deputy Minister of Education shall exercise, in the place of the Minister of Education, the following powers and duties:

(1) authorizing a school board or private institution, in exceptional circumstances and on the conditions and for the period he determines, to engage as teachers for the preschool, elementary or secondary level persons who do not hold a teaching licence, in accordance with section 25 of the Education Act (R.S.Q., c. I-13.3) or the third paragraph of section 50 of the Act respecting private education (R.S.Q., c. E-9.1);

(2) establishing conditions of admission to vocational education programs, in accordance with section 465 of the Education Act;

(3) establishing the special conditions for admission to programs leading to a Diploma of College Studies, in accordance with subparagraph 3 of the first paragraph of section 2 of the College Education Regulations, made by Order in Council 1006-93 dated 14 July 1993, as it reads at the time it applies;

2. The Deputy Minister of Education and the Assistant Deputy Minister for school networks are each authorized to exercise, in the place of the Minister, the following powers and duties:

(1) determining at what time and in what form the apportionment of the rights and obligations of a school board which has had its territory divided up shall be transmitted, in accordance with the second paragraph of section 120 of the Education Act;

(2) authorizing a school board, subject to the terms and conditions he determines, to provide for expenditures in its budget that exceed its revenues, in accordance with section 279 of the Education Act;

(3) giving prior authorization to the Cree School Board or the Kativik School Board to carry out certain acquisitions, leaseings, constructions or repairs in accordance with the second paragraph of section 213 of the Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., c. I-14), as it read on 8 June 1978.

3. The Deputy Minister of Education and the Assistant Deputy Minister for college education are each authorized to exercise, in the place of the Minister, the following powers and duties:

(1) approving by-laws of colleges prescribing the payment of admission or registration fees for college instruction services, or other fees pertaining to such services, in accordance with section 24.5 of the General and Vocational Colleges Act (R.S.Q., c. C-29);

(2) determining the remedial activities that colleges may impose and the number of credits which may be awarded for those activities, in accordance with the second paragraph of section 3 of the College Education Regulations;

(3) determining the deadline beyond which students may not drop a course without a failing mark being entered on their report, in accordance with section 29 of the College Education Regulations.

4. The Deputy Minister of Education and the Assistant Deputy Minister for preschool, elementary and secondary education are each authorized, in the place of the Minister, to draw up a list of textbooks and instructional material or classes of instructional material approved by him and which may be selected for the teaching of the programs of studies established by the Minister, in accordance with the first paragraph of section 462 of the Education Act amended by section 40 of chapter 24 of the Statutes of 2000.

5. The Deputy Minister of Education and, within the limits of their duties, the Assistant Deputy Minister for preschool, elementary and secondary education and the Assistant Deputy Minister for private education are each authorized to exercise, in the place of the Minister, the following powers and duties:

(1) allowing, subject to the conditions determined by the Minister, a school to replace a program of studies established by him by a local program of studies designed for a student or a category of students who are unable to benefit from the programs of studies established by the Minister and approving such program, in accordance with the third paragraph of section 222.1 of the Education Act or the second paragraph of section 32 of the Act respecting private education;

(2) exempting, on the conditions he determines, any student or category of students he determines from the application of certain rules of certification of studies or of prior learning, in accordance with section 460 of the Education Act or in accordance with the first paragraph of section 30 of the Act respecting private education amended by section 53 of chapter 24 of the Statutes of 2000.

6. The Deputy Minister of Education, the Assistant Deputy Minister for school networks and the Director General for the financing and equipment of primary and secondary education institutions are each authorized to exercise, in the place of the Minister, the following powers and functions:

(1) giving prior authorization to a school board to enter into certain agreements, in accordance with the second paragraph of section 267 of the Education Act;

(2) authorizing a school board or the Conseil scolaire de l'île de Montréal to hypothecate or demolish its immovables and to borrow money, requiring that they provide any information concerning their financial situation, and determining the terms and conditions of loans, in accordance with sections 272, 288, 289 and 423 of the Act;

(3) determining the date of transmission and the form of the operating, investment and debt service budgets of the school boards and of the Conseil scolaire de l'île de Montréal, in accordance with sections 277 and 445 of that Act, and determining the date before which the Cree and Kativik school boards are required to submit their operating, investment and debt service budgets, in accordance with section 339 of the Education Act for Cree, Inuit and Naskapi Native Persons as it read on 8 June 1978;

(4) determining the dates of transmission and the form of the interim reports on the financial situation of the school boards, in accordance with section 282 of the Education Act;

(5) determining the manner and the forms that apply to the keeping of the accounting records of the school boards, in accordance with section 283 of that Act;

(6) determining the time of transmission and the form of the annual financial statements of the school boards, in accordance with section 287 of that Act;

(7) fixing the equalization grant of the school boards, in accordance with section 475 of the Act;

(8) granting, on the terms and conditions he determines, a subsidy for the payment of a loan, in accordance with the first paragraph of section 476 of that Act;

(9) depositing with the Minister of Finance sums intended for the repayment of the principal of a loan in respect of which a subsidy has been granted under section 476 of the Education Act, in order to constitute a sinking fund, in accordance with the third paragraph of section 476 or the first paragraph of section 477.1 of that Act;

(10) determining the time of transmission and the form of the financial statements of private institutions dispensing services for preschool, elementary or secondary school education, in accordance with section 65 of the Act respecting private education;

(11) previously approving or providing the plans and specifications for work on an immovable Cree School Board or Kativik School Board, in accordance with section 235 of the Education Act for Cree, Inuit and Naskapi Native Persons as it read on 8 June 1978.

7. The Deputy Minister of Education, the Assistant Deputy Minister for college education and the Director General for the financing and equipment of colleges are each authorized to exercise, in the place of the Minister, the following powers and duties:

(1) granting to a college the authorization required to borrow money on its credit, hypothecate its property for certain purposes, issue bonds or other titles of indebtedness or securities and sell, exchange or hypothecate the same, or create a servitude, in accordance with the second and third paragraphs of section 6 of the General and Vocational Colleges Act amended by section 61 of chapter 40 of the Statutes of 1999;

(2) determining the date of transmission and the form of the budget of the colleges, in accordance with the first paragraph of section 26.1 of that Act;

(3) determining the documents or information that must accompany the colleges' financial statements as well as the time of their transmission and their form, in accordance with section 27 of that Act;

(4) granting, under the terms and conditions he determines, a subsidy to a college in order to provide for payment of a loan and depositing with the Minister of Finance sums to constitute a sinking fund, in accordance with sections 28.1 and 28.2 of that Act;

(5) determining the time of the transmission and the form of the financial statements of private institutions dispensing services for college education, in accordance with section 65 of the Act respecting private education.

8. The Deputy Minister of Education, the Assistant Deputy Minister for university education and the Director General for the financing and equipment of universities are each authorized, in the place of the Minister, to grant, under the terms and conditions he determines, a subsidy for the purposes of investments approved under section 4 of the University Investments Act (R.S.Q., c. I-17) to any university establishment in order to provide for certain payments and to deposit with the Minister of Finance sums to constitute a sinking fund, in accordance with section 6.1 or the first paragraph of section 6.2 of that Act.

9. This Regulation replaces the Regulation respecting certain delegations of power made by Order in Council 521-93 dated 7 April 1993.

10. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 1085-2000, 13 September 2000

An Act respecting the distribution of financial products and services
(R.S.Q., c. D-9.2)

Designation of persons who may offer an insurance product that cannot be offered by a distributor

Designation of persons who may offer an insurance product that cannot be offered by a distributor

WHEREAS under section 428 of the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2), the Government may order, after consulting the Bureau des services financiers, that an insurance product that cannot be offered by a distributor may be offered by any person it specifies, and such persons are deemed to be distributors for that product;

WHEREAS under section 19 of the Act respecting off-highway vehicles (R.S.Q., c. V-1.2), the owner of any off-highway vehicle shall hold a civil liability insurance contract in an amount of not less than \$500,000 that covers bodily injury and property damage caused by the vehicle;

WHEREAS under the second paragraph of section 16 of that Act, every off-highway vehicle club is responsible for safety and shall see that the provisions of that Act and the regulations are complied with;

WHEREAS the Fédération des clubs de motoneigistes du Québec Inc. and its affiliated clubs are off-highway vehicle clubs;

WHEREAS the Bureau des services financiers has been consulted;

WHEREAS it is expedient to allow the Fédération des clubs de motoneigistes du Québec Inc. and its affiliated clubs to offer their members, through their directors, officers, representatives and employees, the standard automobile civil liability insurance policy (QPS No. 1) covering bodily injury and property damage caused by an off-highway vehicle;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT the Fédération des clubs de motoneigistes du Québec Inc. and its affiliated clubs be allowed to offer their members, through their directors, officers, representatives and employees, the standard automobile civil liability insurance policy (QPS No. 1) covering bodily injury and property damage caused by an off-highway vehicle.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1087-2000, 13 September 2000

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

Certified management accountants — Code of ethics — Amendments

Regulation amending the Code of ethics of certified management accountants

WHEREAS, under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards