

NATIONAL ASSEMBLY
Thirty-third Legislature, second session

1989, chapter 20

**AN ACT TO AMEND THE ACT RESPECTING
THE COMMUNAUTÉ URBAINE DE MONTRÉAL,
THE ACT RESPECTING THE MINISTÈRE DES TRANSPORTS
AND THE TRANSPORT ACT**

Bill 143

Introduced by Mr Marc-Yvan Côté, Minister of Transport

Introduced 15 May 1989

Passage in principle 5 June 1989

Passage 15 June 1989

Assented to 19 June 1989

Coming into force: 19 June 1989

Acts amended:

Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2)

Act respecting the Ministère des Transports (R.S.Q., chapter M-28)

Transport Act (R.S.Q., chapter T-12)





CHAPTER 20

An Act to amend the Act respecting the Communauté urbaine de Montréal, the Act respecting the Ministère des Transports and the Transport Act

[Assented to 19 June 1989]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE COMMUNAUTÉ URBAINE DE MONTRÉAL

c. C-37.2,
s. 289, am. **1.** Section 289 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2) is amended by adding the following paragraph:

Approval “Where such a contract provides that all or part of the service is to be supplied by railway, the contract must be approved by the Minister of Transport.”

c. C-37.2,
s. 291.1, am. **2.** Section 291.1 of the said Act is amended by replacing the words “or a school bus carrier” in the second line by the words “, a school bus carrier or a railway company”.

c. C-37.2,
s. 291.30.2,
added **3.** The said Act is amended by inserting, after section 291.30.1, the following section:

Suburban
train
service **“291.30.2** Notwithstanding the second and third paragraphs of section 291.28 and section 291.30, the Minister of Transport may, on such conditions as he may determine, exempt the corporation from the obligation to call for tenders to award a contract for the operation of all or part of a suburban train service or a contract for the purchase, leasing, construction, repair, overhaul or maintenance of railway rolling equipment or of any movable or immovable work, including facilities or infrastructures, related to the operation of such a service.”

c. C-37.2,
s. 291.33,
am.

4. Section 291.33 of the said Act is amended by replacing the second paragraph by the following paragraph:

Report

“Where that is the case, the chairman or the president and managing director is not required to obtain the treasurer’s certificate contemplated by section 306.13 but he shall lay a detailed report before the board of directors of the corporation and before the Council at the next meeting; in the case of a contract contemplated by section 291.30.2, he shall transmit a copy of the report to the Minister of Transport.”

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

c. M-28,
s. 11, am.

5. Section 11 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by adding the following paragraph:

Suburban
train
service

“Furthermore, with the authorization of the Government and on the conditions it determines in each case, the Minister may, for the purpose of maintaining or establishing a suburban train service, acquire property or award contracts for the construction of a movable or immovable work, including facilities or infrastructures, and transfer such property or work to a public transit body, an intermunicipal board of transport or a municipality.”

TRANSPORT ACT

c. T-12,
s. 4, am.

6. Section 4 of the Transport Act (R.S.Q., chapter T-12) is amended by adding, at the end, the following paragraph:

Cancellation
or reduction
of subsidies

“He may withhold, cancel or reduce the amount of all or part of the subsidies of a recipient who does not comply with a requirement or a condition established for the granting of subsidies.”

MISCELLANEOUS PROVISIONS

Authoriza-
tions of
expenditures

7. The authorizations of expenditures referred to in sections 291.34 and 306.13 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2) and granted before 1 January 1990 are and have always been effective even when not accompanied with a certificate of the treasurer of the Société de transport de la Communauté urbaine de Montréal attesting the availability of sufficient funds.

Validity of
exemptions

8. Every exemption from the obligation to call for tenders for the awarding of a contract of the kind contemplated by section

291.30.2 of the Act respecting the Communauté urbaine de Montréal and granted to the Société de transport de la Communauté urbaine de Montréal by the Minister of Transport is hereby declared valid; any contract entered into pursuant to such an exemption is and always has been a contract which may be made by agreement, subject to any condition determined by the Minister.

Coming into
force

9. This Act comes into force on 19 June 1989.