

APPENDIX D: DATES OF PAYMENT OF 2010, 2011 AND 2012 CONTRIBUTIONS

Pursuant to division 4.3 of the Schedule.

Payment date	Civil Year		
	2012	2013	
	September 26	January 31	September 26
2010 Schedule	70 %	30 %	
2011 Schedule	70 %	30 %	
2012 Schedule		80 %	20 %

1967

Gouvernement du Québec

O.C. 305-2012, 28 March 2012

An Act respecting the Ministère des Ressources naturelles et de la Faune (R.S.Q., c. M-25.2)

Approval of a Program relating to a gratuitous transfer of land in the domain of the State in favour of northern municipalities

WHEREAS, on 9 May 2011, the Gouvernement du Québec unveiled the Plan Nord, which seeks to encourage the economic, social and environmental development of the territory situated north of the 49th parallel;

WHEREAS section 17.13 of the Act respecting the Ministère des Ressources naturelles et de la Faune (R.S.Q., c. M-25.2) allows the Minister, with the approval of the Government, to prepare programs for the development of lands in the domain of the State that are under the Minister's authority in order to encourage regional development or implement any other governmental policy;

WHEREAS, under the first paragraph of section 17.14 of the Act, the Minister may, for the purposes of such programs, acquire any property, transfer the ownership of, authority over or administration of any land in the domain of the State that is under the Minister's authority and of the property situated thereon, transfer such land and property gratuitously, lease them or grant any other right therein to the legal person designated by the Minister;

WHEREAS, under the first paragraph of section 17.16 of the Act respecting the Ministère des Ressources naturelles et de la Faune, the Government may, on the conditions it determines, entrust the direction and implementation of a program to the minister it designates;

WHEREAS it is expedient to have the Government approve a program relating to a gratuitous transfer of land in the domain of the State in favour of northern municipalities under the Plan Nord;

WHEREAS it is expedient to entrust the administration of the Program to the Minister of Natural Resources and Wildlife;

WHEREAS, under article 14.11 of the Municipal Code of Québec (R.S.Q., c. C-27.1) and under section 29.13 of the Cities and Towns Act (R.S.Q., c. C-19), every municipality may participate in a program prepared in accordance with Division II.2 of the Act respecting the Ministère des Ressources naturelles et de la Faune;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife:

THAT the Program relating to a gratuitous transfer of land in the domain of the State in favour of northern municipalities existing in the Plan Nord territory, attached to this Order in Council, be approved;

THAT the administration of the Program be entrusted to the Minister of Natural Resources and Wildlife.

GILLES PAQUIN,
Clerk of the Conseil exécutif

PROGRAM RELATING TO A GRATUITOUS
TRANSFER OF LAND IN THE DOMAIN OF THE
STATE IN FAVOUR OF NORTHERN
MUNICIPALITIES

1. DEFINITIONS

For the purposes of this Program, unless the context indicates otherwise,

“gratuitous transfer agreement” means an agreement by which the Minister undertakes, under certain conditions, to transfer land in the domain of the State gratuitously to a northern municipality under the Program;

“Minister” means the Minister of Natural Resources and Wildlife;

“northern municipality” means municipalities whose boundaries are located, in whole or in part, north of the 49th parallel of latitude, the St. Lawrence river and the Gulf of St. Lawrence;

“Program” means this Program prepared under Division II.2 of the Act respecting the Ministère des Ressources naturelles et de la Faune (R.S.Q., c. M-25.2);

“urban development” means growth associated with the municipal sector in terms of residential and commercial construction as well as in terms of establishment of municipal industrial parks supporting the economic development of the community.

2. OBJECTIVES OF THE PROGRAM

The purpose of the Program is to

— allow northern municipalities, in an urgent context of significant urban growth, to assume with authority the consolidation of their urban development to meet the needs created by the setting up of socioeconomic projects resulting from the implementation of major economic projects related to the Plan Nord;

— provide northern municipalities with a lever in matters of urbanization, for the purpose of allowing them, according to their development objectives, to plan the implementation of public utility infrastructures necessary to meet their needs (streets, sewers, waterworks, parks);

— transfer gratuitously to northern municipalities full ownership of land in the domain of the State required for the urban development in a context of sustainable development;

— allow northern municipalities to financially support, from income created by the lease or sale of land, the carrying out of public utility infrastructure work or the establishment of other services;

— support northern municipalities in the implementation of major industrial projects.

3. ELIGIBILITY FOR THE PROGRAM

Only northern municipalities are eligible for the Program.

Northern municipalities must submit a development plan of their urban area to be approved by the Minister. The Minister will consult the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire, more specifically the land use planning and development branch, in order to assess the justification of the request regarding the management of urbanization.

In addition to an appropriate cartographic representation of the development plan (current and proposed urban limits, intended use, current and proposed infrastructures, planned stages of development, vacant spaces, etc.), the plan must be accompanied by a resolution explaining the nature of the economic development project and a document justifying the project based on its growth projections regarding economic development and on needs for spaces necessary for the urban development of the northern municipality. The latter document must show in particular

— proof stating the content, scale, scope and progress of the major socioeconomic project or projects;

— an analysis of the urban development needs along with the spaces available within the urbanization perimeter or current urban core, as the case may be;

— proof showing that the land concerned is necessary for its carrying out;

— a demonstration that the development will be made in priority in line with the current built environment;

— data concerning the vacancy rate of dwellings and the employment rate;

— data concerning the number of vacant land with or without municipal services;

— proof stating the impact of potential refusal by the Government.

On the recommendation of the Ministère des Ressources naturelles et de la Faune (MRNF), a municipality could benefit from the Program. To do so, the municipality must adopt a resolution whereby the municipality complies with and accepts all the terms, conditions, commitments and obligations under the Program.

It must be noted that when the project has elements requiring a modification to the development plan, the regional county municipality concerned must obtain a notice of compliance with government policies as provided under the Act respecting land use planning and development, before the signing of the notarial deed of transfer.

4. TERRITORIAL SCOPE

The Program applies to land in the domain of the State, north of the 49th parallel of latitude, the St. Lawrence river and the Gulf of St. Lawrence.

The following are excluded from the territory covered:

— the water domain, that is, the bed of lakes and watercourses to the normal high water mark, including hydraulic power;

— land in the domain of the State flooded following the construction and maintenance of a dam or any work related to the dam and required for its operation;

— any right of way of a route or highway under the management of the Minister of Transport, including its infrastructure and all the works useful for its development or management;

— any land, including buildings, improvements, equipment and movable property, necessary for the activities of the Ministère des Ressources naturelles et de la Faune or other mandatory departments or public bodies;

— land on which exclusive public utility works are planned in the short term by the Gouvernement du Québec;

— land on which the Minister or the Gouvernement du Québec granted rights in favour of the Government of Canada, or one of its departments or bodies;

— any public land situated in a natural hazard-prone area jeopardizing the safety of persons and property;

— any other land determined by the Minister for the needs of a department, body or mandatory of the Government.

5. POWERS OF THE MINISTER

The Minister may transfer gratuitously to a northern municipality full ownership of land in the domain of the State required to meet its urban development needs related to urban growth provoked by the implementation of major economic projects under the Plan Nord.

The Minister may subject the gratuitous transfer to any conditional or resolatory clause required to ensure land management in compliance with government policies.

The Minister may authorize a northern municipality to pay moneys deriving from the leasing or alienation of land in the domain of the State transferred under the Program into a fund managed by a northern municipality.

The Minister may, after notification, recover areas of land transferred under the Program, free of charge and without financial compensation, for public use or interest or for any other purpose determined by order or deemed necessary by the Minister.

6. TRANSFER AGREEMENT

Every northern municipality wishing to obtain land in the domain of the State, under the Program, must sign, with the Minister, a gratuitous transfer agreement. To do so, it must first send to the Minister a resolution requesting to start discussions in that direction. The writing of the gratuitous transfer agreement is under the Minister's responsibility.

In the gratuitous transfer agreement, northern municipalities must undertake to

— send a resolution whereby municipalities comply with and accept all the terms, conditions, commitments and obligations under the Program. The resolution also authorizes the representative of the northern municipality to sign with the Minister;

— send a description of the required land in the domain of the State that will be the subject of the transfer, along with, as a schedule, a cartographic representation illustrating the limits of the land and its approximate area;

— file a proposed urban development plan indicating the stages of development, uses, and preliminary layout of the infrastructures and public utilities;

— pay all costs and expenses related to land transfer: those costs and expenses include those required for the drafting of the notarial deed of gratuitous transfer, land

surveying on land in the domain of the State, cadastral registration, the publication of rights and boundary marking, if required;

— accept land as it is delimited, designated and surveyed at the time the agreement is signed, without any guarantee by the Minister as to its state and area;

— prior to signing the notarial deed of transfer, carry out the survey work according to the instructions of the Surveyor-General of Québec and Division II of the Act respecting the lands in the domain of the State;

— accept the gratuitous transfer of land in the domain of the State without compensation and free of any discharge, without any legal and environmental guarantee;

— respect fairness and transparency in the sale and granting of rights on transferred land, by requiring a fair market value in the transfer of land to a third person;

— provide the Minister with all the information or documents related to the development of the required land, claimed for the follow-up and assessment of the implementation of the transfer agreement once a year on the anniversary date of the signing of the agreement or in an application for the transfer of land for a new stage of development or for the purposes of the agreement;

— treat any other situation of illegal occupation and use, including in particular illegal dumping sites and gates, of transferred land and according to methods in keeping with the Government's position that no privileges may be granted to anyone who illegally occupies or uses land in the domain of the State.

The Minister may undertake to

— transfer gratuitously by notarial deed land in the domain of the State free of rights and described in the transfer agreement, to meet the development needs of the northern municipality;

— grant, if applicable, during the period required for surveying, a temporary right to occupy land as soon as the transfer agreement is signed;

— authorize the northern municipality to pay moneys deriving from the leasing, operation or alienation of land in the domain of the State transferred under the gratuitous transfer agreement into a fund managed by the northern municipality.

Signature:

— the gratuitous transfer agreement must be signed by the Minister or the Minister's authorized representative and representatives of the northern municipality duly authorized by resolution.

Resolatory clauses:

— the Minister may include in the gratuitous transfer agreement any other conditional or resolatory clause required to ensure the management of land in the domain of the State transferred in compliance with government policies;

— regarding land in the domain of the State that is the subject of claims by or negotiations with Natives or Native concerns known following consultations with the community concerned, the Minister may amend the conditions of the gratuitous transfer agreement by sending a notice to that effect. The Minister may also withdraw transferred land, after a notice given to the municipality, free of charge and without financial compensation.

Term and conditions of transfer:

— the gratuitous transfer agreement must contain a term and conditions for which land in the domain of the State will be transferred according to the appropriate stages of development.

Fund:

— the northern municipality must establish a fund or use a fund that already exists and pay into it the moneys deriving from the leasing or alienation of land in the domain of the State;

— the management of the fund is under the responsibility of the northern municipality. Accountability is made according to the acts governing the jurisdiction of the northern municipality.

7. COMPLEMENTARY TERMS AND CONDITIONS

The alienation of land in the domain of the State whose offer for sale sent to a third party purchaser before the signing of the gratuitous transfer agreement will be completed by the Minister who will receive the total income.

Where a northern municipality sends to the Minister a resolution requesting to start discussions with a view to signing a gratuitous transfer agreement, the Minister may suspend any analysis of offer for sale, lease and

other rights, in the territory to which the request applies. The northern municipality's requests will have priority over any other request dealing with the same land in the domain of the State.

A northern municipality having already signed, in a given territory, a land management delegation agreement of land in the domain of the State with the Ministère des Ressources naturelles et de la Faune under Division I.1 of the Act respecting the lands in the domain of the State, may not use the Program in the same territory. For the northern municipality to be eligible for the Program, the northern municipality and the department must revoke the delegation agreement, without any financial compensation.

Every municipality that participates in a program or a land management delegation agreement of land in the domain of the State made under Division II.2 of the Act respecting the Ministère des Ressources naturelles et de la Faune may, with the Minister's authorization, apply the provisions of this Regulation by adapting them for the benefit of northern municipalities on land subject to the delegation and eligible for this Program. In accordance with the Program or management delegation agreement, the delegated municipality must first obtain the Minister's authorization before proceeding with any gratuitous transfer of land in the domain of the State.

8. LEGAL AND REGULATORY PROVISIONS

The provisions of the Agreement concerning James Bay and Northern Québec and the Northeastern Québec Agreement, and their laws, prevail over the provisions of this Program.

Land in the domain of the State transferred under the Program is exempted from the application of the Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State (R.R.Q., c. T-8.1, r. 7).

1988

Gouvernement du Québec

O.C. 320-2012, 28 March 2012

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

Cartage industry – Québec — Amendment

Decree to amend the Decree respecting the cartage industry in the Québec region

WHEREAS, under section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government made the Decree respecting the cartage industry in the Québec region (c. D-2, r. 3);

WHEREAS the contracting parties designated in the Decree have, under section 6.1 of the Act, submitted to the Minister of Labour an application to amend the Decree;

WHEREAS sections 2 and 6.1 of the Act authorize the Government to amend a collective agreement decree;

WHEREAS, under section 7 of the Act, notwithstanding section 17 of the Regulations Act (R.S.Q., c. R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, an amending draft Decree was published in Part 2 of the *Gazette officielle du Québec* of 23 November 2011 and, on the same date, in a French language newspaper and in an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comments were received following that publication and it is expedient to make the draft Decree without amendment;

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

THAT the Decree to amend the Decree respecting the cartage industry in the Québec region, attached hereto, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif
