

1985, chapter 58

AN ACT RESPECTING THE RICHELIEU VALLEY WATERWORKS COMMISSION

Bill 209

Introduced by Mr Jean-Pierre Charbonneau, Member for Verchères

Introduced 28 May 1985

Passage in principle 20 June 1985

Passage 20 June 1985

Assented to 20 June 1985

Coming into force: 20 June 1985

Act repealed:

Act respecting Richelieu Valley Waterworks Commission — Commission d'Aqueduc de la Vallée du Richelieu (1958-59, chapter 182)



CHAPTER 58

An Act respecting the Richelieu Valley Waterworks Commission

[Assented to 20 June 1985]

Preamble

WHEREAS the municipalities that are members of the Comité Intermunicipal d'Aqueduc de la Vallée du Richelieu wish to have the resolutions, by-laws, contracts, engagements and deeds of the committee and of the Richelieu Valley Waterworks Commission made before the repeal of the Act creating the Commission, declared valid and incontestable;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Validation
of order

1. Order TC-36 of the Régie des eaux du Québec made on 28 June 1968 and whose object is the creation of the Comité Intermunicipal d'Aqueduc de la Vallée du Richelieu is hereby declared valid and incontestable.

Transfer of
jurisdiction
and powers

The jurisdiction and the powers granted to the Régie des eaux under the said order shall be transferred to the Commission municipale du Québec.

Pending
cases

This section does not affect a case pending, a decision or a judgment rendered on 2 March 1985 and based on the absence of jurisdiction of the Comité Intermunicipal d'Aqueduc de la Vallée du Richelieu.

Irregularity

2. No illegality or irregularity that may result from the failure of the Richelieu Valley Waterworks Commission to act in accordance with the Act respecting Richelieu Valley Waterworks Commission — Commission d'Aqueduc de la Vallée du Richelieu (1958-59, chapter 182) may be set up against it owing to the fact that the resolutions, by-laws, contracts, engagements and deeds were made or passed by the Comité Intermunicipal d'Aqueduc de la Vallée du Richelieu.

Pending
cases

This section does not affect a case pending, a decision or a judgment rendered on 2 March 1985 and based on the absence of jurisdiction of the Comité Intermunicipal d'Aqueduc de la Vallée du Richelieu.

Continuance
as inter-
municipal
manage-
ment board

3. The municipalities contemplated in Order TC-36 and the town of Saint-Basile-le-Grand and the parishes of Saint-Mathias and Saint-Jean-Baptiste shall, by means of an agreement authorized by by-law and subject to sections 468.3 to 468.6 of the Cities and Towns Act (R.S.Q., chapter C-19), apply to the Minister of Municipal Affairs for the continuance of the committee contemplated in section 1 as an intermunicipal management board pursuant to the said Act.

Applicable
provisions

The Minister may approve the agreement and order the continuance of the committee as an intermunicipal management board pursuant to the Cities and Towns Act. The second, third and fourth paragraphs of section 468.11 of the Cities and Towns Act apply, adapted as required, to the order.

Approval

The agreement also requires the approval of the Minister of the Environment.

Rights
maintained

The rights, obligations and deeds of the committee are not affected by the continuance.

Order

If, by 15 November 1985, the Minister of Municipal Affairs has not received the agreement contemplated in the first paragraph, he may order the continuance of the committee as an intermunicipal management board. The order shall be in lieu of the agreement and the first, second and fourth paragraphs apply for that purpose, adapted as required. However, the order shall be published in the *Gazette officielle du Québec*, and comes into force on the date of its publication or on any later date indicated therein. Any amendment to the order shall be subject to formalities provided for in sections 468 and 468.1 of the Cities and Towns Act and to the approval of the Minister of the Environment.

1958-59, c.
182,
repealed

4. The Act respecting Richelieu Valley Waterworks Commission — Commission d'Aqueduc de la Vallée du Richelieu (1958-59, chapter 182) is repealed.

Transfer of
property

The movable and immovable property of the commission shall be transferred to the committee contemplated in section 1.

Exception

5. 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).

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Coming into
force

- 6.** This Act shall come into force on 20 June 1985.