

With respect to a full-time commissioner who has retired from the public sector as described in Schedule III, the regular maximum of the applicable salary scale shall be determined by taking into account the deduction made at the time of the commissioner's appointment or term renewal in accordance with section 4.

A full-time commissioner who has been in office less than four months during the period used as reference for salary advancement and remuneration adjustment does not benefit from the provisions of this section.”.

3. The following is substituted for paragraphs 1 and 2 of section 14:

“(1) full-time commissioners of the Board shall participate in the Pension Plan of Management Personnel; and

(2) the chairman and vice-chairmen of the Board shall participate in the Pension Plan of Management Personnel and be subject to the special retirement provisions prescribed by Orders in Council 245-92 dated 26 February 1992 and 461-92 dated 1 April 1992 and any consequential amendments, as employees not subject to Schedule I to the latter Order in Council.”.

4. Section 18 is amended by substituting “\$2415” for “\$2100” and “\$2070” for “\$1400” in the first paragraph.

5. Section 2 of Schedule I is amended by substituting “Level 4” for “Level 3”.

6. Section 3 of Schedule I is amended by substituting “Level 3” for “Level 2”.

7. Section 4 of Schedule I is amended by substituting “Level 3” for “Level 2”.

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

5329

Gouvernement du Québec

O.C. 1179-2002, 2 October 2002

An Act respecting administrative justice
(R.S.Q., c. J-3)

Administrative Tribunal of Québec
— **Procedure for the recruitment and selection of persons apt for appointment as members and the renewal of their term of office**
— **Amendments**

Regulation to amend the Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as members of the Administrative Tribunal of Québec and for the renewal of their term of office

WHEREAS, under section 49 of the Act respecting administrative justice (R.S.Q., c. J-3), replaced by section 4 of chapter 22 of the Statutes of 2002, the Government shall establish a procedure for the renewal of the term of office of the members of the Administrative Tribunal of Québec; the regulation may, in particular, fix the composition of the committees to examine the renewal of a Tribunal member's term and the mode of appointment of committee members who shall neither belong to nor represent the Administration within the meaning of the Public Administration Act (R.S.Q., c. A-6.01);

WHEREAS section 39 of the Act to amend the Act respecting administrative justice and other legislative provisions (2002, c. 22) provides namely that the first regulation made under section 49 of the Act respecting administrative justice is not subject to the publication requirement prescribed by section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, by Order in Council 317-98 dated 18 March 1998, the Government made the Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as members of the Administrative Tribunal of Québec and for the renewal of their term of office;

WHEREAS it is expedient to amend the Regulation ;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Justice and Attorney General :

THAT the Regulation to amend the Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as members of the Administrative Tribunal of Québec and for the renewal of their term of office, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as members of the Administrative Tribunal of Québec and for the renewal of their term of office*

An Act respecting administrative justice (R.S.Q., c. J-3, s. 49 ; 2002, c. 22, s. 4)

1. The following is substituted for the second and third paragraphs of section 26 of the Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as members of the Administrative Tribunal of Québec and for the renewal of their term of office :

“The committee shall be composed of a representative from the legal community, a retired person having exercised an adjudicative function within a body of the administrative branch and a university representative who is a member of a professional order. The committee members shall neither belong to nor represent the Administration within the meaning of the Public Administration Act (R.S.Q., c. A-6.01).”

2. Section 27 is amended by inserting “, consider the member’s annual performance assessments” after “15”.

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

5326

Gouvernement du Québec

O.C. 1180-2002, 2 October 2002

An Act respecting administrative justice (R.S.Q., c. J-3)

**Administrative Tribunal of Québec
— Remuneration and other conditions of office of members
— Amendments**

Regulation to amend the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec

WHEREAS, under subparagraph 1 of the first paragraph of section 56 of the Act respecting administrative justice (R.S.Q., c. J-3), amended by section 5 of chapter 22 of the Statutes of 2002, the Government shall make regulations determining the mode of remuneration of the members of the Administrative Tribunal of Québec and the applicable standards and scales as well as the method for determining the annual percentage of salary advancement of members up to the maximum salary rate and of the adjustment of the remuneration of members whose salary has reached the maximum rate ;

WHEREAS, by Order in Council 318-98 dated 18 March 1998, the Government made the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec ;

WHEREAS it is expedient to amend the Regulation ;

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

THAT the Regulation to amend the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

* The Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as members of the Administrative Tribunal of Québec and for the renewal of their term of office, made by Order in Council 317-98 dated 18 March 1998 (1998, *G.O.* 2, 1439), has not been amended since it was made.