

Regulations and other Acts

Gouvernement du Québec

O.C. 1332-2021, 20 October 2021

Public Administration Act
(chapter A-6.01)

Secretariat of the Conseil du trésor —Signing of certain acts, documents or writings

Regulation respecting the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor

WHEREAS, under the second paragraph of section 88 of the Public Administration Act (chapter A-6.01), an act, document or writing is binding on or may be attributed to the chair of the Conseil du trésor only if it is signed by the chair, the secretary, the clerk, a member of the personnel of the secretariat or the holder of a position, and in the latter two cases, only to the extent determined by the Government;

WHEREAS, under the first paragraph of section 89 of the Act, the Government may, on the conditions it fixes, allow a signature to be affixed by means of an automatic device or electronic process;

WHEREAS the Government made the Terms and conditions for the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor (chapter A-6.01, r. 4);

WHEREAS it is expedient to replace the Terms and conditions;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Regulation respecting the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation respecting the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor

Public Administration Act
(chapter A-6.01, ss. 88 and 89)

DIVISION I GENERAL

1. Subject to other conditions that may be prescribed by the Act, the members of the personnel of the secretariat of the Conseil du trésor, who hold a position mentioned hereafter, are authorized to sign alone and with the same authority and effect as the chair of the Conseil du trésor the acts, documents and writings listed after their respective position.

The same applies where the acts, documents and writings are signed by a person authorized in writing to perform those duties on an interim or provisional basis, or as a temporary replacement.

2. Hierarchical superiors of the persons referred to in this Regulation are also authorized to sign the acts, documents and writings that those persons are authorized to sign.

3. The Québec sales tax (QST) and the goods and services tax (GST) or, where applicable, the harmonized sales tax (HST) are not included in the amounts provided for in this Regulation.

4. For the purposes of sections 5 to 14, a rider to a contract is considered as a contract itself and the capacity to sign it is determined according to its amount.

DIVISION II POWERS OF THE ASSOCIATE SECRETARIES AND ASSISTANT SECRETARIES OF THE SECRETARIAT OF THE CONSEIL DU TRÉSOR

5. The associate secretaries and the assistant secretaries are authorized, in the exercise of their respective powers, duties and functions, to sign

(1) supply contracts for less than \$25,000, save where the good concerned is acquired by catalogue from the Centre d'acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec in which case no limit applies to the amount of such contracts;

(2) services contracts relating to the hiring of a labour relations negotiator or arbitrator, of an expert witness before the court or of a physician or a dentist in matters of medical assessment;

(3) financial services contracts, banking services contracts or legal services contracts;

(4) contracts for travel services;

(5) services contracts other than those referred to in paragraphs 2 to 4, except insurance contracts and auxiliary services contracts for the transportation and handling of goods, in which case no limit applies to the amount of such contracts, except in the following cases where the following maximum limits apply:

(a) \$250,000 where the service provider is a legal person;

(b) \$100,000 where the service provider is a natural person or where the object concerned is the supply of personnel; and

(6) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges.

6. The associate secretary for public contracts is authorized, in the exercise of the associate secretary's respective powers, duties and functions, to sign attestations issued to the secretary of a selection committee responsible for evaluating tenders for services, as prescribed by paragraph 4 of section 8 of the Directive concernant les contrats d'approvisionnement, de services et de travaux de construction des organismes publics.

7. The associate secretary for public contracts is authorized, in the exercise of the associate secretary's respective powers, duties and functions, to sign attestations relating to the commitment to implement an equal opportunity program, issued to a Québec contractor or sub-contractor, pursuant to the provisions of the Regulation respecting certain supply contracts of public bodies (chapter C-65.1, r. 2) or of the Regulation respecting certain service contracts of public bodies (chapter C-65.1, r. 4).

DIVISION III

POWERS OF THE ADMINISTRATIVE DIRECTOR GENERAL, THE DIRECTOR OF MATERIAL RESOURCES AND THE DIRECTOR OF FINANCIAL RESOURCES OF THE SECRETARIAT OF THE CONSEIL DU TRÉSOR

8. The administrative director general is authorized, in the exercise of the director general's powers, duties and functions, to sign

(1) the contracts or other acts referred to in section 5, to the extent provided for in that section;

(2) construction contracts;

(3) contracts of alienation of movable property, subject to the Act respecting the Centre d'acquisitions gouvernementales (chapter C-7.01) and the Règlement sur la disposition des biens meubles excédentaires (chapter C-65.1, r. 7.1);

(4) documents relating to the management of a special fund established under an Act;

(5) declarations required when a debtor's income is seized in the hands of a third person under the Code of Civil Procedure (chapter C-25.01) or any other Act; and

(6) the retention schedule or a modification to the schedule, accompanied by a copy of the classification plan of its records under sections 3 or 4 of the Regulation respecting retention schedules, transfer, deposit and disposal of public archives (chapter A-21.1, r. 2).

9. The director of material resources is authorized, in the exercise of the director's powers, duties and functions, to sign

(1) supply contracts the amount of which does not exceed \$25,000, save where the good concerned is acquired by catalogue from the Centre d'acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec in which case the amount of such contracts must not exceed \$250,000;

(2) construction contracts the amount of which does not exceed \$100,000;

(3) insurance contracts;

(4) services contracts the amount of which does not exceed \$100,000, except

(a) services contracts where the service provider is a legal person;

(b) services contracts relating to the hiring of a labour relations negotiator or arbitrator, of an expert witness before the court or of a physician or a dentist in matters of medical assessment; and

(c) financial services contracts, banking services contracts or legal services contracts;

(5) contracts of alienation of movable property, subject to the Act respecting the Centre d'acquisitions gouvernementales (chapter C-7.01) and the Règlement sur la disposition des biens meubles excédentaires (chapter C-65.1, r. 7.1);

(6) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges; and

(7) the retention schedule or a modification to the schedule, accompanied by a copy of the classification plan of its records under sections 3 or 4 of the Regulation respecting retention schedules, transfer, deposit and disposal of public archives (chapter A-21.1, r. 2).

The maximum limit of the amount of a contract provided for in subparagraph 4 of the first paragraph is set at \$10,000 in the following cases:

(1) where the service provider is a natural person;

(2) where the object concerned is the supply of personnel.

10. The director of financial resources is authorized, in the exercise of the director's powers, duties and functions, to sign

(1) supply contracts the amount of which does not exceed \$20,000, save where the good concerned is acquired by catalogue from the Centre d'acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec in which case the amount of such contracts must not exceed \$25,000; and

(2) services contracts the amount of which does not exceed \$25,000, except

(a) services contracts where the service provider is a legal person;

(b) insurance contracts;

(c) auxiliary services contracts for the transportation and handling of goods; and

(d) services contracts relating to the hiring of a labour relations negotiator or arbitrator, of an expert witness before the court or of a physician or a dentist in matters of medical assessment.

The maximum limit of the amount of a contract provided for in subparagraph 2 of the first paragraph is set at \$10,000 in the following cases:

(1) where the service provider is a natural person;

(2) where the object concerned is the supply of personnel.

DIVISION IV POWERS OF OTHER MEMBERS OF MANAGEMENT PERSONNEL OF THE SECRETARIAT OF THE CONSEIL DU TRÉSOR

11. The directors general and the senior directors are authorized, in the exercise of their powers, duties and functions, to sign

(1) supply contracts the amount of which does not exceed \$25,000, save where the good concerned is acquired by catalogue from the Centre d'acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec in which case the amount of such contracts must not exceed \$250,000;

(2) services contracts the amount of which does not exceed \$100,000, except the following contracts:

(a) insurance contracts, financial services contracts or banking services contracts; and

(b) auxiliary services contracts for the transportation and handling of goods; and

(3) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges.

The maximum limit of the amount of a contract provided for in subparagraph 2 of the first paragraph is set at \$25,000 in the following cases:

(1) where the service provider is a natural person;

(2) where the object concerned is the supply of personnel;

(3) where the object concerned is travel services.

12. The director of human resources is authorized, in the exercise of the director's powers, duties and functions, to sign

(1) the contracts or other acts referred to in section 11, to the extent provided for in that section; and

(2) declarations required when a debtor's income is seized in the hands of a third person under the Code of Civil Procedure (chapter C-25.01) or any other Act.

13. The directors are authorized, in the exercise of their powers, duties and functions, to sign

(1) supply contracts the amount of which does not exceed \$20,000, save where the good concerned is acquired by catalogue from the Centre d'acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec in which case the amount of such contracts must not exceed \$25,000; and

(2) services contracts the amount of which does not exceed \$25,000, except the following contracts:

(a) insurance contracts, financial services contracts or banking services contracts; and

(b) auxiliary services contracts for the transportation and handling of goods.

The maximum limit of the amount of a contract provided for in subparagraph 2 of the first paragraph is set at \$10,000 in the following cases:

(1) where the service provider is a natural person;

(2) where the object concerned is the supply of personnel.

14. The assistant directors are authorized, in the exercise of their powers, duties and functions, to sign

(1) supply contracts the amount of which does not exceed \$20,000, save where the good concerned is acquired by catalogue from the Centre d'acquisitions gouvernementales or, as the case may be, Infrastructures technologiques Québec in which case the amount of such contracts must not exceed \$25,000; and

(2) services contracts relating to the hiring of a labour relations negotiator or arbitrator, of an expert witness before the court or of a physician or a dentist in matters of medical assessment and the amount of which does not exceed \$25,000.

DIVISION V SPECIAL TERMS AND CONDITIONS FOR SIGNING

15. The signature of the chair of the Conseil du trésor may be affixed by any information technology-based process.

DIVISION VI FINAL

16. This Regulation replaces the Terms and conditions for the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor (chapter A-6.01, r. 4).

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

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Gouvernement du Québec

O.C. 1348-2021, 20 October 2021

Labour Code
(chapter C-27)

Remuneration of arbitrators — Amendment

Regulation to amend the Regulation respecting the remuneration of arbitrators

WHEREAS, under the first paragraph of section 103 of the Labour Code (chapter C-27), the Government may determine, by regulation, after consultation with the Comité consultatif du travail et de la main-d'œuvre established under section 12.1 of the Act respecting the Ministère du Travail (chapter M-32.2), the remuneration and expenses to which the arbitrators of disputes and grievances appointed by the Minister are entitled, one or more methods for determining the remuneration and expenses to which the arbitrators chosen by the parties are entitled, and the situations in which the regulation does not apply;

WHEREAS the Government made the Regulation respecting the remuneration of arbitrators (chapter C-27, r. 6);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the remuneration of