



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 107
(1997, chapter 46)

An Act to amend the Act respecting the Ministère des Transports

Introduced 24 April 1997
Passage in principle 10 June 1997
Passage 12 June 1997
Assented to 19 June 1997

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EXPLANATORY NOTES

The object of this bill amending the Act respecting the Ministère des Transports is to allow the Minister of Transport to transfer, by gratuitous title, as part of a cadastral renovation, an immovable valued at less than \$5,000 that is no longer required in favour of the owner of a contiguous immovable.

The bill also empowers the Government to make regulations prohibiting the provision of road service on certain thoroughfares maintained by the Minister of Transport, including certain bridges and other infrastructures.

Finally, the bill contains an amendment for purposes of harmonization with the Civil Code of Québec.

Bill 107

AN ACT TO AMEND THE ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 11.4 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by replacing the words “public domain” in the first and second lines of the first paragraph by the words “domain of the State”.

2. The said Act is amended by inserting, after section 11.5, the following section :

“11.5.1. Notwithstanding section 11.5, during a cadastral renovation, the Minister may transfer, by gratuitous title, all or part of an immovable the value of which is less than \$5,000 in favour of the owner of a lot contiguous to the immovable.

The Minister shall, if he obtains the written consent of the owner of the lot, authorize the land surveyor preparing the cadastral renovation plan to enter that owner as the owner of the immovable.

Transfer of ownership is effected by the opening of a land file in the land register by the registrar.

The Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1) and sections 28 and 29 of the Act to preserve agricultural land (R.S.Q., chapter P-41.1) do not apply to the transfer of an immovable by gratuitous title by the Minister pursuant to this section.”

3. Section 12.1.1 of the said Act is amended

(1) by inserting the words “provision of road service or” after the words “prohibit the” in the first line ;

(2) by replacing the words “autoroutes, sections of autoroutes and bridges” in the second and third lines by the words “roads, autoroutes and bridges or other infrastructures”.

4. This Act comes into force on 19 June 1997.