



## CHAPTER 65

### An Act to amend the Education Act

*[Assented to, the 12th of April, 1938]*

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

**1.** Section 244*a* of the Education Act (Revised Statutes, R.S., c. 133, 1925, chapter 133), as enacted by the act 16 George V, chapter 41, section 1, and as replaced by the act 20 George V, chapter 56, section 1, is amended by replacing the words: "The Lieutenant-Governor in Council may, on the report of the Minister of Municipal Affairs and", in the first and second lines thereof, by the words: "The Minister of Municipal Affairs, Trade and Commerce may,".

**2.** Section 347 of the said act is replaced by the following: Id., s. 347, replaced.

**"347.** Each year, at the first meeting following the date of the holding of the elections of the school commissioners or of the school trustees in the municipality, the school commissioners or trustees, as the case may be, shall appoint, for the period terminating on the 30th of June following, one or more auditors to audit the accounts of the corporation. Appointing of auditors.

The auditor or auditors so appointed cannot be dismissed prior to the 30th of June of each year except with the consent of the Quebec Municipal Commission. Dismissal.

Before entering into office, such auditors shall take an oath to conscientiously perform the duties of their office." Oath of office.

**3.** The said act is amended by adding thereto, after section 351 thereof, the following section: R.S., c. 133, s. 351*a*, added.

Partnership,  
etc., as audi-  
tor.

**"351a.** The auditor appointed to make a regular or special audit of the accounts of a school corporation may be an individual or a partnership and may entrust the work to his or its employees, but then the responsibility of the auditor shall be the same as if such work had been entirely performed by such auditor. In the case of a partnership acting as auditor, the taking of the oath of office by one of the partners shall be sufficient.

Delivering of  
certified copy  
of report.

The auditor must, at the same time as he forwards his report to the school corporation, cause a certified copy thereof to be delivered to the chairman of the commissioners or trustees, as the case may be."

R.S., c. 133,  
s. 478a, am.

**4.** Section 478a of the said act, as enacted by the act 21 George V, chapter 60, section 12, is amended by inserting therein, after the word: "Brothers", in the fourth line of the first paragraph thereof, the words: "or of teaching Sisters".

Id., s. 510,  
replaced.

**5.** Section 510 of the said act is replaced by the following:

How appeal  
etc., exer-  
cised.

**"510.** The appeal or recourse shall be exercised by means of a written notice stating the motives of the appeal, served by a bailiff upon the secretary-treasurer of the school board interested, personally or at his office or domicile."

R.S., c. 133,  
s. 513, am.

**6.** Section 513 of the said act is amended by adding thereto the following paragraph:

Adjourning,  
etc., of hearing.

"The court may always adjourn the hearing of the case if it appears to the court that the motives of the appeal are not sufficiently detailed in the notice, and it may, upon such conditions as appear fair to it, order that the details be furnished by the appellant, before the hearing of the case or before the continuation of such hearing."

R.S., c. 133,  
s. 584, am.

**7.** Section 584 of the said act, as enacted by the act 17 George V, chapter 39, section 1, is amended by adding thereto the following paragraphs:

Acquiring,  
etc., of land,  
etc.

"Nevertheless, in the territories where no school corporation exists, the Lieutenant-Governor in Council may authorize the Superintendent of Education to acquire land and to cause a school to be constructed thereon.

Ownership.

Such land and such school shall be the property of the Government.

Ceding of  
such land, etc.

The Lieutenant-Governor in Council may, however, whenever a school municipality is hereafter erected in con-

formity with the law in the territory where such land and such school are situated, cede them, upon such conditions as he may determine, to the school corporation."

**8.** Section 585 of the said act, as enacted by the act 17 George V, chapter 39, section 1, is replaced by the following: R.S., c. 133, s. 585, replaced.

**"585.** The financial assistance granted may represent the entire cost of construction when such cost does not exceed one thousand two hundred dollars. When the cost of construction exceeds one thousand two hundred dollars, the Provincial Secretary, upon such conditions as he may deem fair and equitable, may grant the assistance as fixed hereunder: Financial assistance.

a. One thousand two hundred dollars plus thirty-three and one third per cent of the amount in excess of one thousand two hundred dollars where the cost of the building exceeds one thousand two hundred dollars but does not exceed one thousand five hundred dollars;

b. One thousand three hundred dollars plus twenty-five per cent of the amount in excess of one thousand five hundred dollars where the cost of the building exceeds one thousand five hundred dollars but does not exceed two thousand dollars;

c. One thousand four hundred and twenty-five dollars plus twenty per cent of the amount in excess of two thousand dollars where the cost of the building exceeds two thousand dollars but does not exceed two thousand five hundred dollars.

Notwithstanding the foregoing provisions, in the territories which are not yet erected into school municipalities or which have been so erected for less than three years, the assistance granted may, by reason of special circumstances, amount to the sum of one thousand seven hundred dollars. Maximum sum in certain case.

**9.** Notwithstanding the provisions of the first two paragraphs of section 347 of the Education Act, as replaced by section 2 of the present act, the school commissioners and trustees must, during the month of July, 1938, have the accounts of their secretary-treasurers audited by one or more auditors whom they shall appoint for such purpose for the year terminating on the 30th of June, 1938. Auditing of accounts for certain period.

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

