

2. Section 84 is amended by replacing “from 1 June 2014” by “from the date of coming into force of a regulation to amend the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors’ residence, in particular to amend this section again or to strike it out, or not later than 31 October 2015”.

3. Section 85 is amended by replacing “from 1 June 2014” by “from the date of coming into force of a regulation to amend the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors’ residence, in particular to amend this section again or to strike it out, or not later than 31 October 2015”.

4. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

3406

Gouvernement du Québec

O.C. 637-2014, 26 June 2014

An Act respecting the Ministère des Transports (chapter M-28)

Ministère des Transports — Authorizing the signing by a functionary of certain deeds, documents and writings — Amendment

Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports

WHEREAS the first paragraph of section 7 of the Act respecting the Ministère des Transports (chapter M-28) provides that no deed, document or writing must bind the department or be attributed to the Minister unless signed by the Minister, the Deputy Minister or a functionary but, in the case of such functionary, only to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS it is expedient to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports (chapter M-28, r. 5);

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

THAT the Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports

An Act respecting the Ministère des Transports (chapter M-28, s. 7, 1st par.)

1. The Regulation authorizing the signing by a functionary of certain deeds, documents and writings of the Ministère des Transports (chapter M-28, r. 5) is amended in section 1.0.2

(1) by replacing “Direction des projets routiers et de transport collectif” in the definition of “director” in paragraph 1 by “Direction des projets de transport collectif et de la planification métropolitaine, the Direction des projets routiers stratégiques”;

(2) by inserting, in alphabetical order, the following definitions in paragraph 1:

““director general”: a person who manages an administrative unit whose name begins with “Direction générale”, except the administrative unit whose name begins with “Direction générale adjointe”; (*directeur général*);

“assistant director general”: a person who manages an administrative unit whose name begins with “Direction générale adjointe”; (*directeur général adjoint*);

(3) by replacing “et de transport collectif” in paragraph 2 by “stratégiques”.

2. Section 2 is amended

(1) by replacing “and any person who manages an administrative unit whose name begins with “Direction générale”, except the administrative unit whose name begins with “Direction générale adjointe”” in the part preceding subparagraph 1 of the first paragraph by “, a director general and the Assistant Director General of the Direction générale adjointe à la coordination des ressources”;

(2) by replacing “The Assistant Director General for Human, Financial and Information Resources and the Director of the Direction des projets routiers et de transport collectif” in the second paragraph by “An assistant director general who does not hold any of the positions listed in the first paragraph, the Director of the Direction des projets de transport collectif et de la planification métropolitaine and the Director of the Direction des projets routiers stratégiques”.

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

3413

M.O., 2014

Order of the Minister of Municipal Affairs and Land Occupancy dated 19 June 2014

Cities and Towns Act
(chapter C-19)

Municipal Code of Québec
(chapter C-27.1)

Granting of a general authorization to allow all municipalities and intermunicipal management boards to amend, until 31 December 2014, certain contracts entered into with an enterprise operating a recycling plant

WHEREAS, under the first paragraph of section 573.3.1 of the Cities and Towns Act (chapter C-19) and section 938.1 of the Municipal Code of Québec (chapter C-27.1), the Minister of Municipal Affairs and Land Occupancy may authorize a municipality to award a contract without calling for tenders and the Minister may, on his own initiative, exercise that power in respect of all municipalities for a contract or any class thereof;

WHEREAS section 468.51 of the Cities and Towns Act and section 620 of the Municipal Code of Québec provide that section 573.3.1 of the Cities and Towns Act applies to an intermunicipal management board;

WHEREAS the Minister may use the power provided for in the first paragraph of section 573.3.1 of the Cities and Towns Act and section 938.1 of the Municipal Code of Québec to authorize a municipality or an intermunicipal management board to make amendments to a contract already awarded without having to call for tenders;

WHEREAS, under the second paragraph of those sections, the exercise of such a power by the Minister is not applicable where calls for tenders are required to be public under an intergovernmental trade liberalization agreement applicable to municipalities and intermunicipal management boards;

WHEREAS the Trade and Cooperation Agreement between Québec and Ontario, the Agreement on the Opening of Public Procurement for New Brunswick and Québec (2008) and Annex 502.4 of the Agreement on Internal Trade are applicable;

WHEREAS the three agreements provide exceptions from the public tender process where an unforeseeable emergency situation arises then allowing the amendment of existing contracts in order to mitigate the negative impact resulting from such a situation;

WHEREAS the extraordinary situation of the market for recyclable mixed glass, due to the closing of the main conditioner in Québec for glass from selective collection and to the drop in the resale price of that material, constitutes an unforeseeable emergency situation;

CONSIDERING the possible interest in authorizing municipalities and intermunicipal management boards to amend certain contracts entered into with an enterprise operating a recycling plant in order to mitigate the negative impact resulting from that situation;

THEREFORE, the Minister of Municipal Affairs and Land Occupancy orders as follows:

1. Every municipality or intermunicipal management board that, before the date of coming into force of this Order, has entered into a contract with an enterprise that operates a recycling plant, whose activities are compromised by the closing of the main glass conditioner in Québec and by the drop in the resale price of mixed glass, may until 31 December 2014 enter into an agreement with the enterprise to make amendments to the contract insofar as the amendments

(1) do not operate to extend the term of the contract, be retroactive or compromise the principle of equal treatment of tenderers;

(2) provide that an additional amount will be added to the price set in the contract where the value per tonne of mixed glass is below the financial threshold of \$-7.00 (negative price) per tonne;