



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 125

An Act to amend various legislative provisions concerning institutions whose instructional programs are the subject of an international agreement

Introduction

**Introduced by
Mr Claude Ryan
Minister of Education
and Minister of Higher Education and Science**



**Québec Official Publisher
1989**

EXPLANATORY NOTES

The object of this bill is to determine the applicability of certain Acts to institutions whose instructional program is the subject of an international agreement.

To that end, it specifies the applicability to such institutions of the Acts respecting access to documents held by public bodies and the protection of personal information, the accreditation and financing of students' associations, archives, the protection of non-smokers in certain public places, consumer protection and transportation by taxi.

The bill also empowers school boards and various commissions, corporations and municipal and intermunicipal transit corporations to make pupil transportation contracts with such institutions.

Finally, the bill exempts immovables belonging to such institutions, as well as immovables belonging to religious institutions which are used by institutions whose instructional program is the subject of an international agreement, from all real estate, municipal or school taxes, and from all business taxes. It stipulates, however, that the Government will provide financial compensation to the municipal corporations concerned.

ACTS AMENDED BY THIS BILL:

- Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);
- Act respecting the accreditation and financing of students' associations (R.S.Q., chapter A-3.01);
- Archives Act (R.S.Q., chapter A-21.1);
- Act respecting the Communauté régionale de l'Outaouais (R.S.Q., chapter C-37.1);

- Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);
- Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3);
- Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01);
- Consumer Protection Act (R.S.Q., chapter P-40.1);
- Act respecting transportation by taxi (R.S.Q., chapter T-11.1);
- Act respecting the Société de transport de la Ville de Laval (1984, chapter 42);
- Act respecting the Société de transport de la rive sud de Montréal (1985, chapter 32);
- Education Act (1988, chapter 84).

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

1. Section 6 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1), amended by section 541 of chapter 84 of the statutes of 1988, is again amended by inserting in the first paragraph, after the word “Montréal”, the words “, institutions whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41)”.

ACT RESPECTING THE ACCREDITATION AND FINANCING OF STUDENTS' ASSOCIATIONS

2. Section 2 of the Act respecting the accreditation and financing of students' associations (R.S.Q., chapter A-3.01) is amended by inserting, after paragraph 4, the following paragraph:

“(4.1) college level institutions whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41);”.

ARCHIVES ACT

3. The schedule to the Archives Act (R.S.Q., chapter A-21.1), amended by section 543 of chapter 84 of the statutes of 1988, is again amended by inserting in paragraph 6, after the word “universities”, the words “, institutions whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41)”.

ACT RESPECTING THE COMMUNAUTÉ RÉGIONALE DE L'OUTAOUAIS

4. Section 196 of the Act respecting the Communauté régionale de l'Outaouais (R.S.Q., chapter C-37.1), amended by section 35 of chapter 25 of the statutes of 1988 and by section 563 of chapter 84 of the statutes of 1988, is again amended by adding, at the end of the first paragraph of subsection 3, the following sentence: “It may also make such a contract with an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41).”

ACT RESPECTING THE COMMUNAUTÉ URBAINE DE MONTRÉAL

5. Section 290 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2), replaced by section 564 of chapter 84 of the statutes of 1988, is amended by adding, at the end of the first paragraph, the following sentence: “It may also make such a contract with an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41).”

ACT RESPECTING THE COMMUNAUTÉ URBAINE DE QUÉBEC

6. Section 216 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3), amended by section 43 of chapter 25 of the statutes of 1988 and by section 566 of chapter 84 of the statutes of 1988, is again amended by adding, at the end of the first paragraph of subsection 3, the following sentence: “It may also make such a contract with an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41).”

ACT RESPECTING MUNICIPAL AND INTERMUNICIPAL TRANSIT CORPORATIONS

7. Section 66 of the Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70), replaced by section 576 of chapter 84 of the statutes of 1988, is amended by adding, at the end of the first paragraph, the following sentence: “It may also make such a contract with an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41).”

ACT RESPECTING MUNICIPAL TAXATION

8. Section 204 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), amended by section 203 of chapter 75 of the statutes of 1988 and by section 57 of chapter 76 of the statutes of 1988, is again amended by adding, at the end of paragraph 16, the words “ and an immovable belonging to an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41)”.

9. Section 236 of the said Act, amended by section 67 of chapter 76 of the statutes of 1988, is again amended

(1) by striking out the word “or” in the nineteenth line of paragraph 1;

(2) by adding, at the end of paragraph 1, the words “or an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales”.

10. Section 255 of the said Act, amended by section 204 of chapter 75 of the statutes of 1988, is again amended

(1) by inserting, in the second line of the third paragraph, after the figure “204”, the words “, to a college-level institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales”;

(2) by inserting, in the eighth line of the third paragraph, after the word “establishment”, the words “or by such an institution”;

(3) by inserting, in the sixth line of the fourth paragraph, after the words “school board”, the words “, an institution whose

instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales”.

ACT RESPECTING THE PROTECTION OF NON-SMOKERS IN CERTAIN PUBLIC PLACES

11. Section 6 of the Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01), amended by section 666 of chapter 84 of the statutes of 1988, is again amended by inserting, in the first paragraph, after the word “Montréal”, the words “, institutions whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41)”.

CONSUMER PROTECTION ACT

12. Section 188 of the Consumer Protection Act (R.S.Q., chapter P-40.1) is amended by inserting, after paragraph *f*, the following paragraph:

“(f.1) institutions whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41), for the subsidized teaching they provide;”.

ACT RESPECTING TRANSPORTATION BY TAXI

13. Section 2 of the Act respecting transportation by taxi (R.S.Q., chapter T-11.1), amended by section 698 of chapter 84 of the statutes of 1988, is again amended by adding, at the end of paragraph 2, the words “or transportation of students of an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41)”.

ACT RESPECTING THE SOCIÉTÉ DE TRANSPORT DE LA VILLE DE LAVAL

14. Section 49 of the Act respecting the Société de transport de la Ville de Laval (1984, chapter 42), amended by section 703 of chapter 84 of the statutes of 1988, is replaced by the following section:

49. The corporation may make a contract for pupil transportation within the scope of the Education Act (1988, chapter 84), the Act respecting private education (R.S.Q., chapter E-9) or the General and Vocational Colleges Act (R.S.Q., chapter C-29). It may

also make such a contract with an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41).

The corporation is empowered to carry out, outside its territory, a contract entered into with a school board, provided that the territory of the school board intersects with the territory of the corporation, of a municipality or of an intermunicipal board of transport served by the corporation pursuant to a contract.”

ACT RESPECTING THE SOCIÉTÉ DE TRANSPORT DE LA RIVE SUD DE MONTRÉAL

15. Section 62 of the Act respecting the Société de transport de la rive sud de Montréal (1985, chapter 32), amended by section 703 of chapter 84 of the statutes of 1988, is replaced by the following section:

“**62.** The corporation may make a contract for pupil transportation within the scope of the Education Act (1988, chapter 84), the Act respecting private education (R.S.Q., chapter E-9) or the General and Vocational Colleges Act (R.S.Q., chapter C-29). It may also make such a contract with an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41).

The corporation is empowered to carry out, outside its territory, a contract entered into with a school board, provided that the territory of the school board intersects with the territory of the corporation, of a municipality or of an intermunicipal board of transport served by the corporation pursuant to a contract.”

EDUCATION ACT

16. Section 294 of the Education Act (1988, chapter 84) is amended by inserting, in the fourth line after the word “education”, the words “, an institution whose instructional program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales (1988, chapter 41)”.

17. Section 296 of the said Act is replaced by the following section:

“**296.** The cost of transportation provided by a school board for a general and vocational college, an institution whose instructional

program is the subject of an international agreement within the meaning of the Act respecting the Ministère des Affaires internationales or an institution within the meaning of the Act respecting private education shall be assumed by the college or institution according to the cost of the transportation services received, after deducting the subsidies granted for such purposes, if any."

18. This Act comes into force on 1 July 1989.