

1981

Gazette officielle du Québec

(English Edition)

Part 2
Laws and Regulations

Volume 113
27 May 1981
No. 22



Éditeur officiel
Québec

LAWS AND REGULATIONS

NOTICE TO READERS

The *Gazette officielle du Québec* (LAWS AND REGULATIONS) is published under the authority of the Legislature Act (R.S.Q., c. L-1) and the Regulation respecting the *Gazette officielle du Québec* (O.C. 16-78, dated 5 January 1978).

LAWS AND REGULATIONS contains the English version of the laws, regulations, draft regulations and proclamations published in the *Gazette officielle du Québec* Partie 2.

Each law, regulation and draft regulation published in this number may be obtained as an offprint from the Éditeur officiel du Québec, who will quote rates on request.

The cost of an annual subscription to the *Gazette officielle du Québec* (LAWS AND REGULATIONS) is \$45.00.

L'Éditeur officiel du Québec.

For information concerning the publication of notices, please call:

Georges LAPIERRE
Gazette officielle du Québec
Tél.: (418) 643-5195

Offprints or subscription rates:

Commercial services
Tél.: (418) 643-5150

All correspondence should be sent to the following address:

Gazette officielle du Québec
1283, boul. Charest ouest
Québec, QC, G1N 2C9

LAWS AND REGULATIONS

Order(s) in Council

O.C. 1217-81, 1 May 1981

AN ACT RESPECTING LABOUR RELATIONS
IN THE CONSTRUCTION INDUSTRY
(R.S.Q., c. R-20)

Complementary social benefits plans — Amendments

CONCERNING the Regulation amending Regulation number 4 respecting complementary social benefits plans in the construction industry.

WHEREAS pursuant to section 2 of the Act respecting labour relations in the construction industry (R.S.Q., chapter R-20), the Office de la construction du Québec shall be entrusted with the carrying out of any plan relating to fringe benefits in the construction industry;

WHEREAS pursuant to section 92 of the said Act, the Office shall administer the complementary social benefits plans and whereas for such purpose, it made "Regulation number 4 respecting complementary social benefits plans in the construction industry" approved by Order in Council 4122-77 dated 30 November 1977 and amended by Orders in Council 841-79 dated 21 March 1979, 2624-79 dated 19 September 1979, 3490-79 dated 19 December 1979, 1162-80 dated 15 April 1980, 4010-80 and 4011-80 dated 22 December 1980;

WHEREAS in accordance with the powers conferred to it by section 15 of the said Act, the Office, after consultation with the Joint Committee on Construction pursuant to section 123.1 of the said Act, made a Regulation amending Regulation number 4;

WHEREAS pursuant to section 15 of the said Act, by-laws of the Office shall be submitted to the Government for approval;

WHEREAS it is advisable to approve the said Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour, Manpower and Income Security:

THAT the "Regulation amending Regulation number 4 respecting complementary social benefits plans in the construction industry", attached hereto, be approved.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Regulation amending Regulation number 4 respecting complementary social benefits plans in the construction industry

**An act respecting labour relations in the construction industry
(R.S.Q., c. R-20, s. 2, 15, 18, 92)**

1. "Regulation number 4 respecting complementary social benefits plans in the construction industry", approved by Order in Council 4122-77 of 30 November 1977, amended by Orders in Council 841-79 of 21 March 1979, 2624-79 of 19 September 1979, 3490-79 of 19 December 1979, 1162-80 of 15 April 1980 and Decrees 4010-80 and 4011-80 of 22 December 1980 is once again amended by replacing section 4.4 by the following:

"4.4 The total adjusted hours worked is equal to the dues and contributions paid into the pension fund on behalf of this subscriber, divided by:

— 0,09 \$ for hours worked before 1 January 1971;

— 0,14 \$ for hours worked between 1 January 1971 and 31 December 1973;

— 0,24 \$ for hours worked between 1 January 1974 and April 1974;

- 0,44 \$ for hours worked between 1 May 1974 and 31 December 1974;
- 0,59 \$ for hours worked between 1 January 1975 and 6 May 1980;
- 0,605 \$ for hours worked after 6 May 1980."

2. This regulation comes into force as of the date of its publication in the *Gazette officielle du Québec*.

1059-o

O.C. 1287-81, 13 May 1981

AN ACT RESPECTING THE MINISTÈRE DU
REVENU
(R.S.Q., c. M-31)

Fiscal exemptions to diplomats

CONCERNING a Regulation respecting fiscal exemptions granted to members of the diplomatic corps and to consular staff.

WHEREAS, in accordance with international practice in the matter, the gouvernement du Québec wishes to grant certain fiscal exemptions to members of the diplomatic corps and to consular staff in Québec, taking into account the status and benefits granted to representatives of Québec abroad;

WHEREAS the Government now grants fiscal concessions to certain non-Canadian representatives of foreign countries under Order in Council 1480 dated 27 July 1965;

WHEREAS the Minister of Intergovernmental Affairs is responsible for the administration of consular and diplomatic privileges and immunities and for ensuring that these privileges and immunities are granted in accordance with the rules of international law;

WHEREAS Order in Council 1480 dated 27 July 1965 did not grant any fiscal concessions to members of the diplomatic corps posted in Québec and whereas it is advisable to rectify the omission;

WHEREAS following international practice, it is advisable to add to existing fiscal concessions an exemption from the taxes imposed under the Tobacco Tax Act (R.S.Q., chapter I-2) and the Meal and Hotel Tax Act (R.S.Q. chapter T-3);

WHEREAS it is unnecessary to repeat the income tax exemption provided for in Order in Council 1480 dated 27 July 1965, since such an exemption is already covered by section 982 of the Taxation Act (R.S.Q., chapter I-3);

WHEREAS payment of the registration fees of a motor vehicle belonging to a member of the diplomatic corps or consular staff is already specifically covered by Regulation 3 (1977) respecting registration, made by Order in Council 4117 dated 30 November 1977;

WHEREAS pursuant to section 96 of the Act respecting the Ministère du revenu (R.S.Q., chapter M-31), the Government may exempt civil servants of the government of a country other than Canada for the duties provided for by a fiscal law, under the conditions it prescribes;

IT IS ORDERED, therefore, upon the recommendation of the Ministers of Revenue and of Intergovernmental Affairs:

THAT Order in Council 1480 dated 27 July 1965 be revoked as of the coming into force of this Regulation;

THAT the Regulation respecting fiscal exemptions granted to members of the diplomatic corps and to consular staff, attached hereto, be made.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

**Regulation respecting fiscal exemptions
granted to members of the diplomatic
corps and to consular staff****An Act respecting the Ministère du revenu
(R.S.Q., c. M-31, s. 96, subpar. a)**

1. This Regulation applies to every civil servant of a government of a country other than Canada who:

1. is a member of the diplomatic corps or a career consular staff member posted in Québec;
2. is registered with the ministère des Affaires intergouvernementales;
3. is not a permanent resident of Canada, and
4. does not operate an enterprise or hold a post or employment in Québec other than his work with the government he represents.

2. The civil servants referred to in section 1 are exempt, through reimbursement and upon submission of vouchers, from the taxes and duties imposed under the following Acts:

1. the Retail Sales Act (R.S.Q., chapter I-1);
2. the Fuel Tax Act (R.S.Q., chapter T-1);
3. the Tobacco Tax Act (R.S.Q., chapter I-2);
4. the Telecommunications Tax Act (R.S.Q., chapter T-4);
5. The Meal and Hotel Tax Act (R.S.Q., chapter T-3);
6. the Succession Duty Act (R.S.Q., chapter D-13.2).

3. Despite the provisions of section 2, the exemptions do not apply to civil servants of a government that does not comply with international practice with respect to Québec.

4. This Regulation comes into force 10 days after its publication in the *Gazette officielle du Québec*.

O.C. 1329-81, 13 May 1981

AN ACT RESPECTING COLLECTIVE
AGREEMENT DECREES
(R.S.Q., c. D-2)

Cartage — Québec — Amendments

CONCERNING the Decree amending the Decree respecting the cartage industry in the Québec region.

WHEREAS, pursuant to section 8 of the Act respecting collective agreement decrees (R.S.Q., chapter D-2), the Government may amend a decree upon the recommendation of the Minister of Labour, Manpower and Income Security;

WHEREAS the contracting parties to the collective labour agreement respecting the cartage industry in the Québec region, rendered obligatory by Decree 952 of 11 March 1970, have petitioned the Minister of Labour, Manpower and Income Security to submit to the Government for consideration and decision certain amendments to this decree;

WHEREAS, this petition was published in the *Gazette officielle du Québec*;

WHEREAS, no objection was brought forward against the approval of the proposed amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour, Manpower and Income Security:

THAT the "Decree amending the Decree respecting the cartage industry in the Québec region", attached hereto, be adopted.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Decree amending the Decree respecting the cartage industry in the Québec region

**An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 8)**

1. The list of contracting parties is replaced by the following:

"ON THE ONE PART:

L'Association du camionnage du Québec, Inc.;

L'Association des entrepreneurs en services sanitaires du Québec;

AND, ON THE OTHER PART:

Teamsters du Québec, chauffeurs et ouvriers de diverses industries, local 69;"

2. Section 25.00 of Part III is amended by replacing subsection 25.02 by the following:

"**25.02** The standard workday shall not exceed 11 hours from Monday to Friday and 4 hours on Saturday."

3. Section 28.00 of Part III is amended by replacing subsection 28.01 by the following:

"**28.01** The minimum hourly wage is as follows:

			As of 1 January 1982		As of 1 January 1983	
	Full-time employee	Part-time employee	Full-time employee	Part-time employee	Full-time employee	Part-time employee
Helper.....	7,10 \$	7,00 \$	7,80 \$	7,70 \$	8,50 \$	8,40 \$
Driver:						
Class I.....	7,30	7,20	8,00	7,90	8,70	8,60
Class II.....	7,40	7,30	8,10	8,00	8,80	8,70
Class III.....	7,80	7,70	8,50	8,40	9,20	9,10
Mechanic.....	7,60	7,50	8,30	8,20	9,00	8,90
Serviceman.....	7,40	7,30	8,10	8,00	8,80	8,70 »

4. Section 32.00 of Part III is amended by replacing subsection 32.01 by the following:

“**32.01** This Part remains in force until 31 December 1983. It is then automatically renewed from year to year thereafter, unless one of the contracting parties gives the Minister of Labour, Manpower and Income Security a written notice to the contrary during October of 1983 or of any subsequent year. This notice is also forwarded to the other contracting parties.”

5. This decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

O.C. 1330-81, 13 May 1981

AN ACT RESPECTING COLLECTIVE
AGREEMENT DECREES
(R.S.Q., c. D-2)

Building service employees — Montréal — Amendments

CONCERNING the Decree amending the Decree respecting building service employees in the Montréal region.

WHEREAS, pursuant to section 8 of the Act respecting collective agreement decrees (R.S.Q., chapter D-2), the Government may amend a decree upon the recommendation of the Minister of Labour, Manpower and Income Security;

WHEREAS the contracting parties to the collective labour agreement respecting building service employees in the Montréal region, rendered obligatory by Decree 4400-75 of 1 October 1975, have petitioned the Minister of Labour, Manpower and Income Security to submit to the Government for consideration and decision certain amendments to this decree;

WHEREAS this petition was published in the *Gazette officielle du Québec*;

WHEREAS the objections brought forward have been duly considered in accordance with the Act;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour, Manpower and Income Security:

THAT the "Decree amending the Decree respecting building service employees in the Montréal region", attached hereto, be adopted.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Decree amending the Decree respecting
building service employees in the
Montréal region

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 8)

I. Section 1.00 is amended:

(a) by replacing subsection 1.01 by the following:

1.01 Public Building: a school, college, university, and any other teaching institution specialized or not; a hospital, clinic, asylum, convalescent home and any other establishment intended to give the public any kind of health service; a local community service centre (LCSC), a rehabilitation or reorientation center, social service center, rest center, orphanage, infant asylum, daynursery, kindergarten, fresh-air camp and any other establishment giving services of a social nature; a church, chapel, convent, monastery, novitiate, work room, patronage, shelter, rest home, retreat house; concert hall, movie theater, theater, cabaret, café, club, bar, restaurant, concert-café, music-hall, dining-room, cafeteria, tavern, brasserie and any other hall for public entertainment; a hotel, motel and inn; a lecture hall, municipal hall and any other hall for public meetings; an exhibition, fair, charity bazaar; stands on race-courses or used for public or sporting amusements or others; an arena and any other building used for sporting events; a plant, industry, shop, manufacture, warehouse and any other establishment of an industrial nature; a government building, office, office building, bank, credit union or other financial institution of the same type; a shop, shopping center, mall, tunnel and any other similar commercial establishment; a station, airport, ship berth, railroad terminal or car terminal; a library, museum, public bath and any other building of the same type or nature; a house having many apartments or dwellings; any other place similar to one of the buildings mentioned in the section or used as such."

(b) by adding the following subsection 1.11:

“**1.11 Employer:** any individual, partnership, firm or corporation that has maintenance work done by an employee.”

2. Section 2.00 is replaced by the following:

“**2.00 JURISDICTION:**

2.01 Territorial: The decree applies to the administrative region 06 (Montréal) and in the administrative region 04 (Trois-Rivières), to all the territory not governed by Decree 385 of 14 February 1969, respecting building service employees in the Québec region.

The administrative regions are those defined by Order in Council 524 of 29 March 1966, concerning the administrative division of the territory of the province.

2.02 Industrial: The decree applies to any professional employer, employer, employee and self-employed individual doing building service work.

2.03 Exceptions: The decree does not apply:

- (a) to an employee of the Québec or Federal Government, or of a municipal corporation;
- (b) to an owner or lessee of a public building who has maintenance work done by his own employee when the latter is governed by a collective agreement that grants him overall working conditions at least as advantageous as those provided for in the decree.

The first paragraph of subsection 7.01 does not apply to the employer, bound by a collective agreement within the meaning of the Labour Code, who grants his employees at least the same number of paid general holidays as those provided for in this paragraph, provided that he submits to the Parity Committee before 1 May of each year, the list of paid general holidays that he intends to grant, with a copy of his collective agreement.”

3. This decree comes into force on the day of its publication in the *Gazette officielle du Québec*.”

Draft Regulation(s)

DRAFT REGULATION

AN ACT RESPECTING COLLECTIVE
AGREEMENT DECREES
(R.S.Q., c. D-2)

Building Service Employees — Québec — Amendments

Pursuant to the Act respecting collective agreement decrees (R.S.Q., chapter D-2), the Minister of Labour, Manpower and Income Security, Mr. Pierre Marois, hereby gives notice that the contracting parties to the collective labour agreement rendered obligatory by the "Decree respecting Building Service Employees in the Québec Region", made by Order in Council 385 of 14 February 1969, have petitioned him to submit to the Government for consideration and decision the following amendment to the said Decree:

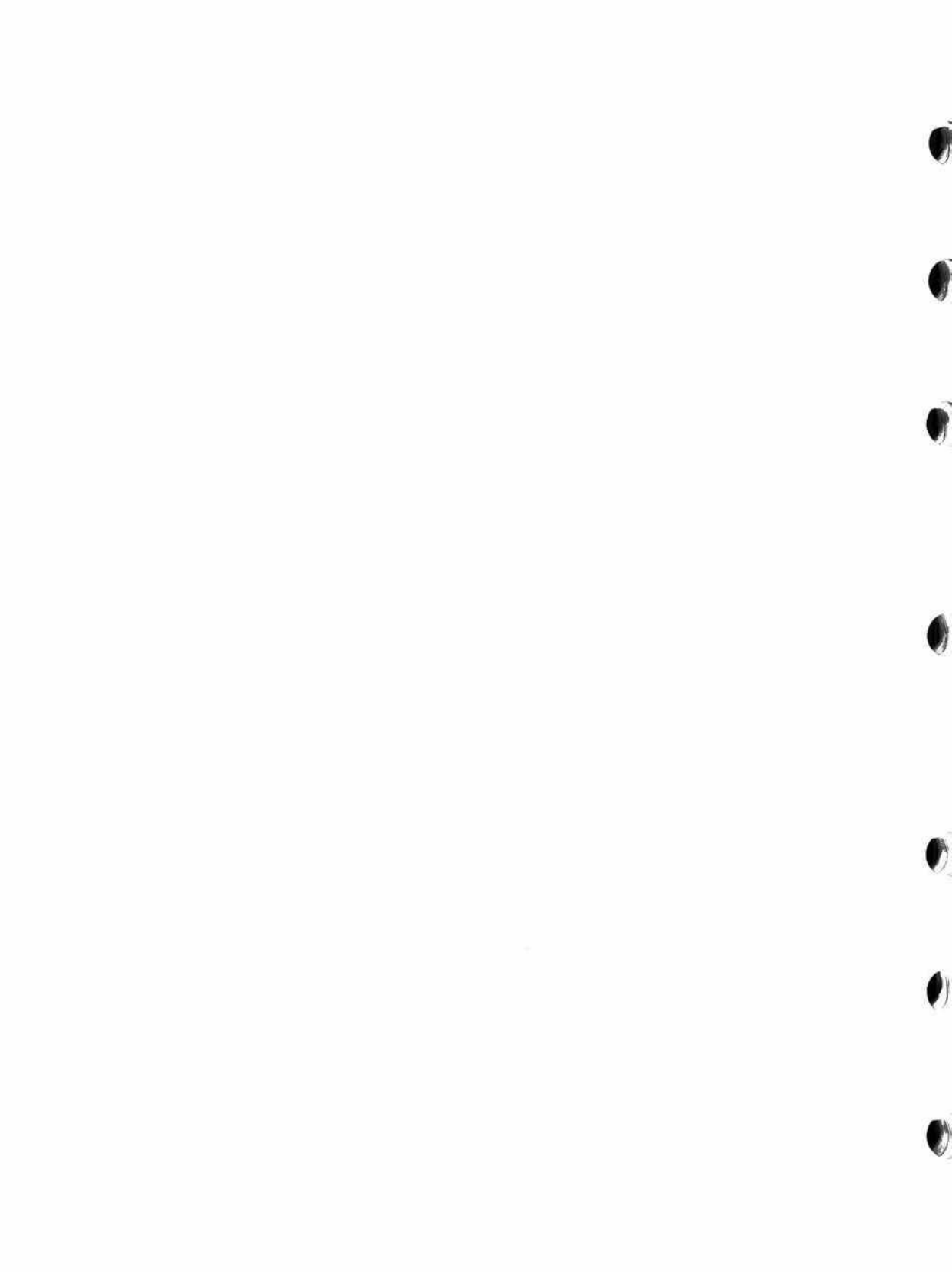
Section 2.00 shall be amended by adding the following paragraph to subsection 2.01:

"The decree also applies to administrative region 08 (Nord-Ouest), as defined by Order in Council 524 of 29 March 1966, concerning the administrative division of the territory of Québec".

Publication of this Notice does not make the provisions therein binding. Only a Decree can make those provisions binding, with or without amendments. Such a Decree may not come into force before the date of its publication in the *Gazette officielle du Québec*.

During the 30-day period following the date of publication of this Notice in the *Gazette officielle du Québec*, the Minister of Labour, Manpower and Income Security will receive any criticisms from persons concerned.

THOMAS J. BOUDREAU,
Deputy Minister.



Notice(s)

NOTICE

CODE OF CIVIL PROCEDURE
(R.S.Q., c. C-25)

Provincial Court for the District of Montréal — Special rules of practice — Amendments

At a special meeting of the Judges of the Provincial Court for the District of Montreal convened for the purpose, held at the Court House in Montreal on November 30th 1979, the "Special Rules of Practice of the Provincial Court for the District of Montreal" were amended as follows, pursuant to article 47 C.C.P.

Chapter IV

RECORDING OF TESTIMONY

Article 12 is abrogated and the following substituted therefor:

"12. The party that requires the recording of testimony must submit a request therefor to the judicial hearings recording service at least one week prior to the hearing of the case.

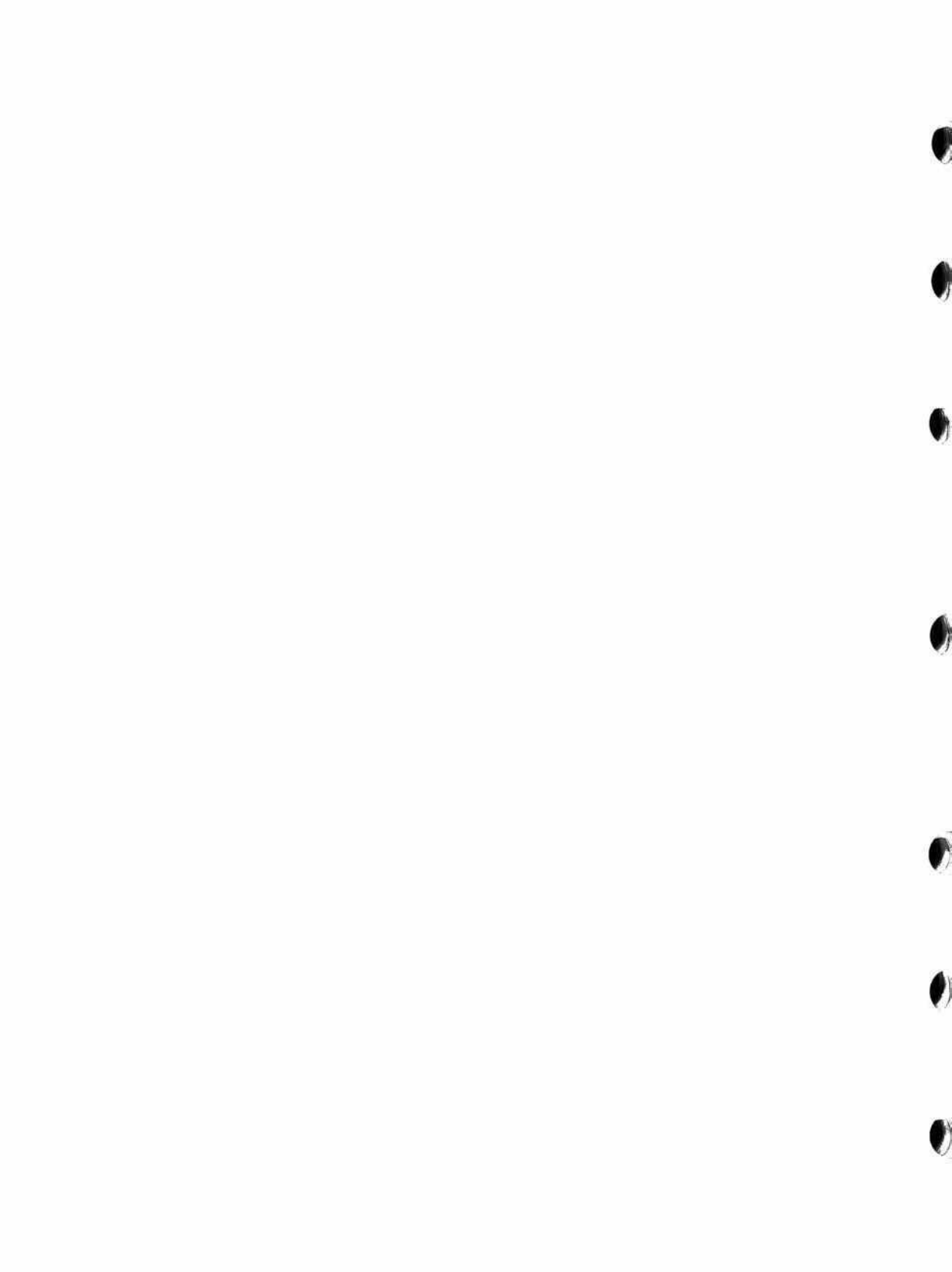
On the day of the hearing, the attorneys must confirm with the clerk that the testimony will be recorded."

Articles 13 to 17 inclusive are abrogated.

Chapter V

Article 18 is abrogated.

ALAN B. GOLD,
*Chief Judge of the Provincial Court,
Chairman of the Meeting.*



Replacement Regulation(s)

NOTICE

The Régie des permis d'alcool du Québec gives notice that the French and English texts of the following Regulation were adopted on May 8th, 1981.

Pursuant to section 3 of the Act respecting a judgment rendered in the Supreme Court of Canada on 13 December 1979 on the language of the legislature and the courts in Québec (1979, chapter 61), the said Regulation replaces the "Règlement sur les frais et les droits payables" approved by Order in Council 42-81 dated 7 January 1981 and has been in force since 30 January 1981, the date of coming into force of the Regulation it replaces.

The said Regulation reproduces without amendment the text of the Regulation it replaces.

Chairman,

GHISLAIN K.-LAFLAMME, *advocate.*

Regulation respecting duties and costs payable

Act respecting liquor permits (1979, c. 71, s. 114, subpar. 4)

An Act respecting a judgment rendered in the Supreme Court of Canada on 13 December 1979 on the language of legislature and the courts in Québec (1979, c. 61, s. 3)

Division I

DUTIES PAYABLE

1. The duties payable to obtain or renew a permit are as follows:

1. Public house or "pub"	456 \$
2. Tavern	456
3. Restaurant	456
4. Bar	456

5. Club	240 \$
6. Grocery	120
7. Cider seller's	120
8. Olympic Grounds	240
9. Man and his World	240

2. The duties payable to obtain a reunion permit authorizing the serving of alcoholic beverages are 10 \$ per day of use, for each room or terrace where the permit will be used.

For a reunion permit authorizing the sale of alcoholic beverages the duties are 20 \$ per day of use, for each room or terrace where the permit will be used.

3. The duties payable upon obtainment or renewal of the authorization to present a show, project a film or dance are as follows:

First authorization	456 \$
Additional authorization	240

4. The duties payable to obtain temporary authorization to use a permit or temporary or permanent authorization to change the place where the permit is to be used are 50 \$.

5. The duties payable to obtain a copy of a document in the file on any application for a permit or on a permit in force are 3,00 \$ for the first 12 pages and 0,25 \$ a page if there are more than 12 pages.

Division II

COSTS PAYABLE

6. The costs payable for examination of an application referred to in section 95 of the Act respecting liquor permits are 50 \$.

Division III**PAYMENT**

7. Duties payable under section 1 and 3 are half of the amounts prescribed in those sections, when paid annually.

Division IV**FINAL PROVISIONS**

8. This Regulation replaces the Regulations respecting holders of permits issued under the Liquor Board Act made by Order in Council 2658 dated 28 July 1971, with the exception of Divisions I and II.

9. This Regulation replaces the "Règlement sur les frais et les droits payables" approved by Order in Council 42-81 dated 7 January 1981, comes into force on the date of its publication in the *Gazette officielle du Québec* and has effect as of 30 January 1981.

NOTICE

The Régie des permis d'alcool du Québec gives notice that the French and English texts of the following Regulation were adopted on May 8th 1981.

Pursuant to section 3 of the Act respecting a judgment rendered in the Supreme Court of Canada on 13 December 1979 on the language of the legislature and the courts in Québec (1979, chapter 61), the following Regulation replaces the "Règlement sur la procédure applicable devant la Régie des permis d'alcool du Québec" approved by Order in Council 43-81 dated 7 January 1981 and has been in force since 30 January 1981, the date of coming into force of the Regulation it replaces.

The said Regulation reproduces without amendment the text of the Regulation it replaces.

Chairman,
GHISLAIN K.-LAFLAMME, *advocate.*

**Regulation respecting the procedure
applicable before the Régie des permis
d'alcool du Québec**

**Act respecting liquor permits
(1979, c. 71, c. 114, subpar. 15)**

**An Act respecting a judgment rendered in the
Supreme Court of Canada on 13 December 1979
on the language of the legislature and the courts
in Québec
(1979, c. 61, s. 3)**

Division I

INTERPRETATION

1. In this Regulation, unless the context indicates otherwise, "Act" means the Act respecting liquor permits (1979, chapter 71).

Division II

**APPLICATION FOR A PERMIT OR
AUTHORIZATION PROVIDED FOR IN THE
ACT**

- 2.** Every person who wishes to file an application for a permit or authorization provided for in the Act must use the appropriate form prescribed by the Régie, and support the application with an affidavit.
- 3.** An application may be submitted:
 - 1.** to the head office of the Régie, in Québec City;
 - 2.** to the Régie office in Montréal; or
 - 3.** to any other Régie office determined by the Government.
- 4.** Where the application is made by a corporation, a certified copy of the resolution authorizing it to make the application must be included.
- 5.** Where the application is made by a partnership, a declaration authorizing it to make the application must be included.

The declaration must be signed by enough members to represent a majority interest in the partnership.
- 6.** Every application must be accompanied by any documents required by the Régie, the Act, this Regulation or any other Regulation made under the Act, as well as the costs prescribed by regulation for examination of the application.
- 7.** Every application submitted to the Régie is the filing of an action; a file on the application is opened and numbered, and all accompanying or supporting documents are filed therein.
- 8.** The Régie must open and keep up to date a general roll for hearings of applications, numbering each application in chronological order of reception.
- 9.** A person whose application is turned down may not make an identical application until 3 months after the date on which the application was turned

down, unless new facts are discovered in the meantime that, had they been known to the Régie at the time of the application, might have changed the decision.

10. An objection or intervention made pursuant to section 99 of the Act must meet the following conditions:

1. be mailed to or filed with the Régie within the time limit indicated in section 99 of the Act;
2. a certified copy must have been sent to the applicant or his attorney by registered mail;
3. include a detailed account of the grounds on which it is based, supported by an affidavit; and
4. be accompanied by a registered mail receipt proving it has been sent to the applicant or his attorney.

11. Where an objection or intervention is made by a corporation, a certified copy of the resolution authorizing it to make the objection or intervention must be included.

12. Where the objection or intervention is made by a partnership or group of persons referred to in section 60 of the Code of Civil Procedure, a declaration authorizing it to make such an objection of intervention must be included.

Where an objection or intervention is made by a partnership, the declaration must be signed by enough partners to represent a majority interest in the partnership.

Representation of the group of persons referred to in the first paragraph is certified by a declaration signed by the majority.

Division III

HEARING OF AN APPLICATION FOR A PERMIT OR AUTHORIZATION PROVIDED FOR IN THE ACT

13. The Régie may order that several applications brought before it, whether made by the same person or not, be heard at the same time and the decision based on the same evidence, or that the same evidence serve for more than one application.

In addition, the Régie may order that a certain application be heard first, leaving others to be settled once the decision has been made for the first.

14. Where a person desires that one application be heard before others, or several matters be grouped together, he must apply to the Régie in a substantiated motion supported by an affidavit.

At least 3 days before the date of the hearing, a copy of the motion must be sent by registered mail to the attorney of each party concerned, or to each party, in the absence of any attorney.

15. The original copy of the motion must be filed at the Régie office that received the application and be accompanied by a registered mail receipt.

16. The Régie must notify the applicant and any objecting party or intervening party or their attorneys if any, of the holding of a hearing, by registered or certified mail, giving the place, date and time of the hearing.

Except if the parties agree, this notice must be mailed at least 15 days before the date determined for the hearing.

The card certifying the sending of such notice and its receipt at the postal address of its recipient must be filed.

In the case of total or partial interruption of postal services or where it is impossible to serve notice by registered mail, the Régie may serve the notice mentioned in the first paragraph by bailiff or by an employee of the Régie.

17. No request for postponement is granted unless it is made on exceptional, serious and valid grounds.

Where postponement is granted, the Régie may postpone the hearing:

1. until some specific date; or
2. to be called again on a future roll.

For the case referred to in paragraph 2, the Régie must send new notices of summons.

18. Where an applicant or other party directly involved fails to appear at the hearing, the Régie either proceeds with the hearing, adjourns it to a later date, or turns the application down.

19. Where a postponement is granted, the Régie sets the terms and conditions for the postponement according to the circumstances.

20. Where a request for postponement is made on the day of the hearing, the Régie may award costs in accordance with section 21 to the person who requested the postponement.

21. The Régie may grant any witness summoned to appear before it but living more than 10 miles from the place of the hearing, his actual travelling expenses and his room and board during the time he is retained by the hearing.

22. Sections 280 to 283 of the Code of Civil Procedure apply *mutatis mutandis* to the summoning of witnesses before the Régie.

Division IV

APPLICATION FOR CANCELLATION, SUSPENSION OR NON-RENEWAL OF A PERMIT

23. Any person wanting the Régie to cancel, suspend or not renew his permit, must make an application for that purpose.

24. The Régie does not accept an application by a permit holder for cancellation, suspension or non-renewal of a permit where the file reveals that the Régie would have serious grounds to proceed pursuant to section 86 of the Act, or where the cancellation, suspension or non-renewal procedure has already been started by the Régie.

25. Where an application for cancellation or suspension is made by the Attorney-General, a municipal corporation or any other interested party, it must be made in the form of a motion supported by an affidavit stating the facts justifying the application.

26. If, *prima facie*, the facts mentioned call for the enforcement of sections 86 to 90 of the Act, the Régie must summon the permit holder.

27. For the case referred to in section 26, the Régie must indicate reasons, in detail, for the summons in the notice of summons.

28. Divisions II and III apply *mutatis mutandis* to an application for cancellation, suspension or non-renewal of a permit.

Division V

HEARING BEFORE THE RÉGIE

29. A hearing is held by at least two Directors appointed by the Chairman, at the place and time determined by the latter.

30. At the hearing, the person appointed by the Régie for the purpose draws up the minutes, which must include the names of the parties, attorneys and witnesses, a list of documents produced and any decision made during the sitting.

31. If at the hearing the Régie considers that a summons contains an inaccuracy without which the matter would not have been entered on the roll for hearing, it may strike the application from the roll, postpone the matter as prescribed in section 14, or proceed immediately if such is the more expedient measure.

32. At a hearing, testimony is recorded by tape recorder or other such device, or in shorthand or typed shorthand, by persons sworn in and appointed for the purpose by the Régie.

33. The tape recording mentioned in section 32 is included in the file on the matter.

34. Transcription of the recording is the responsibility of the person in charge of the recording, who swears to the accuracy of the transcription in his oath of office.

35. The transcription is included in the file and paid for by the person who requested it.

36. Subject to section 129 of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1) any person who has an interest in the matter before the Régie may appear and plead in person or through a lawyer.

Division VI

DECISION OF THE RÉGIE

37. A decision rendered by the Régie is recorded in writing and substantiated; it becomes effective on the date it is signed by the Directors seized of the matter, or in the case referred to in section 17 of the Act, on the date when it was signed by the designated member of the personnel.

38. The Régie immediately sends a copy of the decision by registered mail, special delivery or other method appropriate to the circumstances, to the attorney for the parties in the case or to the parties themselves if they have no attorney.

39. On request or on their own initiative the Directors who have taken an application under deliberation may order a hearing reopened upon the terms and conditions they determine.

40. In such a case, the Régie must notify the attorney for the parties in the case, or the parties themselves if they have no attorney, of the date, time, place and terms of the hearing.

43. To be admitted and to represent a party in a case, an attorney must make an appearance in writing for the file.

44. To abandon a case, an attorney must notify the Régie and the parties in the case in writing.

45. To revoke the power of attorney, a party must produce a writing for the file. In such an instance, the Régie notifies the other parties in the case.

46. Where the corporate name is changed, a certified copy of the act by which the change was made is sent to the Régie.

The Régie takes cognizance of the change by notifying the person concerned in writing.

47. Where a municipality changes the street number of his establishment, the permit holder informs the Régie of the change by sending a copy of the letter from the Secretary-Treasurer or Clerk of the municipality notifying him of the change.

48. The designation of the manager of an establishment, in accordance with section 71 of the Act, is made by means of an affidavit.

Division XII

MISCELLANEOUS PROVISIONS

41. If the date fixed for performing an act falls on a Saturday or one of the non-judicial days listed in section 6 of the Code of Civil Procedure, the act may validly be performed on the first judicial day that follows.

42. An application is withdrawn by means of a writing sent to the Régie and signed by the person requesting the withdrawal.

Where withdrawal is requested by a corporation, a certified copy of the resolution authorizing it to make the request must be included.

Where withdrawal is requested by a partnership, a declaration authorizing it to make the request must be included. The declaration must be signed by enough partners to represent a majority interest in the partnership.

Division VIII

FINAL PROVISIONS

49. This Regulation replaces Division V of the General Regulation made under the Act respecting the Commission de contrôle des permis d'alcool by Order in Council 3439 dated 30 July 1975, as regards the rules for the procedure.

50. This Regulation replaces the "Règlement sur la procédure applicable devant la Régie des permis d'alcool du Québec" approved by Order in Council 43-81 dated 7 January 1981, comes into force on the date of its publication in the *Gazette officielle du Québec* and has effect as of 30 January 1981.

1058-o

Errata

EDUCATION ACT
(R.S.Q., c. I-14)

AN ACT RESPECTING THE CONSEIL
SUPÉRIEUR DE L'ÉDUCATION
(R.S.Q., c. C-60)

Basis of elementary school and preschool education — Errata

Gazette officielle du Québec, Part 2, Laws and Regulations, Vol. 113, No. 15, 15 April 1981, page 1213. "Regulation respecting the basis of elementary school and preschool organization" (O.C. 551-81 dated 25 February 1981).

1. In section 14, *in fine*, the expression "for more than 3 years" should read "for more than 5 years".
2. In subparagraph *b* of section 30, the expression "for more than 3 years" should read "for more than 5 years".
3. In the first paragraph of section 35, replace "10 October" by "1 October".

1061-o

EDUCATION ACT
(R.S.Q., c. I-14)

AN ACT RESPECTING THE CONSEIL
SUPÉRIEUR DE L'ÉDUCATION
(R.S.Q., c. C-60)

Basis of secondary school organization — Erratum

Gazette officielle du Québec, Part 2, Laws and Regulations, Vol. 113, No. 15, 15 April 1981, page 1223. "Regulation respecting the basis of secondary school organization" (O.C. 552-81 dated 25 February 1981).

In subparagraph *b* of section 15, the expression "for more than 3 years" should read "for more than 5 years".

1061-o



Abbreviations: A — Abrogated

N — New

M — Modified

INDEX Statutory Instruments (Regulations)

Regulations — Statutes	Page	Comments
Basis of elementary school and preschool education (Education Act, R.S.Q., c. I-14)	1533	Erratum
Basis of secondary school organization (Education Act, R.S.Q., c. I-14)	1533	Erratum
Building service employees — Montréal..... (Act respecting collective agreement decrees, R.S.Q., c. D-2)	1521	M
Building services employees — Québec (Act respecting collective agreement decrees, R.S.Q., c. D-2)	1523	Draft
Cartage — Québec (Act respecting collective agreement decrees, R.S.Q., c. D-2)	1519	M
Code of Civil Procedure — Special rules of practice of the Provincial Court for the District of Montréal (R.S.Q., c. C-25)	1525	Notice
Complementary social benefits plans (Act respecting labour relations in the construction industry, R.S.Q., c. R-20)	1515	M
Conseil supérieur de l'Éducation, Act respecting the... — Basis of elementary school and preschool education..... (R.S.Q., c. I-14)	1533	Erratum
Conseil supérieur de l'Éducation, Act respecting the... — Basis of secondary school organization (R.S.Q., c. I-14)	1533	Erratum
Construction industry, Act respecting labour relations in the... — Complementary social benefits plan (R.S.Q., c. R-20)	1515	M
Education Act — Basis of elementary school and preschool education (R.S.Q., c. I-14)	1533	Erratum
Education Act — Basis of secondary school organization..... (R.S.Q., c. I-14)	1533	Erratum
Fiscal exemptions to diplomats (Act respecting the Ministère du revenu, R.S.Q., c. M-31)	1517	N
Liquor permits Act — Duties and costs payable (1979, c. 71)	1527	Replacement

Note: In the column entitled "Comments", the word "Replacement" designates the replacement regulations adopted in conformity with the Act respecting a judgment rendered in the Supreme Court of Canada on 13 December 1979 on the language of the legislature and the courts in Québec.

INDEX — concluded

Regulations — Statutes	Page	Comments
Liquor permits Act — Procedure applicable before the Régie des permis d'alcool du Québec (1979, c. 71)	1529	Replacement
Ministère du Revenu, Act respecting the... — Fiscal exemption to diplomats..... (R.S.Q., c. M-31)	1517	N
Provincial Court — Special rules of practice for the District of Montréal .. (Code of Civil Procedure, R.S.Q., c. C-25)	1525	Notice
Régie des permis d'alcool du Québec — Procedure applicable (Liquor permits Act, 1979, c. 71)	1529	Replacement
Revenu, Act respecting the ministère du... — Fiscal exemptions to diplomats..... (R.S.Q., c. M-31)	1517	N
Special rules of practice of the Provincial Court for the District of Montréal..... (Code of Civil Procedure, R.S.Q., c. C-25)	1525	Notice

TABLE OF CONTENTS

Page

ORDER(S) IN COUNCIL

1217-81	Complementary social benefits plans in the construction industry (Amend.).....	1515
1287-81	Fiscal exemptions to diplomats	1517
1329-81	Cartage — Québec (Amend.).....	1519
1330-81	Building service employees — Montréal (Amend.).....	1521

DRAFT REGULATION(S)

Building services employees — Québec	1523
--	------

NOTICE(S)

Special rules of practice of the Provincial Court for the District of Montréal (Amend.).....	1525
--	------

REPLACEMENT REGULATION(S)*

Liquor permits Act — Duties and costs payable (O.C. 42-81)	1527
Régie des permis d'alcool du Québec — Procedure applicable (O.C. 43-81).....	1529

ERRATA

551-81	Basis of elementary school and preschool education	1533
552-81	Basis of secondary school organization	1533

* Replacement regulations adopted in conformity with the Act respecting a judgment rendered in the Supreme Court of Canada on 13 December 1979 on the language of the legislature and the courts in Québec.





