

NATIONAL ASSEMBLY

FIRST SESSION

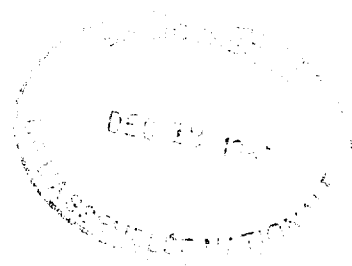
THIRTY-FOURTH LEGISLATURE

Bill 7

**An Act to amend the Cities and
Towns Act and the Municipal Code
of Québec concerning loans
contracted by municipalities**

Introduction

**Introduced by
Mr Yvon Picotte
Minister of Municipal Affairs**



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EXPLANATORY NOTES

This bill provides that the certificate of the municipal treasurer forwarded to the Minister of Municipal Affairs with a loan by-law submitted for approval must attest that no expense ordered by the by-law has already been incurred and no act prescribed has been undertaken.

The bill also empowers the Minister to refuse to give his approval if any expense has been incurred or any act has been undertaken.

ACTS AMENDED BY THIS BILL:

- (1) Cities and Towns Act (R.S.Q., chapter C-19);
- (2) Municipal Code of Québec (R.S.Q., chapter C-27.1).

Bill 7

An Act to amend the Cities and Towns Act and the Municipal Code of Québec concerning loans contracted by municipalities

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 468.39 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended

(1) by replacing the words “no expenditure ordered by by-law has been made on the date of the certificate” in the first and second lines of subparagraph 2 of the first paragraph by the words “, on the date of signature thereof, no expense ordered by the by-law has been incurred and no act prescribed therein has been undertaken”;

(2) by adding, after the second paragraph, the following paragraph:

“Section 563.2 applies to the by-law.”

2. Section 562 of the said Act, amended by section 42 of chapter 49 of the statutes of 1988, is again amended

(1) by replacing the words “After a loan by-law has been approved by the persons qualified to vote” in the first and second lines by the words “For the purposes of the approval of a loan by-law”;

(2) by replacing the words “no expenditure ordered in the by-law has been made on the date of the certificate” in the first and second lines of paragraph 14 by the words “, on the date of signature thereof, no expense ordered by the by-law has been incurred and no act prescribed therein has been undertaken”.

3. The said Act is amended by inserting, after section 563.1, the following section:

“563.2 The Minister of Municipal Affairs may refuse to approve a loan by-law where, in particular, an expense ordered thereby has been incurred or an act prescribed therein has been undertaken. To satisfy himself that that is not the case, he may, at any time, require a new certificate.”

4. Article 608 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended

(1) by replacing the words “no expenditure ordered by by-law has been made on the date of the certificate” in the first and second lines of subparagraph 2 of the first paragraph by the words “, on the date of signature thereof, no expense ordered by the by-law has been incurred and no act prescribed therein has been undertaken”;

(2) by adding, after the second paragraph, the following paragraph:

“Article 1075.1 applies to the by-law.”

5. Article 1075 of the said Code, amended by section 44 of chapter 49 of the statutes of 1988, is again amended

(1) by replacing the words “After a loan by-law has been approved by the persons qualified to vote” in the first and second lines by the words “For the purposes of the approval of a loan by-law”;

(2) by replacing the words “no expenditure ordered by the by-law has been made on the date of the certificate” in the first, second and third lines of paragraph 13 by the words “, on the date of signature thereof, no expense ordered by the by-law has been incurred and no act prescribed therein has been undertaken”.

6. The said Code is amended by inserting, after article 1075, the following article:

“1075.1 The Minister of Municipal Affairs may refuse to approve a loan by-law where, in particular, an expense ordered thereby has been incurred or an act prescribed therein has been undertaken. To satisfy himself that that is not the case, he may, at any time, require a new certificate.”

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