
NATIONAL ASSEMBLY

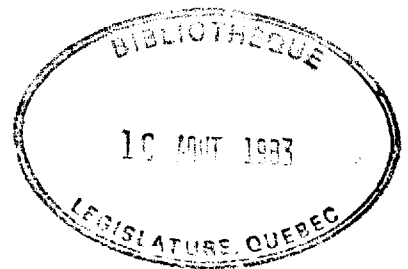
THIRTY-SECOND LEGISLATURE

FOURTH SESSION

Bill 18

**An Act respecting the Société immobilière
du Québec**

First reading



Introduced by
Mr Alain Marcoux
Minister of Public Works and Supply

EXPLANATORY NOTES

The main object of this bill is to establish a corporation under the name of the "Société immobilière du Québec". The affairs of the corporation will be administered by a board of directors comprising nine members.

The objects of the corporation will be to put immovables at the disposal of the government departments and public bodies designated by the Government and to provide them with real estate construction, operation and management services. Every department or body on the list will be required to do business exclusively with the corporation, excepting real estate operations and services not included in the order, having regard to a department or body.

The corporation will be substituted for the Ministère des Travaux publics et de l'Approvisionnement and the Société de développement immobilier du Québec and will thereby assume its powers and obligations and acquire its rights..

The bill stipulates that the corporation will be provided with a capital stock of \$100 000 000. The shares of the corporation will form part of the public domain and be allotted to the Minister of Finance.

This bill makes provision for the transfer to the corporation, for a consideration, and on the other conditions determined by the Government, of the movable and immovable property that is part of the public domain and administered by the Ministère des Travaux publics et de l'Approvisionnement. It also contains provisions on the transfer of works under construction and subsequent reimbursement of the Government for them.

Without government authorization, the corporation will have no power to contract a loan that would raise its outstanding loans to more than the amount determined by the Government, acquire or hold a percentage of the shares of another corporation that would make it a subsidiary of the corporation, or acquire an immovable, transfer it by lease or otherwise alienate it for a greater amount than determined by the Government.

Any rules concerning calls for tenders, awarding of contracts and any other conditions necessary for the attainment of the corporation's objects and mandates may be specified by regulation made by the Government, which may also determine to what extent and on what conditions the corporation will be governed by the Act respecting the Service des achats du gouvernement, the master file on suppliers, and the government purchasing policy.

The bill gives to the Minister responsible for the administration of the Act the power to issue directives to the corporation on its objectives and orientations. The directives will be required to be submitted to the Government for approval and, if approved, they will bind the corporation. The Government, also, will have authority to give directives to the corporation on any aspect of a proposal to build or lease an immovable where it considers the nature of the proposal or the development of the region concerned warrants it. Any directive will be required to be tabled before the National Assembly.

In addition, the bill contains provisions respecting the protection of the rights of any permanent civil servant who agrees to become an employee of the corporation. Such an employee will be entitled to be a candidate for transfer to a position in the civil service and enter a competition for promotion in accordance with the Civil Service Act (R.S.Q., chapter F-3.1). The Act also ensures that employees may keep the pension plans they had before they were transferred.

The bill also contains several technical provisions to allow the corporation to succeed to the Ministère des Travaux publics et de l'Approvisionnement.

Finally, the bill makes amendments of concordance to the various Acts listed at the end of these notes and contains provisions to transfer the power of acquisition and expropriation, for general public purposes, from the Minister of Public Works and Supply to the Minister of Transport. It repeals the Act respecting the Ministère des Travaux publics et de l'Approvisionnement (R.S.Q., chapter M-29) and the Act respecting the Société de développement immobilier du Québec (R.S.Q., chapter S-11).

ACTS AMENDED BY THIS BILL

- Railway Act (R.S.Q., chapter C-14);
- Telegraph and Telephone Companies Act (R.S.Q., chapter C-45);
- Executive Power Act (R.S.Q., chapter E-18);
- Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- Act respecting the Ministère des Transports (R.S.Q., chapter M-28);
- Act respecting the Ministère du Revenu (R.S.Q., chapter M-31);
- Government Departments Act (R.S.Q., chapter M-34);
- Act respecting Mauricie Park and its surroundings (R.S.Q., chapter P-7);
- Act respecting Forillon Park and its surroundings (R.S.Q., chapter P-8);
- Act respecting the Régie des installations olympiques (R.S.Q., chapter R-7);
- Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12);
- Act respecting the Service des achats du gouvernement (R.S.Q., chapter S-4);
- Act respecting the Société du Palais des congrès de Montréal (R.S.Q., chapter S-14.1);
- Public Works Act (R.S.Q., chapter T-15).

Bill 18

An Act respecting the Société immobilière du Québec

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

ESTABLISHMENT AND COMPOSITION OF THE CORPORATION

1. A joint-stock company, hereinafter called “the corporation”, is incorporated under the name of the “Société immobilière du Québec”.

2. The head office of the corporation is in the territory of the Communauté urbaine de Québec; a notice of the location or any change of location of the head office is published in the *Gazette officielle du Québec*.

The corporation may hold its sittings anywhere in Québec.

3. The corporation enjoys the rights and privileges of a mandatary of the Government.

The property of the corporation forms part of the public domain, but the performance of its obligations may be levied against its property.

The corporation binds only itself when it acts in its own name.

4. The affairs of the corporation are administered by a board of directors composed of nine members, as follows:

(1) the president of the corporation appointed by the Government for a term of not over five years;

(2) eight other members appointed by the Government for a term of not over three years.

The members of the board of directors are the directors of the corporation within the meaning of the Companies Act (R.S.Q., chapter C-38).

5. Not fewer than six members must be domiciled in Québec.

6. The Government shall appoint one of the members of the board of directors to be chairman of the board.

The chairman of the board shall preside over the meetings of the board of directors, direct its operations and carry out the other functions vested in him by by-law of the corporation.

7. The members of the board of directors shall elect a vice-chairman from among the members contemplated in subparagraph 2 of section 4, to perform the duties of the chairman in his absence.

8. Each member of the board of directors remains in office at the expiry of his term until he is replaced or reappointed.

A vacancy occurring before the end of a term is filled in the manner and for the time specified in section 4.

If the chairman of the board of directors is unable to act, he is replaced by the vice-chairman; if any other member of the board is unable to act, he is replaced by a person designated by the Government, which shall fix his indemnities and allowances.

9. A majority of the members of the board of directors, including the chairman, forms a quorum.

10. The president of the corporation shall see that the decisions of the board of directors are carried out, and he is responsible for the administration and direction of the company within the scope of its by-laws and policies. He is *ex officio* the chief executive officer of the corporation and shall devote his full time to his official duties.

The remuneration and the other conditions on which the president holds office are specified in a contract binding between him and the corporation. The contract has effect only if it is ratified by the Government.

11. The Government shall fix, as required, the salary, allowances, indemnities and the other conditions of employment of the chairman and the other members of the board of directors.

All the members of the board of directors are paid out of the revenues of the corporation.

12. Any member of the board of directors, other than the president of the corporation, having a direct or indirect interest in an undertaking causing his personal interest to conflict with that of the corporation shall, under pain of forfeiture of office, disclose it in writing to the president and abstain from participating in any decision involving the undertaking in which he has an interest.

In no case may the president or any employee of the corporation, under pain of forfeiture of office, have a direct or indirect interest in any undertaking causing his personal interest to conflict with that of the corporation. However, forfeiture is not incurred where the interest devolves to him by succession or gift, provided he renounces or disposes of it with dispatch.

13. The corporation may, by by-law, establish an executive committee, determine its functions and powers and fix the term of office of its members.

14. The secretary and the other employees of the corporation are appointed in the manner provided and in accordance with the staffing plan established by by-law of the corporation.

The scales and standards of remuneration and the other conditions of employment of the employees of the corporation are determined by resolution of the board of directors and submitted for approval to the Government.

15. The corporation may make any by-law concerning the exercise of its powers and its internal management.

By-laws made in accordance with this division come into force on the date of their approval by the Government or on any later date it determines.

The by-laws do not require confirmation by the shareholders.

16. The minutes of the sittings of the board of directors, approved by the board and certified by the chairman or any other person authorized to do so by the by-laws of internal management of the corporation, are authentic. The same applies to documents and copies emanating from the corporation and forming part of its records, if they are so certified.

17. No document is binding on the corporation unless it is signed by the president or, in the cases determined by by-law of the corporation, an employee of the corporation.

The corporation, by by-law, may, on the conditions it determines, allow a required signature to be affixed by means of an automatic device

to the documents it determines, or a facsimile of a signature to be engraved, lithographed or printed on them. However, the facsimile does not have the same force as the signature itself unless the document is countersigned by a person authorized by the president.

DIVISION II

OBJECTS AND POWERS OF THE CORPORATION

18. The objects of the corporation are, for a consideration, to place immovables at the disposal of the government departments and agencies and to provide services to them in the construction and operation of buildings and in property management. For these purposes, it may, in particular,

(1) acquire by agreement any immovable, part of an immovable or real right;

(2) build, lease, maintain and hold any immovable;

(3) sell, alienate, transfer by lease or otherwise, or give as security any movable or immovable property and any rights therein;

(4) equip and furnish immovables and, for that purpose, acquire, lease, maintain and hold any movable property.

19. From (*insert here the date of coming into force of this section*), every department and public body entered on a list established by government order shall deal exclusively with the corporation for purposes of the objects stated in section 18, excepting the real estate operations and services excluded by the order in the case of any particular department or agency or any of their administrative units.

This section does not result in the cancellation of any contract or irrevocable offer made by such a department or agency before (*insert here the date of coming into force of this section*).

20. The corporation may put at the disposal of any body, other than a body contemplated in the list drawn up in accordance with section 19, premises it considers surplus.

The corporation may also enter into agreements with the body, in the cases determined by the Government, respecting the other activities and services of the corporation referred to in section 18.

21. A further object of the corporation is to build and develop a convention centre in Montréal.

The corporation shall also take part in the construction, development and operation of Place Desjardins in Montréal.

For the purposes of the second paragraph, the corporation may, with prior approval of the Government,

(1) acquire and hold shares of the capital stock or other securities of Place Desjardins Inc.;

(2) transfer the shares or other securities to the Caisse de dépôt et placement du Québec or to any public corporation or public body;

(3) associate with any public corporation or public body or any body of the Mouvement Desjardins for the attainment of the objects set forth in the second paragraph;

(4) guarantee the completion of the work of construction and development of Place Desjardins;

(5) advance to Place Desjardins Inc. any amount considered necessary, at such rate of interest, for such time and on such other conditions as the corporation deems appropriate;

(6) give any other guarantees or undertakings in respect of the work or its financing or resulting therefrom; and,

(7) for purposes of the foregoing paragraphs, make such agreements as the corporation deems appropriate.

22. The corporation shall also carry out any other mandate related to the objects of the corporation and entrusted to it by the Government where the whole or part of the related costs are assumed by the Government.

The order conferring a mandate under this section must be tabled, within 15 days after it is made, before the National Assembly if it is in session or, if it is not sitting, within fifteen days after the opening of the next session or, as the case may be, resumption.

23. The corporation, with the authorization of the Government, may expropriate property of any kind that is necessary for the carrying out of its objects and mandates.

DIVISION III

FINANCIAL PROVISIONS

§ 1.—*Capital structure*

24. The authorized capital of the corporation is \$100 000 000.

It is divided into 100 000 shares with a par value of \$100 each.

25. The shares of the corporation form part of the public domain and are allotted to the Minister of Finance.

§ 2.—*Transfer of movable and immovable property
forming part of the public domain*

26. The corporation, from the date and according to the terms and conditions determined by the Government, becomes the owner of the movable and immovable property forming part of the public domain that is administered by the Ministère des Travaux publics et de l'Approvisionnement on that date, except the Parliament Building, the Pamphile-LeMay building and any movable property therein and any other immovable or movable property determined by the Government.

The Government, on the conditions it determines, may transfer to the corporation the ownership of any other movable or immovable property forming part of the public domain.

The corporation shall assume the obligations and acquires the rights of the Government in respect of the movable and immovable property. However, the corporation and the Government are jointly and severally liable for the current building contracts for which the Ministère des Travaux publics et de l'Approvisionnement is responsible on that date.

27. The Government shall determine, by order, the value of the movable and immovable property transferred under section 26, except the sums receivable and the sums payable, which are transferred at their book value on the date of transfer.

The net value of the sums receivable and payable contemplated in the first paragraph is covered by an acknowledgement of debt between the corporation and the Minister of Finance.

The amount of the acknowledgement of debt is payable within 180 days of the date of transfer contemplated in section 26. The other terms and conditions shall be determined by the Government.

28. The corporation shall pay to the Government, on the date the Government determines, the value of the immovable property contemplated in section 26 which was under construction between 1 April 1983 and (*insert here the date of coming into force of this section*).

The corporation shall also pay to the Government, on the date the Government determines, the value of the new movable property in stock in the custody of the Ministère des Travaux publics et de l'Approvisionnement on the date of the transfer contemplated in section 26.

29. The corporation shall sign, in favour of the Minister of Finance, a note in the amount of

(1) the value of the movable and immovable property transferred, excluding the value of sums receivable and payable, less

(2) the value of the property contemplated in section 28 and the value of the fully-paid shares of the corporation on the date of the transfer for which the Government ordered payment in property.

The amount of the note and the value of the shares mentioned in subparagraph 2 of the first paragraph decrease the net debt of the Government, as defined in the public accounts prepared under the Financial Administration Act (R.S.Q., chapter A-6).

The note is payable on demand to the Minister of Finance, including by the delivery of shares of the corporation or by setting off against any sum the Government may owe to the corporation, and includes any other terms and conditions determined by the Government.

30. The corporation may register by deposit a statement including the description, according to article 2168 of the Civil Code, of any immovable of which the corporation has become the owner under the first or second paragraph of section 26, and the registrar of the registration division in which the immovable is situated is bound to register the statement.

§ 3.—*Financing*

[[31. The shares of the corporation are fully paid if, by order of the Government,

(1) the Minister of Finance pays to the corporation, out of the consolidated revenue fund, the amount of \$100 000 000 for 100 000 shares of its capital stock, or if

(2) the property the ownership of which is transferred in accordance with section 26 of this Act is allocated to full payment for the shares of the corporation.

However, the Government may order that the consideration will be paid, to the extent it indicates, both in cash and in property.

The payment in cash contemplated in this section may be made in one or several instalments, the amount and the terms and conditions of which are determined by the Government.

The corporation shall issue share certificates to the Minister of Finance in return for payments made in accordance with this section, as when they are made, where such is the case.]]

32. The Government may, on the conditions and modalities it determines,

(1) guarantee the payment in principal and interest of any loan made to the corporation;

(2) guarantee the execution of any other obligation of the corporation;

(3) authorize the Minister of Finance to advance to the corporation any amount considered necessary for the pursuit of its objects.

Amounts required for the carrying out of this section are taken out of the consolidated revenue fund.

33. In no case may the corporation, without the authorization of the Government,

(1) contract a loan that increases the aggregate of its outstanding loans to more than the amount determined by the Government;

(2) enter into a contract for a term and an amount exceeding those determined by the Government;

(3) acquire or hold over 50% of the shares of a corporation or a sufficient percentage of them to elect the majority of the directors of that corporation;

(4) acquire, transfer by lease or otherwise alienate an immovable for an amount exceeding the amount determined by the Government.

The order of the Government regarding any matter contemplated in subparagraphs 2 and 3 of the first paragraph must be tabled, within fifteen days after it is made, in the National Assembly if it is in session or, if it is not sitting, within fifteen days of the opening of the next session or resumption.

DIVISION IV

SPECIAL POWERS AND DUTIES AND CONDITIONS OF EXERCISE

34. The Government may, by regulation,

(1) fix rules respecting public tenders, the awarding of contracts and the other conditions necessary for the carrying out of the objects and mandates of the corporation;

(2) determine to what extent and on what conditions the corporation is subject to the Act respecting the Service des achats du gouvernement (R.S.Q., chapter S-4), to the use of the master file on suppliers and to the purchasing policy of the Government.

Regulations made under this section come into force on the tenth day after their publication in the *Gazette officielle du Québec* or on any later date determined therein.

35. The corporation is required to pay to the Ministère des Affaires municipales an amount equal to the amount of money paid by the department to municipal corporations to stand in lieu of

(1) the municipal real estate taxes in respect of an immovable owned by the corporation;

(2) the business taxes in respect of a place of business in which the corporation carries on its ordinary activities;

(3) any taxes other than real estate taxes and compensations for municipal services in respect of an immovable contemplated in paragraphs 1 and 2.

36. From 1 July 1984, the corporation shall pay to every corporation of school commissioners, trustees or administrators an amount of money to stand in lieu of the school taxes in respect of an immovable owned by the corporation. The amount paid is equal to the aggregate of the school taxes that would be exigible if the immovable were not exempt from school taxes.

37. Dividends paid by the corporation are fixed by the Government and not by the directors.

38. The Minister responsible for the administration of this Act may, within the scope of the responsibilities and powers conferred on him, issue directives to the corporation on the objectives and orientation of the corporation in the discharge of its duties under the Act; these directives require prior approval by the Government.

The Government, also, may issue directives to the corporation on any project for the construction or lease of an immovable where it considers it warranted by the nature of the project or the development of the area concerned.

Directives issued under this section bind the corporation.

Every directive issued under this section must be tabled, within fifteen days of its approval or adoption, as the case may be, in the National Assembly if it is in session or, if it is not sitting, within fifteen days of the opening of the next session or resumption, as the case may be.

Third persons are not bound to see to the carrying out of this section, nor may it be invoked by or against them.

39. Sections 129, 130, 142, 159 to 162, 179 and 189 to 196 of the Companies Act (R.S.Q., chapter C-38) do not apply to the corporation.

DIVISION V

ACCOUNTS AND REPORTS

40. The fiscal period of the corporation ends on 31 March each year.

41. Not later than 31 July each year, the corporation shall forward to the Minister its financial statements and a report of its activities for the previous fiscal period.

The financial statements and the report of activities must include all the information required by the Minister.

42. The Minister shall table the report of activities and the financial statements of the corporation in the National Assembly within fifteen days of receiving them, if it is in session, or, if it is not sitting, within fifteen days of the opening of the next session or resumption.

43. The books and accounts of the corporation are audited annually, and every time the Government orders them audited, by the Auditor General or, with the approval of the Government, by an auditor designated by the corporation. The auditor's report must accompany the report of activities and the financial statements of the corporation.

44. Before the beginning of each fiscal period, the corporation shall prepare an operating budget and a capital budget and submit them to the Government for approval.

The Government shall determine the form, tenor and timetables of the budgets.

45. The corporation shall give to the Minister responsible for the administration of this Act any information he may require on its activities.

DIVISION VI

MISCELLANEOUS AND TRANSITIONAL PROVISIONS

46. An employee of the corporation appointed under the Civil Service Act (R.S.Q., chapter F-3.1) who was granted permanent tenure before (*insert here the date of coming into force of this section*) may apply for a transfer to a position in the civil service and enter a competition

for promotion in accordance with the Civil Service Act. For such purpose, he retains the civil service classification he had on that date.

For the purposes of the application of section 81 of the Civil Service Act, the corporation is deemed to be an agency within the meaning of that Act.

47. Section 77 of the Civil Service Act applies to any employee contemplated in section 46 who enters a competition for promotion to a position in the civil service.

48. An employee contemplated in section 46 who has been transferred to a position in the civil service in accordance with that section may require the Office du recrutement et de la sélection du personnel de la fonction publique to readjust his classification within his class of positions to take into account the experience acquired and the schooling received while he was employed by the corporation.

49. An employee contemplated in section 46 who has been promoted in accordance with that section may, in respect of the application of the classification rules to his promotion, require the Office du recrutement et de la sélection du personnel de la fonction publique to take into consideration the experience acquired and the schooling received while he was employed by the corporation.

50. If the corporation ceases its activities, the employee contemplated in section 46 is entitled to become an unattached civil servant or to be transferred to a civil service position corresponding to his classification on (*insert here the date of coming into force of section 46*).

In such case, the employee may require the Office du recrutement et de la sélection du personnel de la fonction publique to readjust his classification in the same manner as in section 48.

51. Subject to any rights of action that may exist under a collective agreement, any employee contemplated in section 46 who is removed or dismissed may appeal from that decision in accordance with section 87 or 97 of the Civil Service Act, as the case may be.

[[52. The Government may authorize the Minister of Finance to advance to the corporation, out of the consolidated revenue fund, any amount necessary for the payment of the salaries, remuneration and indemnities of the employees of the corporation, for the period and on the other conditions the Government determines.

Amounts advanced under this section may be deducted, to the extent ordered by the Government, from the amounts it may owe to the corporation.]]

53. The transfers provided for in section 26 and the transfers of rights provided for in this Act have effect notwithstanding the non-fulfilment, at the time of those transfers, of an obligation or a condition provided in an Act or contract.

No proceedings may be brought against the Government, the corporation or any of their members, employees or officers solely by reason of those transfers or the non-fulfilment of such obligation or condition.

54. The Act to authorize municipalities to collect duties on transfers of immoveables (R.S.Q., chapter M-39) does not apply to transfers provided in section 26.

55. The corporation and the Government are jointly and severally liable for the obligations arising from leases to which the Government is a party as a lessee, and which are in effect on the date determined in accordance with section 26.

However, the subletting of the premises rented by the Government under such a lease is not subject to section 1619 of the Civil Code and the lessor shall impose no condition, restriction, obligation or additional or preliminary procedure with respect to the subletting on the Corporation.

56. The rights and obligations arising from the deeds signed in accordance with the Act respecting the Ministère des Travaux publics et de l'Approvisionnement are transferred to the corporation, subject to provisions inconsistent with this Act and unless the Government decides otherwise.

57. The records and other documents of the Ministère des Travaux publics et de l'Approvisionnement become the records and documents of the corporation, except where the Government decides otherwise.

58. Pending cases in the Ministère des Travaux publics et de l'Approvisionnement are continued and decided by the corporation, except where the Government decides otherwise.

59. Proceedings to which the Minister or Deputy Minister of Public Works and Supply is a party are transferred, without continuance of suit, to the president of the corporation according to the attributions conferred on him by law or, if the Government decides otherwise, to any other person it designates.

60. The corporation may, on the conditions and modalities determined by the Government, occupy the premises and use the property used by the Ministère des Travaux publics et de l'Approvisionnement until it is in a position to replace them, if required.

61. The Government may amend any regulation made or approved by it to replace or strike out the expression “Ministère des Travaux publics et de l’Approvisionnement” and any other expression, in order to ensure concordance between those regulations and the purposes of this Act.

Every regulation made under this section may, once it is published and if it so provides, applies from (*insert here the date of coming into force of this section*).

62. In every order in council, order, contract, proclamation, agreement or other document, the expressions “Ministère des Travaux publics et de l’Approvisionnement” and “Minister of Public Works and Supply”, as well as the word “department” and the word “Minister”, where they denote the said department or Minister, designate, where the context permits it, the Société immobilière du Québec, the president of the corporation, the corporation or the president or, if the Government decides otherwise, any other person it may designate.

63. The Société immobilière du Québec is substituted for the Société de développement immobilier du Québec and, as such, it assumes the powers and obligations of that corporation, and acquires its rights.

64. In any regulation, by-law, order in council, order, contract, agreement or other document, the expression “Société de développement immobilier du Québec” is replaced, if the context permits, by the expression “Société immobilière du Québec” or by the word “corporation”.

[[**65.** The sums necessary for the carrying out of this Act are taken out of the consolidated revenue fund for the fiscal periods 1983-1984 and 1984-1985, to such extent as may be determined by the Government.]]

66. The Railway Act (R.S.Q., chapter C-14) is amended by replacing the expression “Minister of Public Works and Supply” and the expression “Ministère des Travaux publics et de l’Approvisionnement” by the expression “Minister of Transport” and the expression “Ministère des Transports” wherever they appear in sections 80, 81, 88 and 173, *mutatis mutandis*.

67. Section 9 of the Telegraph and Telephone Companies Act (R.S.Q., chapter C-45) is amended by replacing the third paragraph by the following paragraph:

“It may also, with the approval of the Régie des services publics, lease or acquire, in whole or in part, a line already constructed.”

68. Section 4 of the Executive Power Act (R.S.Q., chapter E-18), amended by section 18 of chapter 50, section 199 of chapter 52 and section 18 of chapter 53 of the statutes of 1982, is again amended by repealing subparagraph 11.

69. Section 7 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1), amended by section 31 of chapter 53 of the statutes of 1982, is again amended by replacing the expression "Deputy Minister of Public Works and Supply" by the words "the person designated by the Minister responsible for the carrying out of the Act respecting the Société immobilière du Québec".

70. Section 204 of the Municipal Taxation Act (R.S.Q., chapter F-2.1) is amended by replacing paragraph 1 by the following paragraph:

"(1) an immovable belonging to the Crown in right of Québec, unless it is administered or managed by a corporation that is a mandatary of the Crown in right of Québec;"

71. Section 255 of the said Act, amended by section 219 of chapter 63 of the statutes of 1982, is again amended by replacing the first paragraph by the following paragraph:

"**255.** With respect to an immovable contemplated in paragraphs 1 and 2.1 of section 204 and to a place of business where the Crown in right of Québec, the Société immobilière du Québec or the Société de la Place des Arts de Montréal carries on its ordinary business, the amounts are equal, respectively, to the aggregate of the municipal real estate taxes that would be exigible if such immovable were not exempt from real estate tax, and if the activities of the place of business were not exempt from business tax."

72. Section 257 of the said Act, amended by section 220 of chapter 63 of the statutes of 1982, is again amended by replacing the first paragraph by the following paragraph:

"**257.** The amount of money paid by the Government in respect of an immovable contemplated in the first paragraph of section 255 stands in lieu of municipal real estate taxes and the tax paid in respect of a place of business contemplated in the said paragraph stands in lieu of the business tax. The Government shall also pay the amount of the taxes other than real estate taxes and compensations imposed on the owner of an immovable contemplated in the first paragraph of section 255."

73. Section 3 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by replacing paragraph *b* by the following paragraph:

“(b) take measures to improve transportation services and for such purpose he may, in particular, carry out or cause to have carried out construction, maintenance and repair works of port, airport and railway facilities;”.

74. Section 11 of the said Act is replaced by the following sections:

“**11.** For the purposes of section 3, the Minister may acquire by agreement or expropriation, or lease any property he considers necessary.

“**11.1** The Minister may acquire, by agreement or expropriation, on behalf of the Government, its departments and agencies, any property he considers necessary for the construction, improvement, enlargement, maintenance and use of public works or buildings or for obtaining better access thereto.

“**11.2** All property acquired by the Minister forms part of the public domain and he may dispose of it as he sees fit when the property is no longer needed.

“**11.3** The Government, by regulation, may determine the conditions to be observed by the Minister to dispose of property contemplated in section 11.2. The regulation may prescribe the cases where the disposition of property is subject to authorization by the Government.

Regulations made under the first paragraph come into force ten days after their publication in the *Gazette officielle du Québec* or on any later date indicated therein.

“**11.4** The Minister may acquire, by agreement or expropriation, any disused railway area and dispose thereof as he sees fit.”

75. The Act respecting the Ministère des Travaux publics et de l'Approvisionnement (R.S.Q., chapter M-29) is repealed.

76. The Act respecting the Ministère du Revenu (R.S.Q., chapter M-31) is amended by inserting, after section 16, the following section:

“**16.1** To obtain full or partial payment in of an obligation in his favour, the Minister may acquire immoveables already encumbered by a real right assigned for the payment of the obligation.”

77. Section 1 of the Government Departments Act (R.S.Q., chapter M-34), amended by section 19 of chapter 50, section 210 of chapter 52 and section 19 of chapter 53 of the statutes of 1982, is again amended by repealing paragraph 10.

78. Section 1 of the Act respecting Mauricie Park and its surroundings (R.S.Q., chapter P-7) is amended by replacing the

expression “Minister of Public Works and Supply”, in the first line, by the expression “Minister of Recreation, Fish and Game”.

79. Section 1 of the Act respecting Forillon Park and its surroundings (R.S.Q., chapter P-8) is amended by replacing the expression “Minister of Public Works and Supply”, in the first line, by the expression “Minister of Recreation, Fish and Game”.

80. Section 3 of the said Act is amended by replacing the expression “Minister of Public Works and Supply”, in the fourth line, by the expression “Minister of Recreation, Fish and Game”.

81. Section 5 of the said Act is amended by replacing the expression “Minister of Public Works and Supply”, in the first two lines, by the expression “Minister of Recreation, Fish and Game”.

82. Section 16.1 of the Act respecting the Régie des installations olympiques (R.S.Q., chapter R-7), amended by section 67 of chapter 58 of the statutes of 1982, is again amended by replacing the expression “Minister of Public Works and Supply”, in the third line of the second paragraph, by the expression “Minister”.

83. Section 55 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12), amended by section 96 of chapter 51, by section 220 of chapter 53 and by section 233 of chapter 63 of the statutes of 1982, is again amended by adding, after paragraph 18, the following paragraph:

“(19) the president and employees of the Société immobilière du Québec.”

84. Section 1 of the Act respecting the Service des achats du gouvernement (R.S.Q., chapter S-4) is amended by replacing paragraph *a* by the following paragraph:

“(a) “Minister” designates the Minister appointed by the Government as the Minister responsible for the administration of this Act;”.

85. Section 3 of the said Act is amended by adding, at the end, the following paragraph:

“He has the rights, powers and privileges conferred on a chief executive officer of an agency under the Civil Service Act.”

86. Section 5 of the said Act is amended by replacing the expression “Minister of Public Works and Supply”, in the first line, by the word “Minister”.

87. The Act respecting the Société de développement immobilier du Québec (R.S.Q., chapter S-11) is repealed.

88. Section 18 of the Act respecting the Société du Palais des congrès de Montréal (R.S.Q., chapter S-14.1) is amended by replacing paragraphs 1 and 4 by the following paragraphs:

“(1) to manage and operate the Palais des congrès de Montréal;

“(4) to replace the Société immobilière du Québec in respect of the development and improvement of the Palais des congrès to such extent, on such conditions and on such date as are fixed by the Government.”

89. Section 19 of the said Act is amended by replacing the expression “Société de développement immobilier du Québec”, in the last line, by the expression “Société immobilière du Québec”.

90. Section 1 of the Public Works Act (R.S.Q., chapter T-15) is amended by replacing the expression “Minister of Public Works and Supply”, in the first line, by the expression “Minister of Transport”.

91. The said Act is amended by repealing sections 11, 14 and 18 as well as Division II, including sections 19 and 20.

92. The said Act is amended by inserting, after section 55, the following section:

“**55.1** This Act is operative only for the administration of the Colonization Roads Act (R.S.Q., chapter C-13).”

93. The Minister of Transport is substituted without other formality, for the Minister of Public Works and Supply in any matter commenced under sections 11 and 14 of the Public Works Act (R.S.Q., chapter T-15), and shall continue any proceedings to which the Minister or Deputy Minister of Public Works and Supply is a party, without continuance of suit.

94. A reference in any Act, regulation, by-law, order or other document to section 204, 255 or 257 of the Act respecting municipal taxation is a reference to that section as amended by this Act.

95. The Government shall designate the Minister responsible for the carrying out of this Act.

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

97. This Act comes into force on the date to be fixed by proclamation of the Government, except the provisions excluded by the proclamation, which come into force on any later date or dates fixed by proclamation of the Government.