

1983, chapter 40  
**AN ACT RESPECTING THE SOCIÉTÉ IMMOBILIÈRE  
DU QUÉBEC**

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**Bill 18**

Introduced by Mr Alain Marcoux, Minister of Public Works and Supply

First reading: 22 June 1983

Second reading: 5 December 1983

Third reading: 20 December 1983

**Assented to: 21 December 1983**

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**Coming into force: by proclamation of the Government**

— 15 February 1984: ss. 1 to 17, 53, 61, 66, 96, 97, 98

G.O., 1984, Part 2, p. 1173

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**Acts amended:**

Colonization Roads Act (R.S.Q., chapter C-13)

Railway Act (R.S.Q., chapter C-14)

Telegraph and Telephone Companies Act (R.S.Q., chapter C-45)

Executive Power Act (R.S.Q., chapter E-18)

Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1)

Act respecting municipal taxation (R.S.Q., chapter F-2.1)

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

Act respecting the Ministère du Revenu (R.S.Q., chapter M-31)

Government Departments Act (R.S.Q., chapter M-34)

Act respecting Mauricie Park and its surroundings (R.S.Q., chapter P-7)

Act respecting Forillon Park and its surroundings (R.S.Q., chapter P-8)

Act respecting the Régie des installations olympiques (R.S.Q., chapter R-7)

Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12)

Act respecting the Service des achats du gouvernement (R.S.Q., chapter S-4)

Act respecting the Société du Palais des congrès de Montréal (R.S.Q., chapter S-14.1)

Public Works Act (R.S.Q., chapter T-15)

**Acts repealed:**

Act respecting the Ministère des Travaux publics et de l'Approvisionnement (R.S.Q., chapter M-29)

Act respecting the Société de développement immobilier du Québec (R.S.Q., chapter S-11)



## CHAPTER 40

An Act respecting the Société immobilière  
du Québec

[Assented to 21 December 1983]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

### DIVISION I

#### ESTABLISHMENT AND COMPOSITION OF THE CORPORATION

- Establishment**      **1.** A joint-stock company, hereinafter called “the corporation”, is incorporated under the name of the “Société immobilière du Québec”.
- Head office**      **2.** The head office of the corporation is in the territory of the Communauté urbaine de Québec; a notice of the location or any change of location of the head office is published in the *Gazette officielle du Québec*.
- Sittings**      The corporation may hold its sittings anywhere in Québec.
- Mandatory of the Government**      **3.** The corporation enjoys the rights and privileges of a mandatory of the Government.
- Public domain**      The property of the corporation forms part of the public domain, but the performance of its obligations may be levied against its property.
- Liability**      The corporation binds only itself when it acts in its own name.
- Board of directors**      **4.** The affairs of the corporation are administered by a board of directors composed of nine members, as follows:
- (1) the president of the corporation appointed by the Government for a term of not over five years;
- (2) eight other members appointed by the Government for a term of not over three years.

Directors	The members of the board of directors are the directors of the corporation within the meaning of the Companies Act (R.S.Q., chapter C-38).
Domicile	<b>5.</b> Not fewer than six members must be domiciled in Québec.
Chairman	<b>6.</b> The Government shall appoint one of the members of the board of directors to be chairman of the board.
Duties	The chairman of the board shall preside over the meetings of the board of directors, direct its operations and carry out the other functions vested in him by by-law of the corporation.
Vice-chairman	<b>7.</b> The members of the board of directors shall elect a vice-chairman from among the members contemplated in subparagraph 2 of section 4, to perform the duties of the chairman in his absence.
Continuance	<b>8.</b> Each member of the board of directors remains in office at the expiry of his term until he is replaced or reappointed.
Vacancy	A vacancy occurring before the end of a term is filled in the manner and for the time specified in section 4.
Replacement	If the chairman of the board of directors is unable to act, he is replaced by the vice-chairman; if any other member of the board is unable to act, he is replaced by a person designated by the Government, which shall fix his indemnities and allowances.
Quorum	<b>9.</b> A majority of the members of the board of directors, including the chairman, forms a quorum.
President	<b>10.</b> The president of the corporation shall see that the decisions of the board of directors are carried out, and he is responsible for the administration and direction of the company within the scope of its by-laws and policies. He is <i>ex officio</i> the chief executive officer of the corporation and shall devote his full time to his official duties.
Remuneration	The remuneration and the other conditions on which the president holds office are specified in a contract binding between him and the corporation. The contract has effect only if it is ratified by the Government.
Salary and conditions of employment	<b>11.</b> The Government shall fix, as required, the salary, allowances, indemnities and the other conditions of employment of the chairman and the other members of the board of directors.
Payment	All the members of the board of directors are paid out of the revenues of the corporation.

Conflict  
of interest

**12.** Any member of the board of directors, other than the president of the corporation, having a direct or indirect interest in an undertaking causing his personal interest to conflict with that of the corporation shall, under pain of forfeiture of office, disclose it in writing to the president and abstain from participating in any decision involving the undertaking in which he has an interest.

Conflict  
of interest

In no case may the president or any employee of the corporation, under pain of forfeiture of office, have a direct or indirect interest in any undertaking causing his personal interest to conflict with that of the corporation. However, forfeiture is not incurred where the interest devolves to him by succession or gift, provided he renounces or disposes of it with dispatch.

Executive  
committee

**13.** The corporation may, by by-law, establish an executive committee, determine its functions and powers and fix the term of office of its members.

Secretary  
and  
employees

**14.** The secretary and the other employees of the corporation are appointed in the manner provided and in accordance with the staffing plan established by by-law of the corporation.

Remunera-  
tion

The scales and standards of remuneration and the other conditions of employment of the employees of the corporation are determined by resolution of the board of directors and submitted for approval to the Government.

Internal  
management

**15.** The corporation may make any by-law concerning the exercise of its powers and its internal management.

By-laws

By-laws made in accordance with this division come into force on the date of their approval by the Government or on any later date it determines.

Confirmation

The by-laws do not require confirmation by the shareholders.

Minutes

**16.** The minutes of the sittings of the board of directors, approved by the board and certified by the chairman or any other person authorized to do so by the by-laws of internal management of the corporation are authentic. The same applies to documents and copies emanating from the corporation and forming part of its records, if they are so certified.

Signature

**17.** No document is binding on the corporation unless it is signed by the president or, in the cases determined by by-law of the corporation, an employee of the corporation.

Facsimile

The corporation, by by-law, may, on the conditions it determines, allow a required signature to be affixed by means of an automatic device

to the documents it determines, or a facsimile of a signature to be engraved, lithographed or printed on them. However, the facsimile does not have the same force as the signature itself unless the document is countersigned by a person authorized by the president.

## DIVISION II

## OBJECTS AND POWERS OF THE CORPORATION

Objects and powers

**18.** The objects of the corporation are, for a consideration, to place immovables at the disposal of the government departments and agencies and to provide services to them in the construction and operation of buildings and in property management. For these purposes, it may, in particular,

(1) acquire by agreement any immovable, part of an immovable or real right;

(2) build, lease, maintain and hold any immovable;

(3) sell, alienate, transfer by lease or otherwise, or give as security any movable or immovable property and any rights therein;

(4) equip and furnish immovables and, for that purpose, acquire, lease, maintain and hold any movable property.

Obligation of departments and public bodies

**19.** From (*insert here the date of coming into force of this section*), every department and public body entered on a list established by government order shall deal exclusively with the corporation for purposes of the objects stated in section 18, excepting the real estate operations and services excluded by the order in the case of any particular department or agency or any of their administrative units.

Existing contract

This section does not result in the cancellation of any contract or irrevocable offer made by such a department or agency before (*insert here the date of coming into force of this section*).

Surplus premises

**20.** The corporation may put at the disposal of any body, other than a body contemplated in the list drawn up in accordance with section 19, premises it considers surplus.

Agreements

The corporation may also enter into agreements with the body, in the cases determined by the Government, respecting the other activities and services of the corporation referred to in section 18.

Montréal convention centre

**21.** A further object of the corporation is to build and develop a convention centre in Montréal.

Place Desjardins

The corporation shall also take part in the construction, development and operation of Place Desjardins in Montréal.

## Powers

For the purposes of the second paragraph, the corporation may, with prior approval of the Government,

(1) acquire and hold shares of the capital stock or other securities of Place Desjardins Inc.;

(2) transfer the shares or other securities to the Caisse de dépôt et placement du Québec or to any public corporation or public body;

(3) associate with any public corporation or public body or any body of the Mouvement Desjardins for the attainment of the objects set forth in the second paragraph;

(4) guarantee the completion of the work of construction and development of Place Desjardins;

(5) advance to Place Desjardins Inc. any amount considered necessary, at such rate of interest, for such time and on such other conditions as the corporation deems appropriate;

(6) give any other guarantees or undertakings in respect of the work or its financing or resulting therefrom; and,

(7) for purposes of the foregoing paragraphs, make such agreements as the corporation deems appropriate.

## Mandates

**22.** The corporation shall also carry out any other mandate related to the objects of the corporation and entrusted to it by the Government where the whole or part of the related costs are assumed by the Government.

## Tabling

The order conferring a mandate under this section must be tabled, within 15 days after it is made, before the National Assembly if it is in session or, if it is not sitting, within 15 days after the opening of the next session or resumption.

## Expropriation

**23.** The corporation, with the authorization of the Government, may expropriate property of any kind that is necessary for the carrying out of its objects and mandates.

## DIVISION III

## FINANCIAL PROVISIONS

§ 1.—*Capital structure*

## Authorized capital

**24.** The authorized capital of the corporation is \$100 000 000.

## Shares

It is divided into 100 000 shares with a par value of \$1000 each.

Public  
domain

**25.** The shares of the corporation form part of the public domain and are allotted to the Minister of Finance.

§ 2.— *Transfer of movable and immovable property  
forming part of the public domain*

Ownership

**26.** The corporation, from the date and according to the terms and conditions determined by the Government, becomes the owner of the movable and immovable property forming part of the public domain that is administered by the Ministère des Travaux publics et de l'Approvisionnement on that date, except the Parliament Building, the Pamphile-LeMay building, the Honoré-Mercier building and any movable property therein and any other immovable or movable property determined by the Government.

Transfer of  
ownership

The Government, on the conditions it determines, may transfer to the corporation the ownership of any other movable or immovable property forming part of the public domain.

Rights and  
obligations

The corporation shall assume the obligations and acquires the rights of the Government in respect of the movable and immovable property. However, the corporation and the Government are jointly and severally liable for the current building contracts for which the Ministère des Travaux publics et de l'Approvisionnement is responsible on that date.

Value of  
property

**27.** The Government shall determine, by order, the value of the movable and immovable property transferred under section 26, except the sums receivable and the sums payable, which are transferred at their book value on the date of transfer.

Acknowledgement  
of debt

The net value of the sums receivable and payable contemplated in the first paragraph is covered by an acknowledgement of debt between the corporation and the Minister of Finance.

Exigibility

The amount of the acknowledgement of debt is payable within 180 days of the date of transfer contemplated in section 26. The other terms and conditions shall be determined by the Government.

Payment to  
the Govern-  
ment

**28.** The corporation shall pay to the Government, on the date the Government determines, the value of the immovable property contemplated in section 26 which was under construction between 1 April 1983 and *(insert here the date of coming into force of this section)*.

Payment to  
the Govern-  
ment

The corporation shall also pay to the Government, on the date the Government determines, the value of the new movable property in stock in the custody of the Ministère des Travaux publics et de l'Approvisionnement on the date of the transfer contemplated in section 26.

Note

**29.** The corporation shall sign, in favour of the Minister of Finance, a note in the amount of

(1) the value of the movable and immovable property transferred, excluding the value of sums receivable and payable, less

(2) the value of the property contemplated in section 28 and the value of the fully-paid shares of the corporation on the date of the transfer for which the Government ordered payment in property.

Reduction of  
the net debt

The amount of the note and the value of the shares mentioned in subparagraph 2 of the first paragraph decrease the net debt of the Government, as defined in the public accounts prepared under the Financial Administration Act (R.S.Q., chapter A-6).

Payment  
of the note

The note is payable on demand to the Minister of Finance, including by the delivery of shares of the corporation or by setting off against any sum the Government may owe to the corporation, and includes any other terms and conditions determined by the Government.

Registration

**30.** The corporation may register by deposit a statement including the description, according to article 2168 of the Civil Code, of any immovable of which the corporation has become the owner under the first or second paragraph of section 26, and the registrar of the registration division in which the immovable is situated is bound to register the statement.

### § 3.—*Financing*

Fully-paid  
shares

**31.** The shares of the corporation are fully paid if, by order of the Government,

(1) the Minister of Finance pays to the corporation, out of the consolidated revenue fund, the amount of \$100 000 000 for 100 000 shares of its capital stock, or if

(2) the property the ownership of which is transferred in accordance with section 26 of this Act is allocated to full payment for the shares of the corporation.

Payment

However, the Government may order that the consideration will be paid, to the extent it indicates, both in cash and in property.

Instalments

The payment in cash contemplated in this section may be made in one or several instalments, the amount and the terms and conditions of which are determined by the Government.

Share  
certificates

The corporation shall issue share certificates to the Minister of Finance in return for payments made in accordance with this section, as when they are made, where such is the case.

Government  
guarantees

**32.** The Government may, on the conditions and modalities it determines,



(1) guarantee the payment in principal and interest of any loan made to the corporation;

(2) guarantee the execution of any other obligation of the corporation;

(3) authorize the Minister of Finance to advance to the corporation any amount considered necessary for the pursuit of its objects.

Amounts required      Amounts required for the carrying out of this section are taken out of the consolidated revenue fund.

Authoriza-  
tion required      **33.** In no case may the corporation, without the authorization of the Government,

(1) contract a loan that increases the aggregate of its outstanding loans to more than the amount determined by the Government;

(2) enter into a contract for a term and an amount exceeding those determined by the Government;

(3) acquire or hold over 50% of the shares of a corporation or a sufficient percentage of them to elect the majority of the directors of that corporation;

(4) acquire, transfer by lease or otherwise alienate an immovable for an amount exceeding the amount determined by the Government.

Tabling      The order of the Government regarding any matter contemplated in subparagraph 2 or 3 of the first paragraph must be tabled, within fifteen days after it is made, in the National Assembly if it is in session or, if it is not sitting, within fifteen days of the opening of the next session or resumption.

#### DIVISION IV

##### SPECIAL POWERS AND DUTIES AND CONDITIONS OF EXERCISE

Regulations      **34.** The Government may, by regulation,

(1) fix rules respecting public tenders, the awarding of contracts and the other conditions necessary for the carrying out of the objects and mandates of the corporation;

(2) determine to what extent and on what conditions the corporation is subject to the Act respecting the Service des achats du gouvernement (R.S.Q., chapter S-4), to the use of the master file on suppliers and to the purchasing policy of the Government.

Coming into  
force

Regulations made under this section come into force ten days after their publication in the *Gazette officielle du Québec* or on any later date determined therein.

Amounts in  
lieu of  
taxes

**35.** The corporation is required to pay to the Ministère des Affaires municipales an amount equal to the amount of money paid annually by the department to municipal corporations to stand in lieu of

(1) the municipal real estate taxes in respect of an immovable owned by the corporation;

(2) the business taxes in respect of a place of business in which the corporation carries on its ordinary activities;

(3) any taxes other than real estate taxes and compensations for municipal services in respect of an immovable contemplated in paragraphs 1 and 2.

School  
taxes

**36.** From 1 July 1984, the corporation shall pay to every corporation of school commissioners, trustees or administrators an amount of money to stand in lieu of the school taxes in respect of an immovable owned by the corporation. The amount paid is equal to the aggregate of the school taxes that would be exigible if the immovable were not exempt from school taxes.

Dividends

**37.** Dividends paid by the corporation are fixed by the Government and not by the directors.

Directives

**38.** The Minister responsible for the administration of this Act may, within the scope of the responsibilities and powers conferred on him, issue directives to the corporation on the objectives and orientation of the corporation in the discharge of its duties under the Act; these directives require prior approval by the Government.

Directives

The Government, also, may issue directives to the corporation on any aspect of any project for the construction or lease of an immovable where it considers it warranted by the nature of the project or the development of the area concerned.

Directives

Directives issued under this section bind the corporation.

Tabling

Every directive issued under this section must be tabled, within fifteen days of its approval or adoption, as the case may be, in the National Assembly if it is in session or, if it is not sitting, within fifteen days of the opening of the next session or resumption.

Third  
persons

Third persons are not bound to see to the carrying out of this section, nor may it be invoked by or against them.

Provisions  
not  
applicable

**39.** Sections 129, 130, 142, 159 to 162, 179 and 189 to 196 of the Companies Act (R.S.Q., chapter C-38) do not apply to the corporation.

#### DIVISION V

##### ACCOUNTS AND REPORTS

Fiscal  
period

**40.** The fiscal period of the corporation ends on 31 March each year.

Financial  
statements

**41.** Not later than 31 July each year, the corporation shall forward to the Minister its financial statements and a report of its activities for the previous fiscal period.

Content

The financial statements and the report of activities must include all the information required by the Minister.

Tabling

**42.** The Minister shall table the report of activities and the financial statements of the corporation in the National Assembly within fifteen days of receiving them, if it is in session, or, if it is not sitting, within fifteen days of the opening of the next session or resumption.

Audit

**43.** The books and accounts of the corporation are audited annually, and every time the Government orders them audited, by the Auditor General or, with the approval of the Government, by an auditor designated by the corporation. The auditor's report must accompany the report of activities and the financial statements of the corporation.

Budgets

**44.** Before the beginning of each fiscal period, the corporation shall prepare an operating budget and a capital budget and submit them to the Government for approval.

Form and  
tenor

The Government shall determine the form, tenor and timetables of the budgets.

Information  
to the  
Minister

**45.** The corporation shall give to the Minister responsible for the administration of this Act any information he may require on its activities.

#### DIVISION VI

##### MISCELLANEOUS AND TRANSITIONAL PROVISIONS

Transfer and  
promotion

**46.** Any person in the employ of the corporation may apply for a transfer to a position in the public service or enter a competition for promotion in accordance with the Civil Service Act (R.S.Q., chapter F-3.1), if on (*insert here the date of coming into force of this section*), he was a civil servant with permanent tenure of the Ministère des Travaux publics et de l'Approvisionnement and if his appointment to the

corporation occurred before (*insert here the date of coming into force of section 77*).

**Applicability** This section also applies to any civil servant with permanent tenure of the Ministère des Finances or the Ministère de la Justice who was in service at the Ministère des Travaux publics et de l'Approvisionnement on (*insert here the date of coming into force of this section*) and who is in the employ of the corporation.

**Provision applicable** **47.** Section 77 of the Civil Service Act applies to any employee contemplated in section 46 who enters a competition for promotion to a position in the public service.

**Opinion on classification** **48.** Where an employee contemplated in section 46 applies for a transfer or a competition for promotion, he may require the Office du recrutement et de la sélection du personnel de la fonction publique to give him an opinion on the classification he would have in the public service. The opinion must take into account the classification that the employee had in the public service on the date of his termination of employment and the experience and years of formal training he has acquired since he has been in the employ of the corporation.

**Transfer** Where an employee is transferred pursuant to section 46, the deputy minister or chief executive officer shall establish his classification in accordance with the opinion contemplated in the first paragraph.

**Promotion** Where an employee is promoted pursuant to section 46, his classification must take account of the criteria provided in the first paragraph.

**Placement on reserve** **49.** Where all or some of the activities of the corporation cease or in case of a lack of work, the employee contemplated in section 46 is entitled to be placed on reserve in the public service with the classification he had before the date of his termination of employment.

**Classification** In the case of this section, the Office du recrutement et de la sélection du personnel de la fonction publique shall, where applicable, assign the employee a classification that takes account of the criteria provided in the first paragraph of section 48.

**Placement on reserve** **50.** A person placed on reserve pursuant to section 49 remains in the corporation until the Office du recrutement et de la sélection du personnel de la fonction publique is able to place him.

**Appeal** **51.** Subject to any rights of action which may exist under a collective agreement, an employee contemplated in section 46 who is removed or dismissed may appeal therefrom in accordance with section 87 or 97, as the case may be, of the Civil Service Act.

Certified  
associations

**52.** The associations of employees certified in accordance with Chapter VIII of the Civil Service Act (R.S.Q., chapter F-3.1) which represent groups of employees at the Ministère des Travaux publics et de l'Approvisionnement on (*insert here the date of coming into force of this section*) continue to represent those employees at the Société immobilière du Québec until 31 December 1985.

Future  
employees

The associations of employees also represent, according to the groups contemplated, the future employees of the corporation until 31 December 1985.

Applicability  
of collective  
agreements

The following collective agreements apply to the employees of the corporation so far as they are applicable:

(1) the collective agreements filed in the office of the labour commissioner-general in accordance with the Act respecting the conditions of employment in the public sector (1982, chapter 45);

(2) the collective agreement signed on 21 April 1978 between the Syndicat des agents de la paix de la fonction publique and the Gouvernement du Québec;

(3) every collective agreement between the Gouvernement du Québec and the Syndicat des constables spéciaux du gouvernement du Québec signed after the date of assent to this Act for which the expiration date is 31 December 1985.

Restriction

Notwithstanding the foregoing, in no case may the provisions of the described collective agreements that regard security of employment apply to employees contemplated in the second paragraph.

Applicability  
of  
regulations

The regulations mentioned in Schedule I apply to employees of the corporation who were contemplated in those regulations before being transferred, so far as the provisions of the collective agreements to which they refer are applicable.

Advances  
to the  
corporation

**53.** The Government may authorize the Minister of Finance to advance to the corporation, out of the consolidated revenue fund, any amount necessary for the payment of the salaries, remuneration and indemnities of the employees of the corporation, for the period and on the other conditions the Government determines.

Deduction

Amounts advanced under this section may be deducted, to the extent ordered by the Government, from the amounts it may owe to the corporation.

Effect of  
transfer

**54.** The transfers provided for in section 26 and the transfers of rights provided for in this Act have effect notwithstanding the non-fulfilment, at the time of those transfers, of an obligation or a condition provided in an Act or contract.

- Immunity      No proceedings may be brought against the Government, the corporation or any of their members, employees or officers solely by reason of a transfer or the non-fulfilment of an obligation or condition described in the first paragraph.
- Act not applicable      **55.** The Act to authorize municipalities to collect duties on transfers of immoveables (R.S.Q., chapter M-39) does not apply to transfers provided in section 26.
- Joint and several liability      **56.** The corporation and the Government are jointly and severally liable for the obligations arising from leases to which the Government is a party as a lessee, and which are in effect on the date determined in accordance with section 26.
- Subletting      However, the subletting of the premises rented by the Government under such a lease is not subject to article 1619 of the Civil Code and the lessor shall impose no condition, restriction, obligation or additional or preliminary procedure with respect to the subletting on the corporation.
- Transfer of rights and obligations      **57.** The rights and obligations arising from the deeds signed in accordance with the Act respecting the Ministère des Travaux publics et de l'Approvisionnement are transferred to the corporation, subject to provisions inconsistent with this Act and unless the Government decides otherwise.
- Records and documents      **58.** The records and other documents of the Ministère des Travaux publics et de l'Approvisionnement become the records and documents of the corporation, except where the Government decides otherwise.
- Pending cases      **59.** Pending cases in the Ministère des Travaux publics et de l'Approvisionnement are continued and decided by the corporation, except where the Government decides otherwise.
- Proceedings      **60.** Proceedings to which the Minister or Deputy Minister of Public Works and Supply is a party are transferred, without continuance of suit, to the president of the corporation according to the attributions conferred on him by law or, if the Government decides otherwise, to any other person it designates.
- Occupation and use of premises      **61.** The corporation may, on the conditions and modalities determined by the Government, occupy the premises and use the property used by the Ministère des Travaux publics et de l'Approvisionnement until it is in a position to replace them, if required.
- Expression replaced      **62.** The Government may amend any regulation made or approved by it to replace or strike out the expression "Ministère des Travaux publics et de l'Approvisionnement" and any other expression, in order

to ensure concordance between those regulations and the purposes of this Act.

**Applicability** Any regulation made under this section may, once it is published and if it so provides, apply from (*insert here the date of coming into force of this section*).

**Interpretation** **63.** In every order in council, order, contract, proclamation, agreement or other document, the expressions “Ministère des Travaux publics et de l’Approvisionnement” and “Minister of Public Works and Supply”, as well as the word “department” and the word “Minister”, where they denote the said department or Minister, designate, where the context permits it, the Société immobilière du Québec, the president of the corporation, the corporation or the president or, if the Government decides otherwise, any other person it may designate.

**Substitution** **64.** The Société immobilière du Québec is substituted for the Société de développement immobilier du Québec and, as such, it assumes the powers and obligations of that corporation, and acquires its rights.

**Interpretation** **65.** In any regulation, by-law, order in council, order, contract, agreement or other document, the expression “Société de développement immobilier du Québec” is replaced, if the context permits it, by the expression “Société immobilière du Québec” or by the word “corporation”.

**Consolidated revenue fund** **66.** The sums necessary for the carrying out of this Act are taken out of the consolidated revenue fund for the fiscal periods 1983-84 and 1984-85, to such extent as may be determined by the Government.

**C-13, s. 16, replaced** **67.** Section 16 of the Colonization Roads Act (R.S.Q., chapter C-13) is replaced by the following section:

**Applicable provisions** “**16.** The Public Works Act (R.S.Q., chapter T-15) and sections 11.1, 11.3 and 11.4 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) apply, *mutatis mutandis*, to colonization works mentioned in this Act, where applicable.”

**c. C-14, am.** **68.** The Railway Act (R.S.Q., chapter C-14) is amended by replacing the expression “Minister of Public Works and Supply” and the expression “Ministère des Travaux publics et de l’Approvisionnement” by the expression “Minister of Transport” and the expression “Ministère des Transports” wherever they appear in sections 80, 81, 88 and 173, *mutatis mutandis*.

**c. C-45, s. 9, am.** **69.** Section 9 of the Telegraph and Telephone Companies Act (R.S.Q., chapter C-45) is amended by replacing the third paragraph by the following paragraph:

Existing line “It may also, with the approval of the Régie des services publics, lease or acquire, in whole or in part, a line already constructed.”

c. E-18, s. 4, am. **70.** Section 4 of the Executive Power Act (R.S.Q., chapter E-18), amended by section 18 of chapter 50, section 199 of chapter 52 and section 18 of chapter 53 of the statutes of 1982, is again amended by repealing subparagraph 11.

c. E-20.1, s. 7, am. **71.** Section 7 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1), amended by section 31 of chapter 53 of the statutes of 1982, is again amended by replacing the expression “Deputy Minister of Public Works and Supply” by the words “the person designated by the Minister responsible for the carrying out of the Act respecting the Société immobilière du Québec”.

c. F-2.1, s. 204, am. **72.** Section 204 of the Municipal Taxation Act (R.S.Q., chapter F-2.1) is amended by replacing paragraph 1 by the following paragraph:

“(1) an immovable belonging to the Crown in right of Québec or to the Société immobilière du Québec, unless it is administered or managed by a corporation that is a mandatary of the Crown in right of Québec;”.

c. F-2.1, s. 255, am. **73.** Section 255 of the said Act, amended by section 219 of chapter 63 of the statutes of 1982, is again amended by replacing the first paragraph by the following paragraph:

Immovable of the Crown **“255.** With respect to an immovable contemplated in paragraphs 1 and 2.1 of section 204 and to a place of business where the Crown in right of Québec, the Société immobilière du Québec or the Société de la Place des Arts de Montréal carries on its ordinary business, the amounts are equal, respectively, to the aggregate of the municipal real estate taxes that would be exigible if such immovable were not exempt from real estate tax, and if the activities of the place of business were not exempt from business tax.”

c. F-2.1, s. 257, am. **74.** Section 257 of the said Act, amended by section 220 of chapter 63 of the statutes of 1982, is again amended by replacing the first paragraph by the following paragraph:

Compensation **“257.** The amount of money paid by the Government in respect of an immovable contemplated in the first paragraph of section 255 stands in lieu of municipal real estate taxes and the tax paid in respect of a place of business contemplated in the said paragraph stands in lieu of the business tax. The Government shall also pay the amount of the taxes other than real estate taxes and compensations imposed on the owner of an immovable contemplated in the first paragraph of section 255.”



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

**75.** Section 3 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by replacing paragraph *b* by the following paragraph:

“(b) take measures to improve transportation services and for such purpose he may, in particular, carry out or cause to be carried out construction, maintenance and repair works of port, airport and railway facilities;”.

c. M-28, s.  
11, replaced,  
ss. 11.1-11.5  
added

**76.** Section 11 of the said Act is replaced by the following sections:

Powers of  
the Minister

“**11.** For the purposes of section 3, the Minister may acquire, by agreement or expropriation, or lease any property he considers necessary.

Acquisition  
on behalf  
of the  
Government

“**11.1** The Minister may acquire, by agreement or expropriation, on behalf of the Government, its departments and agencies, any property he considers necessary for the construction, improvement, enlargement, maintenance and use of public works or buildings or for obtaining better access thereto.

Payment of  
obligation

“**11.2** The Minister, in order to obtain full or partial payment of an obligation in favour of the Minister of Revenue, may, at the request of the Minister of Revenue, acquire immovables already serving as real security for the discharge of that obligation.

Public  
domain

“**11.3** All property acquired by the Minister forms part of the public domain and he may dispose of it as he sees fit when the property is no longer needed.

Disposal of  
property

“**11.4** The Government, by regulation, may determine the conditions to be observed by the Minister to dispose of property contemplated in section 11.3. The regulation may prescribe the cases where the disposition of property is subject to authorization by the Government.

Coming into  
force

Regulations made under the first paragraph come into force ten days after their publication in the *Gazette officielle du Québec* or on any later date indicated therein.

Railway  
right of  
way

“**11.5** The Minister may acquire, by agreement or expropriation, any disused railway area and dispose thereof as he sees fit.”

c. M-29,  
repealed

**77.** The Act respecting the Ministère des Travaux publics et de l'Approvisionnement (R.S.Q., chapter M-29) is repealed.

c. M-34, s.  
1, am.

**78.** Section 1 of the Government Departments Act (R.S.Q., chapter M-34), amended by section 19 of chapter 50, section 210 of chapter 52 and section 19 of chapter 53 of the statutes of 1982, is again amended by repealing paragraph 10.

c. P-7, s. 1,  
am.

**79.** Section 1 of the Act respecting Mauricie Park and its surroundings (R.S.Q., chapter P-7) is amended by replacing the expression “Minister of Public Works and Supply”, in the first line, by the expression “Minister of Recreation, Fish and Game”.

c. P-8, s. 1,  
am.

**80.** Section 1 of the Act respecting Forillon Park and its surroundings (R.S.Q., chapter P-8) is amended by replacing the expression “Minister of Public Works and Supply”, in the first line, by the expression “Minister of Recreation, Fish and Game”.

c. P-8, s. 3,  
am.

**81.** Section 3 of the said Act is amended by replacing the expression “Minister of Public Works and Supply”, in the fourth line, by the expression “Minister of Recreation, Fish and Game”.

c. P-8, s. 5,  
am.

**82.** Section 5 of the said Act is amended by replacing the expression “Minister of Public Works and Supply”, in the first two lines, by the expression “Minister of Recreation, Fish and Game”.

c. R-7, s.  
16.1, am.

**83.** Section 16.1 of the Act respecting the Régie des installations olympiques (R.S.Q., chapter R-7), amended by section 67 of chapter 58 of the statutes of 1982, is again amended by replacing the expression “Minister of Public Works and Supply”, in the third line of the second paragraph, by the expression “Minister”.

c. R-12, s.  
55, am.

**84.** Section 55 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12), amended by section 96 of chapter 51, by section 220 of chapter 53 and by section 233 of chapter 63 of the statutes of 1982, is again amended by adding, after paragraph 18, the following paragraph:

“(19) the president and employees of the Société immobilière du Québec.”

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

**85.** Section 1 of the Act respecting the Service des achats du gouvernement (R.S.Q., chapter S-4) is amended by replacing paragraph *a* by the following paragraph:

“(a) “Minister” designates the Minister appointed by the Government as the Minister responsible for the administration of this Act;”.

c. S-4, s. 3,  
am.

**86.** Section 3 of the said Act is amended by adding, at the end, the following paragraph:

Chief  
executive  
officer

“He has the rights, powers and privileges conferred on a chief executive officer of an agency under the Civil Service Act.”

c. S-4, s. 5,  
am. **87.** Section 5 of the said Act is amended by replacing the expression “Minister of Public Works and Supply”, in the first line, by the word “Minister”.

c. S-11,  
repealed **88.** The Act respecting the Société de développement immobilier du Québec (R.S.Q., chapter S-11) is repealed.

c. S-14.1, s.  
18, am. **89.** Section 18 of the Act respecting the Société du Palais des congrès de Montréal (R.S.Q., chapter S-14.1) is amended by replacing paragraphs 1 and 4 by the following paragraphs:

“(1) to manage and operate the Palais des congrès de Montréal;

“(4) to replace the Société immobilière du Québec in respect of the development and improvement of the Palais des congrès to such extent, on such conditions and on such date as are fixed by the Government.”

c. S-14.1, s.  
19, am. **90.** Section 19 of the said Act is amended by replacing the expression “Société de développement immobilier du Québec”, in the last line, by the expression “Société immobilière du Québec”.

c. T-15, s. 1  
am. **91.** Section 1 of the Public Works Act (R.S.Q., chapter T-15) is amended by replacing the expression “Minister of Public Works and Supply”, in the first line, by the expression “Minister of Transport”.

c. T-15, ss.  
11, 14, 18,  
19, 20,  
repealed **92.** The said Act is amended by repealing sections 11, 14 and 18 as well as Division II, including sections 19 and 20.

c. T-15, s.  
55.1, added **93.** The said Act is amended by inserting, after section 55, the following section:

Effect **“55.1** This Act is operative only for the administration of the Colonization Roads Act (R.S.Q., chapter C-13).”

Proceedings  
continued **94.** The Minister of Transport is substituted without other formality for the Minister of Public Works and Supply in any matter commenced under sections 11 and 14 of the Public Works Act (R.S.Q., chapter T-15), and shall continue any proceedings to which the Minister or Deputy Minister of Public Works and Supply is a party, without continuance of suit.

Reference **95.** A reference in any Act, regulation, by-law, order or other document to section 204, 255 or 257 of the Act respecting municipal taxation is a reference to that section as amended by this Act.

Minister  
responsible **96.** The Government shall designate the Minister responsible for the carrying out of this Act.

Exception

**97.** 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

**98.** This Act comes into force on the date to be fixed by proclamation of the Government, except the provisions excluded by the proclamation, which come into force on any later date or dates fixed by proclamation of the Government.

## SCHEDULE I

*(Section 52)*

1. The “Regulation respecting the conditions of employment of office staff, technicians and staff of comparable rank, certain employees at the official residence of the Lieutenant-Governor, minister’s chauffeurs and workmen”, made on 13 April 1982 by ministerial order 188-82 approved by C.T. 138 835 of 27 April 1982, amended on 2 December 1982 by ministerial order 263-82 approved by C.T. 142 047 of 7 December 1982, amended on 17 December 1982 by ministerial order 269-82 approved by C.T. 142 284 of 20 December 1982 and amended on 10 May 1983 by ministerial order 292-83 approved by C.T. 144 821 of 7 June 1983.

2. The “Regulation respecting the conditions of employment of professional staff”, made on 12 January 1982 by ministerial order 187-82 approved by C.T. 137 510 of 16 February 1982, amended on 29 March 1982 by ministerial order 215-82 approved by C.T. 139 121 of 11 May 1982, amended on 2 December 1982 by ministerial order 261-82 approved by C.T. 142 045 of 7 December 1982, amended on 17 December 1982 by ministerial order 268-82 approved by C.T. 142 283 of 20 December 1982, and amended on 10 May 1983 by ministerial order 294-83 approved by C.T. 144 823 of 7 June 1983.

3. The “Regulation respecting the remuneration, social benefits and other conditions of employment of certain civil servants” (R.R.Q., 1981, chapter F-3.1, r. 19), amended on 2 December 1982 by ministerial order 262-82 approved by C.T. 142 046 of 7 December 1982, amended on 28 February 1983 by ministerial order 279-83 approved by C.T. 143 074 of 1 March 1983 and amended on 10 May 1983 by ministerial order 295-83 approved by C.T. 144 824 of 7 June 1983.