

Municipal Affairs

Gouvernement du Québec

O.C. 149-2001, 28 February 2001

An Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and Outaouais (2000, c. 56)

An Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2)

Elections to the councils of the new cities of Montréal, Québec, Longueuil, Hull-Gatineau and Lévis

WHEREAS the cities of Montréal, Québec, Longueuil, Hull-Gatineau and Lévis shall be constituted on 1 January 2002 under the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS, under the above Act, the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) applies in respect of the election of the mayor of a city, the city councillors and the borough councillors, subject to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais and any order made by the Government under section 9 of each of the Schedules I to V to that Act;

WHEREAS, under the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais, the first general election of each city shall be held on 4 November 2001 in accordance with the Act respecting elections and referendums in municipalities;

WHEREAS, for the purposes of the Act respecting elections and referendums in municipalities with regard to that election, certain rules shall be provided for;

WHEREAS, under section 9 of each of the Schedules I to V to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais, the Government may, by order, prescribe any rule providing for any omission for the purpose of ensuring the application of the Act or derogating from any provision of an Act for which the Minister of Municipal Affairs and Greater Montréal is responsible;

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

THAT the following rules providing for omissions be prescribed for the purposes of the general elections of the new cities of Montréal, Québec, Longueuil, Hull-Gatineau and Lévis:

(1) In accordance with section 396 of the Act respecting elections and referendums in municipalities, amended by section 41 of chapter 25 of the Statutes of 1999, any party may apply for authorization from 14 March 2001.

For the purposes of section 396 with respect to Ville de Montréal, the offices of councillor referred to exclude the office of borough councillor.

(2) Notwithstanding the third paragraph of section 397 of the Act respecting elections and referendums in municipalities, amended by section 42 of chapter 25 of the Statutes of 1999, a party that intends to carry out its activities on the territory of the new city of Montréal, Québec, Longueuil or Lévis, shall submit an application for authorization with the names, addresses and signatures, for at least one-third of the boroughs, of 30 electors from each borough who affirm that they are members or sympathizers of the party and that they support the application for authorization. The address of the elector must be the address entered on the list of electors of the new city on the portion of the list that corresponds to the borough.

For the purposes of the third paragraph of section 397 with respect to a party that intends to carry out its activities on the territory of the new Ville de Hull-Gatineau, the electoral districts are, except for those that make up the territory of Ville de Buckingham and Ville de Masson-Angers, those that already exist on the territory of the cities of Aylmer, Gatineau and Hull on 14 March 2001.

(3) Unless the party leader requests that it be withdrawn, any authorization granted before 14 March 2001 by the chief electoral officer to a party carrying out its activities on the territory of a municipality referred to in section 5 of Schedules I to V to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais is upheld and extended to the entire territory of the new city

that will succeed to the municipality on whose territory the party carries out its activities.

Such party wishing to change its name may submit a written request from the party leader to the chief electoral officer to reserve a name for a period not exceeding six months. The second paragraph of section 398 of the Act respecting elections and referendums in municipalities, adapted as required, shall apply to the reservation.

(4) The chief electoral officer may authorize parties that do not carry out activities on the same territory to merge, on condition that, notwithstanding section 417 of the Act respecting elections and referendums in municipalities, amended by section 49 of chapter 25 of the Statutes of 1999, they carry out the activities on the territory of a municipality to which the new city will succeed, where the newly-merged party intends to carry out its activities and will present candidates.

(5) For the purpose of the provisions of the Act respecting elections and referendums in municipalities that do not concern elections, namely, in respect of party financing, “municipality” means the group of municipalities referred to in section 5 of Schedules I to V to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais.

(6) Until the division into electoral districts is ordered in accordance with the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais, a borough is considered an electoral district for the purposes of the second paragraph of section 380, of the first paragraph of section 435 and of section 444 of the Act respecting elections and referendums in municipalities.

(7) The returning officer designated by each transition committee established under Schedules I to V to the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais shall also, for the purposes of Chapter XIII of Title I of the Act respecting elections and referendums in municipalities, perform the duties of treasurer within the meaning of section 364 of that Act until 31 December 2001.

(8) For the purposes of dividing a borough into electoral districts, each electoral district shall be delimited so that, based on the permanent list of electors, the number of electors in the district does not vary by more than 15% from the quotient obtained by dividing the total number of electors in the borough by the number of districts. The percentage shall be 25% where a borough

has fewer than 15 000 electors on the date the information contained in the permanent list of electors is forwarded to the transition committee.

The transition committee may derogate from this general rule; its decision must be put forth in writing with reasons.

(9) This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 150-2001, 28 February 2001

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Authorization to the Minister of Municipal Affairs and Greater Montréal to require the towns of Jonquière, Chicoutimi, Laterrière and La Baie, the municipalities of Shipshaw and Lac-Kénogami and Canton Tremblay to file a joint application for amalgamation

WHEREAS, on 25 April 2000, the Minister of Municipal Affairs and Greater Montréal published the White Paper entitled *La réorganisation municipale: changer les façons de faire pour mieux servir les citoyens*;

WHEREAS that reorganization has already begun for the metropolitan regions of Montréal, Québec and the Outaouais by the adoption of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56);

WHEREAS the towns of Jonquière, Chicoutimi, Laterrière and La Baie, the municipalities of Shipshaw and Lac-Kénogami and Canton Tremblay shall be part of the census metropolitan region of Chicoutimi-Jonquière;

WHEREAS, on 27 September 2000, the Minister of Municipal Affairs and Greater Montréal designated Pierre Bergeron as mandatary to examine the issues related to the municipal reorganization of the Saguenay;

WHEREAS Pierre Bergeron submitted his report to the Minister on 16 February 2001;