
Regulations and other Acts

Gouvernement du Québec

O.C. 1161-2013, 13 November 2013

Cities and Towns Act
(chapter C-19, s. 573.3.0.1)

Municipal Code of Québec
(chapter C-27.1, s. 938.0.1)

An Act respecting the Communauté métropolitaine
de Montréal
(chapter C-37.01, s. 112.1)

An Act respecting the Communauté métropolitaine
de Québec
(chapter C-37.02, s. 105.1)

An Act respecting public transit authorities
(chapter S-30.01, s. 100)

Awarding of contracts for certain professional services — Amendment

Regulation to amend the Regulation respecting the
awarding of contracts for certain professional services

WHEREAS, under sections 573.3.0.1 of the Cities and Towns Act (chapter C-19), 938.0.1 of the Municipal Code of Québec (chapter C-27.1), 112.1 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01), 105.1 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) and 100 of the Act respecting public transit authorities (chapter S-30.01), the Government made the Regulation respecting the awarding of contracts for certain professional services (chapter C-19, r. 2) to establish rules to be complied with by municipalities, metropolitan communities and public transit authorities when awarding a contract for the supply of services that can, under an Act or a regulation, be provided only by a physician, dentist, nurse, pharmacist, veterinary surgeon, engineer, land surveyor, architect, chartered professional accountant, advocate or notary;

WHEREAS, on 7 December 2012, the Act to amend various legislative provisions concerning municipal affairs (2012, chapter 30) was assented to and it amends the Cities and Towns Act, the Municipal Code of Québec, the Act respecting the Communauté urbaine de Montréal, the Act respecting the Communauté urbaine de Québec and the Act respecting public transit authorities so as to allow municipalities and bodies governed by those statutes to refuse a tender from a contractor or supplier that has been the subject of an unsatisfactory performance report in connection with a previous contract;

WHEREAS it is expedient to make similar amendments to the Regulation respecting the awarding of contracts for certain professional services to allow municipalities and municipal bodies to refuse a tender from a supplier that has been the subject of an unsatisfactory performance report in connection with a previous contract, if that contract is covered by the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the awarding of contracts for certain professional services was published in Part 2 of the *Gazette officielle du Québec* of 26 June 2013 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comments have been received with respect to the draft Regulation;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs, Regions and Land Occupancy:

THAT the Regulation to amend the Regulation respecting the awarding of contracts for certain professional services, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the awarding of contracts for certain professional services

Cities and Towns Act
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An Act respecting the Communauté métropolitaine de Montréal
(chapter C-37.01, s. 112.1)

An Act respecting the Communauté métropolitaine de Québec
(chapter C-37.02, s. 105.1)

An Act respecting public transit authorities
(chapter S-30.01, s. 100)

1. The Regulation respecting the awarding of contracts for certain professional services (C-19, r. 2) is amended in section 6 by replacing “Paragraphs 3” in the part preceding paragraph 1 by “Paragraphs 2.0.1, 3”.

2. Section 12 is amended by adding the following in the second paragraph:

“(3) that the municipal body may exclude from the selection of suppliers who may tender a supplier that, in the 2 years before the selection date, has received an unsatisfactory performance assessment that meets the conditions in paragraph 2.0.1 of section 573 of the Cities and Towns Act (chapter C-19).”

3. Section 19 is amended by adding the following after the last paragraph:

“A supplier that, in the 2 years preceding the selection date, has received an unsatisfactory performance assessment that meets the conditions in paragraph 2.0.1 of section 573 of the Cities and Towns Act (chapter C-19) may be excluded from the selection.”

4. Section 20 is amended by adding the following after the last paragraph:

“In addition, a new list may be established when the only supplier remaining on the list has received, in the 2 preceding years, an unsatisfactory performance assessment that meets the conditions in paragraph 2.0.1 of section 573 of the Cities and Towns Act (chapter C-19).”

5. Section 23.1 is amended by adding the following after the last paragraph:

“The municipal body reserves the right to reject any tender from an architect who, in the 2 years before the tender opening date, has received an unsatisfactory performance assessment that meets the conditions in paragraph 2.0.1 of section 573 of the Cities and Towns Act (chapter C-19).”

6. 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. 1173-2013, 13 November 2013

An Act respecting the conservation and development of wildlife
(chapter C-61.1)

Animals in captivity —Amendment

Regulation to amend the Regulation respecting animals in captivity

WHEREAS, under section 42 of the Act respecting the conservation and development of wildlife (chapter C-61.1), to keep an animal in captivity or to capture it with a view to keeping it in captivity and, where such is the case, to dispose thereof, a person must hold a licence issued for such purpose and comply with the norms, number and conditions prescribed by regulation;

WHEREAS, under section 43 of the Act, a person may kill an animal or an animal of a class of animals kept in captivity provided that the person does so in accordance with the regulations;

WHEREAS, under paragraphs 7 and 22 of section 162 of the Act, the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Regulation respecting animals in captivity (chapter C-61.1, r. 5);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting animals in captivity was published in Part 2 of the *Gazette officielle du Québec* of 22 May 2013 with a notice that it could be made by the Government on the expiry of 45 days following that publication;