

NATIONAL ASSEMBLY

SECOND SESSION

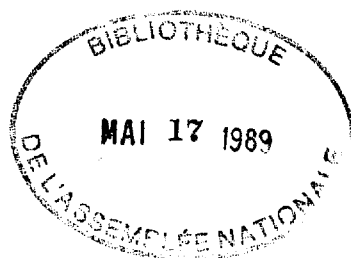
THIRTY-THIRD LEGISLATURE

Bill 143

**An Act to amend the Act respecting
the Communauté urbaine de
Montréal, the Act respecting the
Ministère des Transports and the
Transport Act**

Introduction

**Introduced by
Mr Marc-Yvan Côté
Minister of Transport**



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EXPLANATORY NOTES

This bill grants new powers to the Société de transport de la Communauté urbaine de Montréal and to the Minister of Transport in matters of rail transit in order to ensure that suburban rail transit services are maintained or developed.

The bill expressly provides for the withholding of transport subsidies whenever the prescribed terms and conditions are not satisfied and validates certain exemptions granted by the Minister and certain authorizations for expenditures incurred by the Société.

ACTS AMENDED BY THIS BILL:

- Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);
- Act respecting the Ministère des Transports (R.S.Q., chapter M-28);
- Transport Act (R.S.Q., chapter T-12).

Bill 143

An Act to amend the Act respecting the Communauté urbaine de Montréal, the Act respecting the Ministère des Transports and the Transport Act

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE COMMUNAUTÉ URBAINE DE MONTRÉAL

1. Section 289 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2) is amended by adding the following paragraph:

“Where such a contract provides that all or part of the service is to be supplied by railway, the contract must be approved by the Minister of Transport.”

2. Section 291.1 of the said Act is amended by replacing the words “or a school bus carrier” in the second line by the words “, a school bus carrier or a railway company”.

3. The said Act is amended by inserting, after section 291.30.1, the following section:

“291.30.2 Notwithstanding the second and third paragraphs of section 291.28 and section 291.30, the Minister of Transport may, on such conditions as he may determine, exempt the corporation from the obligation to call for tenders to award a contract for the operation of all or part of a suburban train service or a contract for the purchase, leasing, construction, repair, overhaul or maintenance of railway rolling equipment or of any movable or immovable work, including facilities or infrastructures, related to the operation of such a service.”

4. Section 291.33 of the said Act is amended by replacing the second paragraph by the following paragraph:

“Where that is the case, the chairman or the president and managing director is not required to obtain the treasurer’s certificate contemplated by section 306.13 but he shall lay a detailed report before the board of directors of the corporation and before the Council at the next meeting; in the case of a contract contemplated by section 291.30.2, he shall transmit a copy of the report to the Minister of Transport.”

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

5. Section 11 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by adding the following paragraph:

“Furthermore, with the authorization of the Government and on the conditions it determines in each case, the Minister may, for the purpose of maintaining or establishing a suburban train service, acquire property or award contracts for the construction of a movable or immovable work, including facilities or infrastructures, and transfer such property or work to a public transit body, an intermunicipal board of transport or a municipality.”

TRANSPORT ACT

6. Section 4 of the Transport Act (R.S.Q., chapter T-12) is amended by adding, at the end, the following paragraph:

“He may withhold, cancel or reduce the amount of all or part of the subsidies of a recipient who does not comply with a requirement or a condition established for the granting of subsidies.”

MISCELLANEOUS PROVISIONS

7. The authorizations of expenditures referred to in sections 291.34 and 306.13 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2) and granted before 1 January 1990 are and have always been effective even when not accompanied with a certificate of the treasurer of the Société de transport de la Communauté urbaine de Montréal attesting the availability of sufficient funds.

8. Every exemption from the obligation to call for tenders for the awarding of a contract of the kind contemplated by section

291.30.2 of the Act respecting the Communauté urbaine de Montréal granted to the Société de transport de la Communauté urbaine de Montréal by the Minister of Transport is hereby declared valid; any contract entered into pursuant to such an exemption is and always has been a contract which may be made by agreement, subject to any conditions determined by the Minister.

9. This Act comes into force on *(insert here the date of assent to this Act)*.