

NATIONAL ASSEMBLY  
Thirty-fourth Legislature, first session

1991, chapter 82  
**AN ACT TO AMEND THE CHARTER OF  
THE CITY OF MONTRÉAL**

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**Bill 296**

Introduced by Mr Jacques Chagnon, Member for Saint-Louis

Introduced 28 November 1991

Passage in principle 18 December 1991

Passage 18 December 1991

**Assented to 18 December 1991**

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**Coming into force: 18 December 1991 except sections 6, 11 to 26 and 29 to 32, which will come into force on the date fixed by the Government**

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**Acts amended:**

Charter of the city of Montréal (1959-60, chapter 102)

Act to amend the Charter of the city of Montréal (1990, chapter 90)



## CHAPTER 82

### An Act to amend the charter of the city of Montréal

[Assented to 18 December 1991]

Preamble WHEREAS it is in the interest of the city of Montréal that its charter, chapter 102 of the statutes of 1959-60, be amended;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1959-60,  
c. 102,  
a. 10k,  
added

**1.** The charter of the city of Montréal (1959-60, chapter 102) is amended by inserting, after article 10j, the following article:

Powers

“**10k.** The city may, in order to promote the reception, establishment or maintenance of international governmental or non-governmental agencies on its territory,

(1) participate in or associate itself with any corporation, partnership or enterprise representing public or private interests entrusted with studying the feasibility of or constructing or operating an international conference centre on its territory;

(2) create or participate in any international development fund intended for the promotion of the city as an international centre.

Powers

The city may, in respect of a corporation, partnership or enterprise referred to in subparagraph 1 of the first paragraph, avail itself of the provisions of the second and third paragraphs of article 964ff, adapted as required.”

1959-60,  
c. 102,  
a. 59b, am.

**2.** Article 59b of the said charter, introduced by section 8 of chapter 97 of the statutes of 1960-61, is amended by striking out the words “He shall receive for his services in the exercise of his functions an annual indemnity of three thousand six hundred dollars.” in the seventh, eighth, ninth and tenth lines.

1959-60,  
c. 102,  
a. 76, am.

**3.** Article 76 of the said charter, amended by section 10 of chapter 97 of the statutes of 1960-61, section 6 of chapter 59 of the statutes of 1962, section 12 of chapter 70 of the statutes of 1963 (1st session), section 4 of chapter 84 of the statutes of 1965 (1st session), section 4 of chapter 96 of the statutes of 1971, section 7 of chapter 77 of the statutes of 1977, section 4 of chapter 40 of the statutes of 1980, section 95 of chapter 16 of the statutes of 1980, section 3 of chapter 111 of the statutes of 1987, section 42 of chapter 30 of the statutes of 1988 and by section 4 of chapter 80 of the statutes of 1989, is amended

(1) by replacing, in the first paragraph, the words “official business for the city, to the performance of a duty related to his office, to childbirth or assistance to his spouse during childbirth, to illness attested by a physician’s certificate, to the discharge of a religious obligation or to the death of an ascendant, a descendant, his spouse, a brother or a sister” by the words “a circumstance determined in the by-laws of the council”;

(2) by inserting the words “or according to any other criterion that the council determines by by-law” in the fourth paragraph, after the words “for the duties involved”;

(3) by replacing the word “fifth” in the fifth paragraph by the word “fourth”.

1959-60,  
c. 102,  
a. 109, am.

**4.** Article 109 of the said charter, amended by section 8 of chapter 59 of the statutes of 1962, section 7 of chapter 84 of the statutes of 1965 (1st session), section 6 of chapter 86 of the statutes of 1966-67, replaced by section 12 of chapter 52 of the statutes of 1976, section 18 of chapter 77 of the statutes of 1977 and by section 9 of chapter 111 of the statutes of 1987, is amended by replacing the third paragraph by the following paragraph:

Delegation

“The executive committee may delegate the exercise of the power mentioned in the first paragraph to the secretary general and to the head of the department concerned. In such a case, the report, and the reasons for the decision, shall be submitted to the executive committee by the secretary general or, where applicable, by the department head, subject to the same requirements.”

1959-60,  
c. 102,  
a. 172,  
replaced

**5.** Article 172 of the said charter, amended by section 19 of chapter 97 of the statutes of 1960-61, replaced by section 14 of chapter 96 of the statutes of 1971, section 5 of chapter 71 of the statutes of 1982 and amended by section 29 of chapter 59 of the statutes of 1983, is replaced by the following article:

Supplemental pension plans

**“172.** The council may, by by-law, establish supplemental pension plans for the employees of the city, to which they must contribute. These plans shall be administered by committees that are pension committees within the meaning of the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1).

Recommendation

Every by-law to amend a by-law establishing a plan must have previously been the subject of a recommendation by the majority of the members designated among the plan members and the majority of the other members of the committee present at the committee meeting when the proposed amendment is voted on. In addition, unless the members designated among the plan members present at the meeting have unanimously approved the amendment, the by-law may be passed only after being approved by the majority of

– the active plan members, where the amendment contemplates only future services; or

– all plan members, in other cases,

who have expressed their opinion by a referendum held for that purpose.

Powers

The council may, by by-law,

(1) establish a common fund in which the committees referred to in the first paragraph may deposit all or part of the assets of the plans and where these assets are commingled;

(2) entrust the administration of the fund to a committee that it establishes for such purpose and that is composed of representatives of each of the participating committees.

Powers and liability

The committee established under subparagraph 2 of the third paragraph shall have the powers and liability of a pension committee delegatee according to the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1).”

1959-60,  
c. 102,  
a. 467,  
repealed  
1959-60,  
c. 102,  
a. 555.1,  
added

Snow removal

**6.** Article 467 of the said charter is repealed.

**7.** The said charter is amended by inserting, after article 555, the following article:

**“555.1** During a snow removal operation effected by or on behalf of the city, the snow may be blown or deposited on the edge of the roadway and on private property.”

- 1959-60,  
c. 102,  
a. 956d,  
added  
Acquisition
- 8.** The said charter is amended by inserting, after article 956c, the following article:
- “**956d.** The city may, for the purpose of developing an international conference centre, acquire, by agreement or expropriation, any immovable.
- Disposal
- It may also dispose of it in accordance with article 1079.”
- 1959-60,  
c. 102,  
a. 1105, am.
- 9.** Article 1105 of the said charter, replaced by section 33 of chapter 18 of the statutes of 1978, is amended by adding, after the second paragraph, the following paragraph:
- Term of office
- “The chief judge shall remain in office until he is replaced, notwithstanding the expiration of his term of office.”
- 1959-60,  
c. 102,  
a. 1126, am.
- 10.** Article 1126 of the said charter, replaced by section 61 of chapter 86 of the statutes of 1966-67, section 72 of chapter 96 of the statutes of 1971, section 167 of chapter 77 of the statutes of 1977, section 70 of chapter 71 of the statutes of 1982, and amended by section 1107 of chapter 4 of the statutes of 1990, is amended by inserting the words “and warrants of arrest” after the word “committal” in the second paragraph.
- 1959-60,  
c. 102,  
a. 1129,  
repealed
- 11.** Article 1129 of the said charter, amended by section 19 of chapter 91 of the statutes of 1969, section 73 of chapter 96 of the statutes of 1971, section 54 of chapter 40 of the statutes of 1980 and section 1110 of chapter 4 of the statutes of 1990, is repealed.
- 1959-60,  
c. 102,  
a. 1129a,  
repealed
- 12.** Article 1129a of the said charter, introduced by section 55 of chapter 40 of the statutes of 1980, amended by section 71 of chapter 71 of the statutes of 1982 and by section 1111 of chapter 4 of the statutes of 1990, is repealed.
- 1959-60,  
c. 102,  
a. 1129b,  
replaced
- 13.** Article 1129b of the said charter, introduced by section 55 of chapter 40 of the statutes of 1980, amended by section 72 of chapter 71 of the statutes of 1982, section 53 of chapter 111 of the statutes of 1987 and by section 1112 of chapter 4 of the statutes of 1990, is replaced by the following article:
- Second violation
- “**1129b.** In the case of a second violation, the payment by the defendant of the amount claimed in a statement of offence indicating the name of the same defendant and the same address constitutes *prima facie* proof of the previous conviction of the defendant without it being necessary to prove his identity.”

1959-60,  
c. 102,  
a. 1129c,  
replaced

**14.** Article 1129c of the said charter, introduced by section 55 of chapter 40 of the statutes of 1980 and amended by section 1113 of chapter 4 of the statutes of 1990, is replaced by the following article:

Authoriza-  
tion

**“1129c.** Authorization that may be given by the city to issue a statement of offence shall be given generally or specifically and in writing. The authorization shall indicate, in addition, the offences or classes of offences for which it is given.

Certifica-  
tion

The clerk or any employee designated by the clerk is authorized by the prosecutor to certify a copy of the statement of offence or the offence report.”

1959-60,  
c. 102,  
a. 1138,  
repealed

**15.** Article 1138 of the said charter, replaced by section 87 of chapter 77 of the statutes of 1973 and by section 1118 of chapter 4 of the statutes of 1990, is repealed.

1959-60,  
c. 102,  
a. 1138a,  
am.

**16.** Article 1138a of the said charter, introduced by section 74 of chapter 71 of the statutes of 1982 and amended by section 1119 of chapter 4 of the statutes of 1990, is amended

(1) by replacing the word “Régie” in the first paragraph by the word “Société”;

(2) by replacing the words “information, notice of summons or summons” in the first paragraph by the words “statement of offence”;

(3) by inserting the words “, parking of a motor vehicle” after the word “traffic” in the first paragraph;

(4) by replacing the word “Régie” in the second paragraph by the word “Société”.

1959-60,  
c. 102,  
a. 1138b,  
am.

**17.** Article 1138b of the said charter, introduced by section 74 of chapter 71 of the statutes of 1982 and amended by section 1120 of chapter 4 of the statutes of 1990, is amended by replacing the words “any summons” by the words “any statement of offence”.

1959-60,  
c. 102,  
a. 1139,  
replaced

**18.** Article 1139 of the said charter, amended by section 62 of chapter 97 of the statutes of 1960-61, replaced by section 62 of chapter 86 of the statutes of 1966-67, amended by section 74 of chapter 96 of the statutes of 1971, replaced by section 88 of chapter 77 of the statutes of 1973, amended by section 169 of chapter 77 of the statutes of 1977, section 36 of chapter 41 of the statutes of 1980, section 75 of chapter 71 of the statutes of 1982, section 54 of chapter 111 of the statutes of 1987 and by section 1121 of chapter 4 of the statutes of 1990, is replaced by the following article:

Removal of vehicle “**1139.** Any peace officer or special officer appointed under article 1142 may remove or have removed by means of a service vehicle or towtruck any vehicle parked in contravention of a traffic or parking by-law, ordinance or resolution.

Statement of offence The statement of offence shall mention the removal and the additional costs or sums, determined by by-law, that may be collected as a result of such removal. The latter shall be added to the sums that may be claimed from the defendant by the prosecutor in the statement of offence. The additional costs or sums that may be claimed as a result of the removal shall be collected by the collector in accordance with articles 321, 322 and 327 to 331 of the Code of Penal Procedure (1987, chapter 96) or the provisions of this Act.

Powers and duties In every case provided for in this article, the council may, by by-law, assign to the head of the competent department, or to any other officers or employees designated by the latter, the exercise of all the powers and duties assigned by this article to the peace officer or special officer.”

1959-60, c. 102, a. 1140, repealed **19.** Article 1140 of the said charter, amended by section 62 of chapter 84 of the statutes of 1965 (1<sup>st</sup> session), replaced by section 63 of chapter 86 of the statutes of 1966-67, section 75 of chapter 96 of the statutes of 1971, amended by section 20 of chapter 76 of the statutes of 1972, replaced by section 170 of chapter 77 of the statutes of 1977, amended by section 76 of chapter 71 of the statutes of 1982 and by section 1122 of chapter 4 of the statutes of 1990, is repealed.

1959-60, c. 102, a. 1140a, replaced **20.** Article 1140a of the said charter, introduced by section 64 of chapter 86 of the statutes of 1966-67 and amended by section 22 of chapter 59 of the statutes of 1983, is replaced by the following article:

Coming into force “**1140a.** The by-laws of the council made under article 1139 or determining the costs of immobilizing, towing or impounding a motor vehicle incurred by an offender or a defendant in application of article 1159.5, shall come into force after approval by the Minister of Justice. Such approval may be partial.”

1959-60, c. 102, a. 1140b, repealed **21.** Article 1140b of the said charter, introduced by section 76 of chapter 96 of the statutes of 1971, replaced by section 89 of chapter 77 of the statutes of 1973, amended by section 171 of chapter 77 of the statutes of 1977, replaced by section 77 of chapter 71 of the statutes of 1982, amended by section 23 of chapter 59 of the statutes of 1983 and by section 1123 of chapter 4 of the statutes of 1990, is repealed.

1959-60,  
c. 102,  
a. 1140d,  
replaced

**22.** Article 1140d of the said charter, introduced by section 77 of chapter 71 of the statutes of 1982, is replaced by the following article:

Offence           **“1140d.** Where he witnesses the commission of an offence under a provision of section 35 or 97 of the Highway Safety Code (R.S.Q., chapter C-24.2) or the second paragraph of section 100 of the said Code, the peace officer may serve a statement of offence and a warning upon the driver requiring the defendant to furnish the peace officer, within 48 hours, with proof that he was holder of the required documents when the commission of the offence was witnessed.

Offence           Where he witnesses the commission of an offence under a provision of any of sections 30, 31, the second paragraph of section 32, sections 34, 210.1, 212, 213, 215 to 223, 230 to 237, 242 to 247, 258, 261 to 265, 268 to 270, 272, 273 and 274 of the Highway Safety Code (R.S.Q., chapter C-24.2), the peace officer may serve a statement of offence and a warning upon the driver requiring the defendant to make or have made the necessary alterations or repairs and furnish proof thereof to the peace officer within 48 hours.

Proof              The statement of offence becomes null where the proof required is furnished to a peace officer within 48 hours.

Time limit       Where a warning has been issued with the statement of offence, the time limit provided in article 160 of the Code of Penal Procedure (1987, chapter 96) does not begin to run until the expiration of the time limit indicated in the warning.”

1959-60,  
c. 102,  
a. 1141,  
repealed

**23.** Article 1141 of the said charter, replaced by section 65 of chapter 86 of the statutes of 1966-67, is repealed.

1959-60,  
c. 102,  
a. 1142, am.

**24.** Article 1142 of the said charter is amended

(1) by striking out the word “temporarily” in the first paragraph;

(2) by replacing the words “purposes of articles 1139, 1140 and 1141” in the first paragraph by the words “purposes of article 1139 or for the enforcement of legislative or regulatory provisions respecting traffic, the parking of a vehicle or the use of a vehicle or one of its accessories”;

(3) by replacing the words “said articles” in the second paragraph by the words “objects described in the first paragraph”;

(4) by inserting the words “except the powers of arrest conferred on such constables or peace officers by an Act. However, they shall

have the powers referred to in article 87 of the Code of Penal Procedure (1987, chapter 96),” after the word “city” in the second paragraph.

1959-60,  
c. 102,  
a. 1151, am. **25.** Article 1151 of the said charter, replaced by section 1128 of chapter 4 of the statutes of 1990, is amended by striking out the words “; they may also be instituted by any person authorized by a court judge”.

1959-60,  
c. 102,  
a. 1159.3,  
am. **26.** Article 1159.3 of the said charter, introduced by section 25 of chapter 59 of the statutes of 1983 and amended by section 1136 of chapter 4 of the statutes of 1990, is amended by inserting the words “, the parking of a vehicle” after the word “traffic”.

1959-60,  
c. 102,  
Chap. V,  
added **27.** Title XVI of the said charter is amended by adding, after Chapter IV, the following chapter:

#### “CHAPTER V

#### “APPEAL IN CIVIL MATTERS

Appeal **“1163.1** In any recourse in which the dispute relates to a tax, licence, tariff, water tax, duty, compensation or permit and involves a sum in excess of \$1 000, or in any recourse relating to the interpretation of a contract to which the city is a party and the value of which exceeds \$1 000, there lies an appeal from the final decision of the judge to the Court of Appeal.

Appeal The appeal is instituted by an inscription made before the Municipal Court within 30 days from the rendering of the judgment or decision and served upon the opposing party within the same period; the service stays the execution of the judgment.”

1990, c. 90,  
s. 28, am. **28.** Section 28 of the Act to amend the Charter of the city of Montréal (1990, chapter 90) is amended

(1) by inserting the words “; the city may also convert the cash contribution into a loan of money or other security to such a partnership” after the word “city” at the end of the first paragraph;

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

Disposal “The city may, notwithstanding the Municipal Aid Prohibition Act, dispose of the shares acquired pursuant to the first paragraph or, where applicable, the shares acquired pursuant to the second paragraph. For the purposes of such disposition, the city may accept

any cash payment or any payment accompanied with a guarantee that it deems sufficient.”

Provisions  
applicable

**29.** On the date fixed by the Government, articles 9, 10, 12 to 16, the third paragraph of article 55, the provisions of article 63 relating to the statement of offence, the words “the statement of offence or” in paragraph 2 of article 71, article 87, the second paragraph of article 90, articles 91, 142, 144 to 149, 156 to 168, the third paragraph of article 169, paragraph 5 of article 174, article 180, subparagraph 4 of the first paragraph of article 184, the reference to subparagraph 4 of the first paragraph of article 184 entered in article 185, the first paragraph of article 187, article 188, the third paragraph of article 222, the words “or under article 165” in article 246, article 261, the first paragraph of article 262, article 263 and article 264 of the Code of Penal Procedure (1987, chapter 96), as amended by chapter 4 of the statutes of 1990, shall apply in respect of offences which may be tried before the Municipal Court of the city of Montréal.

Provisions  
applicable

**30.** On the date of coming into force of section 29, the provisions of paragraphs 1 to 8 of article 372 and article 373 of the Code of Penal Procedure introduced by section 11 of chapter 4 of the statutes of 1990, shall cease to have effect in respect of offences which may be tried before the Municipal Court of the city of Montréal.

Statement  
of offence

**31.** Until the coming into force of all the provisions relating to the statement of offence contained in the Code of Penal Procedure (1987, chapter 96), the statement of offence has the same value and effect as evidence given under oath by the person who has witnessed the commission of the offence alleged in the statement of offence, in respect of offences which may be tried before the Municipal Court of the city of Montréal.

Certified  
copy

The same applies to a copy certified by a person authorized to do so by the prosecutor.

Effect of  
act or  
decision

**32.** (1) Every act performed or decision made under any provision amended, replaced or repealed by sections 6 and 11 to 26 shall retain its effect, unless it is obsolete;

Validity of  
proceeding

(2) Every proceeding drawn up before the date of coming into force of sections 6 and 11 to 26, in accordance with a provision amended, replaced or repealed by the said sections, shall remain valid until its object is achieved;

Penal  
proceedings

(3) All penal proceedings which, at the time of coming into force of section 6 or within the six following months, would have been

prescribed under the provision repealed by the said section, shall remain subject to the prescription period provided for in the said provision;

**Mechanical inspection** (4) Every notice of mechanical inspection given under sections 524 and 531 of the Highway Safety Code (R.S.Q., chapter C-24.2), before the coming into force of sections 11 to 26 and 29 to 31, shall remain valid.

**Notice of mechanical inspection** The notice of mechanical inspection shall adhere to the rules of penal procedure applicable before that date until a summons is issued. After the issue of the summons, such notice shall adhere to the rules prescribed by subsections 7 to 15 of this section.

**Notice of mechanical inspection** Every notice of mechanical inspection given after the coming into force of sections 11 to 26 and 29 to 31, must be followed by a statement of offence for penal proceedings to be brought;

**Notice of 48 hours** (5) Every notice of 48 hours given under article 1140*d* of the charter of the city of Montréal (1959-60, chapter 102) as it existed before the coming into force of section 22 of this Act or under sections 577 and 578 of the Highway Safety Code (R.S.Q., chapter C-24.2), section 79 of the Act respecting transportation by taxi (R.S.Q., chapter T-11.1) and every notice of 72 hours given under section 77.1 of the Transport Act (R.S.Q., chapter T-12), before the coming into force of sections 11 to 26 and 29 to 31, shall remain valid.

**Notices** Such notices shall adhere, until the issue of a summons, to the rules of penal procedure applicable before such date. After the issue of the summons, such notices shall adhere to the rules prescribed by subsections 7 to 15 of this section;

**Validity** (6) Every preliminary notice and every infraction ticket issued before the coming into force of sections 11 to 26 and 29 to 31 shall remain valid. The same applies to an information or a summons.

**Preliminary notices and infraction tickets** Such preliminary notices and infraction tickets shall adhere, until the issue of a summons, to the rules of penal procedure applicable before the said date. After the issue of the summons, such preliminary notices and infraction tickets shall follow the rules prescribed by subsections 7 to 15 of this section;

**Summons** (7) Every summons has the same value and effect as a statement of offence on the date fixed for the first appearance before a judge if the prosecutor requests only the minimum sentence prescribed by legislative or regulatory provision and the summons indicates the sentence he has requested. Payment of the amount prescribed by legislative or regulatory provision constitutes a minimum sentence;

- Appearance (8) At the time of the appearance, the judge may allow
- (a) a statement of offence to be served immediately on the defendant, where the sentence requested by the prosecutor is not indicated on the summons or where the prosecutor intends to request a greater sentence than the minimum fine prescribed by legislative or regulatory provision; or
- (b) the prosecutor to serve immediately on the defendant and file in the Court record a document containing the additional mentions required in order for the summons to have the same value and effect as a statement of offence;
- Request for sentence (9) The request for sentence need not appear in a separate section of the summons if the prosecutor is requesting only the minimum sentence;
- Appearance (10) The defendant who appears upon summons shall register a plea of guilty or not guilty and the proceedings shall then be continued in accordance with the rules of procedure applicable to offences which may be tried before the Municipal Court of Montréal;
- Plea (11) The judge shall give the defendant on whom a statement of offence or the equivalent is served under subparagraph *b* of subsection 8, the opportunity to register a plea of guilty or not guilty. The latter may however request a period of 30 days before registering his plea.
- Plea If the defendant pleads guilty at his appearance, the judge shall convict him and impose a sentence on him within the limits prescribed by legislative or regulatory provision. If the defendant pleads not guilty, the judge shall fix a date for the trial;
- Pending hearing or trial (12) Notwithstanding any other provision of this section, the hearing of a preliminary application or the trial of penal proceedings which are pending, whether in first instance or in appeal, instituted by a notice of infraction, an information or a summons before the coming into force of sections 11 to 26 and 29 to 31, shall be continued without it being necessary to replace the pleading by a statement of offence;
- Judgment (13) Notwithstanding any other provision of this section, a judgment, even by default, may be rendered without it being necessary to replace the introductory proceeding by a statement of offence;
- Appearance (14) Where the defendant required to appear on a date fixed in the summons fails to do so, judgment may be rendered by default. The

notice of infraction or the summons issued against the defendant has the same value and effect for the trial as evidence given under oath by the person who ascertained the commission of the offence alleged on the notice of infraction or summons;

Interrup-  
tion of  
prescription (15) Any interruption of prescription having occurred in accordance with the existing rules of penal procedure before the coming into force of sections 11 to 26 and 29 to 31 shall remain valid;

By-law,  
resolution,  
ordinance (16) Every by-law, resolution or ordinance made under any provision amended, replaced or repealed under this Act shall remain in force to the extent that it is consistent with this Act or, as the case may be, with the Code of Penal Procedure (1987, chapter 96), and until such time as it is replaced or repealed.

Powers **33.** The city of Montréal, by by-law submitted for approval to the Government, for the prosecution of offences which may be tried before the Municipal Court of the city of Montréal, may

(1) prescribe the form of statements of offence and offence reports;

(2) fix the court fees payable under the Code of Penal Procedure (1987, chapter 96);

(3) fix the costs that may be awarded against a party in first instance;

(4) fix the fee payable for the issue of a copy of a thing seized or of a document;

(5) determine the obligations of a person who receives security while awaiting disposition thereof pursuant to the Code of Penal Procedure;

(6) fix, for the purposes of the security referred to in article 76 of the Code of Penal Procedure, the amount of costs added to the amount of the minimum fine and determine how it may be paid;

(7) fix the amount of costs that may be awarded against a defaulting witness;

(8) fix the costs that may be imposed upon dismissal of an application for rectification of judgment or reduction of costs or upon the granting or dismissal of an application for revocation of a judgment addressed by the defendant;

(9) fix the costs of execution of judgment that may be awarded against a party.

By-laws            These by-laws shall cease to be in force when they are replaced by the regulations of the Government made under article 367 of the Code of Penal Procedure.

Agreement        **34.** The city is authorized to enter into an agreement with the corporation "Royal Institution for the Advancement of Learning" (McGill University), to use, for the purpose of constructing a sports centre accessible to the public, a certain extent of land being part of Parc Mont-Royal adjacent to the land belonging to the university, described as follows:

(1) A part of original lot 1 of the official cadastre of the city of Montréal, Saint-Laurent ward, registration division of Montréal, bounded on the north by a part of original lot 2 hereafter described, on the northeast by a part of original lot 2 hereafter described and a part of original lot 2A hereafter described, on the east by a part of original lot 1 (des Pins avenue), on the south by lot 1-1, on the southwest by lot 1862-1 of the cadastre of the city of Montréal, Saint-Antoine ward, and by another part of original lot 1, on the west by another part of original lot 1, on the northwest by lot 1A. Measuring fifty-two metres and four hundred fifty-six thousandths (52.456 m) in a northeasterly line, six metres and six hundred seventy-five thousandths (6.675 m) northerly, nine metres and four hundred fifty-eight thousandths (9.458 m) in another line northeasterly, thirty-six metres and six hundred seventy-four thousandths (36.674 m) easterly, forty-two metres and two hundred thirty-three thousandths (42.233 m) southerly, thirty-nine metres and three hundred one thousandths (39.301 m) in a line southwesterly, four metres and nine hundred twenty-three thousandths (4.923 m) westerly, five metres and one hundred eighty-two thousandths (5.182 m) in another line southwesterly, thirty metres and five hundred ninety-nine thousandths (30.599 m) northwesterly. Containing an area of two thousand seven hundred ninety-seven square metres and forty hundredths (2 797.40 m<sup>2</sup>).

(2) A part of original lot 2 of the official cadastre of the city of Montréal, Saint-Laurent ward, registration division of Montréal, bounded on the northeast and on the north by another part of original lot 2, on the east by another part of original lot 2 (des Pins avenue), on the southeast by a part of original lot 2A hereafter described, on the south by a part of original lot 1 previously described, on the southwest by a part of original lot 1 previously described and lot 1A, on the west by a part of original lot 2. Measuring sixty-four metres

and three hundred seventy-seven thousandths (64.377 m) along a curve having a radius of one hundred eighty metres and four hundred thirty-three thousandths (180.433 m) northeasterly, sixty metres and eight hundred seventy-eight thousandths (60.878 m) northerly, twelve metres and eight hundred thirty-eight thousandths (12.838 m) easterly, twelve metres and six hundred seventy-one thousandths (12.671 m) southeasterly, six metres and six hundred seventy-five thousandths (6.675 m) southerly, one hundred twenty-four metres and four hundred one thousandths (124.401 m) southwesterly, one metre and four hundred two thousandths (1.402 m) westerly. Containing an area of one thousand five hundred six square metres and seventy-nine hundredths (1 506.79 m<sup>2</sup>).

(3) A part of original lot 2A of the official cadaastre of the city of Montréal, Saint-Laurent ward, registration division of Montréal, bounded on the east by another part of lot 2A (des Pins avenue), on the southwest by a part of original lot 1 previously described, on the northwest by a part of original lot 2 previously described. Measuring fifteen metres and eight hundred thirteen thousandths (15.813 m) easterly, nine metres and four hundred fifty-eight thousandths (9.458 m) southwesterly, twelve metres and six hundred seventy-one thousandths (12.671 m) northwesterly. Containing an area of fifty-nine square metres and ninety-two hundredths (59.92 m<sup>2</sup>).

Agreement        The agreement may in no way include alienation of the right of ownership of the city on the said extent of land.

Agreement        This agreement shall terminate when the new building ceases to be occupied by the said corporation for the purposes set out in the first paragraph; the city will then be entitled to demolish and remove, at the expense of the said corporation, any works or building that may have been constructed or erected thereon.

Declaratory section        **35.** Section 1 is declaratory.

Effect            **36.** Section 2 has effect from 1 July 1991.

Effect            **37.** The third paragraph of article 172, enacted by section 5, has effect from 17 September 1991.

Effect            **38.** Section 27 has effect from 1 April 1991.

Coming into force        **39.** This Act comes into force on 18 December 1991 except sections 6, 11 to 26 and 29 to 32, which will come into force on the date fixed by the Government.