

NATIONAL ASSEMBLY

FIFTH SESSION

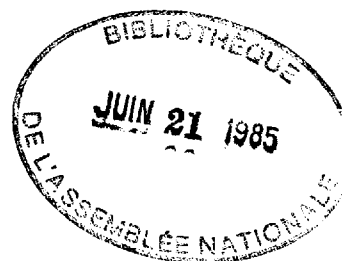
THIRTY-SECOND LEGISLATURE

Bill 61

**An Act respecting the Coopérative
régionale d'électricité de Saint-Jean-
Baptiste de Rouville and repealing the
Act to promote rural electrification by
means of electricity cooperatives**

Introduction

**Introduced by
Mr Jean-Guy Rodrigue
Minister of Energy and Resources**



**Québec Official Publisher
1985**

EXPLANATORY NOTES

This bill repeals the Act to promote rural electrification by means of electricity cooperatives, which dates back mainly to 1945. The bill consequently abolishes the Rural Electrification Bureau established under that Act.

In addition, this bill provides that the only cooperative still governed by the said Act will continue to exist under the Cooperatives Act. To facilitate the continuance of the cooperative, the bill includes several provisions of a mainly technical nature.

Finally, this bill contains several transitional provisions.

ACTS AMENDED BY THIS BILL:

- the Consumer Protection Act (R.S.Q., chapter P-40.1);
- the Act respecting the Régie de l'électricité et du gaz (R.S.Q., chapter R-6).

Bill 61

An Act respecting the Coopérative régionale d'électricité de Saint-Jean-Baptiste de Rouville and repealing the Act to promote rural electrification by means of electricity cooperatives

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Coopérative régionale d'électricité de Saint-Jean-Baptiste de Rouville established under the Rural Electrification Act (9 George VI, chapter 48) shall continue to exist under the Cooperatives Act (R.S.Q., chapter C-67.2).

The objects of the cooperative are to supply electricity to its members and to pursue endeavours in any field connected with or related to the supplying of electricity.

2. The cooperative may, in particular, place poles, wires, conduits or other apparatus on, across, over, under or along any public road, street, public square or watercourse, upon conditions fixed by agreement with the municipality concerned. Failing such agreement, the Régie des services publics, upon the application of the cooperative, shall fix such conditions, which shall become binding upon the parties.

3. Any agent of the cooperative may enter upon any immovable to install conduits, wires or other apparatus required for the supplying of electricity or to repair them and to do all work required for such purpose, subject to paying any damage which may be caused.

4. The cooperative may acquire, by agreement or expropriation, any immovable or servitude required for the transmission or distribution of electricity.

5. The conduits, wires, meters and other apparatus placed by the cooperative in any immovable shall be free from any lessor's privilege, shall not form part of the immovable in which they are placed, and shall not be seizable.

6. The cooperative shall supply the electricity at its disposal to its members, and it may also supply it to third persons if their number does not exceed 10% of the number of members, failing which the minister responsible for the administration of this Act may order the dissolution of the cooperative. Sections 188 to 193 of the Cooperatives Act, adapted as required, apply to the dissolution.

7. The cooperative may have electricians in its employ carry out installation and maintenance work on poles, wires, conduits or other apparatus required by any person to whom it is required to supply electricity.

8. The board of directors of the cooperative may make by-laws of internal management of the cooperative and for the establishment of rates and the conditions on which electricity is supplied.

The rates and conditions shall be fixed for each category of users, and shall not entail, for any category, a higher cost than that resulting from the rate established by Hydro-Québec for any equivalent category of its electricity users.

Every by-law made by the board of directors shall be ratified by the annual general meeting, failing which it shall cease to be in force.

9. The cooperative shall obtain prior authorization of the Régie des services publics to cease or interrupt its operations, or to convey, lease or otherwise alienate all or any part of its enterprise.

10. The cooperative shall have its corporate seat in the municipality of Saint-Jean-Baptiste.

The cooperative may transfer its corporate seat to any place determined by its by-laws on giving notice of the change to the minister responsible for the administration of this Act.

11. The cooperative shall recruit its members in the territory described in the schedule.

12. The cooperative is authorized not to grant any rebate.

13. The shares of the cooperative are deemed to be common shares of the capital stock of the cooperative.

14. The rights and obligations of the cooperative and those of its members are not affected by the continuance.

TRANSITIONAL AND FINAL PROVISIONS

15. Section 5 of the Consumer Protection Act (R.S.Q., chapter P-40.1) is amended by replacing the words “governed by” in the fifth line of paragraph *b* by the words “established under”.

16. Section 1 of the Act respecting the Régie de l’électricité et du gaz (R.S.Q., chapter R-6) is amended by replacing the words “contemplated in” in the sixth line of paragraph *e* by the words “established under”.

17. Every director of the cooperative in office at the time of the coming into force of this Act shall remain in office until the end of his term.

18. Any sum owing to the Rural Electrification Bureau on a loan granted under the Rural Electrification Act is, from (*insert here the date of coming into force of this Act*), deemed to be owing to the Crown on the terms and conditions provided in that Act.

Any repayment of the sum shall be paid to the minister designated by the Government, and as it directs.

19. Any sum owing to a member of an electricity cooperative following dissolution of the cooperative by the Rural Electrification Bureau before 1 January 1968 shall no longer be the subject of a payment or repayment after 31 December 1985.

20. By-laws made by the Coopérative régionale d’électricité de Saint-Jean-Baptiste de Rouville under the Rural Electrification Act are deemed to have been approved by the Rural Electrification Bureau in accordance with that Act.

Every provision of such a by-law remains in force so far as it is consistent with the Cooperatives Act, until it is repealed, replaced or amended by a by-law made under the latter Act.

21. The Act to promote rural electrification by means of electricity cooperatives (9 George VI, chapter 48), amended by chapter 32 of the statutes of 1945, chapter 30 of the statutes of 1946, chapter 40 of the statutes of 1948, chapter 43 of the statutes of 1949, chapter 6 of the statutes of 1950, chapters 6 and 44 of the statutes of 1951-52, chapter 50 of the statutes of 1952-53, chapter 5 of the statutes of 1953-54, chapter

6 of the statutes of 1954-55, chapters 5 and 27 of the statutes of 1955-56, chapter 61 of the statutes of 1959-60, chapters 8 and 48 of the statutes of 1960-61, chapter 33 of the statutes of 1964 and chapter 9 of the statutes of 1980, is repealed.

Section 3 of chapter 5 of the statutes of 1955-56 and sections 5, 6 and 7 of chapter 33 of the statutes of 1964 are repealed.

22. The Government shall designate the minister responsible for the administration of this Act.

23. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

24. This Act comes into force on the date fixed by proclamation of the Government.

SCHEDULE

ELECTORAL DIVISION OF IBERVILLE	ELECTORAL DIVISION OF VERCHÈRES	ELECTORAL DIVISION OF SAINT-HYACINTHE
Saint-Grégoire-le-Grand	Mont-Saint-Hilaire	Saint-Pie
Saint-Alexandre	Saint-Charles-sur- Richelieu	Saint-Damase
Sainte-Brigide-d'Iberville		La Présentation
Sainte-Sabine		Sainte-Madeleine
Sainte-Cécile-de-Milton		
Sainte-Angèle-de-Monnoir		
Sainte-Marie-de-Monnoir		
Rougemont		
Saint-Jean-Baptiste		
Saint-Mathias		