

Regulation to amend the Regulation respecting the maximum annual remuneration of elected municipal officers*

An Act respecting the remuneration of elected municipal officers
(R.S.Q., c. T-11.001, s. 32; 2001, c. 25, s. 194)

1. Section 1 of the Regulation respecting the maximum annual remuneration of elected municipal officers is amended

(1) by inserting the words “or the council of a borough” after the words “of a municipality” in the part preceding paragraph 1;

(2) by inserting the words “or borough council” after the words “within the municipality” in the part preceding paragraph 1;

(3) by substituting the amount “\$137 000” for the amount “111 915 \$” in paragraph 1;

(4) by substituting the following for paragraphs 2 to 4:

“(2) for the mayor of a municipality of 500 000 people or more: \$130 000;

(3) for the mayor of a municipality whose population ranges from 300 000 to 499 999: \$125 500;

(4) for the mayor of a municipality whose population ranges from 100 000 to 299 999: \$118 000;

(4.1) for the mayor of a municipality whose population ranges from 50 000 to 99 999: \$97 000;

(4.2) for any member of the executive committee or chairman or vice-chairman of a select committee of a metropolitan community: \$103 135;

(4.3) for any chair of a borough council: \$90 000;

(4.4) for any warden elected in accordance with section 210.29.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9): \$65 000;”;

(5) by striking out the word “other” in paragraph 5;

(6) by inserting the words “, the council of a borough or the council of a metropolitan community” after the word “municipality” in paragraph 5;

(7) by adding the following paragraph after paragraph 5:

“Where a person is governed by more than one subparagraph of the first paragraph, the highest remuneration shall apply.”.

2. The following is inserted after section 1:

“1.1. The maximum annual amount of the total remuneration which any member of the council of the Communauté urbaine de Montréal or a member of the council of the Communauté urbaine de Québec who is not governed by any of subparagraphs 1 to 4.2 of the first paragraph of section 1 shall be \$103 135 and \$94 350, respectively.”.

3. The following is substituted for section 3:

“3. Section 1 has effect as of 1 January 2001 in respect of any person who is a member of the council of the Communauté urbaine de Montréal on the date of coming into force of this Regulation, or who has been a member of the council of that community since 1 January 2001.”.

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

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Draft Rules

An Act respecting the Régie des alcools, des courses et des jeux
(R.S.Q., c. R-6.1)

Rules of procedure

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Rules of procedure of the Régie des alcools, des courses et des jeux, the text of which appears below, may be made by the Régie des alcools, des courses et des jeux upon the expiry of 45 days following this publication.

* The Regulation respecting the maximum annual remuneration of elected municipal officers, made by Order in Council 1672-92 dated 25 November 1992 (1992, G.O. 2, 5081) has not been amended since it was made.

The draft Rules replace the Regulation respecting the procedure applicable before the Régie des alcools, des courses et des jeux (R.R.Q., 1981, c. P-9.1, r. 7) and the Rules respecting practice and procedure made by the Régie des loteries et courses du Québec on 20 September 1984. The Rules will apply to matters heard by the commissioners of the Régie des alcools, des courses et des jeux.

Further information may be obtained by contacting :

Mr. Marc Lajoie, advocate, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, Québec (Québec) G1K 3J3; telephone: (418) 644-0815, fax: (418) 643-8884.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Mr. Artur J. Pires, Secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, Québec (Québec) G1K 3J3.

CHARLES CÔTÉ,
President

Rules of procedure of the Régie des alcools, des courses et des jeux

An Act respecting the Régie des alcools, des courses et des jeux
(R.S.Q., c. R-6.1, s. 31)

DIVISION I GENERAL

1. These Rules are intended to enable any interested person to be aware of the conditions governing the exercise of his right to make observations before the Régie des alcools, des courses et des jeux and to facilitate the simple and quick preparation and conduct of cases heard by one or more commissioners.

2. Unless otherwise provided for by the Act, the Board may excuse a person who fails to meet a deadline or to complete a formality if the person demonstrates that he had serious reasons not to act sooner or otherwise and if the Board is of the opinion that no other interested person suffers severe prejudice as a result.

3. If a deadline expires on a day where the offices of the Board are closed, the deadline shall be extended to the next business day. In computing any time period, the day marking the beginning is not counted, but the terminal day is counted.

4. In these Rules, the expression “interested person” also means a “person referred to” or a “person in question”, depending on the context.

DIVISION II MEDIATION OF A DISPUTE RELATED TO THE GRANTING OF A PRIZE IN A PUBLICITY CONTEST

5. In an attempt to settle a dispute related to the granting of a prize in a publicity contest, a participant and the person or organization for whose benefit the contest is held shall sign the mediation agreement submitted by the designated mediator.

The agreement shall specify, in particular, that mediation is undertaken freely and voluntarily, the role of the mediator and parties, the confidentiality of the mediation process and that the parties waive their right to summon the mediator before a court or another decision-making body.

6. The parties may, at their own discretion, withdraw from the mediation process provided that notice is given without delay to the mediator and the other party. The mediator may at all times suspend or terminate the mediation.

DIVISION III APPLICATION FOR THE CANCELLATION OR SUSPENSION OF A LIQUOR PERMIT

7. Where an application for the cancellation or suspension of a permit or authorization is submitted by the Minister of Public Security, a local municipality or any other interested person in accordance with the provisions of section 85 of the Act respecting liquor permits (R.S.Q., c. P-9.1), it shall include a written statement of the facts in support of the application.

8. If the facts provided may give rise to the application of section 86 or 86.0.1 of that Act, the Board shall inform the permit holder of the date and place of the hearing of the application.

DIVISION IV TRANSMISSION OF DOCUMENTS

9. A document shall be transmitted by any means making it possible to establish the dates of its sending or receipt. If the circumstances so require, the Board may authorize another method of communication such as publication or posting.

10. The Board shall transmit documents at the last known address.

**DIVISION V
REPRESENTATION**

11. An advocate representing a person shall so inform the Board in writing.

12. An advocate who ceases to represent a person shall so inform the Board in writing and indicate the date on which his mandate ends.

**DIVISION VI
PRE-HEARING CONFERENCE**

13. The Board may, upon request by an interested person or on its own initiative, hold a pre-hearing conference so as to find means likely to simplify, shorten or facilitate a hearing or to produce any document or object.

14. The admission of facts and the production of documents or objects during the pre-hearing conference shall be recorded in writing under the signature of a commissioner and shall be filed into the record.

**DIVISION VII
INTERVENTION AND OBJECTION**

15. An objection or intervention shall state the reasons on which it is based and be forwarded to the applicant by any means making it possible to establish the shipping date within the same time limit that the applicant has to forward it to the Board.

**DIVISION VIII
JOINDER OF SEVERAL CASES**

16. Several cases before the Board pertaining to the same issues or whose matters could suitably be joined, whether or not the same persons are involved, may be dealt with at the same time and decided on the same information or documents.

The Board may also decide that a case be dealt with first, the others remaining suspended until a decision is made on the first case.

**DIVISION IX
HEARING**

17. The Board may hold a hearing by means of a teleconference.

18. In addition to the cases provided for in the Act, the Board shall hold a hearing each time an interested person expresses the wish to make observations, unless the observation may be made otherwise.

The Board may also hold a hearing each time that it deems it necessary.

19. In the absence of a deadline prescribed by the Act, the Board shall inform the interested persons in the appropriate manner of the date, time and place of the hearing within a reasonable time.

20. If, on the date of the hearing, an interested person is absent, the Board may proceed without further notice or delay or postpone the hearing to a later date.

21. Any discontinuance of an application shall be forwarded in writing to the Board before the hearing or orally communicated at the hearing.

22. The Board may accept any method for presenting facts or observations that it considers relevant. The Board may require the production of any document or object that it deems necessary.

23. A person who requires the presence of a witness may summon the witness at his expense by means of a subpoena issued by the Board and served at least five days before the hearing date.

Likewise, a person may be summoned to produce documents.

24. An interested person who wishes to produce an expert witness shall so inform the Board and any other interested person before the hearing is held. Any report by the expert shall be sent to them at least five days before the hearing date.

25. A witness is declared expert when his qualifications or experience are established or are recognized by the interested persons. An expert witness may make observations on matters within the range of his expertise.

26. An application for postponement shall be made to the Board and sent by the applicant to any person interested in the hearing. It may be granted for important reasons only. No postponement shall be granted on the sole basis that the interested persons agree thereto. The Board may then postpone the hearing to another date fixed immediately by it or left undetermined. It may subject the postponement to certain conditions.

**DIVISION X
RECORDING OF THE HEARING**

27. The Board shall record observations made during a hearing.

Subject to the first paragraph, the use of cameras and recording machines is prohibited during a hearing, unless in exceptional circumstances.

28. Minutes shall be drawn up for any hearing; the minutes of the hearing shall contain the names and addresses of all interested persons, advocates and witnesses, as well as a list in alphabetical order of each exhibit produced and any decision made during the hearing.

DIVISION XI TAKING UNDER ADVISEMENT AND DECISION

29. When the Board takes a matter under advisement, it may order the reopening of the inquiry. If so, it shall then inform all interested persons.

30. The Board's decision shall be rendered with diligence by the commissioners who heard the case.

DIVISION XII TRANSITIONAL AND FINAL

31. Any case submitted to the Board on the date of coming into force of these Rules shall be pursued in compliance with them.

32. These Rules replace

(1) the Regulation respecting the procedure applicable before the Régie des alcools, des courses et de jeux (R.R.Q., 1981, c. P-9.1, r. 7); and

(2) the Rules respecting practice and procedure made by the Régie des loteries et courses du Québec on 20 September 1984.

33. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.