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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 5

**An Act to harmonize public statutes  
with the Civil Code**

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**Introduction**

**Introduced by  
Madam Linda Goupil  
Minister of Justice**

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## **EXPLANATORY NOTES**

*The object of this bill is to harmonize public statutes with the Civil Code of Québec by introducing conceptual, terminological and technical changes resulting from the reform of the Civil Code and making the necessary consequential amendments. This bill does not include fiscal laws or certain other statutes which have already been harmonized with the Civil Code of Québec.*

*This bill also contains transitional provisions designed to allow legal persons constituted under a name which is modified by this bill to continue operating under their original name.*

### **LEGISLATION AMENDED BY THIS BILL :**

- Bees Act (R.S.Q., chapter A-1);
- Agricultural Abuses Act (R.S.Q., chapter A-2);
- Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);
- Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001);
- Act respecting the accreditation and financing of students' associations (R.S.Q., chapter A-3.01);
- Act respecting the acquisition of farm land by non-residents (R.S.Q., chapter A-4.1);
- Financial Administration Act (R.S.Q., chapter A-6);
- Act respecting the Cree Regional Authority (R.S.Q., chapter A-6.1);
- Act respecting the Agence métropolitaine de transport (R.S.Q., chapter A-7.02);
- Act respecting detective or security agencies (R.S.Q., chapter A-8);
- Travel Agents Act (R.S.Q., chapter A-10);

- Agrologists Act (R.S.Q., chapter A-12);
- Act respecting assistance for the development of cooperatives and non-profit legal persons (R.S.Q., chapter A-12.1);
- Act respecting assistance for tourist development (R.S.Q., chapter A-13.1);
- Act respecting assistance for victims of crime (R.S.Q., chapter A-13.2);
- Act respecting financial assistance for education expenses (R.S.Q., chapter A-13.3);
- Legal Aid Act (R.S.Q., chapter A-14);
- Act respecting land use planning and development (R.S.Q., chapter A-19.1);
- Act respecting pressure vessels (R.S.Q., chapter A-20.01);
- Archives Act (R.S.Q., chapter A-21.1);
- Act respecting land survey (R.S.Q., chapter A-22);
- Land Surveyors Act (R.S.Q., chapter A-23);
- Act respecting prearranged funeral services and sepultures (R.S.Q., chapter A-23.001);
- Act respecting the civil aspects of international and interprovincial child abduction (R.S.Q., chapter A-23.01);
- Act respecting the National Assembly (R.S.Q., chapter A-23.1);
- Automobile Insurance Act (R.S.Q., chapter A-25);
- Deposit Insurance Act (R.S.Q., chapter A-26);
- Hospital Insurance Act (R.S.Q., chapter A-28);
- Health Insurance Act (R.S.Q., chapter A-29);
- Act respecting farm-loan insurance and forestry-loan insurance (R.S.Q., chapter A-29.1);
- Crop Insurance Act (R.S.Q., chapter A-30);

- Act respecting farm income stabilization insurance (R.S.Q., chapter A-31);
- Act respecting insurance (R.S.Q., chapter A-32);
- Act to promote the capitalization of small and medium-sized businesses (R.S.Q., chapter A-33.01);
- Act respecting Cree, Inuit and Naskapi Native persons (R.S.Q., chapter A-33.1);
- Act respecting the Barreau du Québec (R.S.Q., chapter B-1);
- Building Act (R.S.Q., chapter B-1.1);
- Act respecting the Bibliothèque nationale du Québec (R.S.Q., chapter B-2.1);
- Cultural Property Act (R.S.Q., chapter B-4);
- Act respecting tear bombs (R.S.Q., chapter B-6);
- Act respecting the Bureau de la statistique (R.S.Q., chapter B-8);
- Act respecting registry offices (R.S.Q., chapter B-9);
- Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2);
- Act respecting the caisses d'entraide économique (R.S.Q., chapter C-3);
- Act respecting certain caisses d'entraide économique (R.S.Q., chapter C-3.1);
- Charter of the French language (R.S.Q., chapter C-11);
- Charter of human rights and freedoms (R.S.Q., chapter C-12);
- Railway Act (R.S.Q., chapter C-14.1);
- Professional Chemists Act (R.S.Q., chapter C-15);
- Non-Catholic Cemeteries Act (R.S.Q., chapter C-17);
- Cinema Act (R.S.Q., chapter C-18.1);

- Cities and Towns Act (R.S.Q., chapter C-19);
- Act to promote good citizenship (R.S.Q., chapter C-20);
- Fish and Game Clubs Act (R.S.Q., chapter C-22);
- Amusement Clubs Act (R.S.Q., chapter C-23);
- Highway Safety Code (R.S.Q., chapter C-24.2);
- Code of Civil Procedure (R.S.Q., chapter C-25);
- Code of Penal Procedure (R.S.Q., chapter C-25.1);
- Professional Code (R.S.Q., chapter C-26);
- Labour Code (R.S.Q., chapter C-27);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- General and Vocational Colleges Act (R.S.Q., chapter C-29);
- Act respecting the marketing of marine products (R.S.Q., chapter C-32.1);
- Act respecting the Commission d'évaluation de l'enseignement collégial (R.S.Q., chapter C-32.2);
- Act respecting the national capital commission (R.S.Q., chapter C-33.1);
- Act respecting the Commission municipale (R.S.Q., chapter C-35);
- Act respecting public inquiry commissions (R.S.Q., chapter C-37);
- Act respecting the Communauté urbaine de l'Outaouais (R.S.Q., chapter C-37.1);
- Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);
- Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3);
- Companies Act (R.S.Q., chapter C-38);

- Cemetery Companies Act (R.S.Q., chapter C-40);
- Timber-Driving Companies Act (R.S.Q., chapter C-42);
- Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44);
- Telegraph and Telephone Companies Act (R.S.Q., chapter C-45);
- Mining Companies Act (R.S.Q., chapter C-47);
- Chartered Accountants Act (R.S.Q., chapter C-48);
- Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1);
- Act respecting the Conseil de la santé et du bien-être (R.S.Q., chapter C-56.3);
- Act respecting the Conseil des arts et des lettres du Québec (R.S.Q., chapter C-57.02);
- Act respecting the Conseil du statut de la femme (R.S.Q., chapter C-59);
- Act respecting the Conseil médical du Québec (R.S.Q., chapter C-59.0001);
- Act respecting the James Bay Regional Zone Council (R.S.Q., chapter C-59.1);
- Act respecting the Conseil supérieur de l'éducation (R.S.Q., chapter C-60);
- Act respecting intermunicipal boards of transport in the area of Montréal (R.S.Q., chapter C-60.1);
- Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);
- Church Incorporation Act (R.S.Q., chapter C-63);
- Referendum Act (R.S.Q., chapter C-64.1);
- Cooperatives Act (R.S.Q., chapter C-67.2);

- Act respecting Roman Catholic cemetery corporations (R.S.Q., chapter C-69);
- Act respecting security fund corporations (R.S.Q., chapter C-69.1);
- Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70);
- Religious Corporations Act (R.S.Q., chapter C-71);
- Act respecting municipal courts (R.S.Q., chapter C-72.01);
- Act respecting racing (R.S.Q., chapter C-72.1);
- Real Estate Brokerage Act (R.S.Q., chapter C-73.1);
- Maritime Fisheries Credit Act (R.S.Q., chapter C-76);
- Forestry Credit Act (R.S.Q., chapter C-78);
- Act to promote forest credit by private institutions (R.S.Q., chapter C-78.1);
- Public Curator Act (R.S.Q., chapter C-81);
- Act respecting collective agreement decrees (R.S.Q., chapter D-2);
- Dental Act (R.S.Q., chapter D-3);
- Deposit Act (R.S.Q., chapter D-5);
- Act respecting municipal debts and loans (R.S.Q., chapter D-7);
- Act to foster the development of manpower training (R.S.Q., chapter D-7.1);
- James Bay Region Development Act (R.S.Q., chapter D-8);
- Act respecting the development of Québec firms in the book industry (R.S.Q., chapter D-8.1);
- Act to promote the advancement of science and technology in Québec (R.S.Q., chapter D-9.1);
- Gas Distribution Act (R.S.Q., chapter D-10);

- Territorial Division Act (R.S.Q., chapter D-11);
- Business Concerns Records Act (R.S.Q., chapter D-12);
- Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., chapter D-13.1);
- Mining Duties Act (R.S.Q., chapter D-15);
- Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1);
- Act respecting the conservation of energy in buildings (R.S.Q., chapter E-1.1);
- Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);
- Act respecting school elections (R.S.Q., chapter E-2.3);
- Election Act (R.S.Q., chapter E-3.3);
- Public Officers Act (R.S.Q., chapter E-6);
- Fire Investigations Act (R.S.Q., chapter E-8);
- Act respecting private education (R.S.Q., chapter E-9.1);
- Act respecting municipal fire fighting cooperation (R.S.Q., chapter E-11);
- Pay Equity Act (R.S.Q., chapter E-12.001);
- Act respecting threatened or vulnerable species (R.S.Q., chapter E-12.01);
- Act to establish the permanent list of electors (R.S.Q., chapter E-12.2);
- Act respecting the establishment of a steel complex by Sidbec (R.S.Q., chapter E-14);
- Act respecting educational institutions at the university level (R.S.Q., chapter E-14.1);
- Tourist Establishments Act (R.S.Q., chapter E-15.1);



- Roman Catholic Bishops Act (R.S.Q., chapter E-17);
- 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 the exportation of electric power (R.S.Q., chapter E-23);
- Expropriation Act (R.S.Q., chapter E-24);
- Act respecting fabriques (R.S.Q., chapter F-1);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- Civil Service Act (R.S.Q., chapter F-3.1);
- Public Service Act (R.S.Q., chapter F-3.1.1);
- Act to establish Fondation, le Fonds de développement de la Confédération des syndicats nationaux pour la coopération et l’emploi (R.S.Q., chapter F-3.1.2);
- Act respecting the Fondation Jean-Charles-Bonenfant (R.S.Q., chapter F-3.2);
- Act respecting university foundations (R.S.Q., chapter F-3.2.0.1);
- Act to establish a departure incentive management fund (R.S.Q., chapter F-3.2.0.2);
- Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) (R.S.Q., chapter F-3.2.1);
- Forest Act (R.S.Q., chapter F-4.1);
- Act respecting manpower vocational training and qualification (R.S.Q., chapter F-5);
- Act respecting guarantee fees in respect of loans obtained by government agencies (R.S.Q., chapter F-5.1);
- Grain Act (R.S.Q., chapter G-1.1);
- Family Housing Act (R.S.Q., chapter H-1);

- Hydro-Québec Act (R.S.Q., chapter H-5);
- Act respecting municipal industrial immovables (R.S.Q., chapter I-0.1);
- Act respecting immigration to Québec (R.S.Q., chapter I-0.2);
- Crime Victims Compensation Act (R.S.Q., chapter I-6);
- Nurses Act (R.S.Q., chapter I-8);
- Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1);
- Engineers Act (R.S.Q., chapter I-9);
- Forest Engineers Act (R.S.Q., chapter I-10);
- Burial Act (R.S.Q., chapter I-11);
- Act respecting piping installations (R.S.Q., chapter I-12.1);
- Act respecting certain public utility installations (R.S.Q., chapter I-13);
- Act respecting electrical installations (R.S.Q., chapter I-13.01);
- Act respecting the Institut de tourisme et d’hôtellerie du Québec (R.S.Q., chapter I-13.02);
- Education Act (R.S.Q., chapter I-13.3);
- Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., chapter I-14);
- Act respecting market intermediaries (R.S.Q., chapter I-15.1);
- Interpretation Act (R.S.Q., chapter I-16);
- University Investments Act (R.S.Q., chapter I-17);
- Newspaper Declaration Act (R.S.Q., chapter J-1);
- Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature (R.S.Q., chapter J-1.1);

- Jurors Act (R.S.Q., chapter J-2);
- Act respecting administrative justice (R.S.Q., chapter J-3);
- Act to promote the parole of inmates (R.S.Q., chapter L-1.1);
- Freedom of Worship Act (R.S.Q., chapter L-2);
- Winding-up Act (R.S.Q., chapter L-4);
- Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6);
- Disorderly Houses Act (R.S.Q., chapter M-2);
- Master Electricians Act (R.S.Q., chapter M-3);
- Master Pipe-Mechanics Act (R.S.Q., chapter M-4);
- Act respecting stuffing and upholstered and stuffed articles (R.S.Q., chapter M-5);
- Stationary Enginemen Act (R.S.Q., chapter M-6);
- Medical Act (R.S.Q., chapter M-9);
- Cullers Act (R.S.Q., chapter M-12.1);
- Mining Act (R.S.Q., chapter M-13.1);
- Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (R.S.Q., chapter M-14);
- Act respecting the Ministère de l’Éducation (R.S.Q., chapter M-15);
- Act respecting the Ministère de l’Environnement et de la Faune (R.S.Q., chapter M-15.2.1);
- Act respecting the Ministère de l’Industrie, du Commerce, de la Science et de la Technologie (R.S.Q., chapter M-17);
- Act respecting the Ministère de la Culture et des Communications (R.S.Q., chapter M-17.1);
- Act respecting the Ministère de la Justice (R.S.Q., chapter M-19);

- Act respecting the Ministère de la Sécurité publique (R.S.Q., chapter M-19.3);
- Act respecting the Ministère des Affaires municipales (R.S.Q., chapter M-22.1);
- Act respecting the Ministère des Relations avec les citoyens et de l'Immigration (R.S.Q., chapter M-25.01);
- Act respecting the Ministère des Relations internationales (R.S.Q., chapter M-25.1.1);
- Act respecting the Ministère des Ressources naturelles (R.S.Q., chapter M-25.2);
- Act respecting the Ministère des Transports (R.S.Q., chapter M-28);
- Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30);
- Act respecting the marketing of agricultural, food and fish products (R.S.Q., chapter M-35.1);
- Act respecting the mode of payment for electric and gas service in certain buildings (R.S.Q., chapter M-37);
- Act respecting the Montréal Museum of Fine Arts (R.S.Q., chapter M-42);
- National Museums Act (R.S.Q., chapter M-44);
- Act respecting labour standards (R.S.Q., chapter N-1.1);
- Notarial Act (R.S.Q., chapter N-2);
- Act respecting the Office Franco-Québécois pour la Jeunesse (R.S.Q., chapter O-5);
- Dispensing Opticians Act (R.S.Q., chapter O-6);
- Optometry Act (R.S.Q., chapter O-7);
- Act respecting police organization (R.S.Q., chapter O-8.1);
- Act respecting municipal territorial organization (R.S.Q., chapter O-9);

- Act respecting the payment of certain fines (R.S.Q., chapter P-2);
- Act respecting payment of certain Crown witnesses (R.S.Q., chapter P-2.1);
- Act to facilitate the payment of support (R.S.Q., chapter P-2.2);
- 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);
- Parks Act (R.S.Q., chapter P-9);
- Act respecting commercial fisheries and aquaculture (R.S.Q., chapter P-9.01);
- Act respecting liquor permits (R.S.Q., chapter P-9.1);
- Pesticides Act (R.S.Q., chapter P-9.3);
- Pharmacy Act (R.S.Q., chapter P-10);
- Police Act (R.S.Q., chapter P-13);
- Special Corporate Powers Act (R.S.Q., chapter P-16);
- Act respecting the practice of midwifery within the framework of pilot projects (R.S.Q., chapter P-16.1);
- Press Act (R.S.Q., chapter P-19);
- Fire Prevention Act (R.S.Q., chapter P-23);
- Act respecting prevention of disease in potatoes (R.S.Q., chapter P-23.1);
- Special Procedure Act (R.S.Q., chapter P-27);
- Farm Producers Act (R.S.Q., chapter P-28);
- Dairy Products and Dairy Products Substitutes Act (R.S.Q., chapter P-30);
- Act respecting educational programming (R.S.Q., chapter P-30.1);

- Act respecting the support program for Inuit beneficiaries of the James Bay and Northern Québec Agreement for their hunting, fishing and trapping activities (R.S.Q., chapter P-30.2);
- Bicycle Ownership Act (R.S.Q., chapter P-31);
- Public Protector Act (R.S.Q., chapter P-32);
- Youth Protection Act (R.S.Q., chapter P-34.1);
- Public Health Protection Act (R.S.Q., chapter P-35);
- Thoroughbred Cattle Act (R.S.Q., chapter P-36);
- Tree Protection Act (R.S.Q., chapter P-37);
- Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01);
- Act respecting the protection of persons and property in the event of disaster (R.S.Q., chapter P-38.1);
- Plant Protection Act (R.S.Q., chapter P-39.01);
- Act respecting the protection of personal information in the private sector (R.S.Q., chapter P-39.1);
- Consumer Protection Act (R.S.Q., chapter P-40.1);
- Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., chapter P-41.1);
- Animal Health Protection Act (R.S.Q., chapter P-42);
- Act respecting the artificial inducement of rain (R.S.Q., chapter P-43);
- Roadside Advertising Act (R.S.Q., chapter P-44);
- Environment Quality Act (R.S.Q., chapter Q-2);
- Act respecting the Raffinerie de sucre du Québec (R.S.Q., chapter R-0.1);
- Act respecting the determination of the causes and circumstances of death (R.S.Q., chapter R-0.2);

- Act respecting the class action (R.S.Q., chapter R-2.1);
- Act respecting the collection of certain debts (R.S.Q., chapter R-2.2);
- Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., chapter R-5);
- Act respecting the Régie de l'énergie (R.S.Q., chapter R-6.01);
- Act respecting the Régie des installations olympiques (R.S.Q., chapter R-7);
- Act respecting the Régie des télécommunications (R.S.Q., chapter R-8.01);
- Act respecting the Régie du logement (R.S.Q., chapter R-8.1);
- Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2);
- Act respecting the Québec Pension Plan (R.S.Q., chapter R-9);
- Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3);
- Watercourses Act (R.S.Q., chapter R-13);
- Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., chapter R-13.1);
- Act respecting the Syndical Plan of the Sûreté du Québec (R.S.Q., chapter R-14);
- Supplemental Pension Plans Act (R.S.Q., chapter R-15.1);
- Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., chapter R-16);
- Regulations Act (R.S.Q., chapter R-18.1);
- Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20);
- Act respecting real estate tax refund (R.S.Q., chapter R-20.1);

- Act respecting the replacement of joint programs by tax abatement (R.S.Q., chapter R-21);
- Ecological Reserves Act (R.S.Q., chapter R-26.1);
- Act respecting occupational health and safety (R.S.Q., chapter S-2.1);
- Public Buildings Safety Act (R.S.Q., chapter S-3);
- Act respecting safety in sports (R.S.Q., chapter S-3.1);
- Act respecting income security (R.S.Q., chapter S-3.1.1);
- Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (R.S.Q., chapter S-3.2);
- Act to ensure safety in guided land transport (R.S.Q., chapter S-3.3);
- Act respecting the Service des achats du gouvernement (R.S.Q., chapter S-4);
- Act respecting correctional services (R.S.Q., chapter S-4.01);
- Act respecting health services and social services (R.S.Q., chapter S-4.2);
- Act respecting health services and social services for Cree Native persons (R.S.Q., chapter S-5);
- Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1);
- Sheriffs’ Act (R.S.Q., chapter S-7);
- Act respecting the Société d’habitation du Québec (R.S.Q., chapter S-8);
- Act respecting the Société d’Investissement Jeunesse (R.S.Q., chapter S-8.1);
- Act respecting the James Bay Native Development Corporation (R.S.Q., chapter S-9.1);



- Act respecting the Société de développement des entreprises culturelles (R.S.Q., chapter S-10.002);
- Act respecting the Naskapi Development Corporation (R.S.Q., chapter S-10.1);
- Act respecting the Société de financement agricole (R.S.Q., chapter S-11.0101);
- Act respecting the Société de l'assurance automobile du Québec (R.S.Q., chapter S-11.011);
- Act respecting the Société de la Place des Arts de Montréal (R.S.Q., chapter S-11.03);
- Act respecting the Société de promotion économique du Québec métropolitain (R.S.Q., chapter S-11.04);
- Act respecting the Société de télédiffusion du Québec (R.S.Q., chapter S-12.01);
- Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13);
- Act respecting the Société des établissements de plein air du Québec (R.S.Q., chapter S-13.01);
- Act respecting the Société des loteries du Québec (R.S.Q., chapter S-13.1);
- Act respecting the Société des Traversiers du Québec (R.S.Q., chapter S-14);
- Act respecting the Société du Centre des congrès de Québec (R.S.Q., chapter S-14.001);
- Act respecting the Société du Grand Théâtre de Québec (R.S.Q., chapter S-14.01);
- Act respecting the Société du Palais des congrès de Montréal (R.S.Q., chapter S-14.1);
- Act respecting the Société du parc industriel et portuaire de Bécancour (R.S.Q., chapter S-16.001);
- Act respecting the Société du parc industriel et portuaire Québec-Sud (R.S.Q., chapter S-16.01);

- Act respecting the Société du tourisme du Québec (R.S.Q., chapter S-16.02);
- Act respecting the James Bay Eeyou Corporation (R.S.Q., chapter S-16.1);
- Act respecting the Société générale de financement du Québec (R.S.Q., chapter S-17);
- Act respecting the Société immobilière du Québec (R.S.Q., chapter S-17.1);
- Act respecting the Makivik Corporation (R.S.Q., chapter S-18.1);
- Act respecting the Société nationale de l’amiante (R.S.Q., chapter S-18.2);
- Act respecting the Société québécoise d’assainissement des eaux (R.S.Q., chapter S-18.2.1);
- Act respecting the Société québécoise d’information juridique (R.S.Q., chapter S-20);
- Act respecting the Société québécoise de récupération et de recyclage (R.S.Q., chapter S-22.01);
- Act respecting farmers’ and dairymen’s associations (R.S.Q., chapter S-23);
- Act respecting the sociétés d’entraide économique (R.S.Q., chapter S-25.1);
- Horticultural Societies Act (R.S.Q., chapter S-27);
- Act respecting trust companies and savings companies (R.S.Q., chapter S-29.01);
- Act respecting Québec business investment companies (R.S.Q., chapter S-29.1);
- Loan and Investment Societies Act (R.S.Q., chapter S-30);
- National Benefit Societies Act (R.S.Q., chapter S-31);
- Act respecting societies for the prevention of cruelty to animals (R.S.Q., chapter S-32);

- Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters (R.S.Q., chapter S-32.01);
- Act respecting the professional status and conditions of engagement of performing, recording and film artists (R.S.Q., chapter S-32.1);
- Act respecting Attorney General’s prosecutors (R.S.Q., chapter S-35);
- Professional Syndicates Act (R.S.Q., chapter S-40);
- Act respecting municipal and private electric power systems (R.S.Q., chapter S-41);
- Official Time Act (R.S.Q., chapter T-6);
- Act respecting lands of religious congregations (R.S.Q., chapter T-7);
- Act respecting agricultural lands in the public domain (R.S.Q., chapter T-7.1);
- Act respecting the lands in the public domain (R.S.Q., chapter T-8.1);
- Act respecting land titles in certain electoral districts (R.S.Q., chapter T-11);
- Act respecting the remuneration of elected municipal officers (R.S.Q., chapter T-11.001);
- Marine Products Processing Act (R.S.Q., chapter T-11.01);
- Act respecting transportation by taxi (R.S.Q., chapter T-11.1);
- Transport Act (R.S.Q., chapter T-12);
- Municipal Works Act (R.S.Q., chapter T-14);
- Courts of Justice Act (R.S.Q., chapter T-16);
- Act respecting the Université du Québec (R.S.Q., chapter U-1);
- Act respecting the use of petroleum products (R.S.Q., chapter U-1.1);

- Securities Act (R.S.Q., chapter V-1.1);
- Act respecting off-highway vehicles (R.S.Q., chapter V-1.2);
- Auditor General Act (R.S.Q., chapter V-5.01);
- Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1);
- Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);
- Act respecting roads (R.S.Q., chapter V-9);
- Temperance Act (R.S.Q., 1964, chapter 45);
- Act respecting the Olympic Village (1976, chapter 43);
- Act respecting the implementation of the reform of the Civil Code (1992, chapter 57);
- Act respecting assistance and compensation for victims of crime (1993, chapter 54);
- Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose (1997, chapter 7);
- Act to establish a fund to combat poverty through reintegration into the labour market (1997, chapter 28);
- Act respecting the Centre de recherche industrielle du Québec (1997, chapter 29);
- Act respecting mixed enterprise companies in the municipal sector (1997, chapter 41);
- Act respecting the Agence de l'efficacité énergétique (1997, chapter 55);
- Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care (1997, chapter 58);
- Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, chapter 63);

- Act to amend the Act respecting the use of petroleum products and other legislative provisions (1997, chapter 64);
- Act to establish the special local activities financing fund and to amend the Act respecting municipal taxation (1997, chapter 92);
- Act respecting the Agence de développement Station Mont-Tremblant (1997, chapter 100);
- Act respecting the negotiation of agreements concerning the reduction of labour costs in the municipal sector (1998, chapter 2);
- Act to establish a fund in respect of the ice storm of 5 to 9 January 1998 (1998, chapter 9);
- Act respecting income support, employment assistance and social solidarity (1998, chapter 36);
- Act respecting owners and operators of heavy vehicles (1998, chapter 40);
- Act respecting Héma-Québec and the haemovigilance committee (1998, chapter 41).



## **Bill 5**

### **AN ACT TO HARMONIZE PUBLIC STATUTES WITH THE CIVIL CODE**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### **BEES ACT**

1. The Bees Act (R.S.Q., chapter A-1), amended by chapter 43 of the statutes of 1997, is again amended

(1) by replacing, in the French text, “officier” in sections 9 and 10 by “préposé”;

(2) by replacing “sells, exchanges or otherwise alienates” in section 11 by “transfers the ownership of”;

(3) (a) by replacing “, exchange and sale” in section 14 by “or the transfer of ownership”;

(b) by replacing, in the English text, “the transfer” in section 14 by “the transportation”.

#### **AGRICULTURAL ABUSES ACT**

2. The Agricultural Abuses Act (R.S.Q., chapter A-2) is amended

(1) by replacing “person or corporation” in the first paragraph of section 2 and in subsection 1 of section 4 by “person”;

(2) by replacing, in the English text, “damages” in the second paragraph of section 2, section 13 and the first and fourth paragraphs of section 17 by “damage”;

(3) by replacing, in the French text, “dommages” in subsection 1 of section 4 and subsection 2 of section 6 by “dommages-intérêts”;

(4) by replacing “damages occasioned” in subsection 3 of section 6 by “damages for the damage caused”;

(5) by replacing “officers” in paragraph *b* of subsection 1 of section 7 by “persons”;

(6) by replacing, in the English text, “delay” in the second paragraph of subsection 4 of section 7 and section 18 by “time”;

(7) (a) by replacing “such damages” in the first paragraph of section 19 by “compensating victims for such damage”;

(b) by replacing, in the English text, “damages caused” and “damages are caused” in the first and second paragraphs of section 19 by “damage caused” and “damage is caused”;

(8) by replacing, in the French text, “dommages” in section 25 by “dommages-intérêts”.

### ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

3. The Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1), amended by chapters 41 and 44 of the statutes of 1997 and by chapter 44 of the statutes of 1998, is again amended

(1) by replacing paragraph 2 of section 2 by the following :

“(2) the registers that must, by law, be kept by the registrar of each registration division, or the documents that must be preserved in each registration division for consultation purposes;”;

(2) by replacing “public domain” in the first paragraph of section 4 by “domain of the State”;

(3) by striking out, in the English text, “deemed” in the second and third paragraphs of section 4;

(4) by replacing “intermunicipal transit corporation” in paragraph 2 of section 5 by “intermunicipal transit authority”;

(5) by replacing “business address” in subparagraph 5 of the first paragraph of section 57 by “address of the establishment”;

(6) by replacing “or solemn affirmation provided” in section 106 by “provided”;

(7) (a) by replacing “temporarily absent or incapacitated” in section 108 by “absent or unable to act”;

(b) by replacing, in the French text, “cette incapacité” in section 108 by “cet empêchement”;

(8) by replacing, in the French text, “jurisdiction” in the first paragraph of section 141 by “compétence”;



(9) by replacing “place of business” in the third paragraph of section 144 by “business establishment”;

(10) (a) by replacing “Except on proof of a fortuitous event or” in the first paragraph of section 167 by “Except if the injury results from”;

(b) by replacing, in the English text, “irresistible” in the first paragraph of section 167 by “superior”;

(c) by replacing, in the English text, “prejudice” in the first paragraph of section 167 by “injury”;

(d) by replacing “exemplary damages” in the second paragraph of section 167 by “punitive damages”;

(11) (a) by striking out “OR SOLEMN AFFIRMATION” in the heading of Schedule B;

(b) by replacing “swear (*or* solemnly declare)” in Schedule B by “swear under oath”.

#### ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

4. The Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001), amended by chapters 27, 43, 63, 73 and 85 of the statutes of 1997 and by chapters 28, 36 and 39 of the statutes of 1998, is again amended

(1) by replacing, in the French text, “dommages corporels” and “DOMMAGES CORPORELS” in the second paragraph of section 1, the heading of Division II of Chapter III and sections 83, 86, 88, 89, 90 and 91 by “préjudice corporel” and “PRÉJUDICE CORPOREL”;

(2) by replacing “contract of hire of personal services” in the definitions of “**employer**” and “**worker**” in section 2 by “contract of employment”;

(3) by replacing “agencies” in section 3 by “agencies that are mandataries of the State”;

(4) by replacing, in the English text, “deemed” in sections 9, 10, 11 and 12, the first paragraphs of sections 12.1, 13, 15 and 16, the first and second paragraphs of section 19, section 30, the first paragraph of section 31, the second and third paragraphs of section 91, paragraph 2 of section 92, the first paragraph of section 93 and sections 94 and 353 by “considered”;

(5) by replacing “corporations” in section 18 by “legal persons”;

(6) (a) by replacing, in the French text, “dommages corporels” in the first paragraph of section 84 by “préjudice corporel”;

(b) by replacing, in the French text, “dommages corporels” in the second paragraph of section 84 by “préjudices corporels”;

(c) by replacing, in the French text, “dommage corporel” and “dommages corporels” in the third paragraph of section 84 by “préjudice corporel” and “préjudices corporels”;

(7) by replacing “bodily injuries” in the first paragraph of section 85 by “compensation for bodily injury”;

(8) by replacing “presumed” in the third paragraph of section 195 by “deemed”;

(9) by replacing “bodily injuries” in subparagraph 1 of the second paragraph of section 203 by “compensation for bodily injury”;

(10) by replacing, in the French text, “incapable” in section 265 by “empêché”;

(11) by replacing “considered” in the second paragraph of section 289.1 by “deemed”;

(12) by replacing “considered in all respects as” in the second paragraph of section 311 by “deemed in all respects to be”;

(13) by striking out “movable and immovable” in section 324;

(14) by replacing, in the English text, “firm” in the first paragraph of section 332 and section 333 by “enterprise”;

(15) by striking out “deemed null or” in section 353;

(16) by replacing, in the English text, “corporate seat” in the first paragraph of section 369 by “head office”;

(17) by replacing “solemnly affirming the following: “I (...) swear”” in the first paragraph of section 412 by “as follows: “I (...) declare under oath””;

(18) by replacing “articles 1056 and 2262 of the Civil Code of Lower Canada” in the second paragraph of section 441 by “the rules relating to prescription enacted by the Civil Code”;

(19) by replacing “corporation” in the second paragraph of section 442 by “legal person”;

(20) by replacing “presumed” in the third paragraph of section 443 by “deemed”;

(21) by replacing “articles 1056 and 2262 of the Civil Code of Lower Canada” in section 447 by “the Civil Code”;

(22) by replacing “the damages resulting from the new event and those attributable” and “the damages attributable” in subparagraph 1 of the second paragraph of section 449 and the first paragraphs of sections 450 and 451 by “the damage resulting from the new event and that attributable” and “the damage attributable”;

(23) (a) by replacing “an impairment table” and “impairment table” in subparagraph 3 of the first paragraph of section 454 by “a table of compensation for bodily injury” and “table of compensation for bodily injury”;

(b) by striking out “for bodily injuries” in subparagraph 3 of the first paragraph of section 454;

(24) (a) by replacing “corporation” in section 469 by “legal person”;

(b) by striking out “chief executive” in section 469;

(25) by replacing, in the English text, “deemed” in section 477 by “considered”;

(26) by striking out, in the English text, “deemed” in section 505;

(27) by replacing “physical injuries” in section 557 by “bodily injury”;

(28) by replacing, in the French text, “considérée” in subparagraph 1 of the second paragraph of section 559 by “réputée”;

(29) by replacing, in the French text, “dommage” in the first paragraph of section 578 by “préjudice”;

(30) by replacing, in the French text, “jurisdiction” in the first paragraphs of sections 579 and 581, the first and second paragraphs of section 583 and section 584 by “compétence”;

(31) by replacing “PHYSICAL INJURIES” in the heading of Schedule II by “BODILY INJURY”.

## ACT RESPECTING THE ACCREDITATION AND FINANCING OF STUDENTS’ ASSOCIATIONS

5. The Act respecting the accreditation and financing of students’ associations (R.S.Q., chapter A-3.01), amended by chapter 87 of the statutes of 1997, is again amended

(1) by replacing “incorporated” in subparagraph 1 of the first paragraph of section 10.1, paragraph 1 of section 10.2 and paragraph 1 of section 59 by “constituted”;

(2) (a) by replacing, in the French text, “corporation” in the third paragraph of section 26 by “personne morale”;

(b) by replacing, in the English text, “as the rights” in the third paragraph of section 26 by “on the members of a legal person constituted under Part III as well as the rights”;

(3) by replacing “corporation” in section 27 by “legal person”;

(4) by replacing “to incorporate it” in section 50 by “for its constitution”;

(5) by replacing, in the French text, “assemblée spéciale” in the first paragraph of section 52 by “assemblée extraordinaire”.

#### ACT RESPECTING THE ACQUISITION OF FARM LAND BY NON-RESIDENTS

6. The Act respecting the acquisition of farm land by non-residents (R.S.Q., chapter A-4.1), amended by chapter 43 of the statutes of 1997, is again amended

(1) (a) by replacing “sale with a right of redemption, emphyteutic lease” in the definition of “acquisition” in section 1 by “sale with a right of redemption, emphyteusis”;

(b) by replacing “articles 1585 to 1591 of the Civil Code of Lower Canada” in the definition of “acquisition” in section 1 by “article 1758 of the Civil Code”;

(2) (a) by replacing “corporation” in section 4 by “legal person”;

(b) by replacing, in the English text, “incorporated” and “incorporation” in section 4 by “constituted” and “constitution”;

(3) by replacing, in the English text, “an artificial person” and “artificial person” in sections 4, 10, 31 and 32 by “a legal person” and “legal person”.

#### FINANCIAL ADMINISTRATION ACT

7. The Financial Administration Act (R.S.Q., chapter A-6) is amended

(1) by striking out “or make the affirmation” in section 16;

(2) by replacing “Her Majesty” in sections 47 and 48 and the second paragraph of section 66 by “the State”;

(3) by replacing, in the English text, “government body or agency” and “government agencies or bodies” in the second paragraph of section 49 and subparagraph *b* of paragraph 2 of section 72.1 by “government body or enterprise” and “government bodies or enterprises”;

(4) by replacing “the Crown” in sections 69.11 and 69.23 by “the State”;

(5) by replacing “public domain” in subparagraph *c* of paragraph 2 of section 72.1 by “domain of the State”;

(6) by replacing, in the French text, “officiers” in section 72.6 by “dirigeants”.

## ACT RESPECTING THE CREE REGIONAL AUTHORITY

8. The Act respecting the Cree Regional Authority (R.S.Q., chapter A-6.1) is amended

(1) by replacing “public corporation is incorporated” and “corporation” in the first and second paragraphs of section 2 by “legal person is established in the public interest” and “legal person”;

(2) (a) by replacing the first paragraph of section 4 by the following :

“4. The Cree Regional Authority is a legal person.”;

(b) by replacing, in the French text, “L’Administration régionale crie” in the second paragraph of section 4 by “Elle”;

(3) by replacing “societies or corporations” and “partnerships or corporations” in subparagraphs *h* and *i* of the first paragraph of section 6 by “partnerships or legal persons”;

(4) by replacing, in the French text, “assemblée générale spéciale” in the second paragraph of section 8, section 9, the first paragraph of section 11, section 13, the second paragraph of section 45, section 51, the second paragraph of section 53, the third paragraph of section 57 and the second paragraphs of sections 64 and 80 by “assemblée générale extraordinaire”;

(5) by replacing, in the English text, “within such delays as are” in the first paragraph of section 11 by “before such time as is”;

(6) by replacing, in the French text, “d’incapacité d’agir” in the first and second paragraphs of section 12, section 32 and the second and third paragraphs of section 39 by “d’empêchement”;

(7) by replacing “corporations” and “corporation” in paragraphs *a* and *b* of sections 68 and 69 and sections 70 and 73 by “legal persons” and “legal person”;

(8) by replacing, in the English text, “incorporated” in paragraphs *a* and *b* of sections 68 and 69 by “constituted”;

(9) by replacing “entities” and “entity” in sections 70 and 73 by “other legal entities” and “other legal entity”;

- (10) by striking out “, until proof to the contrary” in section 72;
- (11) by replacing “an entity” in section 74 by “a legal entity”;
- (12) by replacing, in the French text, “mobiliers et immobiliers” in paragraph *e* of section 87 by “meubles et immeubles”;
- (13) by replacing “corporations and” in section 111 by “legal persons and other”;
- (14) (a) by replacing, in the French text, “le transport” in paragraph 3 of the Schedule by “la cession”;
- (b) by replacing, in the English text, “real estate” in subparagraph i of paragraph 4 of the Schedule by “landed property”;
- (c) by striking out “, debentures” and “, debentures,” in paragraphs 4, 6, 14 and 17 of the Schedule;
- (d) by replacing “corporation” and “corporations” in paragraphs 4, 5, 6, 7, 8, 9, 10 and 14 of the Schedule by “legal person” and “legal persons”;
- (e) by replacing, in the English text, “incorporated in Canada” and “trust company incorporated in Canada” in paragraphs 5 and 7 of the Schedule by “constituted in Canada” and “trust company constituted as a legal person in Canada”;
- (f) by replacing “taken as” in subparagraph ii of paragraph 6 of the Schedule by “deemed to be”.

#### ACT RESPECTING THE AGENCE MÉTROPOLITAINE DE TRANSPORT

9. The Act respecting the Agence métropolitaine de transport (R.S.Q., chapter A-7.02), amended by chapters 44 and 59 of the statutes of 1997, is again amended by replacing “Government” in section 2 and the first paragraph of section 83 by “State”.

#### ACT RESPECTING DETECTIVE OR SECURITY AGENCIES

10. The Act respecting detective or security agencies (R.S.Q., chapter A-8), amended by chapter 43 of the statutes of 1997, is again amended

- (1) by replacing “firm or corporation” in section 5 by “partnership or legal person”;
- (2) by replacing, in the English text, “incorporation” in paragraph *a* of section 5 by “constitution”;

(3) by replacing “his principal place of business” in paragraph *e* of section 12 by “the principal establishment of the agency”;

(4) by replacing, in the French text, “officier” in section 13 by “dirigeant”.

## TRAVEL AGENTS ACT

11. The Travel Agents Act (R.S.Q., chapter A-10), amended by chapters 9 and 43 of the statutes of 1997, is again amended

(1) (a) by replacing paragraph *c* of section 1 by the following:

“(c) “carrier”: any person, partnership or association carrying on a commercial passenger transport enterprise;”;

(b) by replacing “corporation” in paragraph *e* of section 1 by “legal person”;

(2) by replacing “corporation” in the second paragraph of section 2, section 4, the first paragraph of section 6, section 8, the first paragraph of section 11 and section 38 by “legal person”;

(3) (a) by replacing “corporation” in the first line of paragraph *a* of section 10 by “legal person”;

(b) by replacing “, partnership or corporation” in the second and third lines of paragraph *a* of section 10 by “or partnership”;

(c) by replacing “corporation” in paragraphs *b*, *c*, *d* and *e* of section 10 by “legal person”;

(4) by replacing “trustee” in the second and third paragraphs of section 13 by “provisional administrator”;

(5) by replacing “becomes null of right” and “corporation” in the first line and paragraph *b* of section 13.1 by “ceases to have effect” and “legal person”;

(6) by replacing “trustee” in section 14 by “provisional administrator”;

(7) by replacing, in the French text, “fiducie” in section 15 by “fidéicomis”;

(8) by replacing “trustee” in sections 15 and 16 by “provisional administrator”;

(9) by replacing “A travel agent must deposit in a trust account opened in Québec and maintain therein the funds he collects on account of other persons” in section 33 by “The funds collected by a travel agent on account of other

persons shall be transferred in trust. In such a case the travel agent shall act as trustee; the travel agent must deposit and maintain the funds in a trust account opened in Québec”;

(10) (a) by replacing “trades, businesses” in paragraph *f* of section 36 by “activities, enterprises”;

(b) by replacing “deposit in a trust account” in paragraph *g* of section 36 by “transfer in trust and deposit in a trust account”.

## AGROLOGISTS ACT

12. The Agrolologists Act (R.S.Q., chapter A-12) is amended

(1) by replacing, in the French text, “incapable” in the second paragraph of section 7 by “empêché”;

(2) by replacing “unable to act by reason of absence or illness” in sections 9 and 17 by “absent or unable to act”;

(3) by replacing, in the French text, “officiers” in paragraph *d* of section 10 and subparagraph 2 of the first paragraph of section 10.1 by “dirigeants”;

(4) by replacing “corporation” in section 12 by “legal person”.

## ACT RESPECTING ASSISTANCE FOR THE DEVELOPMENT OF COOPERATIVES AND NON-PROFIT LEGAL PERSONS

13. The Act respecting assistance for the development of cooperatives and non-profit legal persons (R.S.Q., chapter A-12.1), amended by chapter 18 of the statutes of 1997, is again amended

(1) by replacing, in the English text, “incorporated” in the first paragraph of section 5 by “constituted”;

(2) by replacing, in the English text, “Corporation” in sections 7, 10, 12 and 13 by “Société”.

## ACT RESPECTING ASSISTANCE FOR TOURIST DEVELOPMENT

14. The Act respecting assistance for tourist development (R.S.Q., chapter A-13.1) is amended

(1) by replacing “corporation” in the definition of “lender” in section 1 by “legal person” and by replacing “incorporated business” in paragraph *f* of section 6 by “business constituted as a legal person”;

(2) by replacing, in the English text, “Corporation” in the definition of “Corporation” in section 1 by “the Société”;



(3) by replacing, in the French text, “de biens immobiliers” in paragraph *a* of section 5 by “d’immeubles”;

(4) by replacing, in the English text, “Corporation” in paragraphs *e* and *f* of section 6, sections 8, 9, 10, 11, 12, 13 and 14 and subparagraphs *h* and *j* of the first paragraph of section 37 by “Société”;

(5) by replacing, in the English text, “delay” in subparagraph *n* of the first paragraph of section 37 by “time limit”;

(6) by replacing “an insurance charge” in subparagraph *o* of the first paragraph of section 37 by “an insurance premium”.

#### ACT RESPECTING ASSISTANCE FOR VICTIMS OF CRIME

15. The Act respecting assistance for victims of crime (R.S.Q., chapter A-13.2) is amended by replacing, in the French text, “des dommages subis” in paragraph 2 of section 3 by “du préjudice subi”.

#### ACT RESPECTING FINANCIAL ASSISTANCE FOR EDUCATION EXPENSES

16. The Act respecting financial assistance for education expenses (R.S.Q., chapter A-13.3), amended by chapters 90 and 96 of the statutes of 1997, is again amended by striking out “, corporation” in section 48.

#### LEGAL AID ACT

17. The Legal Aid Act (R.S.Q., chapter A-14), amended by chapters 43 and 63 of the statutes of 1997 and by chapter 36 of the statutes of 1998, is again amended by replacing, in the English text, “delay” in sections 26 and 65 by “time”.

#### ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

18. The Act respecting land use planning and development (R.S.Q., chapter A-19.1), amended by chapters 43, 44, 51 and 93 of the statutes of 1997 and by chapters 29 and 31 of the statutes of 1998, is again amended

(1) (*a*) by replacing “emphyteutic lease” in paragraph 1 of section 1 by “emphyteusis”;

(*b*) by replacing “forced sale within the meaning of articles 1585 to 1591 of the Civil Code of Lower Canada” in subparagraph *b* of paragraph 1 of section 1 by “auction sale”;

(2) by replacing “and madataries”, “one of its ministers or mandataries,”, “and agencies and the”, “or mandataries”, “its mandataries”, “or mandataries,”, “or any of its ministers or mandataries” and “or of its Ministers or agencies” in section 2, the last paragraph of section 5, the first paragraphs of sections 51,

53.7, 56.4, 56.14 and 65, the part of the first paragraph of section 149 before subparagraph 1 and the first paragraphs of sections 150 and 267 by “and mandataries of the State”, “one of its ministers or a mandatary of the State”, “, mandataries of the State and”, “, mandataries of the State”, “mandataries of the State”, “, mandataries of the State”, “, any of its ministers or any mandatary of the State” and “, of its ministers or of mandataries of the State”;

(3) by replacing “government” in paragraph 1.1 of section 7 and the first paragraph of section 56.1 and “Government” in the second paragraph of section 267 by “State”;

(4) by replacing “public domain” in the first paragraph of section 53.12, subparagraphs *d* of subparagraphs 1 of the second paragraphs of sections 62 and 112 and subparagraphs 5 and 8 of the first paragraph and subparagraph 3 of the second paragraph of section 149 by “domain of the State”;

(5) by replacing, in the French text, “la compensation des dommages pouvant éventuellement être encourus par” in subparagraph 13 of the second paragraph of section 113 by “la réparation du préjudice pouvant éventuellement être causé à”;

(6) by replacing, in the English text, “real estate” in the fourth paragraph of section 117.6 and the second paragraph of section 205 by “property”;

(7) by replacing, in the English text, “deemed” in section 253 by “considered”;

(8) by replacing “acts registered” in the portion before paragraph 1 of section 256.1 by “acts published”.

## ACT RESPECTING PRESSURE VESSELS

19. The Act respecting pressure vessels (R.S.Q., chapter A-20.01), amended by chapter 43 of the statutes of 1997, is again amended

(1) by replacing “mandataries” in section 5 by “mandataries of the State”;

(2) by replacing, in the English text, “is deemed” in sections 52 and 55 by “is”.

## ARCHIVES ACT

20. The Archives Act (R.S.Q., chapter A-21.1) is amended

(1) by replacing “public domain” in paragraph 1 of the Schedule by “domain of the State”;

(2) by replacing “transport corporations” in paragraph 5 of the Schedule by “transit authorities”.

## ACT RESPECTING LAND SURVEY

21. The Act respecting land survey (R.S.Q., chapter A-22) is amended

- (1) by replacing “public domain” in section 14 by “domain of the State”;
- (2) by replacing “shall be the true limits” in section 20 by “are deemed to be the true limits”.

## LAND SURVEYORS ACT

22. The Land Surveyors Act (R.S.Q., chapter A-23) is amended

- (1) by replacing “unable to act by reason of absence or illness” in section 10 by “absent or unable to act”;
- (2) by replacing, in the French text, “En cas d’incapacité ou d’absence” in section 19 by “En cas d’absence ou d’empêchement”;
- (3) by striking out “or solemn affirmation” in section 45;
- (4) by replacing subsections 2 and 3 of section 48 by the following:  
“(2) The land surveyor is bound to repair any injury he or his assistants cause to other persons in performing their duties.  
  
“(3) Unless the injury results from the fault of the land surveyor or his assistants, the land surveyor shall have a right of action for recovery against his mandator.”;
- (5) by replacing “bounded real estate” in subparagraph *a* of the first paragraph of subsection 1 of section 52 by “immovables”;
- (6) by replacing subsection 4 of section 53 by the following:  
“(4) The land surveyor is bound to cause to be registered in the registry office of the registration division concerned all minutes of boundary determination which he prepares, and the registrar is bound to note them in the land register or, in the register of personal and movable real rights if no land register is available.”;
- (7) by replacing “assigns” in subsection 5 of section 57, subsection 1 of section 58 and the first paragraph of section 62 by “successors”;
- (8) by replacing, in the English text, “delay” in subsection 2 of section 58 by “time limit”;
- (9) by replacing, in the English text, “from the delay” in subsection 1 of section 59 by “following the expiry of the time limit”, and “delay” in subsection 2 of that section by “time limit”;

(10) (a) by replacing “is registered” in the first paragraph of section 62 by “is registered at a registry office”;

(b) by replacing, in the French text, “enregistré” in the eighth line of the first paragraph of section 62 by “inscrit”.

## ACT RESPECTING PREARRANGED FUNERAL SERVICES AND SEPULTURES

23. The Act respecting prearranged funeral services and sepultures (R.S.Q., chapter A-23.001), amended by chapter 43 of the statutes of 1997, is again amended

(1) by replacing “a place of business” and “place of business” in section 5, subparagraph 2 of the first paragraphs of sections 7 and 8, and the first paragraphs of sections 10 and 13 by “an establishment” and “establishment”;

(2) by replacing “deposited in a trust account” in the first paragraph of section 9 by “transferred in trust”;

(3) by replacing “succession of the deceased person if he is the buyer, may” in the second paragraph of section 10 by “of the deceased person if he is the buyer, may”;

(4) by replacing “he is authorized not to deposit in trust” in section 17 by “that is not transferred in trust”;

(5) by replacing “he is required to deposit in trust” in section 18 by “that are transferred in trust”;

(6) by replacing the heading of Division I of Chapter III by the following:  
“SUMS TRANSFERRED IN TRUST AND DEPOSITS IN TRUST”;

(7) by striking out section 19;

(8) (a) by replacing the first paragraph of section 21 by the following:

“21. Any amount collected by a seller as partial or total payment for a prearranged funeral services contract shall be transferred in trust. The seller is in such a case the trustee of the amount and must, within forty-five days of receiving the amount, deposit it in trust in Québec with the depositary.”;

(b) by replacing “A seller is not, however, required to deposit in trust” in the second paragraph of section 21 by “However, the following amounts shall not be transferred in trust:”;

(9) by replacing section 22 by the following:

“22. Any amount collected by a seller as partial or total payment for a repurchased sepulture contract where the sepulture is not then available or where the particulars by means of which the sepulture can be located are not specified in the contract shall be transferred in trust. The seller is in such a case the trustee of the amount and must, within forty-five days of receiving the amount, deposit it in trust in Québec with the depositary.”;

(10) by replacing “declaration of death” in paragraph 6 of section 31 by “certificate of death”;

(11) by replacing the first paragraph of section 34 by the following :

“34. The amounts collected by a seller and transferred in trust under this Act as well as the funds held in trust are unseizable.”;

(12) by replacing “each of his places of business” in section 39 by “each of his establishments”;

(13) by replacing “place of business” in the second paragraph of section 43 by “establishment”;

(14) by replacing “1234 of the Civil Code of Lower Canada” in section 48 by “2863 of the Civil Code”;

(15) by replacing “exemplary damages” in section 56 by “punitive damages”;

(16) by striking out the first paragraph of section 58;

(17) (a) by replacing “corporation” in section 60 by “legal person”;

(b) by replacing “which must be deposited in trust” in section 60 by “transferred in trust”;

(18) by replacing paragraph 5 of section 61 by the following :

“(5) having collected an amount that is transferred to him in trust under section 21 or 22, fails to deposit the amount in trust with the depositary within forty-five days after the collection,”;

(19) by replacing “any of his places of business” in paragraph 5 of section 64 by “any of his establishments”;

(20) by replacing “corporation” in section 76 by “legal person”.

## ACT RESPECTING THE CIVIL ASPECTS OF INTERNATIONAL AND INTERPROVINCIAL CHILD ABDUCTION

24. The Act respecting the civil aspects of international and interprovincial child abduction (R.S.Q., chapter A-23.01) is amended, in the French text, by striking out “ou avec affirmation solennelle” in paragraph 2 of section 15.

## ACT RESPECTING THE NATIONAL ASSEMBLY

25. The Act respecting the National Assembly (R.S.Q., chapter A-23.1), amended by chapters 8, 13 and 43 of the statutes of 1997 and by chapters 11 and 54 of the statutes of 1998, is again amended

(1) by replacing “or solemn affirmation provided” in section 15 by “provided”;

(2) by replacing, in the French text, “incapacité d’agir” in sections 20, 21, 96, 98 and 117 by “empêchement”;

(3) by replacing “incapacity” in section 27 by “inability to act”;

(4) by replacing “or solemn affirmation provided” in section 52 by “provided”;

(5) by replacing “commercial, industrial or financial corporation” in section 59 by “legal person of a commercial, industrial or financial nature”;

(6) by replacing “before making the oath or solemn affirmation” in the first paragraph of section 60 by “before making the oath”;

(7) by replacing, in the English text, “a firm” in subparagraph 1 of the second paragraph of section 65 by “an enterprise”;

(8) by replacing “public domain” in section 66 by “domain of the State”;

(9) by replacing, in the French text, “incapable” in section 89 by “empêché”;

(10) by replacing, in the French text, “incapacité d’agir” and “incapacité” in the second paragraphs of sections 96 and 117 by “empêchement”;

(11) by replacing “having his principal residence” in subparagraph 4 of the first paragraph of section 104 by “domiciled”;

(12) (a) by striking out “OR SOLEMN AFFIRMATION” in the heading of Schedule I;

(b) by replacing “I, (*full name of the Member*), swear (*or solemnly affirm*)” in Schedule I by “I, (*name of the Member*), declare under oath”;

(13) (a) by replacing “OATH OR SOLEMN AFFIRMATION” in the heading of Schedule II by “DECLARATION UNDER OATH”;

(b) by replacing “I, (*full name of the witness*), swear (*or solemnly affirm*)” in Schedule II by “I, (*name of the witness*), declare under oath”.

## AUTOMOBILE INSURANCE ACT

26. The Automobile Insurance Act (R.S.Q., chapter A-25), amended by chapters 43, 63 and 73 of the statutes of 1997 and by chapters 36, 37, 39 and 40 of the statutes of 1998, is again amended

(1) by replacing, in the French text, “dommage”, “DOMMAGE” et “dommages” in the definitions of “accident” and “dommage causé par une automobile” in section 1, the first paragraphs of sections 10 and 11, the heading of Chapter IV of Title II, the first paragraphs of sections 73 and 75, section 78, the last line of the second paragraph of section 83.57, subparagraph 1 of the second paragraph of section 83.66, the first paragraph of section 83.67, subparagraph 1 of the second paragraph of section 108, paragraph 2 of section 149 and section 149.2 by “préjudice” and “PRÉJUDICE”, with the necessary modifications;

(2) by replacing, in the French text, “dommage corporel” and “dommage physique ou psychique” in the definition of “dommage corporel” in section 2 by “préjudice corporel” and “préjudice corporel d’ordre physique ou psychique”;

(3) by replacing, in the French text, “DOMMAGE CORPOREL”, “dommage corporel” and “dommages corporels” in the heading of Title II, sections 6, 12.1 and 55, the first paragraph of section 57, sections 83.7 and 83.60, the first paragraphs of sections 83.61 and 83.62 and section 142 by “PRÉJUDICE CORPOREL” and “préjudice corporel”, with the necessary modifications;

(4) by replacing “considered” in the second paragraph of section 6 by “presumed to be”;

(5) by replacing, in the French text, “est considéré” in section 8 by “est réputé”;

(6) by replacing, in the French text, “incapable” in the second paragraph of section 11 by “empêchée”;

(7) by replacing “null by operation of law” in the first paragraph of section 12 by “absolutely null”;

(8) by replacing, in the French text, “sont considérées comme faisant” in the second paragraphs of sections 15 and 20 by “sont réputées faire”;

(9) by replacing “considered” in the third paragraph of section 25 by “deemed”;

(10) by replacing “considered” in paragraph 2 of section 27, section 61, the second paragraph of section 66 and paragraph 5 of section 195 by “deemed”;

(11) by replacing, in the French text, “considérées comme” in the third paragraphs of sections 29.1, 36.1 and 42.1 by “réputées être”;

(12) by replacing, in the French text, “DOMMAGE MATÉRIEL”, “dommage matériel” and “dommages matériels” in the heading of Title III, sections 84, 84.1 and 106, the first paragraph of section 108, section 112, the heading of Chapter III of Title III, section 115, the first paragraph of section 116, sections 141.1 and 142 and paragraph 1 of section 173 by “PRÉJUDICE MATÉRIEL” and “préjudice matériel”, with the necessary modifications;

(13) by replacing, in the French text, “dommage matériel”, “les dommages corporels visés” and “ont été causés” in the first and third paragraphs of section 85 by “préjudice matériel”, “un préjudice corporel visé” and “a été causé”;

(14) by replacing “its mandataries”, “and mandataries” and “, agents and mandataries of the Government” in sections 101 and 103, paragraph 1 of section 149 and the first paragraph of section 175 by “mandataries of the State”, “and mandataries of the State” and “, its agents and mandataries of the State”;

(15) by replacing “corporation” in paragraphs 1 and 3 of section 104, subparagraph 3 of the first paragraph and the second paragraph of section 105 by “legal person” and by replacing “established” in the first paragraph of section 202 by “of the Groupement established”;

(16) by replacing, in the French text, “au paiement d’un dommage” and “où ce dommage” in section 111 by “au paiement en réparation d’un préjudice” and “où le montant de cette réparation”;

(17) (a) by replacing, in the French text, “des dommages matériels subis par les passagers, sans préjudice de” in the first paragraph of section 114 by “du préjudice matériel subi par les passagers; il conserve”;

(b) by replacing, in the French text, “aux autres dommages” in the second paragraph of section 114 by “à tout autre préjudice”;

(18) by replacing, in the French text, “transporte” in the first paragraphs of sections 146 and 149.6 by “cède”;

(19) by replacing, in the French text, “dommages d’au moins 100 \$” in section 149.3 by “dommages-intérêts d’au moins 100 \$ en réparation du préjudice”;



(20) by replacing “Her Majesty” in paragraph 5 of section 149.7 by “the State”;

(21) by replacing, in the French text, “en dommages” in subparagraph 1 of the first paragraph of section 149.10 by “pour dommages-intérêts en réparation d’un préjudice”;

(22) by replacing section 157 by the following :

“157. The Groupement is a legal person.”;

(23) by replacing “Corporation” in section 161 by “Groupement”;

(24) by replacing “is presumed” in section 198 by “is deemed”.

#### DEPOSIT INSURANCE ACT

27. The Deposit Insurance Act (R.S.Q., chapter A-26), amended by chapter 35 of the statutes of 1997, is again amended

(1) by replacing “corporation” in paragraph *d* of section 1 by “legal person”;

(2) by replacing, in the English text, “corporate seat” in section 3 by “head office”;

(3) by replacing section 4 by the following :

“4. The Board is a legal person.”;

(4) (a) by replacing “an agent of the Crown in right of Québec” in the first paragraph of section 5 by “a mandatary of the State”;

(b) by striking out “moveable and immovable” in the second paragraph of section 5;

(c) by replacing “of the Crown in right of Québec” in the second paragraph of section 5 by “of the State”;

(5) by replacing “unable to act” in section 7.1 by “absent or unable to act”;

(6) by replacing “trustee or agent” in paragraph *b* of section 25 by “trustee or mandatary”;

(7) (a) by replacing “deemed to have been” in the first paragraphs of sections 31.4 and 34.2 by “deemed to be”;

(b) by replacing, in the French text, “est censée être” in the second paragraphs of sections 31.4 and 34.2 by “est réputée”;

(8) by replacing, in the English text, “incorporated” in the first paragraph of section 34 by “constituted”;

(9) by replacing “1157 of the Civil Code of Lower Canada” in the third paragraph of section 35 by “1658 of the Civil Code”;

(10) by replacing “considered” in the first paragraph of section 38.1 by “deemed to be”;

(11) by replacing, in the French text, “sont censées être” and “sont censés être” in the second paragraph of section 38.2 by “sont réputées” and “sont réputés”;

(12) by replacing “security fund corporation” and “the corporation” in section 40.3.1 by “security fund” and “the security fund”;

(13) by replacing “security fund corporation” and “the corporation” in section 40.3.2 by “security fund” and “the security fund”;

(14) by replacing “security fund corporation” in section 40.3.3 by “security fund”;

(15) by replacing “security fund corporation” in paragraph *e.3* of section 43 by “security fund”;

(16) by replacing “corporation” in section 47 by “legal person”.

## HOSPITAL INSURANCE ACT

28. The Hospital Insurance Act (R.S.Q., chapter A-28), amended by chapter 39 of the statutes of 1998, is again amended

(1) by replacing “Her Majesty the Queen in the right of Québec shall be *ipso facto* subrogated” in subsection 1 of section 10 by “The State shall be subrogated”;

(2) by replacing “Her Majesty” in subsection 3 of section 10 by “the State”;

(3) by replacing “for any injury” in subsection 3.1 of section 10 by “for compensation”;

(4) by replacing “Her Majesty” in subsection 4 of section 10 by “the State”;

(5) by replacing “Her Majesty” in subsection 5 of section 10 by “the State”;

(6) by replacing, in the French text, “doit être considéré” in subsection 5 of section 10 by “est réputé”;

(7) by replacing “public domain of Québec” in subsection 6 of section 10 by “domain of the State”.

#### HEALTH INSURANCE ACT

29. The Health Insurance Act (R.S.Q., chapter A-29), amended by chapters 43, 63, 73 and 98 of the statutes of 1997 and by chapters 36, 39, 44 and 52 of the statutes of 1998, is again amended

(1) by replacing, in the French text, “manufacturier” in the fourth paragraph of section 13.2 by “fabricant”;

(2) by replacing “considered to be” in the second paragraph of section 14.1 by “deemed to be”;

(3) (a) by inserting “damages in compensation for” before “any injury” in subsection 2.1 of section 18;

(b) by replacing “shall be invalid and be deemed” in subsection 4 of section 18 by “is without effect and is deemed”;

(c) by replacing “public domain of Québec” in subsection 5 of section 18 by “domain of the State”;

(4) by replacing “null *ipso facto*” in the fourth paragraph of section 22 by “absolutely null”;

(5) by replacing, in the English text, “delay” and “delays” in sections 26 and 27, the first paragraph of section 28 and sections 51 and 52 by “period” and “periods”;

(6) by replacing “null *ipso facto*” in the first paragraph of section 31 by “absolutely null”;

(7) by replacing “unable to act ” in the first paragraph of section 46 by “absent or unable to act”;

(8) by replacing, in the English text, “deemed” in subparagraphs *b*, *c* and *g* of the first paragraph of section 69 by “considered”.

#### ACT RESPECTING FARM-LOAN INSURANCE AND FORESTRY-LOAN INSURANCE

30. The Act respecting farm-loan insurance and forestry-loan insurance (R.S.Q., chapter A-29.1) is amended

(1) by replacing section 3 by the following:

“3. The Fonds is a legal person.”;

(2) (a) by replacing “the Government” in the first paragraph of section 6 by “the State”;

(b) by replacing “public domain” in the third paragraph of section 6 by “domain of the State”;

(3) by replacing, in the French text, “incapacité d’agir” in the second paragraph of section 8 by “empêchement”;

(4) by replacing “, partnership or corporation” in section 16 by “or partnership”;

(5) by inserting “sale by judicial authority or” after “acquired ownership either at a” in the first paragraph of section 18;

(6) by replacing, in the English text, “delay” in paragraph *c* of section 24 by “time allowed”.

#### CROP INSURANCE ACT

31. The Crop Insurance Act (R.S.Q., chapter A-30), amended by chapter 43 of the statutes of 1997 and by chapters 37 and 53 of the statutes of 1998, is again amended

(1) by replacing section 3 by the following :

“3. The Régie is a mandatary of the State.

It is a legal person.”;

(2) by replacing, in the English text, “corporate seat” in section 4 by “head office”;

(3) (a) by replacing “unable to act” in the second paragraph of section 6 by “absent or unable to act”;

(b) by replacing “unable to act by reason of absence or illness” in the third paragraph of section 6 by “absent or unable to act”;

(4) by replacing, in the English text, “delay” in the second paragraph of section 11 and section 33 by “time”;

(5) by replacing “corporation” in sections 64 and 64.17 by “legal person”;

(6) by replacing “is nullified” in section 64.20 by “ceases to have effect”;

(7) by replacing “is nullified by the effect of” in section 64.21 by “ceases to have effect by the operation of”;

(8) by replacing “, partnership or corporation” in the first paragraph of section 73 by “or partnership”.

#### ACT RESPECTING FARM INCOME STABILIZATION INSURANCE

32. The Act respecting farm income stabilization insurance (R.S.Q., chapter A-31), amended by chapter 53 of the statutes of 1998, is again amended

(1) by replacing, in the English text, “incorporated” in the first paragraph of section 34 by “constituted”;

(2) by replacing “, partnership or corporation” in section 43 by “or partnership”.

#### ACT RESPECTING INSURANCE

33. The Act respecting insurance (R.S.Q., chapter A-32), amended by chapter 43 of the statutes of 1997 and by chapter 37 of the statutes of 1998, is again amended

(1) by replacing, in the English text, “incorporated”, “incorporating”, “incorporation”, “INCORPORATION”, “act of incorporation”, “Act of incorporation” and “incorporate” in paragraphs *b*, *d* and *f* of section 1, section 20, the first paragraph of section 21, section 22, the first paragraph of section 24, section 27, the first paragraph of section 29, sections 33 and 33.1, the first paragraphs of sections 34, 35 and 37, subparagraph *a* of the first paragraph of section 41, the second paragraph of section 44, paragraph 2 of section 45, the third paragraph of section 46, the first paragraph of section 47, paragraph 2 of section 52.2, the first paragraph of section 67, sections 68, 93.6, 93.8 and 93.9, paragraph 1 of section 93.10, the heading of Division IV of Chapter III.1 of Title III, the first paragraph of section 93.11, section 93.12, the heading of Division V of Chapter III.1 of Title III, section 93.13, paragraph 1 of section 93.18, sections 93.20 and 93.21, the first paragraph of section 93.30, section 93.115, the heading of Division III of Chapter III.2 of Title III, the second and third paragraphs of section 93.123, the first paragraph of section 93.124, section 93.125, the second paragraph of section 93.129, paragraph 6 of section 93.160, the heading of Division II of Chapter III.3 of Title III, sections 93.219 and 93.220, the second paragraph of section 93.224, sections 93.248, 93.249 and 93.250, the heading of Chapter IV of Title III, the heading of Division I of Chapter IV of Title III, sections 94, 95 and 96, the first paragraphs of sections 98 and 99, sections 101 and 103, the first paragraph of section 104, paragraph *b* of section 105, the third paragraph of section 106, section 164, paragraph *a* of section 174, sections 175 and 177, paragraphs *a* and *b* of section 181, section 184, subparagraph *g.1* of the first paragraph of section 186, subparagraph *f.1* of the second paragraph of section 194, sections 200.1 and 200.2, subparagraph *f.1* of the second paragraph of section 200.3, section 200.7, the second paragraph of section 201, the first paragraph of section 203, subparagraphs *f*, *h* and *i* of the first paragraph of section 205, section 206, the first paragraphs of sections 207 and 210,

sections 229, 243, 274 and 280, the first paragraph of section 285.1, section 286, the first paragraph of section 293, the second paragraph of section 317, section 322, the first paragraphs of sections 378 and 387, sections 391 and 413 and paragraphs *k*, *ac*, *af* and *ai* of section 420 by “constituted”, “constituting”, “constitution”, “CONSTITUTION”, “constituting act”, “constituting Act” and “constitute”;

(2) by replacing, in the English text, “deem” and “deemed” in sections 48 and 93.98 by “decree” and “presumed”;

(3) by replacing, in the English text, “real estate” in sections 62, 93.248, 93.251, 93.252 and 274 by “landed property”;

(4) by replacing, in the English text, “delay” and “delays” in section 74, the first paragraph of section 137, section 239, the first paragraphs of sections 380 and 384 and the third paragraph of section 414 by “time” and “time limits”;

(5) by replacing “corporation” in the second paragraph of section 219.1 by “legal person”;

(6) by striking out, in the English text, “a delay of” in the second paragraph of section 238 and section 396;

(7) by replacing, in the English text, “deemed” in the second paragraph of section 392 by “considered”.

#### ACT TO PROMOTE THE CAPITALIZATION OF SMALL AND MEDIUM-SIZED BUSINESSES

34. The Act to promote the capitalization of small and medium-sized businesses (R.S.Q., chapter A-33.01) is amended

(1) by replacing “corporation” and “corporations” in sections 1, 2, 3, 4, 5, 6, 7, 9, 10.1, 11, 13, 14, 15, 17, 19 and 20 by “legal person” and “legal persons”;

(2) by replacing “debenture or a” in paragraph 2 of section 2 by “bond or other debt security or a qualified”;

(3) (a) by replacing “A qualified convertible debenture is a debenture” in section 10 by “A qualified convertible debt security is a bond or other debt security”;

(b) by striking out “or corporation” in paragraph 2 of section 10;

(c) by replacing, in the French text, “de ladite débenture” in paragraph 5 of section 10 by “dudit titre d’emprunt”;

(d) by replacing “corporation” in paragraph 5 of section 10 by “legal person”.

#### ACT RESPECTING CREE, INUIT AND NASKAPI NATIVE PERSONS

35. The Act respecting Cree, Inuit and Naskapi Native persons (R.S.Q., chapter A-33.1) is amended by replacing “considered” in the second paragraph of section 4 by “deemed to be”.

#### ACT RESPECTING THE BARREAU DU QUÉBEC

36. The Act respecting the Barreau du Québec (R.S.Q., chapter B-1), amended by chapters 27, 43 and 63 of the statutes of 1997 and by chapters 15, 36, 37 and 46 of the statutes of 1998, is again amended

(1) by replacing “jurisdiction” in paragraph *l* of section 1 and paragraph *c* of section 129 by “function”;

(2) by replacing “CORPORATIONS” in the heading of Division II by “CONSTITUTION”;

(3) by replacing subsection 2 of section 5 by the following :

“(2) Each section shall be separate and autonomous and shall be composed of the advocates entered on the Roll for that section.”;

(4) by replacing the first paragraph of section 6 by the following :

“6. The Bar and each of the sections are legal persons.”;

(5) by replacing, in the French text, “incapables d’assister” in subsection 4 of section 10 by “empêchés d’assister”;

(6) by replacing “unable to act” in subsection 3 of section 11 by “absent or unable to act”;

(7) by replacing, in the French text, “officiers”, “officier”, “de l’officier” and “*Officiers*” in subsection 5 of section 11, paragraphs *c* and *m* of subsection 1 and paragraph *c* of subsection 2 of section 15, section 31, subsection 1 of section 32, subsections 1 to 4 of section 33, the heading of subdivision 3 of Division IV, subsection 1 of section 37, paragraph *a* of subsection 1 of section 55 and the second line of paragraph *c* of section 129 by “dirigeants”, “dirigeant”, “du dirigeant” and “*Dirigeants*”;

(8) by replacing “1731.1 of the Civil Code of Lower Canada” in paragraph *g* of subsection 3 of section 15 by “2166 of the Civil Code”;

(9) (*a*) by replacing “prevented from acting by illness, absence or other cause” in subsection 1 of section 25 by “absent or unable to act”;

(b) by replacing, in the French text, “incapacité” in subsection 2 of section 25 by “empêchement”;

(10) by replacing, in the French text, “incapacité” in subsection 5 of section 33 by “empêchement”;

(11) by replacing “prevented from acting by sickness, absence or other cause” in section 36 by “absent or unable to act”;

(12) by striking out “or solemn affirmation” in subsection 3 of section 45 and the second paragraph of subsection 4 of section 70;

(13) (a) by replacing, in the English text, “delay” in subsection 3 of section 68 by “time”;

(b) by replacing “considered” in subsection 8 of section 68 by “deemed”;

(14) (a) by replacing “corporation” in paragraph *c* of subsection 1 of section 128 by “legal person”, and by replacing “corporations” in paragraph *c* of subsection 2 of section 128 by “legal persons”;

(b) by replacing, in the English text, “incorporation” in paragraph *c* of subsection 1 of section 128 by “constitution”;

(c) by replacing, in the French text, “l’enregistrement” and “d’un enregistrement” in paragraph *b* of subsection 2 of section 128 by “l’inscription” and “d’une inscription”;

(d) by replacing, in the English text, “real estate” in paragraph *b* of subsection 2 of section 128 by “immovable property”;

(15) (a) by striking out “, without their being deemed to act for others” in paragraph *c* of section 129;

(b) by replacing “public or private corporations” in paragraph *d* of section 129 by “legal persons established for a private interest or in the public interest”;

(16) by replacing “deemed” in the first paragraph of section 134, section 135 and the first paragraph of section 136 by “presumed”;

(17) by replacing, in the French text, “transporter ou fait transporter” in subparagraph *b* of the first paragraph of section 134 by “céder ou fait céder”;

(18) (a) by replacing “responsibility in respect of an offence or quasi-offence” in subparagraph 1 of paragraph *c* of section 136 by “extra-contractual liability”;

(b) by replacing “an offence or quasi-offence” and “such offence or quasi-offence” in paragraph *g* of section 136 by “a fault” and “such fault”;



(19) by replacing “1571 to 1571*d* of the Civil Code of Lower Canada” in section 138 by “1641 and 1642 of the Civil Code”;

(20) by replacing “the officers of their departments” in section 141 by “their representatives”.

## BUILDING ACT

37. The Building Act (R.S.Q., chapter B-1.1), amended by chapters 43, 64, 83 and 85 of the statutes of 1997 and by chapter 46 of the statutes of 1998, is again amended

(1) by replacing “and its departments and agencies” and “the mandararies of the Government” in section 5 and subparagraph 3 of the first paragraph of section 182 by “, its departments and agencies that are mandararies of the State” and “mandararies of the State”;

(2) by replacing, in the English text, “deemed” in section 8 by “presumed”;

(3) by replacing, in the English text, “shall be deemed to be” in sections 9 and 10 by “is”;

(4) (a) by replacing “shall be deemed” in section 45 by “is deemed”;

(b) by replacing, in the French text, “l’officier” in section 45 by “le dirigeant”;

(5) by replacing, in the English text, “corporation” in the first line of section 45 and the first paragraph of section 67 by “legal person”;

(6) by replacing, in the English text, “corporation” in the third line of section 45 and the second paragraph of section 67 by “partnership”;

(7) by replacing “municipal or intermunicipal transit corporation” in paragraph 4 of section 65.4 by “municipal or intermunicipal transit authority”;

(8) by striking out, in the English text, “or corporate name” in the first paragraph of section 67;

(9) by replacing “executor, heir or legatee, the administrator of the succession” in the second paragraph of section 69 by “liquidator of the succession, the heir or the legatee by particular title”;

(10) by replacing “becomes invalid” in the first line of section 71 and section 73 by “ceases to have effect”;

(11) by replacing “his executor, heir or legatee, administrator or legal representative” in section 72 by “the liquidator of the succession or the heir, legatee by particular title or legal representative of the deceased”;

- (12) by replacing “corporation” in section 88 by “legal person”;
- (13) by striking out “temporarily” in the first and second paragraphs of section 93 and the second paragraph of section 109;
- (14) (a) by replacing “registered against that immovable” in the first paragraph of section 126 by “registered at the registry office”;
- (b) by replacing “file a copy of the order for registration” and “land registry office of the division” in the second paragraph of section 126 by “register the order” and “registry office of the registration division”;
- (c) by replacing, in the French text, “enregistré” in the third paragraph of section 126 by “inscrit”;
- (15) by replacing, in the French text, “jurisdiction” in the first paragraph of section 128.2 by “compétence”;
- (16) by replacing, in the French text, “la corporation”, “une corporation” and “cette corporation” in sections 129.3, 129.4, 129.5, 129.6, 129.7, 129.8, 129.9, 129.11, 129.12, 129.16, 129.17, 129.18, 129.19, 161, 162, 163, 164, 164.1, 164.2, 164.3, 164.4 and 164.5 and paragraphs 6.1 and 6.2 of section 182 by “la Corporation”, “une Corporation” and “cette Corporation”;
- (17) by replacing “shall be considered” in the second paragraph of section 133 by “is deemed”;
- (18) by replacing “considered” in the second paragraph of section 155 by “deemed”;
- (19) (a) by replacing, in the English text, “corporation” in paragraph 10 of section 185 by “legal person”;
- (b) by replacing, in the English text, “corporation or natural person” in paragraph 11 of section 185 by “partnership or person”;
- (c) by replacing, in the English text, “corporation” in paragraphs 13 and 14 of section 185 by “legal person”;
- (d) by replacing, in the English text, “, corporation or natural person” in paragraph 15 of section 185 by “or person”;
- (20) (a) by replacing “place of business or business office, as the case may be” in section 210 by “business establishment”;
- (b) by replacing, in the English text, “is deemed to be” in section 210 by “is”;
- (21) by replacing “has the effect of” in the second paragraph of section 216 by “is deemed to be”.

## ACT RESPECTING THE BIBLIOTHÈQUE NATIONALE DU QUÉBEC

38. The Act respecting the Bibliothèque nationale du Québec (R.S.Q., chapter B-2.1), amended by chapter 38 of the statutes of 1998, is again amended

- (1) by replacing “corporation” in section 2 by “legal person”;
- (2) (a) by replacing “the Government” in the first paragraph of section 3 by “the State”;
- (b) by replacing “public domain” in the second paragraph of section 3 by “domain of the State”;
- (3) by inserting “absent or” before “unable to act” in section 11;
- (4) by replacing “mandataries of the Government” in section 50 by “mandataries of the State”.

## CULTURAL PROPERTY ACT

39. The Cultural Property Act (R.S.Q., chapter B-4), amended by chapters 43 and 85 of the statutes of 1997, is again amended

- (1) by striking out “any movable or immovable” in paragraph *f* of section 1;
- (2) by replacing “that are its mandataries” in section 1.1 by “that are mandataries of the State”;
- (3) by replacing “prevented from acting” in section 7.1 by “absent or unable to act”;
- (4) by replacing “in the register in the registry office of the division” and “the registration by deposit of the notice of entry in the registry office of the division where it is situated” in section 16 by “in the land register of the registry office of the registration division” and “the registration of the notice in the land register”;
- (5) by replacing “certificate of the registrar of the registration division where such immovable is situated, containing the hypothecs or other charges registered against the immovable under” in the third paragraph of section 20 by “certified statement from the registrar of the registration division where the immovable is situated. The statement must mention the real rights registered in the land register in respect of the immovable, as required by”;
- (6) by replacing, in the English text, “delay” in sections 22 and 23 by “period”;
- (7) by replacing “register in the registry office of the division” and “immediately register by deposit a copy of the notice in the registry office of

the registration division where the immovable is situated” in the first paragraph of section 25 by “land register of the registry office of the registration division” and “, without delay, register the notice in the land register of the registry office of the registration division where the immovable is situated”;

(8) (a) by replacing, in the English text, “sixty day’s delay” in the first paragraph of section 26 by “a period of sixty days”;

(b) by replacing “becomes null and void” in the second paragraph of section 26 by “is without effect”;

(c) by striking out, in the English text, “a delay of” in the second paragraph of section 26;

(9) by replacing “a notice of the entry must be deposited, at the diligence of the Minister, in the registry office of the division where it is situated” in section 28 by “an application for the registration, in the land register of the registry office of the registration division where the immovable is situated, of the notice of entry in the register of cultural property is made at the diligence of the Minister”;

(10) by replacing “registered in the registry office of the registration division” in the last paragraph of section 32 by “registered at the registry office of the registration division”;

(11) by replacing, in the English text, “real estate” in the first and second paragraphs of section 33 and subparagraph *h* of the first paragraph of section 53 by “property”;

(12) by replacing “public domain” in the second paragraph of section 38 and sections 44 and 55 by “domain of the State”;

(13) (a) by replacing “damages he has suffered by” in the first paragraph of section 43 by “any injury arising from”;

(b) by replacing “corporation” in the third paragraph of section 43 by “legal person”;

(14) by replacing “remain governed by article 586 of the Civil Code of Lower Canada” in section 44 by “are governed by article 938 of the Civil Code”;

(15) by replacing, in the French text, “bureau d’enregistrement de la division” and “bureau d’enregistrement” in sections 46, 47 and 47.2 by “bureau de la publicité des droits de la circonscription foncière”;

(16) by replacing “a copy of the notice has been registered by deposit in the registry office of the registration division” in section 50 by “the notice has been registered in the land register of the registry office of the registration division”;

(17) by inserting “absolutely” before “null” in section 56;

(18) by replacing section 57.1 by the following:

“57.1. No division or subdivision plan or any other form of parcelling out of land situated in historic or natural districts, classified historic sites or protected areas may be registered in the land register if the conditions of an authorization given under this Act have not been met or if such an authorization has not been given.”;

(19) by replacing “his special oath or solemn affirmation” in the third paragraphs of sections 72 and 86 by “a special oath”;

(20) by replacing “becomes null and void upon” and “becomes null and void” in sections 75, 89 and 90 by “is without effect after” and “is without effect”;

(21) by replacing, in the French text, “bureau d’enregistrement de la division” in section 102 by “bureau de la publicité des droits de la circonscription foncière”;

(22) by replacing “place of business located” and “place of business” in subparagraphs *a* and *b* of paragraph 3 of section 115 by “establishment located” and “establishment”;

(23) by replacing “considered” in section 131 by “deemed”;

(24) by replacing “is considered” in sections 132 and 133 by “is deemed”.

#### ACT RESPECTING TEAR BOMBS

40. The Act respecting tear bombs (R.S.Q., chapter B-6) is amended

(1) by striking out “or a corporation” in paragraph 2 of section 1;

(2) by replacing “dwelling-house, shop, warehouse, office or place of business” in paragraph *a* of section 2 by “residence, office or business establishment”;

(3) (*a*) by replacing, in the French text, “officier” in section 6 by “agent”;

(*b*) by replacing “an established and fixed place of business” in section 6 by “a fixed business establishment”.

#### ACT RESPECTING THE BUREAU DE LA STATISTIQUE

41. The Act respecting the Bureau de la statistique (R.S.Q., chapter B-8) is amended by replacing “of provincial jurisdiction” in paragraph *a* of section 5 by “within the jurisdiction of Québec”.

## ACT RESPECTING REGISTRY OFFICES

42. The Act respecting registry offices (R.S.Q., chapter B-9), amended by chapter 5 of the statutes of 1998, is again amended by replacing “(*surname and given name*) solemnly affirm” in the second paragraph of section 7 by “(*name*), declare under oath”.

## ACT RESPECTING THE CAISSE DE DÉPÔT ET PLACEMENT DU QUÉBEC

43. The Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2), amended by chapter 88 of the statutes of 1997, is again amended

(1) by replacing, in the English text, “corporate seat” in section 2 by “head office”;

(2) by replacing section 3 by the following :

“3. The Fund is a legal person.”;

(3) (a) by replacing “an agent of the Crown in right of Québec” in the first paragraph of section 4 by “a mandatary of the State”;

(b) by striking out “movable and immovable” in the second paragraph of section 4;

(c) by replacing “property of the Crown in right of Québec” in the second paragraph of section 4 by “property of the State”;

(d) by replacing “agents of the Crown in right of Québec” in the fourth paragraph of section 4 by “mandataries of the State”;

(4) by replacing “, illness or inability to act” in the third paragraph of section 8 by “or inability to act”;

(5) by replacing “public domain” in paragraphs *c* and *e* of section 20.2 by “domain of the State”;

(6) by replacing, in the French text, “le transport” in paragraph *a* of section 25 by “la cession”;

(7) by replacing, in the English text, “real estate” in sections 27 and 28 by “landed property”.

## ACT RESPECTING THE CAISSES D’ENTRAIDE ÉCONOMIQUE

44. The Act respecting the caisses d’entraide économique (R.S.Q., chapter C-3) is amended

(1) by replacing, in the English text, “real estate” in the second paragraph of section 7 and the first paragraph of section 20 by “landed property”;

(2) by replacing “a Crown corporation in right of Canada or of Québec” in the third paragraph of section 20 by “an enterprise thereof”;

(3) by replacing “corporation” in paragraphs *b* and *c* of section 23 by “legal person”;

(4) by replacing, in the English text, “corporate seat” in Forms 1 and 2 of Schedule I by “head office”.

#### ACT RESPECTING CERTAIN CAISSES D’ENTRAIDE ÉCONOMIQUE

45. The Act respecting certain caisses d’entraide économique (R.S.Q., chapter C-3.1), amended by chapter 43 of the statutes of 1997, is again amended

(1) by replacing “null and void” in section 3 by “without effect”;

(2) by replacing “incapacity” in the first paragraph of section 5 by “inability to act”;

(3) by replacing, in the French text, “assemblée spéciale” in sections 7, 22 and 24 by “assemblée extraordinaire”;

(4) by replacing, in the English text, “corporate name” in paragraph 1 of section 27 and paragraphs 1 and 2 of section 40 by “name”;

(5) by replacing, in the English text, “deed of incorporation” in paragraph 2 of section 32 by “constituting act”;

(6) by replacing “the Corporation de fonds de sécurité” in paragraph 14 of section 40 and the second paragraph of section 51 by “the security fund”;

(7) by striking out “corporate” in the second paragraph of section 61;

(8) by replacing, in the English text, “company” in section 73 by “partnership”;

(9) by replacing “corporate status of the Fédération des caisses d’entraide économique du Québec” in section 139 by “status of the Fédération des caisses d’entraide économique du Québec as a legal person”.

#### CHARTER OF THE FRENCH LANGUAGE

46. The Charter of the French language (R.S.Q., chapter C-11), amended by chapters 24, 43 and 44 of the statutes of 1997, is again amended