

Regulations and other Acts

Gouvernement du Québec

O.C. 1077-2021, 4 August 2021

Act to amend mainly the Education Act with regard to school organization and governance (2020, chapter 1)

Application of provisions of the Act to English-Language school service centres

Regulation respecting the application of provisions of the Act to amend mainly the Education Act with regard to school organization and governance to English-language school service centres

WHEREAS the Act to amend mainly the Education Act with regard to school organization and governance (2020, chapter 1) was assented to on 8 February 2020;

WHEREAS, under section 331 of the Act, the Government may, by regulation, take, before 8 August 2021, any measure useful for carrying out the Act or fully achieving its purpose and such a regulation may, if it so provides, apply from a date not prior to 8 February 2020;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it and the reason justifying such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of prior publication and such coming into force of the Regulation respecting the application of provisions of the Act to amend mainly the Education Act with regard to school organization and governance to English-language school service centres:

— on 10 August 2020, the Superior Court ordered a stay of the application of the Act to amend mainly the Education Act with regard to school organization and governance to English school boards until a judgment is rendered on the merits of the application for judicial review challenging the validity of certain provisions of the Act;

— the application for judicial review has been heard on the merits and a judgment may be rendered at any time, allowing the coming into force of provisions of the Act;

— the provisions of coming into force of the Act can no longer apply correctly to English school boards considering that the dates provided for have passed and the provisions of the Act could therefore all come into force simultaneously, no longer allowing a progressive and orderly application of the new measures provided for therein;

— section 331 of the Act to amend mainly the Education Act with regard to school organization and governance gives the Government the power to take, before 8 August 2021, any measure useful for carrying out the Act or fully achieving its purpose;

— it is necessary to act promptly to allow a progressive and orderly application of several provisions of the Act, including those regarding the mode of governance;

— the absence of measures taken before that date for such application would prevent English-language school service centres from adequately exercising the functions assigned to them by the Education Act (chapter I-13.3);

WHEREAS it is expedient to make the Regulation respecting the application of provisions of the Act to amend mainly the Education Act with regard to school organization and governance to English-language school service centres;

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

THAT the Regulation respecting the application of provisions of the Act to amend mainly the Education Act with regard to school organization and governance to English-language school service centres, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation respecting the application of provisions of the Act to amend mainly the Education Act with regard to school organization and governance to English-language school service centres

Act to amend mainly the Education Act with regard to school organization and governance (2020, chapter 1, s. 331)

1. The Act to amend mainly the Education Act with regard to school organization and governance (2020, chapter 1) is amended in section 322 by replacing “the 1 November 2020 election” by “the election held in replacement of the general school election that was to be held on 1 November 2020”.

2. Despite section 325 of the Act, the first sitting of an English-language school service centre’s board of directors must be held on the date set by order of the Government.

3. Despite subparagraph 3 of the first paragraph of section 332 of the Act, representatives who are designated at the end of the first processes for designating representatives of the English-language school service centres’ staff take office on the date set by order of the Government.

In addition, despite subparagraph 2 of the second paragraph of section 332, for the purposes of Schedule II to the Act, a reference to a school service centre is a reference to a school board where a provision of the Schedule applies before English-language school boards were designated under the name “English-language school service centre”.

4. Despite section 335 of the Act, the provisions of the Act come into force on the date or dates to be set by the Government insofar as they concern an English-language school service centre, except for sections 314 to 334, which have effect since 8 February 2020.

5. Despite section 3 of Schedule II to the Act, the persons referred to in section 2 of the Schedule are designated not later than the date set by order of the Government.

6. This Regulation has effect since 8 February 2020.

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Notice of adoption

Act respecting racing (chapter C-72.1)

Rules respecting Standardbred horse races held at a professional race track — Amendment

Notice is hereby given that the Régie des alcools, des courses et des jeux, at its plenary session of 29 July 2021, made the Rules to amend the Rules respecting Standardbred horse races held at a professional race track, appearing below.

In accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Rules were published in Part 2 of the *Gazette officielle du Québec* of 2 June 2021 with a notice that they could be made by the Régie des alcools, des courses et des jeux on the expiry of 45 days following that publication.

M^{TRE}. DENIS DOLBEC
President

Rules to amend the Rules respecting Standardbred horse races held at a professional race track

Act respecting racing (chapter C-72.1, s. 103)

1. The Rules respecting Standardbred horse races held at a professional race track (chapter C-72.1, r. 4) are amended in section 278

(1) by replacing “of a total length of 4 ft 8 in, including the snapper which may not exceed 8 in” by “of which the butt end is a maximum length of 48 in and a snapper measuring between 6 in and 12 in long”;

(2) by adding the following paragraph at the end:

“The whip must not be made of leather and its snapper must not have been altered or knotted.”

2. Section 279 is replaced by the following:

“**279.** A driver, trainer or groom shall not make excessive use of a whip at a race track.