

SCHEDULE VI

(s. 108)

ACCIDENT REPORT

Operator: _____
 No. of train or other equipment: _____ Direction: _____
 Place of the accident: _____ Mileage point _____ Station: _____
 Date: _____ Time: _____ Locomotive No.: _____
 Train gross tonnage: _____ Number of cars: _____ Loaded cars: _____
 Conductor: _____ Engineer: _____

Description of the accident: _____

Number of victims: Killed: _____ Injured: _____
 Status of the victims (passenger, employee, other): _____

Apparent causes of the accident: _____

Investigation to come: Yes: _____ No: _____
 Other observations: _____

Signature (name, address and position or title of the writer of the report): _____

3978

Gouvernement du Québec

O.C. 1402-2000, 29 November 2000

Transport Act
 (R.S.Q., c. T-12)

Brokerage of bulk trucking services
 — **Amendments**

Regulation to amend the Regulation respecting the
 brokerage of bulk trucking services

WHEREAS, under paragraphs *d, f, n.2, o, o.1, o.2* and *q* of section 5 of the Transport Act (R.S.Q., c. T-12), as amended by section 322 of chapter 40 and section 2 of chapter 82 of the Statutes of 1999, the Government may make regulations respecting the matters referred to therein and, in particular, the standards of representativeness applicable to holders of brokerage permits;

WHEREAS it is expedient to change the period when the Commission des transports du Québec ascertains a broker's representative character and to amend other rules governing the issue or renewal of brokerage permits and brokerage services;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation may be made without having been published in accordance with section 8 of that Act, where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of prior publication must be published with the regulation;

WHEREAS the Government is of the opinion that the emergency due to the following circumstances justifies the absence of prior publication of the Regulation attached to this Order in Council:

— In order for the Commission des transports du Québec to issue and renew brokerage permits in time for brokers to represent subscribers who will be carrying out bulk trucking operations for projects to be undertaken by the Ministère des Transports in the spring of 2001, the Commission must ascertain their representative character several months earlier and, in addition, the rules governing applications for those permits must be amended;

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

THAT the Regulation to amend the Regulation respecting the brokerage of bulk trucking services, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the brokerage of bulk trucking services*

Transport Act
(R.S.Q., c. T-12, s. 5, pars. *d, f, n.2, o, o.1, o.2* and *q*;
1999, c. 40, s. 322; 1999, c. 82, s. 2)

1. Section 1 of the Regulation respecting the brokerage of bulk trucking services is amended by inserting the words “, concrete other than in a concrete mixer truck” after the word “stone”.

2. Section 4 is amended

(1) by substituting the following for the second paragraph:

“For the purposes of the first paragraph, a broker represents an operator of heavy vehicles when they enter into a contract for brokerage services between 1 January and 10 February of the year in which the broker applies to the Commission des transports du Québec for a brokerage permit or its renewal. When the name of an operator of heavy vehicles is on more than one subscribers list, the Commission shall, in the presence of the brokers concerned, ask the operator to specify the brokerage service to which he will be subscribing. Operators of heavy vehicles indicate their interest by signing, between 1 March and 31 March 2000, a brokerage con-

tract that complies with the provisions of this Regulation with a broker that has applied to the Commission for a brokerage permit or its renewal, even if that application has been withdrawn.”; and

(2) by substituting “10 February” for “31 March” and “10 March” for “30 April” in the fourth paragraph.

3. Section 5 is amended

(1) by substituting “shall, within ten days of the expiry of the subscription period,” for “that has demonstrated that it meets the representativeness requirement shall” in the first paragraph;

(2) by inserting “, together with the application, the originals of all brokerage contracts that will establish its representative character,” after the word “Québec” in subparagraph 1 of the first paragraph; and

(3) by inserting “, before 31 March,” after the words “shall also” in the second paragraph.

4. Section 6 is amended by striking out “that has demonstrated its representativeness in each zone for which it is applying for a brokerage permit”.

5. Section 8 is amended by striking out the second paragraph.

6. Section 12 is amended by substituting “10 February” for “31 March” and “1 March” for “15 April”.

7. Section 14 is amended

(1) by substituting “1 January and 10 February” for “1 and 31 March” in subparagraph 1 of the first paragraph;

(2) by substituting “11 February and 11 March” for “1 and 30 April” in subparagraph 2 of the first paragraph;

(3) by substituting the following for the second paragraph:

“An operator that has entered into a brokerage contract with a broker whose application for a brokerage permit or its renewal has been denied by the Commission or whose application has been withdrawn has the right to subscribe to the services of another brokerage permit holder within 60 days of the Commission’s decision or, as the case may be, within 30 days after the Commission has received the broker’s withdrawal.”.

* The Regulation respecting the brokerage of bulk trucking services was made by Order in Council 1483-99 dated 17 December 1999 (1999, G.O. 2, 5079) and has not been amended since.

8. The following is substituted for section 17:

“17. For the purposes of this Regulation, an operator shall remain subscribed throughout the term of the brokerage permit unless he is removed by the permit holder as a disciplinary measure, subscribes to another brokerage service in the same region following the transfer of his principal establishment, is removed from the bulk trucking register or transfers his registration and subscription to a third party.”.

9. Section 21 is amended

(1) by substituting “10 February” for “31 March” in paragraphs 1 to 4; and

(2) by adding the following paragraph at the end:

“(5) the operator’s application for brokerage services during one of the subscription periods set out in section 14 has been denied.”.

10. Schedule 1 is amended

(1) by striking out subparagraph e of paragraph 1 of Part 1;

(2) by substituting the following for subparagraph l of paragraph 1 of Part 1:

“(l) the Operator undertakes to first solicit the services of the broker for any bulk transport in excess of its capacity in all contracts that it performs as a contractor. The Operator shall also abide by this undertaking with respect to its related corporations within the meaning of the Taxation Act, specifically those referred to in subparagraph d;”;

(3) by substituting the following for the first paragraph of Part 2:

“This Part must be completed when a subscriber transfers his registration in the bulk trucking register of the Commission des transports du Québec. The transferee must also complete this Part to have the registration transferred to him. The transferee must also undertake to become a subscriber to a brokerage agency in a zone of the region specified in the transferor’s registration or to replace the transferor in the brokerage agency and, in that event, also accept, for the purposes of the distribution of working time, the allocation of all the working time accumulated in the transferor’s name on the signing date of this document.”;

(4) by substituting the following for the first paragraph of the transferee’s declaration:

“The transferee declares the following: I will apply to the Commission des transports du Québec for the transfer of the transferor’s registration to my name within 30 days of the signing of this Part. I will also, within 30 days after the transfer has been made by the Commission, become a member of the following brokerage agency: _____. I am the owner of ____ vehicles of the type that may be registered with the brokerage agency. If applicable, I agree to replace the transferor in the brokerage agency according to the transferor’s order of priority on the date of the transfer and accept the allocation of the working time accumulated by the transferor on that date as soon as I am entered on the distribution list.”; and

(5) by striking out “on the date of the transfer,” in the second paragraph of the transferee’s declaration.

11. Where, on the date of coming into force of this Regulation, there is only one brokerage permit holder in a brokerage zone and no other application for a brokerage permit is filed with the Commission des transports du Québec before 21 February 2001, that holder’s permit shall be renewed automatically.

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

3979

Gouvernement du Québec

O.C. 1404-2000, 29 November 2000

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

**Casket industry
— Amendments**

CONCERNING the Decree to amend the Decree respecting the casket industry

WHEREAS the Government has made the Decree respecting the casket industry (R.R.Q., 1981, c. D-2, r. 8);

WHEREAS the contracting parties to the Decree have petitioned the Minister of State for Labour and Employment and Minister of Labour to make amendments to the Decree;

WHEREAS sections 2, 6.1 and 6.2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) authorise the Government to extend a collective agree-