

1990, chapter 19

**AN ACT TO AMEND THE ACT RESPECTING
THE RÉGIE DE L'ASSURANCE AUTOMOBILE
DU QUÉBEC AND OTHER LEGISLATION**

Bill 50

Introduced by Mr Sam L. Elkas, Minister of Transport

Introduced 15 May 1990

Passage in principle 13 June 1990

Passage 22 June 1990

Assented to 22 June 1990

Coming into force: 22 June 1990

Acts amended:

Automobile Insurance Act (R.S.Q., chapter A-25)

Highway Safety Code (R.S.Q., chapter C-24.2)

Act respecting the Régie de l'assurance automobile du Québec (R.S.Q., chapter R-4)





CHAPTER 19

An Act to amend the Act respecting the Régie de l'assurance automobile du Québec and other legislation

[Assented to 22 June 1990]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. R-4,
title,
replaced

1. The title of the Act respecting the Régie de l'assurance automobile du Québec (R.S.Q., chapter R-4) is replaced by the following title:

“An Act respecting the Société de l'assurance automobile du Québec”.

c. R-4,
s. 1, am.

2. Section 1 of the said Act is amended

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

(2) by replacing the words “Régie de l'assurance automobile du Québec” in the second line by the words “Société de l'assurance automobile du Québec”.

c. R-4,
s. 2, am.

3. Section 2 of the said Act is amended by inserting the word “, charges” after the word “fees” in the first line of subparagraph *g* of subsection 2.

c. R-4,
s. 17.0.1,
added

4. The said Act is amended by inserting, after section 17, the following section:

Expertise
and
products

“17.0.1 The Société may make with any government, any department of such government, any public body or any private

undertaking an agreement in respect of the transfer of any expertise and products it develops or contributes to developing in carrying out its mandate.

Payment The Société may pay any sum necessary for the carrying out of such an agreement out of its own revenues.

Collection The Société may collect and include in its revenues any sum derived from an agreement made under this section."

c. R-4,
s. 22.1, am. **5.** Section 22.1 of the said Act is amended by replacing the figure "\$1 000 000" in the third line by the words "the amount determined by the Government".

c. R-4,
ss. 23.1-
23.3, added **6.** The said Act is amended by inserting, after section 23, the following sections:

Contribution
to capital
expenditures **"23.1** For the fiscal year 1990-91 of the Government and the four subsequent fiscal years, the Société shall pay into the consolidated revenue fund a contribution applicable to capital expenditures in matters of highway safety which shall be established as follows:

(1) \$150 000 000 for each of the fiscal years 1990-91, 1991-92 and 1992-93 of the Government;

(2) \$90 000 000 for the fiscal year 1993-94 of the Government;

(3) \$85 000 000 for the fiscal year 1994-95 of the Government.

Restriction **"23.2** Notwithstanding section 23.1, in no case may the payment of the contribution result in reducing the contingency reserve to less than 20 % of the actuarial reserve.

Contingency
reserve For the purposes of the first paragraph, the contingency reserve is the reserve established after adjustment of the actuarial reserve for the fiscal year of the Société ending before the fiscal year of the Government in which the contribution is payable begins.

Instalments **"23.3** The contribution is payable in four equal instalments on 30 June, 30 September, 31 December and 31 March each year."

c. A-25,
s. 150,
replaced **7.** Section 150 of the Automobile Insurance Act (R.S.Q., chapter A-25) is replaced by the following section:

Funds **"150.** The funds of the Société which are required for the administration of this Act and the Act respecting the Société de

l'assurance automobile du Québec, and the funds which are necessary for the promotion of highway safety shall be taken out of the amounts collected by the Société under sections 21 and 69 of the Highway Safety Code (R.S.Q., chapter C-24.2).

Funds The funds of the Société shall include

(1) the amounts received pursuant to an agreement made with any government, any department of such a government or any public body;

(2) the amounts recovered where subrogation or an action against a person who caused an accident is permitted by this Act, insofar as it is applicable."

c. A-25,
ss. 155.5,
155.6, added

8. The said Act is amended by inserting, after section 155.4, the following sections:

"CHAPTER III

"AMBULANCE SERVICES

Contribution
for ambu-
lance
services

"155.5 The Société shall pay to the health and social services regional councils and to the Corporation d'urgences-santé de la région de Montréal Métropolitain, according to the apportionment determined by the Minister of Health and Social Services, a contribution applicable to the cost of ambulance services which shall be established as follows:

(1) \$9 100 000 for the fiscal year 1988-89 of the Government;

(2) \$37 200 000 for the fiscal year 1989-90 of the Government;

(3) \$37 500 000 for the fiscal year 1990-91 of the Government.

Payment

The sums prescribed by subparagraphs 1 and 2 of the first paragraph shall be paid 15 days after 22 June 1990. The sum prescribed by subparagraph 3 shall be paid in four equal instalments of \$9 375 000 each, on 30 June 1990, 30 September 1990, 31 December 1990 and 31 March 1991.

Subsequent
fiscal
years

"155.6 From the fiscal year 1991-92 of the Government and subsequent fiscal years, the Société shall pay to the bodies contemplated by section 155.5, apportioned as provided therein, a contribution of \$37 200 000 adjusted on 1 April each year, from 1 April 1991, according to the adjustment percentage applicable on 1 January under the calculation method provided in sections 83.35 to 83.39.

Instalments The sum prescribed by the first paragraph shall be paid in four equal instalments on 30 June, 30 September, 31 December and 31 March each year."

**c. A-25,
s. 195.1,
am.** **9.** Section 195.1 of the said Act, enacted by section 15 of chapter 15 of the statutes of 1989, is amended by replacing the words "recovered by the Régie pursuant to the second paragraph of section 150" in the second and third lines of paragraph 2 by the words "fixed pursuant to Title V".

**c. C-24.2,
s. 648,
am.** **10.** Section 648 of the Highway Safety Code (R.S.Q., chapter C-24.2) is amended by inserting, after paragraph 4, the following paragraph:

"(5) the amounts collected by the Société under an agreement made with any government, any department of such government or any public body."

**Corporate
name** **11.** In any Act, regulation, order in council, order, agreement, contract or other document unless the context indicates otherwise, and with the necessary adaptations

(1) the expression "Régie de l'assurance automobile du Québec" is replaced by the expression "Société de l'assurance automobile du Québec";

(2) the term "Régie" used to designate the Régie de l'assurance automobile du Québec is replaced by the term "Société".

**Existing
documents** **12.** The Société de l'assurance automobile du Québec is authorized to use any document or means of identification which had been prepared in the name of the Régie de l'assurance automobile du Québec until it replaces them by documents and means of identification bearing its new name.

Effect **13.** Section 9 has effect from 1 January 1990.

**Coming
into force** **14.** This Act comes into force on 22 June 1990.