



## CHAPTER 60

### An Act to amend the Education Act

[Assented to, the 4th of April, 1931]

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

**1.** Section 71 of the Education Act (Revised Statutes, R. S., c. 133 1925, chapter 133) is amended by adding thereto, after the s. 71, am. third paragraph thereof, the following paragraph:

“Nevertheless, the Lieutenant-Governor in Council may, Rectifica-  
tion of  
errors, etc.,  
respecting  
form, etc. under this section, rectify errors or omissions, with respect to form and designation, made at the time of the erection of a school municipality or of the annexation of territory to an already-existing school municipality.”

**2.** The said act is amended by adding thereto, after R. S., c. 133,  
s. 251a,  
added. section 251 thereof, the following section:

“**251a.** The exemptions mentioned in paragraphs 1 and 2 of section 251 shall not apply to persons occupying, To whom  
exemptions  
not ap-  
plicable. under any title other than that of owner, immoveable property belonging to His Majesty or to the Federal or Provincial Government, who shall be assessed as if they were the actual owners of such immoveables, and be liable for the payment of general and special real estate taxes proportionately to the rental price.”

**3.** Section 257 of the said act is amended by replacing R. S., c. 133,  
s. 257, am. the fourth paragraph thereof by the following paragraph:

“The commissioners and the trustees may also, at their Collection  
of fee. discretion, require the teachers to collect the monthly fee in their respective schools, at the beginning of each month, and, in such case, the receipts signed by the teachers shall

have the same legal value as if they bore the signature of the secretary-treasurer. The teachers charged with the collection shall, at the end of each month, remit to the secretary-treasurer the sums collected and a list of all the pupils who have paid the monthly fee."

R. S., c. 133, s. 268, am. **4.** Section 268 of the said act is amended by striking out the word: "vacant", in the first line of the first paragraph thereof.

Id., s. 317, replaced. **5.** Section 317 of the said act is replaced by the following:

Oath of secretary-treasurer. **"317.** Every secretary-treasurer, before acting as such, shall make oath faithfully to discharge the duties of his office. (*Form 1.*)"

R. S., c. 133, s. 322, replaced. **6.** Section 322 of the said act is replaced by the following:

Security furnished by secretary-treasurer. **"322.** Every secretary-treasurer shall give security to the school commissioners or trustees by a pledge of money or debentures or by guarantee policy.

Amount. The amount of any such security is fixed by the school board; but must in no case be less than one thousand dollars.

Delay. Such security must be given by the secretary-treasurer within thirty days after his appointment.

Liability of members of school board when security not furnished. Nevertheless, the lack of security shall in nowise prevent the secretary-treasurer from performing the duties of his office; but the members of the school board who permit the secretary-treasurer to act as such without security shall be jointly and severally liable with him towards the corporation for the due performance of his duties and for the payment of all monies for which he may be accountable in the exercise of his office, whether of principal, interest, costs, fines or damages.

Liability of sureties. The liability referred to in this section is that to which the sureties of the secretary-treasurer oblige themselves, jointly and severally with him."

R. S., c. 133, s. 323, replaced. **7.** Section 323 of the said act is replaced by the following:

Security by pledge. **"323.** The security by pledge consists in the deposit of a sum of money or of debentures approved by the school board and to the amount required. Such deposit must be made with the Provincial Treasurer and cannot be with-

drawn without the authorization of the Superintendent of Education. The secretary-treasurer or any surety for him may make this deposit.

The Provincial Treasurer upon receiving such deposit shall forthwith transmit to the Superintendent of Education a duplicate of the receipt given therefor.

**8.** Section 324 of the said act is replaced by the following:

**“324.** In the case of security by pledge, all interest arising from the moneys or debentures deposited as security shall belong and be paid to the person who has given such security, so long as there is no violation thereof.

The monies and debentures given as security shall not, while such security lasts, be liable to seizure.”

**9.** Section 325 of the said act is amended:

a. By replacing the word: “insurance”, in the first line of the first paragraph thereof, by the word: “guarantee”;

b. By replacing the second paragraph thereof by the following paragraph:

“The premiums on the guarantee policy shall be borne by the school municipality.”;

c. By replacing the third paragraph thereof by the following paragraph:

“If the pledge is by guarantee policy, the secretary-treasurer shall, forthwith, transmit to the Superintendent of Education the guarantee policy and also a copy of a resolution of the school board accepting such policy as security. The amount, number and date of the policy shall be stated in such resolution and the latter must be preceded by the heading of the minutes of the meeting.”

**10.** Section 326 of the said act is replaced by the following sections:

**“326.** On or before the last day of August of each year, the secretary-treasurer shall transmit to the Superintendent of Education the renewal receipt of the guarantee policy or the new policy replacing it, as the case may be.

**“326a.** Every member of a school board who, thirty days after the receipt of a notice by letter from the Superintendent of Education informing him that the secretary-treasurer employed by it has not complied with the provisions of sections 322 and 326, continues to maintain

such secretary-treasurer in office, shall, in addition to the responsibility enacted with respect to members of the school board by section 322, be liable to a fine of not less than ten dollars nor more than twenty dollars, in addition to the costs, and such fine may be imposed for each day the board so continues to employ such secretary-treasurer.

Procedure  
before  
security  
considered  
valid.

The secretary-treasurer shall not be deemed to have complied with the provisions of sections 322 and 326, until the guarantee policy or the receipt for the renewal of the guarantee policy which must be transmitted to the Superintendent of Education has been accepted by the latter, or, in the case of security by pledge, when the Provincial Treasurer has transmitted the duplicate receipt mentioned in section 323.

Suits.

Suits under the first paragraph of this section shall be taken, on the authorization of the Superintendent of Education, in the name of the collector of revenue for the district, before a justice of the peace, a judge of the sessions, a police magistrate or a district magistrate, and shall be governed by Part I of the Quebec Summary Convictions Act (Chap. 165)."

R. S., c. 133,  
ss. 328-332,  
repealed.

**11.** Sections 328, 329, 330, 331 and 332 of the said act are repealed.

Id., s. 478a,  
added.

**12.** The said act is amended by adding thereto, after section 478 thereof, the following section:

Scholasticates  
of  
teaching  
Brothers.

"**478a.** The Lieutenant-Governor in Council may also, upon the recommendation of the Roman Catholic Committee of the Council of Education, recognize the scholasticates of teaching Brothers as normal schools.

Expenditure  
therefor.

Such scholasticates shall be established and maintained at the expense of the congregation to which they belong."

R. S., c. 133,  
s. 480, am.

**13.** Section 480 of the said act is amended by adding thereto the following paragraph:

Restriction.

"The foregoing provisions of this section shall not apply to the normal schools contemplated by section 478a."

R. S., c. 133,  
s. 482, am.

**14.** Section 482 of the said act is amended by adding thereto the following paragraph:

Restriction.

"The foregoing provisions of this section shall not apply to the normal schools contemplated by section 478a."

R. S., c. 133,  
s. 483, am.

**15.** Section 483 of the said act is amended by adding thereto, after the fourth paragraph thereof, the following paragraph:

“The foregoing provisions of this section shall not apply Restriction. to the normal schools contemplated by section 478a.”

**16.** Section 484 of the said act is amended by replacing R. S., c. 133, the words: “and primary complementary schools”, in the s. 484, am. second and third lines thereof, by the words: “, primary complementary schools and primary superior schools”.

**17.** Section 561 of the said act, as amended by the act Id., s. 561, 18 George V, chapter 44, section 9, is again amended by am. replacing the fourth paragraph thereof by the following paragraph:

“The commission shall appoint its own secretary and Secretary, assistant-secretary.” etc.

**18.** Every secretary-treasurer in office on the 4th of Provisions April, 1931, shall, without delay, fulfil the obligations applicable. prescribed by this act.

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

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