

Canadian Intergovernmental Affairs or the Minister of International Relations, shall designate by order published in the *Gazette officielle du Québec* any State, province or territory in which he considers that Québec residents may benefit from measures similar to those set out in the Act;

WHEREAS section 41 also provides that the order shall indicate the date of the taking of effect of the Act for each State, province or territory designated in it;

WHEREAS Japan ratified the Convention on the Civil Aspects of International Child Abduction on 24 January 2014 and that the Convention came into force in Japan on 1 April 2014;

WHEREAS the Government considers that Québec residents will benefit in the abovementioned State from measures similar to those set out in the Act respecting the civil aspects of international and interprovincial child abduction;

WHEREAS, by Order in Council 476-2009 dated 22 April 2009, the Government accepted the accession of the Dominican Republic to the Convention on the Civil Aspects of International Child Abduction and designated that State as a State to which the Act respecting the civil aspects of international and interprovincial child abduction applies;

WHEREAS, by Order in Council 21-2014 dated 15 January 2014, the Government accepted the accession of Albania, Andorra, San Marino, Singapore and Ukraine to the Convention on the Civil Aspects of International Child Abduction and designated those States as States to which the Act respecting the civil aspects of international and interprovincial child abduction applies;

WHEREAS the Orders in Council provide that the Act takes effect on a later date to be set by the Government as regards those States;

WHEREAS it is expedient to set the date on which the Act takes effect as regards those States;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice and the Minister of International Relations and La Francophonie:

THAT Japan be designated as a State to which the Act respecting the civil aspects of international and interprovincial child abduction (chapter A-23.01) applies and the Act take effect on 1 April 2014 as regards that State;

THAT the Act take effect on 1 January 2015 as regards Albania, Andorra, the Dominican Republic, San Marino, Singapore and Ukraine.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

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Gouvernement du Québec

**O.C. 1170-2014, 17 December 2014**

An Act respecting contracting by public bodies  
(chapter C-65.1)

**Minister of Transport**

**— Authorization to enter into contracts under conditions different than those applicable under the Act respecting contracting by public bodies**

Authorization to the Minister of Transport to enter into contracts under conditions different than those applicable under the Act respecting contracting by public bodies

WHEREAS, under Order in Council 292-93 dated 3 March 1993 and its subsequent amendments, Highway 138 which crosses the Honoré-Mercier Bridge is under the management of the Minister of Transport;

WHEREAS the Gouvernement du Québec has jurisdiction over the portion of the Honoré-Mercier Bridge that spans the St. Lawrence River;

WHEREAS that portion of the bridge and Highway 138 which crosses it are in need of maintenance and repair;

WHEREAS, under Order in Council 628-2009 dated 4 July 2009, the Gouvernement du Québec and the Mohawk Council of Kahnawake signed, on 10 June 2009, a statement of understanding and mutual respect in which they agree to participate as partners in various Kahnawake economic development ventures;

WHEREAS, historically, the use of Mohawk workers has priority in the execution of work on that portion of the bridge and Highway 138 which crosses it;

WHEREAS representatives from the Mohawk Council of Kahnawake have requested that the Gouvernement du Québec implement a contract award procedure giving priority to Mohawk contractors for the execution of the maintenance and repair work on that portion of the bridge and the Highway;

WHEREAS it is appropriate to grant the request to promote the economic development of Kahnawake;

WHEREAS, to achieve that objective, amendments must be made to the contracting conditions of the Minister of Transport;

WHEREAS, under the first paragraph of section 25 of the Act respecting contracting by public bodies (chapter C-65.1), the Government may, on the recommendation of the Conseil du trésor, authorize a public body to enter into a contract on conditions different from those applicable to it under the Act, and determine the conditions for such a contract;

WHEREAS the recommendation of the Conseil du trésor was obtained;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and the Minister for Aboriginal Affairs:

THAT the Minister of Transport be authorized to enter, with Mohawk contractors from Kahnawake, into service contracts of a technical nature and construction contracts, whose number is estimated at 10, for the fiscal years 2014-2015 to 2019-2020, on conditions different from those applicable to it under the Act respecting contracting by public bodies (chapter C-65.1) and its regulations;

THAT the authorization be given solely for contracts for the maintenance and repair of the portion of the Honoré-Mercier Bridge that spans the St. Lawrence River and Highway 138 which crosses it;

THAT the different conditions be those indicated in the Schedule attached to this Order in Council.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## SCHEDULE

### TERMS AND CONDITIONS FOR ENTERING INTO CONTRACTS BETWEEN THE MINISTER OF TRANSPORT AND MOHAWK CONTRACTORS FROM KAHNAWAKE

1. The Minister of Transport (hereafter “the Minister”) may award or assign a service contract of a technical nature or a construction contract to a Mohawk contractor by the means the Minister considers most appropriate in the circumstances, even if it involves an expenditure equal to or above the lowest threshold specified in an applicable

intergovernmental agreement. The Minister may use one of the following methods: regionalized public call for tenders, invitation to tender and agreement.

2. A “Mohawk contractor” is a contractor referred to in the first paragraph of section 1 of the Act respecting contracting by public bodies (chapter C-65.1) whose domicile or main establishment is located in the territory of Kahnawake, as defined in section 2 of the Agreement on labour between the Mohawk Council of Kahnawake and the Gouvernement du Québec approved under Order in Council 730-2014 dated 24 July 2014 and concluded on 18 September 2014.

3. In addition to the electronic tendering system referred to in sections 11 and 56 of the Act respecting contracting by public bodies, the Minister is authorized to use one or a number of other means of broadcasting, in particular for notices, tender documents and addenda.

4. The Minister may determine the form and content of the tender documents according to what the Minister deems most appropriate in the circumstances. The Minister may prescribe eligibility and compliance requirements different from those prescribed by regulation.

5. The Minister determines, according to what the Minister deems most appropriate in the circumstances, on which basis a contract referred to in section 1 of this Schedule is to be awarded. The Minister may consider, alternatively or concurrently, the price and quality level of tenders.

6. The Minister determines whether guarantees should be required from Mohawk contractors and, where applicable, determines their form and scope.

7. Where a task order contract is entered into with a number of Mohawk contractors, the performance requests may be made in a fair manner on the basis of availability.

8. The Minister may negotiate with all eligible and compliant tenderers if the price submitted by each of them is deemed too high. Without limiting the generality of the foregoing, in addition to the price, negotiation may pertain to other elements initially provided for in the call for tenders. The Minister must then ensure that the principles of equity and equality between tenderers are respected.

9. Division II of Chapter VI of the Regulation respecting service contracts of public bodies (chapter C-65.1, r. 4) does not apply to service contracts of a technical nature referred to in section 1 of this Schedule.

10. Division IV of Chapter VI of the Regulation respecting service contracts of public bodies and Division III of Chapter V of the Regulation respecting construction contracts of public bodies (chapter C-65.1, r. 5) do not apply to the contracts referred to in section 1 of this Schedule.

11. Chapters V.1 and V.2 of the Act respecting contracting by public bodies do not apply to the contracts referred to in section 1 of this Schedule.

12. The provisions of this Schedule have priority over any other inconsistent provision of any policy, objective, condition, measure, directive, model contract form and standard document of the Conseil du trésor.

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## M.O., 2014

### Order number 2014 009 of the Minister of Health and Social Services dated 11 December 2014

An Act respecting Health Services and Social Services (chapter S-4.2)

Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions;

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING the first paragraph of section 487.2 of the Act respecting health services and social services (chapter S-4.2), which provides, in particular, that the Minister may, by regulation, determine the standards and scales which must be used by agencies and public institutions for the selection, appointment and engagement of and the remuneration and other terms of employment applicable to executive directors and senior and middle management personnel;

CONSIDERING that it is expedient to amend this regulation;

CONSIDERING the authorization by the Conseil du trésor, in accordance with the third paragraph of section 487.2 of that Act;

CONSIDERING that it is expedient to make the Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions is hereby made.

GAÉTAN BARRETTE,  
*Minister of Health and  
Social Services*

### Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions

An Act respecting health services and social services (chapter S-4.2, s. 487.2)

**1.** The Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1) is amended in section 3 by inserting in alphabetical order:

““reassignment” means the transfer of athen officer, following a decision of the officer’s employer, to a position of union member or unionizable non-member within the institution;”.

**2.** Section 22 is amended by inserting “subject to an extension authorized by the Minister” after the word “months” in the fifth paragraph.

**3.** Section 23 is amended by inserting “subject to an extension authorized by the Minister” after the word “months” in the second paragraph.

**4.** Section 24 is amended by inserting “or coordinates the unit’s evening, night, weekend or statutory holiday activities,” after the word “agreement” in the second paragraph.

**5.** Section 29.0.2 is amended by adding “, unless the officer also supervises a unit in which such an increased schedule applies” at the end of the first paragraph.

**6.** Section 53 is amended by replacing “24 months” by “104 weeks” in paragraph 2.

**7.** Schedule 1 is amended by replacing the first paragraph by the following:

“The salary classes of officers are established by the Minister, subject to the approval of the Conseil du trésor. Those classes are available on the website of the Ministère