

## Regulations and other acts

Gouvernement du Québec

### O.C. 196-2004, 17 March 2004

An Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities  
(2003, c. 14)

#### Consultation with respect to municipal territorial reorganization — Tariff of the remuneration and expense allowances

Regulation respecting the tariff of the remuneration and expense allowances payable during the consultation of citizens with respect to municipal territorial reorganization

WHEREAS, under section 150 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), the Government may, in respect of a consultation under Chapter II of the Act, make regulations establishing a tariff of the remuneration or expense allowances which the following persons are entitled to receive in respect of duties performed in the course of the consultation:

(1) any person performing duties under Chapter IV of Title II of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2);

(2) the clerk or secretary-treasurer or any member, secretary or revising officer of a board of revisors performing duties under Chapter V of Title II of that Act; and

(3) any referendum officer performing duties under Chapter VI of Title II of that Act;

WHEREAS the second paragraph of section 150 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities provides that section 585 of the Act respecting elections and referendums in municipalities applies, with the necessary modifications, in respect of such a regulation;

WHEREAS the second paragraph of section 150 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities

provides that the Regulations Act (R.S.Q., c. R-18.1) does not apply in respect of a regulation that the Government may make under that section;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs, Sports and Recreation:

THAT the Regulation respecting the tariff of the remuneration and expense allowances payable during the consultation of citizens with respect to municipal territorial reorganization, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

#### Regulation respecting the tariff of the remuneration and expense allowances payable during the consultation of citizens with respect to municipal territorial reorganization

An Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities  
(2003, c. 14, s. 150)

#### DIVISION I REMUNERATION PAYABLE DURING THE REGISTRATION PROCESS

1. For the establishment of all the referendum lists, the clerk or secretary-treasurer is entitled to the following remuneration:

(1) where the city has 865 qualified voters or fewer, \$277;

(2) where the city has more than 865 qualified voters:

(a) \$0.320 for each of the first 2,500 qualified voters;

(b) \$0.099 for each of the next 22,500 qualified voters; and

(c) \$0.037 for each other qualified voter.

For the purposes of this Regulation, a person whose name is entered on one of the referendum lists of the sectors concerned that are included in whole or in part in the territory of the city is a qualified voter of the city.

**2.** For the revision of the referendum list, the remuneration to which the members and personnel of a board of revisors are entitled is as follows:

- (1) members: \$11.55 for each hour the member sits;
- (2) the secretary: \$10.39 for each hour the board sits;
- (3) revising officers: \$10.39 for each hour spent performing duties.

The members and personnel of a board of revisors are entitled to proportional remuneration for each part of an hour.

**3.** For each day on which the register is open, the following persons are entitled to the remuneration indicated after their respective functions:

- (1) the clerk or secretary-treasurer: \$277;
- (2) a person responsible for the register or a person assisting that person who is an officer of the city: remuneration equal to the rate of remuneration as an officer for each hour spent performing duties as the person responsible or the person assisting that person outside regular working hours as an officer;
- (3) a person responsible for the register who is not an officer of the city: \$10.26 for each hour spent performing duties;
- (4) an assistant to the person responsible for the register who is not an officer of the city: \$9.20 for each hour spent performing duties;
- (5) an officer in charge of information and order: \$10.26 for each hour spent performing duties;
- (6) a chairman of an identity verification panel: \$10.26 for each hour spent performing duties; and
- (7) a member of an identity verification panel: \$7.70 for each hour spent performing duties.

The persons referred to in subparagraphs 3 to 7 of the first paragraph are entitled to proportional remuneration for each part of an hour.

**4.** Where the number of qualified voters of the city is equal to or greater than 22,500, the clerk or secretary-treasurer is entitled to receive a sum equal to the product

obtained by multiplying \$2,826 by the quotient resulting from the division of the number of qualified voters of the city by 45,000, for the purpose of remunerating the assistant or assistants, if any, appointed to assist the clerk or secretary-treasurer in the performance of the duties referred to in this Division.

If the product has a decimal fraction, the decimal fraction is disregarded and where the first decimal is a number greater than 4, the number is increased by 1.

## **DIVISION II** REMUNERATION PAYABLE DURING A REFERENDUM POLL

**5.** For the purposes of this Division,

(1) “chief polling officer” means the person directed by the chief electoral officer under section 38 of the Act to perform any act that comes under that section;

(2) “permanent aide” or “casual aide” means any person whose services may be retained by the chief polling officer on a permanent or casual basis, respectively, under section 84 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2).

**6.** The remuneration to which the referendum officers are entitled is indicated after their respective functions:

- (1) the chief polling officer: \$34.21 for each hour spent performing duties, up to a maximum of 345 hours;
- (2) the polling secretary: 75 % of the remuneration of the chief polling officer;
- (3) an assistant to the chief polling officer: 75 % of the remuneration of the chief polling officer;
- (4) a deputy returning officer: \$10.26 for each hour spent performing duties;
- (5) a poll clerk: \$9.20 for each hour spent performing duties;
- (6) an officer in charge of information and order: \$10.26 for each hour spent performing duties;
- (7) a chairman of an identity verification panel: \$10.26 for each hour spent performing duties;
- (8) a member of an identity verification panel: \$7.70 for each hour spent performing duties;
- (9) a permanent aide: \$12.83 for each hour spent performing duties;

(10) a casual aide: \$8.99 for each hour spent performing duties;

(11) a member of a board of revisors: \$11.55 for each hour the member sits;

(12) the secretary of a board of revisors: \$10.39 for each hour the board sits; and

(13) a revising officer of a board of revisors: \$10.39 for each hour spent performing duties.

The referendum officers are entitled to proportional remuneration for each part of an hour.

### **DIVISION III** ESTABLISHMENT OF COMMITTEES AND AUTHORIZATIONS

**7.** Any person to whom the chief electoral officer delegates his or her powers and duties regarding the establishment of a committee or authorizations under a regulation made under section 149 of the Act is entitled to receive \$34.21 for each hour spent performing duties.

That person is entitled to proportional remuneration for each part of an hour.

### **DIVISION IV** EXPENSE ALLOWANCES

**8.** Every person who is to perform a duty referred to in this Regulation and who, with a view to receiving training for that purpose, attends a meeting called by the chief electoral officer, the clerk or secretary-treasurer or the chief polling officer, or by any other person under the authority of those persons, is entitled to an expense allowance.

The amount of the allowance is established according to the duration of the person's presence at the meeting, up to a maximum of three and one-half hours, on the basis of the hourly rate of remuneration payable for the duty.

**9.** Every person who must travel in the performance of duties referred to in this Regulation is entitled to reimbursement of travel expenses in accordance with the *Directive sur les frais remboursables lors d'un déplacement et autres frais inhérents* adopted by the Conseil du trésor.

### **DIVISION V** PERFORMANCE OF MULTIPLE DUTIES

**10.** Every person who, during the registration process or a referendum poll, performs duties that entitle the person to more than one rate of remuneration is entitled only to the highest remuneration.

### **DIVISION VI** COMING INTO FORCE

**11.** This Regulation comes into force on the date on which it is made.

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Gouvernement du Québec

### **O.C. 210-2004, 17 March 2004**

Code of Civil Procedure  
(R.S.Q., c. C-25)

#### **Tariff of legal costs applicable to the recovery of small claims — Amendment**

Regulation to amend the Tariff of legal costs applicable to the recovery of small claims

WHEREAS paragraph *a* of article 997 of the Code of Civil Procedure (R.S.Q., c. C-25) provides that the Government may make regulations establishing a tariff of court fees payable for the filing or presentation of statements of claim or other pleadings under Book VIII of the Code, which deals with actions involving small claims;

WHEREAS section 6 of the Tariff of legal costs applicable to the recovery of small claims must be amended so as to limit the costs payable by the debtor for the first writ of execution;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Tariff of legal costs applicable to the recovery of small claims was published in the *Gazette officielle du Québec* of 17 December 2003 with a notice that it could be made on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Tariff of legal costs applicable to the recovery of small claims, without amendment;