

1986, chapter 21

**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**

Bill 11

Introduced by Mr John Ciaccia, Minister of Energy and Resources

Introduced 11 March 1986

Passage in principle 18 March 1986

Passage 19 June 1986

Assented to 19 June 1986

Coming into force: on the date fixed by the Government

— 5 November 1986: ss. 1 to 26

G.O., 1986, Part 2, p. 2679

Acts amended:

Master Electricians Act (R.S.Q., chapter M-3)

Consumer Protection Act (R.S.Q., chapter P-40.1)

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

Act to amend the Rural Electrification Act (1955-56, chapter 5)

Act respecting rural electrification (1964, chapter 33)

Act repealed:

Act to promote rural electrification by means of electricity cooperatives
(9 George VI, chapter 48)





CHAPTER 21

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

[Assented to 19 June 1986]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- Continuance **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).
- Objects 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.
- Powers **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.
- Access to
immovables **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.
- Acquisition
of immovables or
servitudes **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.
- 7.** The Minister shall give notice of any failure referred to in section 6 to the cooperative. The notice shall be published in the *Gazette officielle du Québec*.
- If the cooperative does not remedy the failure during the next three fiscal periods after that for which the notice is given to it, the Minister, after requesting the cooperative to continue as a company within the time he fixes, may order the dissolution of the cooperative.
- Sections 190 to 193 of the Cooperatives Act apply to the dissolution.
- 8.** The cooperative may have electricians in its employ carry out installation and maintenance work on poles, wires, conduits or other apparatus on premises owned by any person to whom it is required to supply electricity.
- 9.** 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.
- 10.** 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.
- 11.** The cooperative shall have its corporate seat in the municipality of Saint-Jean-Baptiste.

Transfer of
corporate
seat

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.

Members

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

Rebates

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

Common
shares

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

Rights and
obligations

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

TRANSITIONAL AND FINAL PROVISIONS

c. M-3, s.
31, am.

16. Section 31 of the Master Electricians Act (R.S.Q., chapter M-3) is amended by striking out the words "governed by the rural electrification board" in the fourth line of paragraph *e*.

c. P-40.1, s.
5, am.

17. 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".

c. R-6, s. 1,
am.

18. 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".

Terms of
office

19. 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.

Sums owing
to the
Crown

20. Any sum owing to the Rural Electrification Bureau on a loan granted under the Rural Electrification Act is, from 5 November 1986, deemed to be owing to the Crown on the terms and conditions provided in that Act.

Repayment

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

Final date
for payment

21. 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 1986.

- Reserve **22.** The Government, on such conditions as it may determine, may permit the cooperative to pay into its reserve amounts paid on shares of its members and deposits of former customers which it holds on 5 November 1986, where the cooperative is no longer able to trace those persons.
- Termination of membership Persons in respect of whom amounts paid on shares have been paid into the reserve cease to be members of the cooperative.
- Approval of by-laws **23.** 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.
- Provisions in force 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.
- 9 George VI, c. 48, repealed **24.** 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.
- 1955-56, c. 5, s. 3 and 1964, c. 33, ss. 5, 6, 7, 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.
- Minister responsible **25.** The Government shall designate the minister responsible for the administration of this Act.
- Coming into force **26.** This Act comes into force on the date fixed by the Government.

SCHEDULE

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

ELECTORAL DIVISION OF SHEFFORD	ELECTORAL DIVISION OF CHAMBLY	ELECTORAL DIVISION OF BROME-MISSISQUOI
Sainte-Cécile-de-Milton	Saint-Mathias	Sainte-Sabine