

WHEREAS it is expedient that the Caisse centrale Desjardins du Québec establish by resolution of its board of directors, before the date of coming into force of section 689 of the Act respecting financial services cooperatives (2000, c. 29), certain transitional measures or other useful measures conducive to the application of the Act respecting the Mouvement Desjardins ;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 18 April 2001 with a notice that it could be made by the Government upon the expiry of 45 days following that publication ;

WHEREAS it is expedient to make the Regulation without amendment ;

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

THAT the Regulation respecting certain transitional measures and other useful measures conducive to the application of the Act respecting the Mouvement Desjardins, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

### **Regulation respecting certain transitional measures or other useful measures conducive to the application of the Act respecting the Mouvement Desjardins**

An Act respecting the Mouvement Desjardins (2000, c. 77, s. 69)

1. The Caisse centrale Desjardins du Québec, constituted under chapter 46 of the Statutes of 1979, replaced by chapter 113 of the Statutes of 1989 and its amendments shall establish by resolution of its board of directors and before the date of coming into force of section 689 of the Act respecting financial services cooperatives (2000, c. 29) :

(1) the capital stock of the Caisse centrale Desjardins du Québec which will continue as a financial services cooperative from the date of coming into force of section 689 of the Act respecting financial services cooperatives, in accordance with sections 10 and 72 of the Act respecting the Mouvement Desjardins (2000, c. 77) ;

(2) the conversion of cooperative shares into qualifying shares or capital shares.

The Caisse centrale Desjardins du Québec shall transmit a certified true copy of the resolution to the Inspector General of Financial Institutions, who shall deposit a copy of the resolution in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45).

2. The Caisse centrale Desjardins du Québec shall establish by resolution of its board of directors before the date of coming into force of section 689 of the Act respecting financial services cooperatives the new by-laws of the Caisse centrale Desjardins du Québec that are to apply as of that date.

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

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### **M.O., 2001**

**Order number 453 of the Minister of Natural Resources concerning delegation of the exercise of powers vested in the Minister of Natural Resources by the Mining Act, other than the powers relating to petroleum, natural gas, brine and underground reservoirs dated 31 May 2001**

Mining Act  
(R.S.Q., c. M-13.1 ; 1998, c. 24 ; 2000, c. 42)

THE MINISTER OF NATURAL RESOURCES,

CONSIDERING the first paragraph of section 305 of the Mining Act (R.S.Q., c. M-13.1), which enables the Minister to delegate generally or specially by order, to any person, the exercise of powers vested in him by that Act ;

CONSIDERING the second paragraph of section 305 of that Act, which provides that such delegation comes into force on the date of publication of the order in the *Gazette officielle du Québec* or on any later date indicated therein ;

CONSIDERING section 382 of that Act, which provides that the Minister of Natural Resources is responsible for the administration of the Mining Act ;

CONSIDERING Order 92029 of the Minister of Energy and Resources dated 29 January 1992 which made the Regulation respecting the delegation of the exercise of

powers vested in the Minister of Energy and Resources by the Mining Act, other than the powers relating to petroleum, natural gas, brine and underground reservoirs;

CONSIDERING that it is expedient to replace the Regulation by this Order of the Minister of Natural Resources, in particular, to take into account the new provisions of the Mining Act enacted by chapter 24 of the Statutes of 1998;

ORDERS :

1. The public servants of the Ministère des Ressources naturelles who hold the positions referred to in this Order are authorized to exercise alone, within the limits of their respective duties, the powers listed after their positions, including the power to sign documents attached to their duties, with the same authority as that of the Minister of Natural Resources.

2. The Associate Deputy Minister responsible for the Mines Sector or the Director of the Direction du développement minéral is authorized to exercise all the powers vested in the Minister by the Mining Act (R.S.Q., c. M-13.1), including the powers vested in the Minister by the sections 133 to 136 of the Regulation respecting mineral substances other than petroleum, natural gas and brine, made by Order in Council 1042-2000 dated 30 August 2000, other than the powers relating to petroleum, natural gas, brine and underground reservoirs and the powers resulting from the application of the second paragraph of section 210 of the Act.

3. A service head of the Direction du développement minéral is authorized to exercise the powers that the persons referred to in section 2 are authorized to exercise, except for the exercise of the powers vested in the Minister by the second paragraph of section 34, the fourth paragraph of section 52, the third paragraph of section 61, sections 67 and 82, the second paragraph of section 101.1, the third paragraph of section 104, sections 106, 107, 117, 118, 129, 150, 152, 213.2, 231, 232, 232.8, 232.11, 234, 278 and 290 of the Mining Act and except for the exercise of the following :

(1) determining the conditions that the holder of a claim, of a mining exploration licence or of an exploration licence for surface mineral substances must meet to perform work on lands of the domain of the State, in the cases provided for in section 70 of the Act;

(2) determining and including in a rehabilitation and restoration plan or a revised plan, pursuant to the first paragraph of section 232.5 of the Act, the conditions and obligations referred to in that paragraph, including fix-

ing, during the approval of the plan or revised plan, a period for revision shorter than the period provided for in subparagraph 1 of the first paragraph of section 232.6 of the Act;

(3) designating a person as investigator for the purposes of Chapter VI of the Act and signing the certificate attesting to his capacity.

4. A division head of the Direction du développement minéral or the Head of the Bureau de la conversion et des litiges miniers is authorized to exercise the powers that a service head referred to in section 3 is authorized to exercise, except for the exercise of the powers vested in the Minister by sections 32 and 33, the first paragraph of section 34, the third paragraph of section 52, section 66, the first paragraph of sections 101 and 101.1, section 102, the second paragraph of section 104, sections 124, 125 and 126, the second paragraph of section 140, sections 142 and 142.1 with respect to an exclusive lease to mine surface mineral substances, sections 145, 146 and 148, paragraph 3 of section 156, sections 214, 216, 232.7, 232.10, 240, 241 and 269 of the Mining Act and except for the exercise of the following :

(1) designating the registrar responsible for the obligations referred to in section 13 of the Act;

(2) prescribing the form of the notice of staking, the notice of map designation, the application for renewal of claims, the application for the conversion of mining rights into map designated claims, the application for substitution of claims or the form of the determination of a common expiry date of claims or of reduction of the term of a claim;

(3) refusing to grant or renew a non-exclusive lease to mine surface mineral substances;

(4) requiring, pursuant to the second paragraph of section 155 of the Act, from the holder of a non-exclusive lease to mine surface mineral substances or an operator or person referred to in section 223.1 of the Act, to transmit to the Minister, on a monthly basis, the report referred to in the first paragraph of section 155 of that Act and set the date on which the report will be transmitted;

(5) approving a rehabilitation and restoration plan or a revised plan, including requesting a revised plan already approved, pursuant to subparagraph 4 of the first paragraph of section 232.6 of the Act;

(6) authorizing generally or specially a person to act as inspector for the purposes of section 251 of the Act and signing the certificate attesting to his capacity;

(7) authorizing a person to perform research and geological inventory work on lands containing mineral substances forming part of the domain of the State and signing the certificate attesting to his capacity.

5. A registrar or a mining title management officer is authorized to exercise the powers vested in the Minister under the Mining Act that are listed in this section, including all the related powers:

(1) issuing the prospecting licences referred to in Division II of Chapter III of the Act and renewing them or issuing duplicates;

(2) issuing the staking tags referred to in the second paragraph of section 40 of the Act;

(3) accepting the proportions of a parcel of land of less than 16 hectares staked by more than one holder of mining rights or authorizing a third person to stake such a parcel of land, pursuant to the second paragraph of section 42 of the Act;

(4) proceeding to the drawing of lots, for the purposes of the second paragraph of section 42.2 of the Act, and transmitting the notice of extension referred to in the third paragraph of that section;

(5) designating the holder of a claim by drawing lots, where an investigation shows that the stakings were simultaneous, pursuant to section 54 of the Act or rectifying an obvious error in the registration of a claim pursuant to section 57 of the Act;

(6) renewing a claim or renewing a claim in advance pursuant to the second paragraph of section 61 or section 62 of the Act;

(7) converting a claim obtained by staking or an exploration licence for surface mineral substances into map designated claims pursuant to subdivision 5 of Division III of Chapter III of the Act or substituting a claim pursuant to sections 133 to 136 of the Regulation respecting mineral substances other than petroleum, natural gas and brine;

(8) determining the common claim expiry date of claims or reducing the term of a claim, pursuant to subdivision 6 of Division III of Chapter III of the Act;

(9) renewing a mining exploration licence pursuant to the second paragraph of section 90 of the Act;

(10) exempting the holder of a mining exploration licence from any work for any year of the term of his licence except the first, pursuant to the first paragraph of

section 95 of the Act or giving the licensee the authorization referred to in the second paragraph of that section to perform the work required for the first year during the second year of the term of his licence;

(11) giving the holder of a mining exploration licence the authorization referred to in section 99 of the Act to abandon the right of the licensee in all or part of the territory subject to his licence;

(12) renewing an exploration licence for surface mineral substances pursuant to section 134 of the Act;

(13) giving the holder of an exploration licence for surface mineral substances the authorization referred to in section 139 of the Act to abandon the right of the licensee in all or part of the territory subject to his licence;

(14) granting a non-exclusive lease to mine surface mineral substances pursuant to section 142 of the Act or renewing such a lease pursuant to section 147 of that Act;

(15) giving, pursuant to the second paragraph of section 155 of the Act, the holder of a lease to mine surface mineral substances or the operator or a person referred to in section 223.1 of the Act permission to transmit to the Minister, on an annual basis, the report referred to in the first paragraph of section 155 of that Act and setting the date on which the report will be transmitted;

(16) increasing the area of a claim by the residue of the lot referred to in section 349 of the Act, pursuant to that section.

6. The Head of the Service de l'imposition et des données minières of the Direction du développement minéral is authorized to request from the persons referred to in sections 220 and 222 of the Mining Act, the plans, documents or reports on exploration work and the results of the work referred to in section 220, or the reports of activities referred to in section 222, including the information that may be requested under subparagraph 7 of the first paragraph of section 222.

7. The Director General of the Direction générale du foncier, the Director of the Direction de l'information foncière sur le territoire public or a land surveyor of that branch, the Head of the Service de l'enregistrement des droits d'intervention, the Head of the Division de l'arpentage foncier or of the Division de l'exploitation des données is authorized to give the land surveyors the surveying instructions issued for establishing the boundaries and official description of a parcel of land subject to a mining right pursuant to the second paragraph of section 210 of the Mining Act.

8. This Order replaces the Regulation respecting the delegation of the exercise of powers vested in the Minister of Energy and Resources by the Mining Act, other than the powers relating to petroleum, natural gas, brine and underground reservoirs, made by Order 92029 dated 29 January 1992.

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

Charlesbourg, 31 May 2001

JACQUES BRASSARD  
*Minister of Natural Resources*

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