

## Regulations and other acts

Gouvernement du Québec

### O.C. 398-2003, 21 March 2003

An Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation  
(R.S.Q., c. M-14)

An Act respecting agricultural lands in the domain of the State  
(R.S.Q., c. T-7.1)

#### Ministère de l'Agriculture, des Pêcheries et de l'Alimentation — Signing of certain documents

Regulation respecting the signing of certain documents of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation

WHEREAS, under section 12 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., c. M-14), the Government may, by regulation published in the *Gazette officielle du Québec*, determine the extent to which a deed, document or writing signed by an officer is binding upon the department and attributable to the Minister of Agriculture, Fisheries and Food;

WHEREAS, under paragraph 5 of section 47 of the Act respecting agricultural lands in the domain of the State (R.S.Q., c. T-7.1), the Government may, by regulation, authorize a civil servant to sign letters patent or any other document related to the lands under the jurisdiction of the Minister or for the administration of the Act;

WHEREAS the Regulation respecting the signing of certain documents of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation was made by Order in Council 1540-95 dated 29 November 1995;

WHEREAS it is expedient to replace this Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation respecting the signing of certain documents of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, attached to this Order in Council, be made.

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

### Regulation respecting the signing of certain documents of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation

An Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation  
(R.S.Q., c. M-14, s. 12)

An Act respecting agricultural lands in the domain of the State  
(R.S.Q., c. T-7.1, s. 47, par. 5)

#### DIVISION I GENERAL PROVISIONS

**1.** Members of the personnel of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation who hold the positions mentioned in this Regulation are authorized to sign alone, with the same authority and effect as the Minister of Agriculture, Fisheries and Food, the deeds, documents and writings listed after their respective positions.

The same applies when those deeds, documents and writing are signed by a person authorized in writing to perform the duties on an interim or temporary basis or as a replacement.

#### DIVISION II LAND MANAGEMENT

**2.** The assistant deputy minister or director general in charge of the "Gestion des terres" activity at the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation or the director of the Direction de l'analyse et de la coordination is authorized to sign alone

(1) letters patent and cancellations thereof and corrections thereto;

(2) corrections of deeds of concession and cancellations of deeds of concession or leases;

(3) deeds evidencing the alienation or lease of property or land under the Minister's authority or the granting of a servitude or of any other right;

(4) deeds relating to the acquisition by mutual agreement, leasing, exchange, expropriation or alienation of any property or immovable real right;

(5) documents and notices related to lands under the Minister's authority that are to be made subject to or exempt from any Act under the Minister's administration;

(6) documents and orders evidencing the transfer or assignment of authority over any land pursuant to section 7 of the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

(7) documents evidencing the transfer to another department of the administration of land under the Minister's authority;

(8) survey and cadastral authorizations and documents, as well as requisitions, acceptances and minutes of boundary determination in respect of lands under the Minister's authority or administration;

(9) statements or certificates issued pursuant to Division IV of Chapter III of the Act respecting agricultural lands in the domain of the State (R.S.Q., c. T-7.1);

(10) declarations stating that land under the Minister's authority forms part of the domain of the State under section 19 of the Act respecting the lands in the domain of the State;

(11) authorizations or permits to cut timber issued pursuant to section 6 of the Act respecting agricultural lands in the domain of the State and any procedure referred to in section 15 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation; and

(12) any other notice, declaration, deed or document in respect of lands placed under the Minister's authority or administration.

### **DIVISION III CONTRACTS**

**3.** Assistant deputy ministers or directors general are authorized to sign, for their sector of activities,

(1) supply contracts;

(2) services contracts;

(3) construction contracts;

(4) concession contracts;

(5) sponsorship contracts;

(6) promises of subsidies, loans or loan guarantees the granting standards and eligibility criteria of which have been approved by the Government, the Conseil du trésor or the Minister;

(7) subsidy contracts, loans or loan guarantees;

(8) alienation contracts, leasing contracts or loan contracts for movable or immovable property or rights relating to such property;

(9) acceptances of assignment of claims or hypothec on claims;

(10) contracts relating to servitudes;

(11) releases and discharges other than those referred to in article 3068 of the Civil Code and assignment of hypothecary ranking.

**4.** The director general of management services, the director or the assistant director of financial and material resources is authorized to sign, up to \$50,000 in the case of the director of financial and material resources, any document dealing with a request or undertaking of the Minister in respect of the Société immobilière du Québec.

**5.** Branch directors are authorized to sign, for their sector of activities,

(1) supply contracts;

(2) services contracts;

(3) construction contracts;

(4) promises of and contracts for subsidies, loans and loan guarantees the granting standards and eligibility criteria of which have been approved by the Government, the Conseil du trésor or the Minister;

(5) alienation contracts for movable property, leasing contracts or loan contracts for movable or immovable property;

(6) acceptances of assignment of claims or hypothec on claims; and

(7) releases and discharges other than those referred to in article 3068 of the Civil Code and assignment of hypothecary ranking;

**6.** Assistant directors or service heads are authorized to sign, for their sector of activities,

(1) supply contracts;

(2) services contracts;

(3) construction contracts; and

(4) promises of and contracts for subsidies, loans and loan guarantees the granting standards and eligibility criteria of which have been approved by the Government, the Conseil du trésor or the Minister.

**7.** The persons in charge of administration in each branch, service or division are authorized to sign, for their sector of activities, supply contracts for up to \$10,000.

**8.** Construction project managers are authorized to sign, for their sector of activities, any change to a construction contract, up to 10% of its value, without however, exceeding \$25,000.

**9.** Regional directors of the Direction générale des pêches et de l'aquaculture commerciales are authorized to sign, for their sectors of activities, any document relating to loans or loan guarantees granted within the scope of the Act respecting the financing of commercial fishing (R.S.Q., c. F-1.3).

#### **DIVISION IV** **REIMBURSEMENT OF PROPERTY TAXES** **AND COMPENSATIONS AND REVOCATION** **OF REGISTRATION OF AGRICULTURAL** **OPERATIONS**

**10.** The assistant deputy minister or director general in charge of the sector or the director of the Direction à l'information de gestion et aux taxes is authorized to sign, for all the activities of the department, the deeds referred to in section 36.13 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., c. M-14).

**11.** The regional director or the assistant regional director is authorized to sign, for his or her region, any notice of refusal or notice of revocation of registration of an agricultural operation referred to in Division VII.2 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation.

**12.** The assistant deputy minister or the director general in charge of the sector or the director of the Direction à l'information de gestion et aux taxes is authorized to sign complaints filed pursuant to section 126 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) and any document relating to the contestation and reimbursement of property taxes and compensations.

#### **DIVISION V** **AUTHENTICITY OF DOCUMENTS**

**13.** Holders of the following positions are authorized to certify as true any copy of or extract from documents or registers of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation:

(1) the secretary of the department, for all of the department; and

(2) the assistant deputy ministers, directors general, branch directors, service heads and assistant branch directors, for documents under their authority.

#### **DIVISION VI** **SEIZURE OF SALARIES**

**14.** The director of the Direction des ressources humaines or the remuneration coordinator is authorized to sign alone for the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation the report to the court provided for in section 44 of the Public Officers Act (R.S.Q., c. E-6), stating the amount of the salary payable to a public officer or employee, at the time of the service of the writ of attachment, and the amount of the salary to become payable every month, if the public officer or employee continues his or her service under the same conditions.

**15.** This Regulation replaces the Regulation respecting the signing of certain documents of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, made by Order in Council 1540-95 dated 29 November 1995.

**16.** This Regulation comes into force on 1 April 2003.