

the said cadastre, to its meeting with a straight line perpendicular to the said centre line and joining the apex of the northern angle of lot 1 840 535 of the Québec cadastre; finally, southeasterly, the said straight line to the starting point.

The said limits define the territory of the new Ville de Saint-Hyacinthe, in Municipalité régionale de comté des Maskoutains.

Ministère des Ressources naturelles
Direction de l'information foncière sur le territoire public
Division de l'arpentage foncier

Charlesbourg, 5 November 2001

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H-113/1

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Gouvernement du Québec

O.C. 1481-2001, 12 December 2001

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

Certain rural regional county municipalities

WHEREAS, under section 210.60.1 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) enacted by section 152 of the Act to amend various legislative provisions concerning municipal affairs (2001, c. 25), the Government may designate as a rural regional county municipality any regional county municipality whose territory does not include a census agglomeration defined by Statistics Canada;

WHEREAS the territory of Municipalité régionale de comté de Francheville will not include any census agglomeration defined by Statistics Canada at the time of the constitution of Ville de Trois-Rivières, on 1 January 2002, in accordance with Order in Council 851-2001 dated 4 July 2001;

WHEREAS the territory of Municipalité régionale de comté de D'Autray and the territory of Municipalité régionale de comté de Bécancour do not include any census agglomeration;

WHEREAS it is expedient to designate those rural regional county municipalities from 1 January 2002;

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

THAT Municipalité régionale de comté de Francheville, Municipalité régionale de comté de D'Autray and Municipalité régionale de comté de Bécancour be designated as rural regional county municipalities;

THAT this Order in Council have effect from 1 January 2002.

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Gouvernement du Québec

O.C. 1494-2001, 12 December 2001

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

Organization of municipal courts covered by the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais

WHEREAS section 234 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56) establishes a municipal court, effective 1 January 2002, in the new cities of Montréal, Québec, Longueuil, Gatineau and Lévis, having jurisdiction within the whole territory of the city;

WHEREAS, under section 240 of that Act, the Government, on the recommendation of the Minister of Justice, shall fix, by order, the name and the chief-place of each new municipal court, the places where each court may sit and the number of judges assigned to each court and shall also designate, for each court, the judges assigned to the court, the judge responsible for the court and shall fix the additional remuneration to which the judge is entitled;

WHEREAS, under section 241 of that Act, the Government may, by order, on the recommendation of the Minister of Justice and considering the interests of justice, prescribe special terms of application of the Act respecting municipal courts (R.S.Q., c. C-72.01) or exemptions from that Act or any other relevant Act, without derogating from the provisions concerning the status and remuneration of the judges in office or the provisions of sections 39.2 and 39.3 of the Act respecting municipal courts;

WHEREAS, under the same provision, the Government may also adopt provisions necessary to ensure a transition between the old municipal courts and the new municipal courts, and the proper administration of the new courts, in particular to provide for the continuance of proceedings in progress and the functions of the clerks, assistant clerks and other necessary officers of justice, or to remedy any omission;

WHEREAS it is expedient to allow for the provisional designation of municipal judges in each of the new municipal courts of Gatineau, Lévis, Longueuil, Montréal and Québec until the designation by the Government of new judges under the second paragraph of section 240 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais;

WHEREAS it is expedient to make certain provisions derogating from the Act respecting municipal courts or the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais, prescribing special terms of application of those Acts, as well as certain provisions to ensure a smooth transition between the old municipal courts and the new courts;

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

THAT the following provisions be made, pursuant to section 241 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and Outaouais:

1. Notwithstanding the second paragraph of section 240 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56), the Government shall designate a judge responsible, under that provision, for the new municipal courts of Longueuil and Gatineau only. Such a judge is not entitled to any additional remuneration for that responsibility. The term of the responsible judges is three years and it may not be renewed consecutively.

2. In accordance with section 241 of that Act, the Government shall designate for a one-year term, a judge responsible for the new Montréal Municipal Court from among the judges of the municipal court of Ville de Montréal. That judge shall perform the duties of chief judge, as provided for in the fourth paragraph of section 1105 of the Charter of the City of Montréal (1959-1960, c. 102) which subsists for that period for that sole purpose. As such he is entitled to an additional remuneration identical to that of a coordinating judge of the

Cour du Québec. The associate chief judge and coordinating judge shall perform their duties under the authority of the responsible judge.

3. If the chief judge or the judge responsible for one of the new courts is absent or unable to act, he may be replaced by another municipal judge appointed by the Government from among the judges assigned to that court to perform his duties until the absent or unable judge who is absent or unable to act resumes his duties or is replaced.

4. In addition to the locations provided for in sections 55 and 56 of the Act respecting municipal courts, the new municipal courts may sit at any place designated by an order of the Minister of Justice.

5. The clerk of each of the new municipal courts may designate, from among the staff members assigned to the office of the court, those who may perform certain acts, instead of the clerk and assistant clerk, provided that the acts in question do not require the exercise of a jurisdictional or discretionary power.

6. In its internal by-law, the council of each new city may delegate.

(a) to the executive committee of the municipality the responsibility to remit the fine and costs, conferred on it by the fourth paragraph of section 84 of the Act respecting municipal courts (R.S.Q., c. 72.01);

(b) to the director general of the municipality the responsibility to appoint a replacement clerk for the municipal court, pursuant to section 66 of that Act.

7. The first paragraph of section 242 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais also applies to the judges who will be appointed to the new municipal courts of Montréal and Québec from 1 January 2002.

8. The judges of the new municipal courts of Ville de Montréal and Ville de Québec shall receive, irrespective of the date of their appointment, the remuneration to which they are entitled on 30 June 2001 according to the provisions applicable to them and, thereafter, the remuneration determined in their respect pursuant to section 246.44 of the Courts of Justice Act (R.S.Q., c. T-16).

9. Ville de Montréal and Ville de Québec may entrust the administration of the pension plan of the judges of their respective municipal court to the Commission administration des régimes de retraite et d'assurances, established by the Act respecting the Government and Public Employees Retirement Plan (R.S.Q. c. R-10).

They may also agree with the person or body in charge of the administration of the social benefits plan applicable to judges of the Court of Québec under the Courts of Justice Act to offer that plan to the judges of their respective municipal courts.

The agreement shall stipulate the obligations of the city, of the judges and of any other person.

10. The chief judge of the municipal courts shall designate, from among the municipal judges in office on 1 June 2001 in the municipal courts amalgamated with the new municipal courts of the cities of Gatineau, Lévis and Longueuil, a judge to preside over the sittings of each of these courts until the Government designates new judges pursuant to the second paragraph of section 240 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and Outaouais.

11. The judges of the municipal courts of Ville de Montréal and Ville de Québec shall retain their powers of two justices of the peace for the application of the Acts of the Parliament of Canada which require that jurisdiction, in respect of prosecutions brought before their respective municipal court before 1 January 2002, until the end of the proceedings, including appeal.

12. In order to ensure proper dispatch of business of the municipal courts of Ville de Montréal and Ville de Québec, the chief judge of the municipal courts may, in case of punctual need and until the Government designates new judges to the new court pursuant to the second paragraph of section 240 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais, designate *ad hoc* judges to the courts. *Ad hoc* judges shall be designated from among the other municipal judges in office on 1 June 2001 in the municipal courts amalgamated with the new court. They have the powers and duties of judge of the municipal court to which they are designated.

13. Sections 41, 42 and 46 of the Act respecting municipal courts do not apply to the municipal courts established by section 234 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais.

14. For the purposes of the Act respecting municipal courts, the municipal courts established by section 234 of that Act are deemed to have been established in accordance with that Act.

15. The abolition of the former municipal courts and the establishment of the new courts in the new cities under section 234 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais do not alone diminish the jurisdiction of the new municipal courts over cases pending before the former courts on 31 December 2001.

16. Justices of the peace and fine collectors in office on 31 December 2001 in the abolished municipal courts gain jurisdiction in the territory of the new municipal courts.

THAT this Order in Council come into force on 1 January 2002.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1495-2001, 12 December 2001

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

Name, chief-place, locations of sittings and number of municipal judges of the municipal court of Ville de Gatineau

WHEREAS, under section 234 of the Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais (2000, c. 56), a municipal court is established, having jurisdiction within the whole territory of Ville de Gatineau, and whereas the new municipal court is to integrate the municipal courts which, on 31 December 2001, are established in the municipalities forming the new city and whereas the old courts are abolished;

WHEREAS, pursuant to section 236 of the Act, the Minister of Justice designated a mandatary entrusted with analyzing the situation of each municipal court to be integrated into a new municipal court and with proposing a plan for the integration of the courts existing on 31 December 2000 and for the organization of each new municipal court;