



## CHAPTER 47

### An Act to amend the Education Act

[Assented to, the 17th of May, 1941]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** Section 19a of the Education Act (Revised Statutes, 1925, chapter 133), as enacted by the act 24 George V, chapter 39, section 1, is replaced by the following sections:

“**19a.** No person, except a minister of religion or a member of a corporation created for educational purposes, may open or direct an independent or private school without having previously filed a declaration to that effect with the Superintendent. The latter may, at any time, make an investigation respecting any such school and report to the Council of Education.”

“**19b.** No person may teach in an independent or private school unless he has complied with the provisions of section 231a.”

**2.** Section 71 of the said act, as amended by the acts 21 George V, chapter 60, section 1; 24 George V, chapter 39, section 3; 3 George VI, chapter 68, section 2, and 4 George VI, chapter 49, section 3, is again amended by replacing the second and third paragraphs thereof by the following paragraphs:

“No erection or change under this section shall be granted except upon the application of the majority of the electors who are owners of real estate situated within the territory whereof the erection into a municipality, or the division, or the annexation to an existing municipality, is applied for.”

In case of  
unorganized  
territory.

However, in the case of territory not organized for school purposes, the erection of a new municipality or any change contemplated in this section may be granted whenever a petition to that effect has been signed by owners of real estate situated in the said territory, in such number as is deemed sufficient by the Superintendent to justify the erection or change applied for."

R. S., c. 133,  
s. 231a,  
added.

Medical  
examination  
of teachers.

**3.** The said act is amended by adding thereto, after section 231 thereof, the following section:

"**231a.** No person may hold an engagement in a public school unless he produces, every year:

1. A physician's certificate stating that he suffers from no infirmity or disease which renders him unfit for teaching;

2. A certificate from a phtisiologist attesting that a clinical and radiological pulmonary examination shows that such person is free from tubercular disease.

Date of  
examination.

Such examination must be made within two months following the engagement or appointment. In the case of re-engagement, the radiological examination shall not be required unless the commissioners exact it.

Rescission of  
contract.

If it be proved by a medical certificate that a person holding an employment in a public school is suffering from tubercular disease, the contract of engagement shall be rescinded without indemnification and such person must immediately cease to perform his duties."

R. S., c. 133,  
s. 315, am.

Dismissal,  
etc., of sec.-  
treas.

**4.** Section 315 of the said act is amended by adding thereto the following paragraph:

"No resolution to dismiss a secretary-treasurer or to reduce his remuneration may be adopted except by the affirmative vote of the absolute majority of the commissioners or trustees."

R. S., c. 133,  
s. 458, am.

**5.** Section 458 of the said act is amended by inserting therein, after the word: "oath", in the first line of paragraph 6 thereof, the words: "of office,".

Id., s. 481a,  
added.

Medical  
examination  
of normal  
school  
principals,  
etc.

**6.** The said act is amended by inserting therein, after section 481 thereof, the following section:

"**481a.** The exercising of the functions of principal or of professor in a normal school shall be subject to the provisions of section 231a."

**7.** Section 585 of the said act, as enacted by the R. S., c. 133, act 17 George V, chapter 39, section 1, and replaced s. 585, am. by the act 2 George VI, chapter 65, section 8, is amended by adding thereto the following paragraph :

“The assistance contemplated in this section shall not extend to the purchase of the site or of school equipment.” Restriction.

**8.** The certificates required by section 231a of the Education Act, as enacted by section 3 of this act, must, as regards persons now holding employment in a public school, be produced before the first of September, 1941, if such persons are re-engaged for the ensuing school year. Delay for medical examination of present teachers.

**9.** Any school board may, with the moneys in its general fund, purchase war savings certificates or war savings stamps from the Government of Canada and distribute them as prizes or rewards, and shall be entitled to the same benefits as if the amount so distributed had been employed in the purchase of Canadian books pursuant to the provisions of paragraph 5 of section 458 of the Education Act. School boards may use war savings certificates as prizes.

**10.** This act shall come into force on the day of its sanction. Coming into force.

