

1986, chapter 67

**AN ACT TO AMEND THE TRANSPORT ACT,
THE ACT RESPECTING THE MINISTÈRE
DES TRANSPORTS AND THE ROADS ACT**

Bill 99

Introduced by Mr Marc-Yvan Côté, Minister of Transport

Introduced 6 June 1986

Passage in principle 17 June 1986

Passage 19 June 1986

Assented to 19 June 1986

Coming into force: on the date fixed by order of the Government

— 16 July 1986: ss. 1 to 12

G.O., 1986, Part 2, p. 2042

Acts amended:

Transport Act (R.S.Q., chapter T-12)

Act respecting the Ministère des Transports (R.S.Q., chapter M-28)

Roads Act (R.S.Q., chapter V-8)



CHAPTER 67

An Act to amend the Transport Act, the Act respecting the Ministère des Transports and the Roads Act

[Assented to 19 June 1986]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TRANSPORT ACT

c. T-12, s.
1, am. **1.** Section 1 of the Transport Act (R.S.Q., chapter T-12) is amended

(1) by striking out subparagraph *g* of the first paragraph;

(2) by replacing the last paragraph by the following paragraph:

Transport
brokerage “For the purposes of this Act, transport brokerage comprises the
distribution of services among carriers holding a permit for the transport
of a bulk material.”

c. T-12, s.
4, am. **2.** Section 4 of the said Act is amended by adding the following
paragraph:

Subsidies “He may also cause a person designated by him to examine the
use made of the subsidies he pays and the nature of the expenses
connected with those subsidies.”

c. T-12, s.
5, am. **3.** Section 5 of the said Act is amended by striking out paragraph
l of the first paragraph.

c. T-12, s.
8, am. **4.** Section 8 of the said Act is amended by replacing the first
paragraph by the following paragraph:

Regulation
by carriers

“3. Every regulation made by an association of carriers holding a permit for the transport of a bulk material must be approved by the Minister before coming into force.”

c. T-12, s.
18, replaced

5. Section 18 of the said Act is replaced by the following section:

Administra-
tive
branches

“18. The administrative branches of the Commission are determined by the rules of practice and internal management.”

c. T-12, s.
31, replaced

6. Section 31 of the said Act is replaced by the following section:

Competence

“31. The Commission has competence in any matter governed by a regulation made under section 5 or by an ordinance contemplated in section 89.”

c. T-12, s.
32, replaced

7. Section 32 of the said Act is replaced by the following section:

Powers

“32. The Commission may, within the scope of the regulations,

(1) issue permits and fix the valid period thereof;

(2) transfer any permit or any right granted by a permit;

(3) impose conditions and restrictions on the use of a permit and limit the use of certain services of a permit holder to certain users;

(4) in its own right or on application, fix scales of charges, which may include minimum, maximum or both minimum and maximum charges, and change, suspend or cancel all or some of them;

(5) receive scales of charges for filing, which may include minimum, maximum or both minimum and maximum charges, and change, suspend or cancel all or some of them;

(6) perform any other functions conferred on it by law.”

c. T-12, s.
80, am.

8. Section 80 of the said Act is amended by replacing the first line by the following:

Powers of
peace
officer

“80. A peace officer may, without a warrant, during a road check”.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

c. M-28, s.
3, am.

9. Section 3 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by adding, at the end of paragraph *b*, the following: “and, for shippers, enter into contracts for the transport of persons or goods by water;”.

c. M-28, s.
11.3, am.

10. Section 11.3 of the said Act is amended by adding the following paragraph:

Administra-
tion

“The same applies to property of which the Société immobilière du Québec has not acquired ownership in accordance with section 26 of the Act respecting the Société immobilière du Québec (R.S.Q., chapter S-17.1) and the administration of which has been entrusted to the Minister.”

ROADS ACT

c. V-8, s.
10, am.

11. Paragraph 7 of section 10 of the Roads Act (R.S.Q., chapter V-8) is amended by adding, at the end, the following: “, when it is no longer needed.”

Coming into
force

12. This Act comes into force on the date fixed by order of the Government, except the provisions excluded by that order, which come into force on any later date to be fixed by order of the Government.