



NATIONAL ASSEMBLY

THIRD SESSION

THIRTY-FOURTH LEGISLATURE

Bill 211
(Private)

An Act respecting the Municipalité régionale de comté du Haut-Richelieu

Introduction

**Introduced by
Mr Michel Charbonneau
Member for Saint-Jean**



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Bill 211

(Private)

An Act respecting the Municipalité régionale de comté du Haut-Richelieu

WHEREAS it is in the interest of the regional county municipality known as “Municipalité régionale de comté du Haut-Richelieu” that it be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The regional county municipality known as “Municipalité régionale de comté du Haut-Richelieu” may, under Part IA of the Companies Act (R.S.Q., chapter C-38), establish a company and, by way of an agreement subject to the authorization of the Minister of Municipal Affairs, entrust the company with a mandate relating to the exercise of its jurisdiction in the field of waste management.

The sole object of the company shall be to fulfill the mandate; it may not make a public distribution.

2. The regional county municipality may hold shares in the company and must, at all times, hold a majority of the voting shares. A majority of the directors of the company must be members of the Council of the regional county municipality.

3. The agreement referred to in section 1 must contain

(1) a detailed description of the object of the mandate;

(2) the obligations of the parties in the fulfilling of the mandate, including their financial commitment;

(3) the procedure for establishing the cost of fulfilling the mandate;

(4) the obligations of the parties in the case of total or partial failure to execute the agreement;

(5) the duration of the agreement and, where applicable, the procedure for its renewal.

4. The company must, before 1 October each year, transmit to the regional county municipality an estimate of the costs relating to the implementation of the agreement and the financial commitment required for that purpose from the regional county municipality for its next fiscal year.

5. The company must take out insurance, and maintain it in force, to cover the liability of its directors and other representatives.

6. The company may not acquire shares in another company or acquire an interest in a partnership unless the activities of the company or partnership are limited to waste management or to a related field. No such shares or interest may be acquired without the authorization of the regional county municipality.

7. With the authorization of the Minister of Municipal Affairs, the regional county municipality may stand surety for the company referred to in section 1 up to the value of the shares it holds in the company.

8. For the purposes of this Act, the regional county municipality may acquire immovables, by agreement or expropriation, in order to transfer them to the company established under section 1.

9. This Act applies notwithstanding the Municipal Aid Prohibition Act (R.S.Q., chapter I-15).

10. Articles 14.1, 935 and 936 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) do not apply to the agreement referred to in section 3.

11. This Act comes into force on (*insert here the date of assent to this Act*).