

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

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Gouvernement du Québec

### **O.C. 767-2005, 17 August 2005**

An Act respecting transportation services by taxi (R.S.Q., c. S-6.01)

Amendment to Order in Council 736-2002 dated 12 June 2002 fixing the maximum number of taxi owner's permits per taxi servicing area and certain conditions of operation

WHEREAS, under the first paragraph of section 10 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), the Commission des transports du Québec shall issue the taxi owner's permits to be used in a servicing area after sending a notice to the Association professionnelle des chauffeurs de taxi du Québec and after taking into consideration, where applicable, the maximum number of taxi owner's permits it is authorized to issue pursuant to an order made under the third paragraph of that section;

WHEREAS, under the third paragraph of that section, the Government may, for each servicing area it specifies, fix the maximum number of taxi owner's permits that may be issued by the Commission des transports du Québec according to the services specified by the Government and, where applicable, the conditions determined by the Government;

WHEREAS, under Order in Council 736-2002 dated 12 June 2002, the Commission des transports du Québec may not issue, for each area established and delimited under subparagraph 4 of the first paragraph of section 79 of the Act, more taxi owner's permits than the maximum number appearing in the Schedule attached to that Order in Council for each area indicated therein;

WHEREAS under Order in Council 1250-2003 dated 26 November 2003, the Schedule to Order in Council 736-2002 dated 12 June 2002 was amended so that the maximum number of taxi owner's permits that may be issued by the Commission des transports du Québec for servicing area A.39 Saint-Hyacinthe, bearing Administrative Number 102039, was increased to 37;

WHEREAS the holders of taxi owner's permits in servicing area A.39 Saint-Hyacinthe have requested that the maximum number of taxi owner's permits in their servicing area be increased;

WHEREAS it is expedient to again modify the maximum number of taxi owner's permits fixed for servicing area A.39 Saint-Hyacinthe;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Minister responsible for the Capitale-Nationale region:

THAT the Schedule to Order in Council 736-2002 dated 12 June 2002, amended by Order in Council 1250-2003 dated 26 November 2003, be amended to increase the maximum number of taxi owner's permits that may be issued by the Commission des transports du Québec to 38 for servicing area A.39 Saint-Hyacinthe, bearing Administrative Number 102039.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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Gouvernement du Québec

### **O.C. 777-2005, 17 August 2005**

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8)

#### **Nunavik — Conditions for the leasing of dwellings in low-rental housing**

By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik

WHEREAS, under subparagraph *g* of the first paragraph of section 86 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8), the Société d'habitation du Québec may, by by-law, establish the conditions upon which leases may be taken or granted by a municipality, a bureau or by any organization or person who obtains a loan, subsidy or allowance for the carrying out of a housing program;

WHEREAS, under the second paragraph of section 86 of the Act, the by-laws relating to matters referred to in subparagraph *g* may, subject to the Charter of human rights and freedoms (R.S.Q., c. C-12) and the Canadian

Charter of Rights and Freedoms (Part I of Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom), include distinctions, exclusions or preferences based on age, handicap or any element pertaining to the situation of a person;

WHEREAS, under a housing program, the Kativik Municipal Housing Bureau manages the low-rental dwellings located in Nunavik whose operating deficit is subsidized by the Société d'habitation du Québec;

WHEREAS the Société d'habitation du Québec has agreed with the Kativik Regional Government and the Kativik Municipal Housing Bureau on a new rent scale that takes into account the financial capacity of the tenants;

WHEREAS, by Resolution No. 2005-023 dated 5 April 2005, the board of directors of the Société d'habitation du Québec adopted the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik was published in Part 2 of the *Gazette officielle du Québec* of 4 May 2005 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, under section 87 of the Act respecting the Société d'habitation du Québec, the by-laws of the Société shall be subject to approval by the Government;

WHEREAS no comments on the draft By-law were received;

WHEREAS it is expedient to approve the By-law without amendment;

IT IS ORDERED, therefore, on the recommendation of the Premier, the Minister of Municipal Affairs and Regions and the Minister for Native Affairs:

THAT the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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## **By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik**

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8, s. 86, 1st par., subpar. g, and 2nd par.)

### **DIVISION I PURPOSE**

**1.** The purpose of this By-law is to establish conditions for the leasing of dwellings in low-rental housing in the villages of Akulivik, Aupaluk, Inukjuak, Ivujivik, Kangiqsujuaq, Kangirsuk, Kangiqsualujuaq, Kuujuaq, Kuujjuarapik, Puvirnituaq, Quaqtaq, Salluit, Tasiujaq and Umiujaq.

### **DIVISION II MONTHLY RENT AND MAXIMUM AND MINIMUM RENT**

**2.** The monthly rent is the maximum rent established in accordance with Schedule I. A lessee may request the lessor to establish the rent on the basis of his or her income, in accordance with Division III. If the rent thus obtained is less than the minimum rent established in accordance with Schedule II, the latter rent prevails.

The lessee must give the lessor the documents required in support of his or her request.

**3.** The monthly rent is adjusted on 1 July of each year as of 1 July 2006. For 2005, the monthly rent is adjusted within 3 months of the date of coming into force of this By-law.

If a permanent change occurs in the situation of the lessee or the lessee's spouse and results in a decrease in total income calculated as provided in section 5, the lessee may request in the course of the year that the monthly rent be adjusted. The lessee may make a similar request if, in the year, the lessee or the lessee's spouse attains 60 years of age, in which case the rent is adjusted pursuant to section 6.

**4.** The minimum rents established in accordance with Schedule II are indexed on 1 July of each year according to the rate of change in the general Consumer Price Index, for Québec, as determined by Statistics Canada under the Statistics Act (R.S.C. 1985, c. S-19), calculated on the basis of the average of the indices for the 12 months of the preceding year.

The amount of the indexed rent is reduced to the nearest dollar if it contains a fraction of a dollar less than \$0.50; it is increased to the nearest dollar if it contains a fraction of a dollar equal to or greater than \$0.50.

The Société d'habitation du Québec informs the public of the annual indexing under this section through the *Gazette officielle du Québec* or by such other means as the Société considers appropriate.

### DIVISION III CALCULATION OF RENT ACCORDING TO LESSEE'S INCOME

**5.** The rent is obtained using the following formula:

$$\frac{25\% [A - (B + C + D)]}{12}$$

where

(1) "A" is the total income of the lessee and the lessee's spouse for the taxation year preceding the year for which the rent is calculated. The total income is the income calculated using the fiscal return prescribed under section 1000 of the Taxation Act (R.S.Q., c. I-3) and confirmed by the notice of assessment for that return;

(2) "B" is the annual total of the amounts to be paid monthly by the lessee as support under an order or a judgment of a competent court, as rent for the lodging of a person in a private nursing home or in a facility maintained by a private institution not under agreement within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2), and as the contribution required under section 512 of that Act of a user lodged in a facility maintained by a public or private institution under agreement or taken in charge by an intermediate resource of a public institution or by a family-type resource;

(3) "C" is an amount of \$5,000 for each person residing with the lessee and who is

(a) a child of the lessee or of the lessee's spouse, is under 18 years of age and is not on the labour market or receiving last resort financial assistance;

(b) a child of the lessee or of the lessee's spouse, is 18 years of age or older and is pursuing full-time studies; if the child is not residing with the lessee, the lessee or the lessee's spouse assumes expenses for the child's subsistence;

(c) 60 years of age or older, is receiving last resort financial assistance and is the father or mother of the lessee or of the lessee's spouse; or

(d) a handicapped person.

(4) "D" is the total of the following amounts:

(a) 41% of  $[A - (B + C)]$  for the portion of  $[A - (B + C)]$  that is less than \$20,000;

(b) 35% of  $[A - (B + C)]$  for the portion of  $[A - (B + C)]$  that is equal to or greater than \$20,000 but less than \$40,000;

(c) 20% of  $[A - (B + C)]$  for the portion of  $[A - (B + C)]$  that is equal to or greater than \$40,000.

For the purposes of subparagraph 1, if the lessee or the lessee's spouse earns an income from a business, that income is the net income from the business within the meaning of the Taxation Act without, however, subtracting the deductions under sections 130 and 130.1 of that Act.

**6.** If the lessee or the lessee's spouse is 60 years of age or older and if the lessee so requests, the monthly rent is established according to the lowest of

(1) the maximum rent established in accordance with Schedule I;

(2) the rent established in accordance with section 5; and

(3) a rent of \$100, plus 2% of the income in excess of the first \$20,000 of income resulting from the application of the formula  $[A - (B + C)]$  having the parameters defined in section 5; despite section 2, the rent may be lower than the minimum rent established in accordance with Schedule II.

### DIVISION IV MISCELLANEOUS AND FINAL

**7.** As of 1 July 2010 and each year thereafter, the maximum rent corresponds to the maximum rent of the preceding year increased by 8%.

The amount of the rent thus increased is reduced to the nearest dollar if it contains a fraction of a dollar less than \$0.50; it is increased to the nearest dollar if it contains a fraction of a dollar equal to or greater than \$0.50.

**8.** The Programme de construction et de reconstruction de logements à loyer modique en milieu inuit, made by Order in Council 891-82 dated 8 April 1982, is revoked.

**9.** This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

**SCHEDULE I**

(ss. 2 and 6)

## MAXIMUM RENT

Rent scale in force on 1 July 2004			Maximum rent					
Household	Type	Rent						
			2005	1 July 2006	1 July 2007	1 July 2008	1 July 2009	
Recipient of last resort financial assistance	studio 1 bedroom	\$122	\$129	\$138	\$148	\$158	\$170	
	large studio	\$147	\$154	\$161	\$168	\$175	\$182	
	2 bedrooms		\$177	\$187	\$199	\$212	\$226	\$241
			\$210	\$220	\$230	\$241	\$253	\$265
	3 bedrooms		\$211	\$223	\$235	\$248	\$262	\$276
			\$213	\$223	\$235	\$248	\$262	\$276
	4 bedrooms		\$214	\$228	\$241	\$254	\$270	\$286
			\$217	\$228	\$241	\$254	\$270	\$286
	5 bedrooms	\$220	\$235	\$249	\$264	\$281	\$300	
	6 bedrooms	\$229	\$250	\$271	\$293	\$316	\$340	
	Other	studio 1 bedroom	\$160	\$172	\$186	\$203	\$222	\$245
		large studio	\$194	\$204	\$214	\$224	\$234	\$245
2 bedrooms			\$231	\$244	\$261	\$281	\$303	\$330
			\$238	\$251	\$267	\$285	\$307	\$330
3 bedrooms			\$271	\$283	\$298	\$316	\$337	\$359
			\$256	\$274	\$297	\$322	\$348	\$375
4 bedrooms			\$312	\$328	\$348	\$369	\$391	\$415
			\$299	\$319	\$342	\$367	\$395	\$426
5 bedrooms		\$353	\$371	\$392	\$415	\$441	\$470	
5 bedrooms		\$389	\$411	\$436	\$463	\$494	\$526	
6 bedrooms		\$415	\$440	\$471	\$505	\$541	\$579	

**SCHEDULE II**

(ss. 2 and 4)

**MINIMUM RENT**

Type of dwelling	Category of household	
	Recipient of last resort financial assistance	Other
studio and 1 bedroom	\$125	\$145
2 bedrooms	\$160	\$210
3 bedrooms	\$185	\$230
4 bedrooms	\$210	\$270
5 bedrooms	\$235	\$350
6 bedrooms	\$250	\$375

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Gouvernement du Québec

**O.C. 781-2005, 17 August 2005**

An Act respecting collective agreement decrees  
(R.S.Q., c. D-2)

**Automotive services industry**  
**— Lanaudière-Laurentides**  
**— Amendments**

CONCERNING the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions

WHEREAS the Government has made the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (R.R.Q., 1981, c. D-2, r.44);

WHEREAS the contracting parties to this Decree petitioned the Minister of Labour to have amendments made to this collective agreement Decree;

WHEREAS sections 2 and 6.1 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) authorize the Government to amend a collective agreement decree;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft of the Decree to amend the Decree was published in Part 2 of the *Gazette officielle du Québec* of 23 February 2005 and, the following days, in two French-language news-

papers and one English-language newspaper, with a notice that it could be made by the Government upon the expiry of the 45 days following that publication;

WHEREAS no comment was put forward following that publication;

WHEREAS it is expedient to make the draft Decree without amendments;

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

THAT the Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions, attached hereto, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

**Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions\***

An Act respecting collective agreement decrees  
(R.S.Q., c. D-2, s. 2 and 6.1)

**1.** Section 1.01 of the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions is amended by replacing subparagraphs *a* and *b* of paragraph 6 with the following:

“(a) are married or in a civil union and cohabiting;

(b) being of opposite sex or the same sex, are living together in a *de facto* union and are the father and mother of the same child;”.

**2.** Sections 3.03 to 3.05 are replaced by the following:

“**3.03.** An employee is deemed to be at work in the following situations:

1. while available to the employer at the place of employment and required to wait for work to be assigned;

\* The last amendments to the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (R.R.Q., 1981, c. D-2, r.44) were made by the regulation made under Order in Council No. 102-2003 dated 29 January 2003 (2003, *G.O.* 2, 906). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2005, updated to 1 march 2005.