



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 92

An Act respecting the Greater Montréal Development Commission

Introduction

**Introduced by
Mr Serge Ménard
Minister of State for Greater Montréal**

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EXPLANATORY NOTES

This bill establishes the Greater Montréal Development Commission whose primary object is to promote the development of Greater Montréal. To that end, the Commission is for promoting, stimulating and coordinating the economic, cultural and social development of Greater Montréal by ensuring that the actions of local and regional authorities are undertaken in a concerted and coherent manner. The Commission is also responsible for promoting coordinated relations between local, regional and governmental authorities.

The metropolitan area under the jurisdiction of the Commission is the combined territory of the Communauté urbaine de Montréal and of the eleven neighbouring regional county municipalities listed in the schedule.

The affairs of the Commission is to be administered by a council composed of a chairman, of representatives of the municipal sector, who will account for two-thirds of the members , and of government-appointed representatives of various socio-economic groups. Two vice-chairmen, including at least one of the municipal sector representatives, are to be appointed by the Government. The establishment of an executive committee is provided for, which is to be headed by the chairman of the Commission and to comprise, in addition, the two vice-chairmen, and five members designated by the council, three of whom are to be selected among the municipal sector representatives. The chairman of the Commission is to be the Minister of State for Greater Montréal.

Among the main functions assigned to the Commission are the preparation, in conjunction with the Ministers concerned or the Agence métropolitaine de transport, of guidelines and priorities for strategic action for economic development and the adoption of by-laws concerning a land use plan, a transportation plan and a waste management plan for Greater Montréal. The by-laws of the Commission are to be submitted to the Government for approval.

Furthermore, the Commission is to advise the Minister on any matter of metropolitan interest. It will also make recommendations to the Government, within specified time limits, regarding administrative structures within its territory, recreational, touristic

and cultural infrastructures and equipment and socio-cultural or sports events of metropolitan interest, the management of air and water quality and the Agence métropolitaine de transport. It may make recommendations on any other matter.

The Commission may carry out, or cause to be carried out, any other related mandate entrusted to it by the Government and enter into agreements or undertake joint projects with any person or body.

Lastly, the bill contains provisions relating to the funding of the Commission and amendments affecting, for the most part, the statutes governing the Agence métropolitaine de transport and the Commission de protection du territoire agricole, in addition to transitional provisions and consequential amendments.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);
- Act respecting municipal taxation (R.S.Q., chapter F-2.1 ;
- Act to preserve agricultural land (R.S.Q., chapter P-41.1);
- Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3);
- Act respecting the Agence métropolitaine de transport and amending various legislative provisions (1995, chapter 65).

Bill 92

AN ACT RESPECTING THE GREATER MONTRÉAL DEVELOPMENT COMMISSION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

CHAPTER I

ESTABLISHMENT AND ORGANIZATION

DIVISION I

ESTABLISHMENT

1. The Greater Montréal Development Commission is hereby established.

The Commission is a legal person established in the public interest.

2. The territory of the Commission comprises the territories of the municipalities of the Communauté urbaine de Montréal, the territories of the municipalities of the regional county municipalities mentioned in Schedule I, and the territory of the Kahnawake Indian reserve.

The Government may, by regulation and on the recommendation of the Commission, amend the schedule.

3. The primary object of the Commission is to promote the development of Greater Montréal.

To that end, the Commission shall promote, stimulate and coordinate the economic, cultural and social development of Greater Montréal by ensuring that the actions of local and regional authorities are undertaken in a concerted and coherent manner.

The Commission shall also promote coordinated relations between local, regional and governmental authorities.

4. In the pursuit of its object, the Commission shall act more specifically in the following areas :

- (1) economic development ;
- (2) land use planning ;

(3) transportation ;

(4) waste management.

5. The head office of the Commission shall be located within its territory at the place it determines.

Notice of that location and of any change in location shall be published in the *Gazette officielle du Québec* and in a newspaper distributed in the territory of the Commission.

DIVISION II

COMPOSITION

§1. — *Council*

6. The affairs of the Commission shall be administered by a council composed of a chairman, of members representing the municipal sector, and of members representing the various socio-economic sectors.

7. The Minister of State for Greater Montréal shall be the chairman of the council of the Commission.

8. The members representing the municipal sector shall include :

(1) the mayor of the city of Montréal and six members of the council of the city of Montréal, appointed by the mayor ;

(2) the mayor of the city of Laval and one member of the council of the city of Laval, appointed by the mayor ;

(3) the mayor of the city of Longueuil and the warden of the Champlain regional county municipality, or another member designated by the regional county municipality if the warden is the mayor of Longueuil ;

(4) the wardens of the regional county municipalities listed in Schedule I, except the Laval and Champlain regional county municipalities ;

(5) five members of the council of the Communauté urbaine de Montréal, selected from among the delegates of the municipalities other than the city of Montréal ; the said members shall be appointed by the said delegates at a special meeting convened for that purpose by the chairman of the executive committee of the Community ;

(6) the chairman of the executive committee of the Communauté urbaine de Montréal.

9. Any member representing the municipal sector may be replaced by a substitute if the member is absent or unable to act.

10. The Government shall appoint 13 other members to the council, after consulting socio-economic groups in Greater Montréal that are representative of, in particular, the business, labour, culture, community work, the environment, transportation and tourism sectors.

11. A deputy minister may, with the authorization of the chairman, take part in the discussions of the council on a matter that concerns his department, but he is not entitled to vote.

12. The Government shall appoint two vice-chairmen from among the members of the council one of whom shall be appointed from the municipal sector.

13. A member of the council who has a direct or indirect interest in any enterprise causing his personal interest to conflict with that of the Commission must, on pain of forfeiture of office, disclose such interest to the council in writing and refrain from taking part in any debate or decision bearing on the enterprise in which the interest is held, and in any part of a sitting of the council during which the interest is discussed.

14. The members of the council must disclose their pecuniary interests to the council in accordance with sections 357 to 363 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2).

15. The terms of the members representing the municipal sector shall continue for as long as they hold office or as long as they represent a municipal council, the Communauté urbaine de Montréal or a regional county municipality.

Where the term of such members ends by reason of the expiry of their term of office, they may continue to exercise their functions until re-elected or until their successor in that office is elected.

16. The term of office of the members appointed by the Government shall not exceed three years.

Such members shall, however, remain in office at the expiry of their term until replaced or reappointed.

17. The resignation of a member takes effect on the date on which a written resignation, signed by the member, is received by the secretary of the Commission, or on any later date specified therein.

18. The members of the council shall receive no remuneration, except in such cases, on such conditions and to such extent as may be determined by the Government. They are, however, entitled to the reimbursement of the expenses

incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

§2. — *Executive committee*

19. The executive committee of the Commission is hereby established.

20. The executive committee is composed of the chairman and the vice-chairmen of the council and of five other members designated by the council for the term it determines, including three members from among the members representing the municipal sector and two members from among the members appointed by the Government.

21. The members of the executive committee remain in office at the expiry of their term until replaced or reappointed.

DIVISION III

OPERATION

§1. — *Council*

22. The chairman shall call and preside at sittings of the council and ensure that they are properly conducted.

23. A vice-chairman may, at the request of the chairman, preside at sittings of the council.

24. One of the vice-chairman may, in accordance with the internal management by-laws, replace the chairman when the latter is absent or unable to act.

25. The council shall meet at least four times every year.

Nine members of the council may require that the chairman call a special sitting. The special sitting must be held within 10 days after the requisition is received.

26. The members of the council may, by unanimous agreement, take part in a sitting by means of any device that allows oral communication, in particular the telephone. The participants are, in such a case, deemed to attend the sitting.

27. The term of a member of the council appointed by the Government who fails to attend three consecutive regular sittings of the council shall terminate at the close of the first sitting following the last of the three sittings the member failed to attend, unless the member attends that sitting.

However, the council may, at the fourth sitting, grant a grace period if the member was in fact unable to attend the sittings.

28. The sittings of the council shall be open to the public.

29. The quorum at sittings of the council is a majority of its members.

30. Every member of the council present at a sitting has one vote and is required to vote unless prevented from voting by a personal interest in the matter concerned.

The chairman is not entitled to vote.

31. Every decision shall be made by a majority vote of the members present.

32. The council may regulate the exercise of its powers and the other aspects of its internal management.

33. The council may set up committees to examine particular matters, determine their mode of operation and designate the persons who are to sit on the committees.

Each committee shall be presided by a member of the council designated by the council.

34. No act, document or writing shall bind the Commission unless it is signed by the chairman or a vice-chairman, the director general of the Commission or, to the extent determined by the Commission, by a member of its personnel.

The Commission may allow, subject to the conditions and on the documents it determines, that a signature be affixed by means of an automatic device or that a facsimile of a signature be engraved, lithographed or printed. However, the facsimile shall have the same force as the signature itself only if the document is countersigned by a person authorized by the chairman.

35. The minutes of the sittings of the council, approved by the council and certified by the chairman, a vice-chairman, the secretary or by any other member of the personnel so authorized by the council, are authentic, as are documents and copies emanating from the Commission or forming part of its records if signed or certified by such a person.

36. The council shall designate a director general, a secretary and a treasurer.

The director general is responsible for the administration and direction of the Commission within the scope of its policies and by-laws. The functions of director general shall be exercised on a full-time basis.

The director general shall also exercise any other function assigned by the council.

37. The employees of the Commission shall be appointed according to the staffing plan and the standards established by by-law of the Commission. The by-law shall also determine the standards and scales of remuneration, employment benefits and other conditions of employment of the employees.

The by-law shall be submitted to the Government for approval.

38. No employee of the Commission may, on pain of forfeiture of office, have a direct or indirect interest in an enterprise causing the personal interest of the employee to conflict with that of the Commission. However, forfeiture is not incurred where the interest devolves by succession or gift, provided it is renounced or disposed of with dispatch.

§2. — *Executive committee*

39. The chairman shall call and preside at sittings of the executive committee and ensure that they are properly conducted.

40. A vice-chairman may, at the request of the chairman, preside at sittings of the executive committee.

41. The members of the executive committee may, by unanimous agreement, take part in a sitting by means of any device that allows oral communication, in particular the telephone. The participants are, in such a case, deemed to attend the sitting.

42. The sittings of the executive committee shall be closed to the public.

The council may, however, provide that all or part of the sittings of the executive committee are to be open to the public. The council or the executive committee may also, on a case by case basis, provide that all or part of a sitting of the executive committee is to be open to the public.

A member of the council who is not a member of the executive committee may attend a sitting that is not open to the public.

43. The quorum at sittings of the executive committee is four members who are entitled to vote.

44. Every member present at a sitting of the executive committee has one vote.

The chairman is not entitled to vote.

45. Every decision shall be made by a majority vote of the members present who are entitled to vote.

46. The executive committee shall see to the day-to-day administration of the affairs of the Commission.

It shall also exercise the powers delegated to it by the council.

47. The executive committee shall report on all its decisions to the council at its next ensuing meeting ; the council may amend or cancel the decisions.

48. The executive committee may make internal management by-laws for the conduct of its affairs.

49. The executive committee may make a report to the council on any matter within the competence of the executive committee or of the council.

The executive committee shall furnish to the council any information requested of it in writing by a member of the council.

CHAPTER II

FUNCTIONS AND POWERS

DIVISION I

GENERAL PROVISIONS

50. The Commission shall advise the Minister on any matter of metropolitan interest that the Minister submits to it. It shall provide the Minister with any advice it considers appropriate.

51. The Commission shall make recommendations to the Government on the following matters :

(1) the municipal, regional and governmental structures within its territory, in particular, for the purpose of simplifying them ;

(2) the recreational, touristic or cultural infrastructures and equipment or the socio-cultural or sports events of metropolitan interest, as well as their management and financing ;

(3) the management of air and water quality within its territory and the funding of activities relating to air and water quality ;

(4) the composition, powers and funding of the Agence métropolitaine de transport.

52. The Commission may make recommendations to the Government on the following matters :

(1) the broadening of its functions and powers, in particular as regards culture and tourism ;

(2) changes to its territory, changes in the composition of its council or executive committee and changes in the manner in which their members are appointed, and the diversification of the Commission's methods and sources of funding ;

(3) the organization and financing of municipal services ;

(4) the creation of specialized bodies to carry out certain of its functions or other functions of metropolitan interest ;

(5) the directives that the Minister may issue concerning the aims and objectives pursued by the Agence métropolitaine de transport in the exercise of its powers, in accordance with section 85 of the Act respecting the Agence métropolitaine de transport and amending various legislative provisions (1995, chapter 65) ;

(6) the creation and funding of an economic development fund.

53. The Commission may, according to law, enter into an agreement with a foreign government or any of its departments or with an international organization or an agency of such government or organization.

The Commission may also, with the authorization of the minister responsible for the administration of Division II of the Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30), enter into an agreement with a government in Canada or with a department or agency of such a government.

The Commission may also enter into agreements or take part in joint projects with any person.

Every municipality and body to which section 18 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3) applies may enter into agreements or take part in joint projects referred to in the third paragraph.

54. In the pursuit of its object, the Commission may, in particular,

(1) carry out studies, research and inquiries ;

(2) provide financial assistance to a municipality or a regional county municipality whose territory is comprised within that of the Commission, to a governmental or municipal body, to a Native community represented by its band council or to a non-profit body ;

(3) solicit and receive gifts, bequests, subsidies and other contributions, provided that any attached conditions are consistent with the pursuit of its object.

55. The Commission shall carry out or cause to be carried out any other mandate related to its object and conferred on it by the Government where all or part of the related costs are borne by the Government.

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

DIVISION II

ECONOMIC DEVELOPMENT

56. The Commission shall, in cooperation with the Minister of Industry, Trade, Science and Technology and in accordance with agreements on the priorities and the regional lines of development referred to in section 3.28 of the Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30), prepare guidelines and set priorities for strategic action for economic development in its territory, in particular as regards the soliciting of foreign investment and the promotion of foreign tourism.

57. The guidelines and priorities for economic development shall be adopted by the Commission.

58. The Commission may enter into a general agreement with the Government concerning the application of its guidelines and priorities for economic development.

DIVISION III

LAND USE PLANNING

59. The Minister of Municipal Affairs shall transmit the government policy for land use planning in its territory to the Commission, including any projected equipment and infrastructures.

60. In cooperation with the Minister of Municipal Affairs, the Commission shall prepare a metropolitan land use plan for its territory.

61. The metropolitan land use plan shall, in particular,

(1) set out overall guidelines for land use ;

(2) set out urbanization criteria for new parts of the territory, in particular in relation to employment and population growth and the availability and capacity of public infrastructures and equipment ;

(3) define the poles of activity and the parts of the territory of the Commission that are of metropolitan interest ;

(4) specify the location, capacity and purpose of infrastructures and equipment of metropolitan interest, whether existing or projected;

(5) set out criteria governing the harmonization of the development plans of regional county municipalities, the development plan of the Communauté urbaine de Montréal, including the potential capacity of residential, commercial and industrial sectors in relation to foreseeable growth, as well as their compatibility with the integrated transportation plan, the integrated waste management plan and the land use plan provided for in section 21 of the Act respecting the lands in the public domain (R.S.Q., chapter T-8.1);

(6) set out rules for the financing of public infrastructures and equipment.

62. The Commission shall pass a by-law for the adoption of the metropolitan land use plan.

63. The Commission shall transmit the metropolitan land use plan to the Minister of Municipal Affairs for approval by the Government.

The Minister of Municipal Affairs shall recommend that the Government approve the land use plan with or without amendment.

64. The Government may approve the metropolitan land use plan, with or without amendment.

The order in council may state the extent to which the land use plan is binding on the Government and on government departments and bodies.

65. Before issuing a notice under section 51, 53.7, 53.12, 56.4, 56.14 or 56.15 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) in respect of the Communauté urbaine de Montréal and the regional county municipalities mentioned in Schedule I, the Minister of Municipal Affairs shall consult the Commission.

The Minister may mention in such a notice any objection to the document submitted to the consideration of the Minister as regards such elements of the metropolitan land use plan as the Minister may indicate and specify the grounds of the objection.

For the purposes of the said sections, the notice relating to elements of the land use plan shall be considered to be a notice relating to aims and projects.

DIVISION IV

TRANSPORTATION

66. The Minister of Transport shall transmit the government transportation policy to the Commission.

67. In cooperation with the Minister of Transport and the Agence métropolitaine de transport, the Commission shall prepare an integrated plan for the transportation of persons and goods within its territory.

68. The transportation plan shall, in particular,

(1) designate the metropolitan road network and metropolitan transportation equipment, especially in connection with public transit and air, sea and rail transportation ;

(2) set out guidelines concerning the role, development and operation of transit systems that are of metropolitan interest ;

(3) identify projected infrastructures and equipment, and improvements to existing infrastructures and equipment to increase their capacity or efficiency ;

(4) set out measures governing the coordination of traffic and parking policies ;

(5) contain a fare policy for public transit ;

(6) set out measures to promote the use of means of transportation other than the automobile ;

(7) specify the means by which the measures under the plan are to be financed.

69. The Commission shall pass a by-law for the adoption of the integrated transportation plan.

70. The Commission shall transmit the integrated transportation plan to the Minister of Transport for approval by the Government.

The Minister of Transport shall recommend that the Government approve the transportation plan, with or without amendment.

71. The Government may approve the integrated transportation plan, with or without amendment.

The order in council may state the extent to which the transportation plan is binding on the Government and on government departments and bodies.

DIVISION V

WASTE MANAGEMENT

72. The Minister of the Environment and Wildlife shall transmit the government waste management policy to the Commission.

73. In cooperation with the Minister of the Environment and Wildlife, the Commission shall prepare an integrated waste management plan for its territory, within the scope of the implementation of the residual materials management policy.

74. The integrated waste management plan shall, in particular,

(1) set out the classes and quantities of residual materials that must be upgraded;

(2) set out the classes, quantities and origin of waste that may be disposed of;

(3) specify the authorized methods of upgrading residual materials and disposing of waste;

(4) set out the authorized types of residual material upgrading and disposal facilities or installations, their location, and the means by which they are to be financed.

75. The Commission shall pass a by-law for the adoption of the integrated waste management plan.

76. The Commission shall transmit the integrated waste management plan to the Minister of the Environment and Wildlife for approval by the Government.

The Minister of the Environment and Wildlife shall recommend that the Government approve the waste management plan, with or without amendment.

77. The Government may approve the integrated waste management plan, with or without amendment.

The order in council may state the extent to which the waste management plan is binding on the Government and on government departments and bodies.

CHAPTER III

FINANCIAL PROVISIONS

78. The fiscal year of the Commission ends on 31 December.

79. The Government may, on the conditions and according to the terms and conditions it determines, grant a subsidy to the Commission to provide for its obligations.

80. The amounts received by the Commission must be applied to the payment of its obligations. The remainder shall be paid into a fund the use of which is authorized by the Government.

81. The Commission shall, each year, submit its budget for the following fiscal year to the Minister, at the time, in the form and with the content determined by the Minister.

82. No decision of the Commission and no report authorizing or recommending an expenditure shall have effect before the production of a certificate of the treasurer attesting that funds are or will be available at the proper time for the purposes for which such expenditure is planned.

83. In the budget of the Commission, expenditures must not exceed revenues.

84. The Commission shall post as revenue in its budget any surplus anticipated for the current year and any other surplus at its disposal.

In addition, the Commission shall post as expenditure in its budget any deficit for the preceding year.

85. The books and accounts of the Commission shall be audited by the Auditor General of Québec each year and whenever so ordered by the Government.

The auditor's report must accompany the report of activities and the financial statements of the Commission.

86. The Commission must submit to the Minister, not later than 30 June each year, a report on its activities and its financial statements for the preceding fiscal year.

The documents must contain all the information required by the Minister.

87. The Minister shall table the annual report and the financial statements before the National Assembly within 15 days of receiving them if it is in session or, if it is not sitting, within 15 days of resumption.

CHAPTER IV

MISCELLANEOUS AND TRANSITIONAL PROVISIONS

88. The Commission must submit its first recommendations under paragraph 1, 2 or 4 of section 51 not later than 31 December 1998, and not later than 30 June 1999 in the case of those under paragraph 3.

89. The Commission must, not later than 30 June 1998, adopt its first economic development guidelines and priorities under section 57.

90. The Commission must, not later than 31 December 1998, adopt its first metropolitan land use plan under section 62.

91. The Commission must, not later than 31 December 1998, adopt its first integrated transportation plan under section 69.

92. The Commission must adopt its first integrated waste management plan under section 75 within two years of receiving the government waste management policy or not later than 31 December 1999, whichever is earliest.

93. Section 5 of 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 section 13 of chapter 2 of the statutes of 1996, is again amended by inserting the words “the Greater Montréal Development Commission” after the words “urban community,” in the first line of paragraph 2.

94. Section 204 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), amended by section 23 of chapter 23 of the statutes of 1994, by section 1 of chapter 7, section 122 of chapter 65 and section 2 of chapter 73 of the statutes of 1995 and by section 64 of chapter 16 and section 70 of chapter 21 of the statutes of 1996, is again amended

(1) by inserting the words “the Greater Montréal Development Commission, to” after the words “belonging to” in the first line of paragraph 5;

(2) by inserting the words “that commission or of” after the words “mandatory of” in the second line of paragraph 5.

95. Section 58.4 of the Act to preserve agricultural land (R.S.Q., chapter P-41.1), introduced by section 35 of chapter 26 of the statutes of 1996, is amended

(1) by adding, at the end of the first paragraph, the following sentence: “It must make a similar request to the Greater Montréal Development Commission if the application concerns a lot within the territory of that commission.”;

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

“The recommendation from the Greater Montréal Development Commission must take into consideration the objectives of the metropolitan general land use plan and be submitted together with a statement as to whether the application is consistent with such documents.”

96. Section 18 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3) is amended by inserting the words “the Greater Montréal Development Commission” before the word “means” in the first line of paragraph 2.

97. Section 30 of the Act respecting the Agence métropolitaine de transport and amending various legislative provisions (1995, chapter 65) is amended by inserting the words “, the integrated transportation plan referred to in section 72 of the Act respecting the Greater Montréal Development Commission (*insert here the year and chapter number of that Act*),” after the words “(R.S.Q., chapter A-19.1)” in the third line of subparagraph 2 of the second paragraph.

98. Section 51 of the said Act is amended by replacing the first paragraph by the following paragraph :

“51. The Agency shall, after taking into consideration the integrated transportation plan of the Greater Montréal Development Commission, determine the public highways in its area of jurisdiction on which reserved traffic lanes must be established to promote shared transportation.”

99. Section 76 of the said Act is amended

(1) by replacing the words “metropolitan transportation” in the first and second paragraphs by the words “public transit” ;

(2) by inserting the words “, after consultation with the Greater Montréal Development Commission,” after the word “revised” in the second paragraph.

100. Section 86 of the said Act is replaced by the following section :

“86. The Agency must consult the Greater Montréal Development Commission regarding its fares, projected capital expenditures and budget.”

101. Section 172 of the said Act is amended by inserting the words “, after examining the recommendations of the Greater Montréal Development Commission,” after the words “Minister shall” in the first paragraph.

102. The employees, including managerial personnel, of the Government of Québec who are assigned to the Commission become, subject to the provisions of a collective agreement applicable to them, employees of the Commission to the extent provided in the transfer order.

Such employees shall occupy the position and exercise the functions assigned to them by the Commission, subject to the provisions of the collective agreement applicable to them.

103. Every employee of the Commission who, upon being appointed to the Commission, was a public servant with permanent tenure may apply for a transfer to a position in the public service or enter a competition for promotion to such a position in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

Section 35 of the said Act applies to an employee referred to in the first paragraph who enters such a competition.

104. Every employee referred to in section 103 who applies for a transfer or enters a competition for promotion may require the chairman of the Conseil du trésor to give him an assessment of the classification that would be assigned to him in the public service. The assessment must take account of the classification that the employee had in the public service on the date on which he ceased to be a public servant, as well as the years of experience and the formal training acquired in the course of his employment with the Commission.

If the employee is transferred, the deputy minister or chief executive officer shall assign to him a classification compatible with the assessment provided for in the first paragraph.

Where an employee is promoted, his classification must take account of the criteria set out in the first paragraph.

105. Where some or all of the activities of the Commission are discontinued or if there is a shortage of work, an employee referred to in section 103 is entitled to be placed on reserve in the public service with the classification he had on the date on which he ceased to be a public servant.

In such a case, the chairman of the Conseil du trésor shall, where applicable, establish his classification on the basis of the criteria set out in the first paragraph of section 103.

106. An employee placed on reserve pursuant to section 105 shall remain with the Commission until the chairman of the Conseil du trésor is able to assign him a position.

107. Subject to the remedies available under a collective agreement, an employee referred to in section 103 who is dismissed may bring an appeal under section 33 of the Public Service Act.

108. The sums required for the implementation of this Act in the fiscal year during which this section comes into force shall, to the extent and according to the terms and conditions determined by the Government, be taken out of the appropriations granted for that purpose to the Ministère de la Métropole.

109. The Minister of State for Greater Montréal is charged with the administration of this Act.

110. This Act comes into force on the date or dates to be fixed by the Government.

SCHEDULE I

(Section 2)

The regional county municipalities within the territory of the Commission de développement de la métropole are the regional county municipalities of

- (1) Champlain ;
- (2) Des-Moulins ;
- (3) Deux-Montagnes ;
- (4) Lajemmerais ;
- (5) L'Assomption ;
- (6) Laval ;
- (7) La-Vallée-du-Richelieu ;
- (8) Mirabel ;
- (9) Roussillon ;
- (10) Thérèse-De Blainville ;
- (11) Vaudreuil-Soulanges, but only with respect to the following municipalities :
 - Municipalité des Cèdres ;
 - Municipalité de Terrasse-Vaudreuil ;
 - Paroisse de Notre-Dame-de-l'Île-Perrot ;
 - Paroisse de Saint-Lazare ;
 - Village de Pointe-des-Cascades ;
 - Ville de Hudson ;
 - Ville de l'Île Cadieux ;
 - Ville de l'Île Perrot ;
 - Ville de Pincourt ;
 - Ville de Vaudreuil-Dorion ;
 - Ville de Vaudreuil-sur-le-Lac.