



## CHAPTER 35

An Act to amend the Quebec Municipal Commission Act

*[Assented to, the 20th of April, 1934]*

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

**1.** Section 25 of the Quebec Municipal Commission Act R. S., c. (Revised Statutes, 1925, chapter 111A), as enacted by the <sup>111A, s. 25,</sup> act 22 George V, chapter 56, is amended by replacing the words: "the preceding section", in the second line of the first paragraph thereof, by the words and figures: "section 24 or 24a".

**2.** Section 38 of the said act, as amended by the act 23 <sup>Id., s. 38,</sup> George V, chapter 50, section 4, is again amended by adding thereto, after the word: "Commission", in the fourth line of the first paragraph thereof, the words: "The Commission, in granting such authorization, may impose such conditions as it may deem useful."

**3.** Section 39 of the said act, as amended by the acts 23 <sup>Id., s. 39,</sup> George V, chapter 49, section 6, and 23 George V, chapter 50, section 5, is again amended:

a. By replacing the words: "thirty days of", in the fourth line of paragraph *d* thereof, by the words: "the delay fixed by";

b. By adding thereto, after paragraph *k* thereof, the following paragraphs:

"l. While the municipality is under the control of the Quebec Municipal Commission, the provisions of section 52 of the Cities and Towns' Act (Chap. 102) and those of paragraphs 3 and 4 of Article 107 of the Municipal Code shall not apply;

Provisions not applicable.

Signing of  
certain  
documents.

“*m.* If the mayor or any other officer of the council refuses or neglects to sign any document whatsoever, the signing whereof is required by a resolution or a by-law of the council approved by the Quebec Municipal Commission, the latter may authorize such person as it may designate to sign the said documents for and in the name of the council and such signature shall have the same force and effect as the signature of the mayor or officer above-mentioned.”

R. S., c.  
111A, s. 44,  
am.

4. Section 44 of the said act, as amended by the act 23 George V, chapter 50, section 6, is again amended by replacing sub-paragraph *b* thereof by the following:

Ratification  
of arrange-  
ments, etc.

“*b.* Ratify and confirm any arrangement or agreement entered into between such a municipality and its creditors whose claims represent at least sixty per cent of the total debt of such municipality. The ratification and confirmation, as above, shall be binding on the parties. Nevertheless, if the arrangement or agreement, by the nature thereof, requires an issue of bonds, the provisions of law governing the municipality with respect to loans shall apply without it being necessary to have recourse to the approval of the elector-proprietors.”

R. S., c.  
111A, s. 47,  
am.

5. Section 47 of the said act is amended by replacing subsection 4 thereof by the following subsections:

Unauthori-  
zed persons.

“4. No person who acts as auditor of the accounts of any municipality without previously obtaining the authorization of the Commission, in accordance with the above provisions, or after the cancellation of such authorization, shall be entitled to recover before the courts any fee, disbursement or costs in connection with the audit made by him, and the municipality whose accounts have been audited by an unauthorized person may recover from such person the amounts which it has paid to him for such purpose.

Penalty for  
employing  
same.

“5. Every officer of a municipal council who allows the employment of any auditor in contravention of the provisions of this section, and any auditor who so acts, shall be liable to a fine of twenty-five dollars, in addition to the costs, recoverable at the suit of any ratepayer of the municipality, or at that of the Municipal Commission, and in default of payment of such fine and costs, to an imprisonment not exceeding one month.

Application.

“6. This section shall not apply to persons who are members of a corporation, association or institution of accountants regularly constituted by statute.”

**6.** The said act is amended by adding thereto, after section 47 thereof, the following section: R. S., c. 111A, s. 47a. added.

“**47a.** Every person who acts as auditor of the accounts of any municipality must transmit forthwith, to the Quebec Municipal Commission, a copy of his report. Transmission of copy of report.

The cost of such report and the expense of sending it shall be borne by the municipality.” Cost.

**7.** The said act is amended by adding thereto, after section 57 thereof, the following section: R. S., c. 111A, s. 58, added.

“**58.** It shall be lawful for the Commission to enact, upon the conditions to be fixed by the said Commission, that the provisions of sections 399 and 399a of the Education Act (Chap. 133) shall not apply to one or to several municipalities. Restriction.

Notwithstanding the provisions of sections 2 and 57 of this act, this section shall apply to the city of Montreal and to the municipal corporations subject to the control of The Island of Montreal Metropolitan Commission.” Application of section.

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

