

1985, chapter 22

## AN ACT TO PROMOTE THE REFORM OF THE CADASTRE IN QUÉBEC

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### **Bill 40**

Introduced by Mr Jean-Guy Rodrigue, Minister of Energy and Resources

Introduced 14 May 1985

Passage in principle 10 June 1985

Passage 20 June 1985

**Assented to 20 June 1985**

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**Coming into force: 20 June 1985, except sections 9 to 36, 38 to 51 and 53 to 60, which come into force on 1 October 1985**

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### **Acts amended:**

Civil Code of Lower Canada

Registry Office Act (R.S.Q., chapter B-9)

Cadastre Act (R.S.Q., chapter C-1)

Stamp Act (R.S.Q., chapter T-10)

Act respecting land titles in certain electoral districts (R.S.Q., chapter T-11)

Act to amend various legislative provisions (1980, chapter 11)





## CHAPTER 22

### An Act to promote the reform of the cadastre in Québec

[Assented to 20 June 1985]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### CHAPTER I

##### GENERAL PROVISIONS

##### DIVISION I

##### OBJECTS OF THE REFORM

Minister  
responsible

**1.** The Minister of Energy and Resources is responsible for the reform of the cadastre in Québec and, in particular, for

- (1) renewal of the cadastre of the territory;
- (2) seeing that cadastral plans are kept up to date.

##### DIVISION II

##### FINANCING

Special  
fund

**2.** A special fund called the “Québec cadastre reform fund” is hereby established.

Administra-  
tion

The Québec cadastre reform fund shall be administered by the Minister of Finance but the books shall be kept at the Ministère de l'Énergie et des Ressources.

- Cost**                    **3.** The sums required to pay the cost of work for the reform of the cadastre shall be taken out of the Québec cadastre reform fund, as shall the sums required to pay remuneration and expenses attached to social benefits and other conditions of employment of public servants designated by the Minister of Energy and Resources and assigned to work for the reform of the cadastre.
- Maintenance of fund**                    **4.** The Québec cadastre reform fund shall be maintained by
- (1) the sums the Minister of Energy and Resources collects for the deposit of cadastral plans, the examination of plans not deposited and the supply of goods and services resulting from work, operations and technological developments carried out for the reform of the cadastre;
- (2) the sums corresponding to the percentage established by the Government of the duties and fees which registrars are required to collect.
- Advances**                    **5.** With the authorization of the Government and on the conditions it determines, the Minister of Finance may advance sums out of the consolidated revenue fund, up to five million dollars, to the Québec cadastre reform fund.
- Repayment**                    The advanced sums shall be repaid out of the Québec cadastre reform fund.
- Transfer of appropriations**                    **6.** The Minister of Energy and Resources may transfer appropriations voted for the reform of the cadastre to the Québec cadastre reform fund.
- Agreements**                    **7.** The Minister of Energy and Resources, according to law and with authorization by the Government, may enter into agreements with governments, bodies or persons to facilitate the reform of the cadastre.
- Payment into fund**                    Sums that may be payable under an agreement shall be paid into the Québec cadastre reform fund.
- Duties and fees**                    **8.** On the recommendation of the Minister of Justice and the Minister of Energy and Resources, the Government, by order, may establish the percentage of duties and fees collected by registrars under the Registry Office Act (R.S.Q., chapter B-9) or the Stamp Act (R.S.Q., chapter T-10) which shall be paid into the Québec cadastre reform fund.

## CHAPTER II

## RENEWAL OF THE CADASTRE

- Renewal**           **9.** The cadastre of a territory shall be renewed by identifying each unit of the parcelling out of the territory on a plan and, where required, by changing cadastral designations, including the numbering.
- Renewal plan**       **10.** The Minister of Energy and Resources shall prepare a cadastral renewal plan for a territory when he is of opinion that the parcelling out of the territory or the changes made to that parcelling out require it.
- Consulta-  
tion**               The Minister may for that purpose consult any plan or book of reference where he considers it useful or necessary, even where it was prepared in an irregular manner or has not been put into force.
- Erroneous  
cadastral  
designations**       **11.** When preparing a renewal plan, the Minister shall change any erroneous cadastral designation or any designation which, in his opinion, is a source of error or confusion.
- Necessary  
changes**           The Minister may also change any cadastral designation where he considers it useful or necessary.
- Identifica-  
tion of lots**       **12.** The Minister may or may not identify on a renewal plan the lots indicated on a vertical cadastral plan or a divided co-ownership subdivision plan.
- Presump-  
tion**               The lots are deemed to form part of the renewal plan even if the Minister does not identify them on the plan.
- Public  
hearing**           **13.** A draft renewal plan shall be submitted to a public hearing at which persons who so wish may express their views.
- Notice**            Notice of the hearing shall be given by the Minister or, at his request, by the municipality concerned.
- Publication**       **14.** The notice shall be published in a newspaper circulated in the territory covered by the plan at least seven days before the date of the hearing; the notice shall indicate the object, place, date and time of the hearing.
- Posting up**        If no newspaper is circulated in the territory, the notice shall be posted up in a public place determined by the Minister.
- Prohibited  
alienation**        **15.** For the purposes of completing the renewal plan, the Minister shall next, by order, fix a period of not more than fifteen days during

which the alienation *inter vivos* of lots contemplated in the order is prohibited.

Prohibition lifted The prohibition shall be lifted, even before the expiry of the period of fifteen days, from the deposit of the renewal plan in the registry office of the registration division.

Copy of order **16.** Before the beginning of the period of fifteen days, the Minister shall send a copy of the order to the registrar of the registration division contemplated.

Posting up The registrar shall post up the order in his office for the period of prohibition.

Publication **17.** The Minister shall, at least fifteen days before the beginning of the period of prohibition, publish the order in the *Gazette officielle du Québec* and in a newspaper circulated in the territory covered by the renewal plan.

Posting up If no newspaper is circulated in the territory, the order shall be posted up in a public place determined by the Minister.

Deed of alienation **18.** In no case may the registrar, within the period of prohibition, accept for purposes of registration a deed of alienation *inter vivos* of a lot contemplated in the order.

Amending plan Furthermore, the Minister shall not, within the period of prohibition, accept the deposit of a plan amending a lot contemplated in the order.

Certified copy **19.** Upon completing the renewal plan, the Minister shall deposit a copy of the plan certified by him in the registry office of the registration division and send a copy to the clerk or secretary treasurer of the municipality.

Registration **20.** The registration, before the deposit of the renewal plan in the registry office of the registration division, of a document affecting a lot contemplated in the plan cannot be invalidated for the sole reason that the document contains an error in a cadastral designation or affects a lot for which the plan or book of reference has been prepared in an irregular manner or has not been put into force.

## CHAPTER III

## MISCELLANEOUS PROVISIONS

## CIVIL CODE

C.C., a.  
2166, am. **21.** Article 2166 of the Civil Code of Lower Canada, amended by section 12 of chapter 71 of the statutes of 1947, by section 5 of chapter 76 of the statutes of 1969 and by section 20 of chapter 81 of the statutes of 1979, is again amended by adding at the end the following paragraph:

“From 1 October 1985, every plan must be made in accordance with section 1 of the Cadastre Act (R.S.Q., chapter C-1).”

C.C., a.  
2167, am. **22.** Article 2167 of the said Code, amended by section 6 of chapter 76 of the statutes of 1969, is again amended by replacing the words “Such plan must be” in the first line of the first paragraph by the words “The plan deposited in the office of the registration division before 1 October 1985 shall be”.

C.C., a.  
2168, am. **23.** Article 2168 of the said Code, amended by section 1 of chapter 77 of the statutes of 1915, by section 1 of chapter 35 of the statutes of 1916, by section 2 of chapter 109 of the statutes of 1933, by section 37 of chapter 72 of the statutes of 1947 and by section 31 of chapter 11 of the statutes of 1980, is again amended

(1) by inserting, after the words “When a copy of the plans and” in the first paragraph, the words “, where such is the case, of the”;

(2) by inserting, after the words “given to a lot upon the plan and” in the first paragraph, the words “, where such is the case,”;

(3) by replacing the words “such plans and books” in the third paragraph by the words “the plan and, where such is the case, the book”;

(4) by inserting, after the words “given to them upon such plan and” in the third paragraph, the words “, where such is the case,”;

(5) by inserting, after the words “the number on the plan and” in the third paragraph, the words “, where such is the case, in the”.

C.C., a.  
2169, am. **24.** Article 2169 of the said Code, amended by section 13 of chapter 71 of the statutes of 1947 and by section 31 of chapter 11 of the statutes of 1980, is again amended by striking out the words “and books of reference”.

C.C., a.  
2169.1,  
added

**25.** The said Code is amended by inserting, after article 2169, the following article:

**“2169.1** Every plan or amendment to a plan and, where such is the case, to a book of reference, except those mentioned in articles 2169 and 2176*a*, takes effect, for registration purposes, from the date on which it is deposited in the office of the registration division.”

C.C., a.  
2171, am.

**26.** Article 2171 of the said Code, amended by section 31 of chapter 11 of the statutes of 1980, is again amended by inserting, after the words “separately designated upon the plan and”, the words “, where such is the case, in the”.

C.C., a.  
2172, am.

**27.** Article 2172 of the said Code, amended by section 5844 of the revised statutes of 1888, by section 10 of chapter 46 of the statutes of 1943, by section 38 of chapter 72 of the statutes of 1947 and by section 31 of chapter 11 of the statutes of 1980, is again amended by striking out, in the first paragraph, the words “of land”.

C.C., aa.  
2173.1-  
2173.7,  
added

**28.** The said Code is amended by inserting, after article 2173, the following articles:

**“2173.1** Upon the deposit of a renewal plan prepared under Chapter II of the Act to promote the reform of the cadastre in Québec (1985, chapter 22), the registrar must enter in the index of immovables the concordance established on the plan between the former and the new lot numbers.

**“2173.2** Upon receiving any deed which entails the alienation *inter vivos* of part of a lot covered by the renewal plan, the registrar must register the deed but, unless the alienation serves to guarantee an obligation, he must not enter the deed in the index of immovables under the number of the lot.

After affixing the certificate of registration, the registrar must attest upon the deed that it cannot be entered in the index of immovables under the number of the lot alienated only in part.

The registration of the deed is of no effect in respect of the part of the lot until an amendment assigning a separate number to that part on a plan is deposited in the office of the registration division and a notice indicating that the number assigned by the amendment is that assigned to the part of the lot affected by the deed is registered by deposit.

Upon the deposit of the amendment and the registration of the notice, the registrar must enter the deed contemplated in the notice in the index of immovables and mention such entry upon the deed.

**“2173.3** Notwithstanding the foregoing, on the recommendation of the Minister of Energy and Resources, the Government may, by order, permit on such conditions as it determines the entry in the index of immovables of deeds which entail the alienation of parts of lots situated in an agricultural zone established under the Act to preserve agricultural land (R.S.Q., chapter P-41.1).

The order is published in the *Gazette officielle du Québec* and comes into effect on any date subsequent to its publication indicated in the order.

The registrar must send to the Minister of Energy and Resources a copy of every deed he enters in the index of immovables in accordance with the order.

After receiving the deed, the Minister must prepare the amendment assigning a separate number on a plan to each part of a lot resulting from the alienation.

**“2173.4** Article 2173.3 also applies to any deed which entails the alienation of part of a lot which is situated more than 345 kilometres from the office of the registration division to which it belongs.

**“2173.5** Where the registration of a right affecting a lot contemplated in a renewal plan is effected before the deposit of the plan, such registration need not be renewed.

**“2173.6** Where part of a lot situated in a territory covered by a renewal plan is required for public use, the person who is authorized to expropriate it must file in the office of the Minister of Energy and Resources a plan assigning separate numbers to the required part and to the residual part.

The plan need not be certified by the owner of the lot, but shall be certified by the person who is authorized to expropriate it.

If the Minister finds the plan to be correct, he must deposit a copy thereof certified by him in the office of the registration division; in no case may the deed of transfer contemplated in the Expropriation Act (R.S.Q., chapter E-24) or of the deed of assignment of the required part of the lot be registered before the plan is deposited.

**“2173.7** The registration of a minute relating to the determining of the boundaries of lots situated in a territory covered by a renewal

plan has full effect if the minute states expressly that the boundary line between the properties coincides with the cadastral limits of the lots contemplated therein.

The registration of a minute that does not contain the statement is of no effect until an amendment to the plan is deposited in the office of the registration division.”

C.C., a.  
2174, am.

**29.** Article 2174 of the said Code, amended by section 1 of chapter 11 of the statutes of 1886, by Appendix A-p. XII of the revised statutes of 1888, by section 14 of chapter 71 of the statutes of 1947 and by section 20 of chapter 81 of the statutes of 1979, is again amended

(1) by inserting, after the words “alter the plans or” in the first paragraph, the words “, where such is the case, the”;

(2) by inserting, after the words “The plan or” in the third paragraph, the words “, where such is the case, the”.

C.C., a.  
2174a, am.

**30.** Article 2174a of the said Code, enacted by section 1 of chapter 21 of the statutes of 1881 and amended by section 5846 of the revised statutes of 1888, by section 1 of chapter 104 of the statutes of 1930-31, by section 15 of chapter 71 of the statutes of 1947 and by section 20 of chapter 81 of the statutes of 1979, is again amended

(1) by inserting, after the words “the official plan and” in the first paragraph and in the second paragraph, the words “, where such is the case, the”;

(2) by striking out the third paragraph.

C.C., a.  
2174b, am.

**31.** Article 2174b of the said Code, enacted by section 27 of chapter 11 of the statutes of 1980 and amended by section 8 of chapter 14 of the statutes of 1981, is again amended

(1) by striking out, in the first sentence of the first paragraph, the words “and book of reference”;

(2) by replacing the last sentence of the first paragraph by the following sentence:

“The plan must establish the concordance between the former numbers and the new numbers.”;

(3) by replacing the third paragraph by the following paragraph:

“If he finds the plan to be correct, the Minister must annotate the former plan and, where such is the case, the book of reference, so as to establish the concordance between the former numbers and the new numbers. He must deposit a copy, certified by him, of the new plan in the office of the registration division.”;

(4) by striking out, in the fifth paragraph, the words “described by metes and bounds or described in accordance with the second paragraph of section 15 of the Cadastre Act (R.S.Q., c. C-1)”;

(5) by replacing the words “replaced plan and book of reference”, wherever they appear in the fifth paragraph, by the words “new plan”.

C.C. a.  
2175, am.

**32.** Article 2175 of the said Code, amended by section 5847 of the revised statutes of 1888, by section 2 of chapter 77 of the statutes of 1915, by section 2 of chapter 35 of the statutes of 1916, by section 1 of chapter 74 of the statutes of 1923-24, by section 2 of chapter 104 of the statutes of 1930-31, by section 16 of chapter 71 of the statutes of 1947, by section 7 of chapter 76 of the statutes of 1969, by sections 1 and 2 of chapter 83 of the statutes of 1971 and by section 20 of chapter 81 of the statutes of 1979, is again amended

(1) by striking out the words “town or village” in the first paragraph;

(2) by replacing the word “property” wherever it appears in the first paragraph by the word “lot”;

(3) by inserting, after the words “upon the plan or” in the first paragraph, the words “, where such is the case, the ”;

(4) by striking out, after the words “et des ressources” in the first paragraph, the words “and book of reference”;

(5) by replacing the words “and book of reference are correct” in the first paragraph by the words “is correct”;

(6) by replacing the word “property” in the second paragraph by the word “lot”;

(7) by striking out, in the second paragraph, the words “and book of reference”;

(8) by striking out the third paragraph;

(9) by inserting, after the words “on a plan and” in the fourth paragraph, the words “, where such is the case,”.

C.C., a.  
2176,  
repealed  
C.C., a.  
2176a,  
am.

**33.** Article 2176 of the said Code is repealed.

**34.** Article 2176a of the said Code, enacted by section 5 of chapter 25 of the statutes of 1869 and amended by section 5848 of the revised statutes of 1888, section 31 of chapter 11 of the statutes of 1980 and section 9 of chapter 14 of the statutes of 1981, is again amended

(1) by replacing the words “,together with”, in the first paragraph, by the words “and, as the case may be,”;

(2) by replacing the words “the deposit of such plan and” in the second paragraph by the words “the deposit of such plan and, as the case may be, such”;

(3) by replacing the words “apply to such plan and” in the second paragraph by the words “apply to such plan and, as the case may be, such”.

C.C., a.  
2176b,  
repealed

**35.** Article 2176b of the said Code is repealed.

C.C., a.  
2176c, am.

**36.** Article 2176c of the said Code, enacted by section 5848 of the revised statutes of 1888 and amended by section 31 of chapter 11 of the statutes of 1980, is again amended

(1) by replacing the words “the plan and” in the first line by the words “the plan and, as the case may be, the”;

(2) by replacing the words “such plan and” in the fifth line by the words “such plan and, as the case may be, such”.

#### REGISTRY OFFICE ACT

c. B-9, s.  
37, am.

**37.** Section 37 of the Registry Office Act (R.S.Q., chapter B-9) is amended by inserting, after the first paragraph, the following paragraph:

Tariffs

“He shall also take into account, when fixing tariffs, the percentage established by the order made under section 8 of the Act to promote the reform of the cadastre in Québec (1985, chapter 22).”

#### CADASTRE ACT

c. C-1, Div.  
I, heading,  
replaced

**38.** The heading of Division I of the Cadastre Act (R.S.Q., chapter C-1) is replaced by the following:

“PREPARATION OF CADASTRAL PLAN”.

c. C-1, s. 1,  
am.

**39.** Section 1 of the said Act is amended

(1) by striking out the words “county or” in the third line of subsection 1;

(2) by striking out the words “, with a book of reference for each, in which shall be set forth:” in the fourth and fifth lines of subsection 1;

(3) by replacing paragraphs *a*, *b* and *c* of subsection 1 by the following paragraphs:

Plan

“The plan shall indicate

(a) the limits of the lots covered by the plan and the numbers assigned to each of them;

(b) the area and dimensions of each lot;

(c) the names of the cadastre, registration division and municipality wherein the lots are situated.

Lot num-  
bers

The numbers assigned to the lots indicated on the plan shall be consecutive and form part of the same series.”;

(4) by striking out the first paragraph of subsection 2.

c. C-1, s. 2,  
am.

**40.** Section 2 of the said Act is amended by striking out the words “and book of reference” in the first line.

c. C-1, s. 3,  
am.

**41.** Section 3 of the said Act is amended by striking out the words “and books of reference” in the third and fourth lines.

c. C-1, s. 4,  
replaced

**42.** Section 4 of the said Act is replaced by the following sections:

Townships

“**4.** For the preparation of plans relating to townships, the Minister shall refer to the maps and surveys already made or cause new surveys to be made, whichever seems to him better adapted to ensure the correctness of the plan.

Corrections

“**4.1** The Minister may correct a plan or a book of reference where he believes that the cadastral designation, including the numbering entered on the plan, in the book of reference or in the index of immovables is erroneous or is a source of error or confusion.

Certification

The Minister shall certify the correction on the plan or in the book of reference in which the correction is made.

- Regularization**      “**4.2** The Minister may regularize a plan or a book of reference deposited before 14 May 1985 which, according to him, has been prepared irregularly.
- Certificate**      The Minister shall regularize the plan or the book of reference by means of a certificate he shall affix to it.
- Declaration**      “**4.3** The Minister may declare that a plan or a book of reference deposited before 14 May 1985 is in force which, according to him, has not been put into force.
- Certificate**      The Minister shall make the declaration by means of a certificate he shall affix to the plan or book of reference being the object of the declaration.
- Deposit of copy and notice**      “**4.4** The Minister shall deposit, in the registry office of the registration division where the territory contemplated by the plan or the book of reference bearing a certificate of correction, of regularization or of putting into force is situated, a copy, certified by him, of the plan or book of reference accompanied with a notice indicating the nature of the correction and, as the case may be, the concordance between the former cadastral designation and the new one, the regularization effected or the fact that they have been put into force.
- Index of immovables**      The registrar shall enter the notice in the index of immovables and indicate therein, as the case may be, the nature of the correction or the regularization that has been made.
- Lot number**      Where the correction changes the number of a lot, the registrar shall begin a new leaf of the index of immovables and enter therein the concordance between the former number and the new one.
- Publication**      “**4.5** The Minister shall publish the notice accompanying the plan or book of reference bearing a certificate of correction, of regularization or of putting into force in a newspaper circulated in the territory contemplated by the plan or book of reference, not later than fifteen days after the date of the deposit in the registry office of the registration division.
- Posting up**      If no newspaper is circulated in the territory, the notice shall be posted up in a public place determined by the Minister.
- Notice**      Where the notice pertains to a correction that changes the number of a lot, the Minister shall send the notice to the last known address of the owner and to each holder of a right who has registered a notice of address against the lot.

Validity

**“4.6** The registration, before the deposit in the registry office of the registration division of the plan or book of reference bearing a certificate of correction, regularization or putting into force, of a document affecting a lot contemplated by the plan or the book of reference cannot be invalidated for the sole reason that, as the case may be, the document

(1) contains the cadastral designation which is corrected;

(2) affects a lot indicated on the plan or book of reference which is regularized;

(3) affects a lot indicated on the plan or book of reference which is declared to be in force.

Validity

**“4.7** A plan or book of reference prepared under a plan or a book of reference corrected, regularized or put into force under sections 4.1, 4.2 or 4.3 cannot be invalidated for the sole reason that the plan or book of reference contains an erroneous cadastral designation, has been prepared in an irregular manner or has not been put into force, as the case may be.

Applicable provision

Section 4.6 applies, adapted as required, to the registration of a document affecting a lot contemplated in a plan or a book of reference that cannot, under this section, be invalidated.”

c. C-1, s. 5, am.

**43.** Section 5 of the said Act is amended by replacing the words “of the official plans and books of reference” in the third line by the words “and keeping of the plans and, as the case may be, of the books of reference”.

c. C-1, s. 14, am.

**44.** Section 14 of the said Act is amended

(1) by striking out the words “, accompanied by a book of reference,” in the first and second lines;

(2) by adding, at the end of the section, the following paragraph:

Application

“The first paragraph, adapted as required, applies to every amendment to a plan.”

c. C-1, s. 15, am.

**45.** Section 15 of the said Act is amended

(1) by inserting the phrase “, as the case may be,” after the words “upon the plan” in the second line of the first paragraph;

(2) by striking out the second paragraph.

c. C-1, s.  
16, repealed

**46.** Section 16 of the said Act is repealed.

c. C-1, s.  
17, am.

**47.** Section 17 of the said Act is amended

(1) by replacing the words “plan and book of reference” in the first line of the first paragraph by the word “plans”;

(2) by replacing the words “plan and book” in the ninth line of the first paragraph by the following: “plans and, as the case may be, the books”;

(3) by striking out the words “and book of reference” in the tenth and eleventh lines;

(4) by replacing the words “plan and book” in the twelfth line of the first paragraph by the words “plans and, as the case may be, the books”.

c. C-1, s.  
18, am.

**48.** Section 18 of the said Act is amended

(1) by replacing the words “plan and book” in the fourth line of the first paragraph by the following: “plans and, as the case may be, the books”;

(2) by replacing the words “plan and book of reference” in the sixth and seventh lines of the first paragraph by the word “plans”;

(3) by replacing the words “plan and book” in the eighth line of the first paragraph by the following: “plans and, as the case may be, the books”;

(4) by replacing the words “plan and book of reference” in the eleventh line of the first paragraph by the word “plans”.

c. C-1, s. 19,  
replaced,  
ss. 19.1,  
19.2, added  
Parcelling  
out

**49.** Section 19 of the said Act is replaced by the following sections:

“**19.** Where a person parcels out an original lot owned by him and situated in a territory covered by a renewal plan under Chapter II of the Act to promote the reform of the cadastre in Québec (1985, chapter 22) or by a plan prepared after 30 September 1985 under the Act respecting land titles in certain electoral districts (R.S.Q., chapter T-11), the parcelling out shall be effected by the assignment, by way of subdivision or replacement, of a separate number to each part resulting therefrom.

Parcelling  
out

“**19.1** Where a person parcels out a subdivision lot owned by him and situated in a territory covered by a plan contemplated in section

19, the parcelling out shall be effected by the assignment, by way of replacement, of a separate number to each part resulting therefrom.

Identifica-  
tion

“**19.2** Prior to the deposit in the office of the Minister of a vertical cadastral plan or of a subdivision plan of divided co-ownership, the land contemplated thereby shall be identified by one original lot number only.

Separate  
number

The parcelling out of the lot is effected by assigning a separate number by subdivision to each part resulting therefrom.

Parcelling  
out

After the deposit of the vertical cadastral plan or of the subdivision plan of divided co-ownership in the registry office of the registration division, the parcelling out of a subdivided lot indicated in it shall be effected in accordance with the Minister’s directives.”

c. C-1, Div.  
V, heading,  
replaced

**50.** The heading of Division V of the said Act is replaced by the following:

“MISCELLANEOUS PROVISIONS”.

c. C-1, ss.  
21.1-21.7,  
added

**51.** The said Act is amended by inserting, after the heading of Division V, the following sections:

Substitution

“**21.1** Where a plan or book of reference is amended or brought up to date, the Minister may send a copy, certified by him, of the plan or book of reference amended or brought up to date to the registry office of the registration division for substitution for the former copy.

Registrar

Upon receiving the new copy, the registrar shall substitute it for the former copy and return the latter to the Minister.

Plan

“**21.2** A plan deposited in the office of the Minister shall, for each lot number

(1) mention the name of the owner so long as the person responsible for introducing the plan can ascertain it;

(2) indicate, where required, the concordance between the former number and the new one;

(3) contain any other data the Minister may deem useful.

Data

In cases determined by ministerial order, the data may be contained in a document attached to the plan.

Duplicate

“**21.3** Every renewal plan and every plan revised shall be made in duplicate; one duplicate shall be in writing and the other shall be the computer version of the written document.

- Computer version      The computer version may be updated by compiling all data relating to a plan and the amendments to it; it is deemed to be a duplicate of all written duplicates relating to the plan and the amendments to it.
- Different duplicates      Where the two duplicates differ, that in writing shall prevail.
- Deterioration or loss      In case of deterioration or loss of one of the duplicates, the other may serve to reconstitute it.
- Reproduction      “**21.4** The Minister may, by order, decide to keep in duplicate the plans and books of reference in his records by reproducing them on microfilm or by making a computer version of them. He shall determine in the order the means to be used and the method of making the microfilm reproduction or the computer version.
- Certification      After reproducing a plan or a book of reference on microfilm or after making a computer version of it, the Minister shall collate the original with the reproduction or the version and certify in writing that it complies with the original.
- Authenticity      Every microfilm reproduction or computer version certified under this section shall have the same authenticity, validity and force as the original plan or book of reference.
- Inscription      “**21.5** Where a plan or book of reference has been reproduced on microfilm, the Minister shall determine by order the means and manner of making any entry relating to an inscription appearing on the microfilm.
- Deposit      “**21.6** Where the Minister is of opinion that the modifications made to the lots in a territory covered by a plan contemplated in section 19 justify the deposit of an up-to-date copy of the plan in the registry office of the registration division, he shall, by order, decide to proceed to such deposit.
- Order      The Minister shall send the order to the registrar, together with a copy, certified by him, of the up-to-date plan.
- Publication      He shall publish the order in the *Gazette officielle du Québec*.
- Minister responsible      “**21.7** The Minister of Energy and Resources is responsible for the administration of this Act.”

## STAMP ACT

c. T-10, s.  
28, am.

**52.** Section 28 of the Stamp Act (R.S.Q., chapter T-10) is amended by inserting, after the first paragraph, the following paragraph:

Tariff “It shall also take into account, when fixing a tariff, the percentage established by the order made under section 8 of the Act to promote the reform of the cadastre in Québec (1985, chapter 22).”

ACT RESPECTING LAND TITLES IN  
CERTAIN ELECTORAL DISTRICTS

c. T-11, s. 2, am. **53.** Section 2 of the Act respecting land titles in certain electoral districts (R.S.Q., chapter T-11) is amended by striking out the words “and books of reference” wherever they appear.

c. T-11, s. 2.1, added **54.** The said Act is amended by inserting, after section 2, the following section:

Identifica-  
tion **“2.1** The Minister may or may not identify on a revised plan the lots indicated on a vertical cadastral plan or a divided co-ownership subdivision plan.

Revised  
plan The lots are deemed to form part of the revised plan even if the Minister does not identify them.”

c. T-11, s. 3, am. **55.** Section 3 of the said Act is amended  
(1) by striking out, in the first and second lines, the words “and book of reference”;  
(2) by striking out, in the first line of paragraph *b*, the word “local”.

c. T-11, s. 4, am. **56.** Section 4 of the said Act is amended  
(1) by striking out, in the second line of the first paragraph, the words “and books of reference”;  
(2) by striking out, in the twelfth line of the first paragraph, the words “and book of reference”;  
(3) by adding, at the end of the first paragraph, the following: “, except a real right affecting any lot indicated on a vertical cadastral plan or a divided co-ownership subdivision plan that is not identified on the revised plan”.

c. T-11, s. 4.1, added **57.** The said Act is amended by inserting, after section 4, the following section:

Applicable  
provisions **“4.1** Articles 2173.1 to 2173.4, 2173.6 and 2173.7 of the Civil Code of Lower Canada, adapted as required, apply to a lot situated in a territory covered by a plan contemplated in section 2 that comes into force after 30 September 1985.”

c. T-11, s. 6, am. **58.** Section 6 of the said Act is amended by striking out, in the second and third lines of the first paragraph, the words “and books of reference”, and in the seventh line of the first paragraph, the words “and book of reference”.

c. T-11, s. 7, am. **59.** Section 7 of the said Act is amended by striking out, in the first line of the second paragraph, the words “and book of reference”.

c. T-11, ss. 8.1, 8.2, added **60.** The said Act is amended by inserting, after section 8, the following sections:

Application **“8.1** Section 4.1 applies to the Government and to its departments and agencies.

Minister responsible **“8.2** The Minister is responsible for the administration of this Act.”

ACT TO AMEND VARIOUS LEGISLATIVE  
PROVISIONS

1980, c. 11, s. 31, am. **61.** Section 31 of the Act to amend various legislative provisions (1980, chapter 11) is amended by inserting, after the word ““proclamation”” in the first line, the words ““, “proclamation of the Lieutenant-Governor””.

CHAPTER IV

TRANSITIONAL AND FINAL PROVISIONS

Effect of s. 61 **62.** Section 61 amending section 31 of the Act to amend various legislative provisions (1980, chapter 11) has effect from 18 July 1980.

Minister responsible **63.** The Minister of Energy and Resources is responsible for the administration of Chapters I and II of this Act, except the second paragraph of section 16, the first paragraph of section 18 and section 20, the administration of which is the responsibility of the Minister of Justice.

Exception **64.** 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).

Coming into force **65.** This Act comes into force on 20 June 1985, except sections 9 to 36, 38 to 51 and 53 to 60, which come into force on 1 October 1985.