

Gazette officielle du Québec

Part 2 Laws and Regulations

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Summary

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Regulations and other acts

M.O., 2000

Order of the Minister responsible for Recreation, Sport and Outdoor Activities dated 11 February 2000 concerning the Regulation to amend the Regulation respecting safety in Alpine ski centres

An Act respecting safety in sports
(R.S.Q., c. S-3.1)

THE MINISTER RESPONSIBLE FOR RECREATION, SPORT
AND OUTDOOR ACTIVITIES,

CONSIDERING paragraph 1 of section 55.1 of the Act respecting safety in sports (R.S.Q., c. S-3.1) concerning the establishment of the Alpine skiers' code of conduct which shall deal, in particular, with the obligations of every person who practises Alpine skiing or any other sport intended to be practised on ski slopes and with prohibited behaviour in the practice of those sports, and the determination of the places where the code, the rules of conduct and the sanctions must be posted;

CONSIDERING paragraph 8 of section 55.1 of that Act concerning the determination of the posters, signs, pictographs and charts which must be displayed on the premises of an Alpine ski centre and the prescription of their content, form, colour, size and location and the size of the characters;

CONSIDERING paragraph 10 of section 55.1 of that Act concerning the determination of what constitutes an obstacle on a ski slope for the purpose of prescribing proper warning signs or signals;

CONSIDERING paragraph 12 of section 55.1 of that Act concerning the prescription of standards relating to the practice of a sport, other than Alpine skiing, that is intended to be practised on ski slopes and the prohibition or limitation of the practice of a sport, other than Alpine skiing, that is intended to be practised on ski slopes;

CONSIDERING paragraph 13 of section 55.1 of that Act concerning the prescription of standards as to the minimum age and the qualifications and training of first-aiders and of persons providing instruction in Alpine skiing or in any other sport intended to be practised on ski slopes;

CONSIDERING paragraph 14 of section 55.1 of that Act concerning the prescription of the form and content of the accident report form;

CONSIDERING paragraph 15 of section 55.1 of that Act concerning the prescription of any other safety standard relating to the practice of Alpine skiing or of any other sport intended to be practised on ski slopes, such as standards for the layout, lighting, maintenance and signalization of ski slopes;

CONSIDERING the Government made the Regulation respecting safety in Alpine ski centres by Order in Council 1788-88 dated 30 November 1988;

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 17 November 1999 of a draft Regulation to amend the Regulation respecting safety in Alpine ski centres, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), with a notice that it could be made upon the expiry of 45 days following that publication;

CONSIDERING that the 45-day period required by the Act has expired;

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDERS THE FOLLOWING:

The Regulation to amend the Regulation respecting safety in Alpine ski centres, attached to this Minister's Order, is made.

Québec, 11 February 2000

GILLES BARIL,
*Minister responsible for Recreation, Sport
and Outdoor Activities*

Regulation to amend the Regulation respecting safety in Alpine ski centres*

An Act respecting safety in sports (R.S.Q., c. S-3.1, s. 55.1, pars. 1, 8, 10, 12, 13, 14 and 15)

1. The Regulation respecting safety in Alpine ski centres is amended by substituting the following for the first paragraph of section 1:

“The Mountain Code of Conduct, hereinafter called the Code, shall be posted at the ticket office of the centre and near the boarding area of each ski lift. The Code is as follows:

MOUNTAIN CODE OF CONDUCT

Code adopted under the Act respecting safety in sports

This Code applies to all persons practising snow sports.

1. Remain in control of your speed and direction. Make sure you can stop and avoid any person or obstacle.

2. Yield the right of way to persons downhill and choose a course that ensures their safety.

3. Stop on a trail only if you are visible from above and if you are not obstructing the trail.

4. Yield the right of way to persons uphill when entering a trail and at intersections.

5. If you are involved in or witness an accident, remain at the scene and identify yourself to a first-aiders.

6. Use and wear at all times a proper device to prevent runaway equipment.

7. Keep out of the lifts and trails if your ability is impaired through use of alcohol or drugs.

8. Obey all signs and warnings and never venture off the trails or onto a closed trail.”.

2. The number “16” is substituted for the number “18” in the first paragraph of section 7.1.

3. The following is substituted for section 18:

“18. The presence of removable or operating snowmaking machines on an Alpine ski slope shall be indicated at the beginning of the slope and on the slope, immediately uphill from the machines, by means of pictograph 272 in Schedule 1.”.

4. Section 21 is deleted and the following Division is added after section 20:

“DIVISION V PARKS – PLAY AREAS

21. The facilities and equipment intended for jumps or other figures constitute a park-play area.

22. Access to a park-play area elsewhere than at the entrances shall be prohibited by a permanent physical means. The entrances shall be designed so that no one may enter unknowingly and be indicated by pictograph 212 in Schedule 1.

23. All the rules of conduct that the operator imposes on Alpine skiers who enter the park-play area, as well as the sanctions he intends to impose on Alpine skiers who violate those rules and, where applicable, the duration of the sanctions, shall be posted at the entrances of the park-play area.

The operator shall indicate that those rules apply in addition to the Mountain Code of Conduct provided for in section 1.”.

5. Schedule 1 is amended

(1) in the “Regulatory symbols” section:

* The Regulation respecting safety in Alpine ski centres, made by Order in Council 1788-88 dated 30 November 1988 (1988, G.O. 2, 3952), was last amended by the Regulation made by Order in Council 1572-95 dated 6 December 1995 (1995, G.O. 2, 3563). For previous amendments refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

(a) by substituting the following for pictograph 241 and the specifications under it:



Pictograph 241
SLOPE CLOSED
Indicates that the slope is closed to all skiers
Dimensions: 45cm X 60cm
Border: black
Background: white
Circle: red
Stroke: white»

(b) by substituting the following for pictograph 242:



(c) by substituting the following for pictograph 250:



(2) in the “Warning symbols” section, by substituting the following for pictograph 272:



(3) in the “Other symbols” subsection of the “Information symbols” section, by adding the following pictograph and specifications:



Pictograph 212
PARK-PLAY AREA
Dimensions: 30cm X 30cm
Shape as shown
Colour: white»

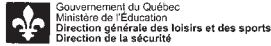
6. Schedule 4 attached hereto is substituted for Schedule 4 to the Regulation.

7. A mountain code of conduct whose wording complies with the prescriptions of section 1 of the Regulation respecting safety in Alpine ski centres, as it read before its amendment by section 1 of this Regulation, is deemed to comply with the new prescriptions of that section until 1 December 2001.

8. A pictograph complying with the prescriptions of Schedule 1 to the Regulation respecting safety in Alpine ski centres, as it read before its amendment by section 5 of this Regulation, is deemed to comply with the new prescriptions of that section until 1 December 2001.

9. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

ORIGINAL — RETURN TO THE MINISTÈRE DE L'ÉDUCATION



SCHEDULE 4

N° : _____

ACCIDENT REPORT

(s. 12)

SKI CENTRE: _____

DATE			24 H	TIME	
YEAR	MONTH	DAY		H	MIN

INFORMATION ON VICTIM					
GIVEN NAME	FAMILY NAME	AGE	SEX	SKING TIME THIS SEASON	SKING TIME TODAY
ADDRESS		<input type="checkbox"/> M <input type="checkbox"/> F		<input type="checkbox"/> FIRST DAY <input type="checkbox"/> 2-10 DAYS <input type="checkbox"/> 11-20 DAYS <input type="checkbox"/> 21 DAYS OR MORE	<input type="checkbox"/> LESS THAN 2 HOURS <input type="checkbox"/> 2-5 HOURS <input type="checkbox"/> MORE THAN 5 HOURS
CITY	PROVINCE	ABILITY		LESSONS	TYPE OF PRACTICE
POSTAL CODE	TELEPHONE	<input type="checkbox"/> NOVICE <input type="checkbox"/> INTERMEDIATE <input type="checkbox"/> EXPERT	<input type="checkbox"/> NEVER <input type="checkbox"/> THIS YEAR <input type="checkbox"/> 1-2 YEARS AGO <input type="checkbox"/> 3-4 YEARS AGO <input type="checkbox"/> 5 OR MORE YEARS AGO	<input type="checkbox"/> RECREATION <input type="checkbox"/> LESSON <input type="checkbox"/> SCHOOL/OUTING <input type="checkbox"/> TRAINING <input type="checkbox"/> COMPETITION	

INFORMATION ON ACCIDENT				ENVIRONMENTAL FACTORS	
LOCATION	ACTIVITY	EVENT	CONTRIBUTING FACTOR	WEATHER	SNOW CONDITION
<input type="checkbox"/> SLOPE NAME(N°) * <input type="checkbox"/> MOQUIL RUN <input type="checkbox"/> UNDERWOOD <input type="checkbox"/> CLOSED SLOPE <input type="checkbox"/> OUTSIDE THE SLOPES (PROHIBITED) <input type="checkbox"/> PARK/PLAY AREA(NAME/N°) <input type="checkbox"/> HALFPIPE <input type="checkbox"/> SKI JUMP <input type="checkbox"/> SLIDING SLOPE <input type="checkbox"/> LIFT(NAME/N°) <input type="checkbox"/> CHALET <input type="checkbox"/> OTHER * LOCATION ON SLOPE	<input type="checkbox"/> ALPINE SKIING <input type="checkbox"/> CONVENTIONAL SKIS <input type="checkbox"/> SHAPED SKIS <input type="checkbox"/> MINISKIS <input type="checkbox"/> SNOWBLADES <input type="checkbox"/> SNOWBOARD <input type="checkbox"/> RACING STYLE <input type="checkbox"/> FREE STYLE <input type="checkbox"/> SOFT BOOTS <input type="checkbox"/> HARD BOOTS <input type="checkbox"/> CROSS-COUNTRY SKIING <input type="checkbox"/> TELEMARK <input type="checkbox"/> SLIDING <input type="checkbox"/> OTHER	<input type="checkbox"/> FALL/LOSS OF BALANCE <input type="checkbox"/> FALL/LOSS OF BALANCE FOLLOWED BY A COLLISION WITH: <input type="checkbox"/> COLLISION WITH: <input type="checkbox"/> ANOTHER PERSON* <input type="checkbox"/> PYLON <input type="checkbox"/> TREE <input type="checkbox"/> SNOWMARKING MACHINE <input type="checkbox"/> POST <input type="checkbox"/> FENCE <input type="checkbox"/> HYDRANT <input type="checkbox"/> MACHINERY <input type="checkbox"/> MECHANICAL LIFT <input type="checkbox"/> OTHER * Accident report N° IF ANY:	* CHECK PRINCIPAL FACTOR <input type="checkbox"/> VICTIM'S ERROR <input type="checkbox"/> SPEEDING <input type="checkbox"/> JUMP <input type="checkbox"/> POOR VISIBILITY <input type="checkbox"/> MISUSE OF LIFT <input type="checkbox"/> SNOW CONDITION <input type="checkbox"/> SOMEONE ELSE'S FAULT <input type="checkbox"/> OTHER LEVEL OF DIFFICULTY, IF ANY <input type="checkbox"/> EASY <input type="checkbox"/> DIFFICULT <input type="checkbox"/> VERY DIFFICULT <input type="checkbox"/> EXTREME	<input type="checkbox"/> CLEAR <input type="checkbox"/> SUNNY <input type="checkbox"/> SNOWING <input type="checkbox"/> RAINY <input type="checkbox"/> FOGGY <input type="checkbox"/> WINDY <input type="checkbox"/> BLOWING SNOW <input type="checkbox"/> FREEZING RAIN <input type="checkbox"/> CLOUDY TEMPERATURE <input type="checkbox"/> ABOVE 20°C <input type="checkbox"/> 10°C TO 20°C <input type="checkbox"/> 0°C TO 9°C <input type="checkbox"/> -1°C TO -10°C <input type="checkbox"/> -11°C TO -20°C <input type="checkbox"/> BELOW -20°C	<input type="checkbox"/> DRY POWDER (0-15 CM) <input type="checkbox"/> DEEP POWDER <input type="checkbox"/> WET SNOW <input type="checkbox"/> GROOMED ON HARD PAK <input type="checkbox"/> ICE <input type="checkbox"/> CORN CRUD <input type="checkbox"/> CRUSTY <input type="checkbox"/> GROOMED VISIBILITY <input type="checkbox"/> GOOD <input type="checkbox"/> AVERAGE <input type="checkbox"/> FAIR TYPE OF LIGHT <input type="checkbox"/> ARTIFICIAL LIGHT <input type="checkbox"/> NATURAL LIGHT

INFORMATION ON EQUIPMENT				TRANSPORT/EVACUATION			
OWNERSHIP OF EQUIPMENT	BINDINGS	AUTO RELEASE	OTHER EQUIPMENT	IN CENTRE	OFF CENTRE	EQUIPMENT SENT WITH VICTIM	
<input type="checkbox"/> OWN <input type="checkbox"/> CENTRE RENTAL <input type="checkbox"/> OTHER RENTAL <input type="checkbox"/> DEMO <input type="checkbox"/> BORROWED	<input type="checkbox"/> TOE-HEEL <input type="checkbox"/> OTHER BINDING SETTINGS (MM) HEEL TOE L R	<input type="checkbox"/> RIGHT SIDE <input type="checkbox"/> LEFT SIDE <input type="checkbox"/> BOTH SIDES <input type="checkbox"/> DID NOT RELEASE <input type="checkbox"/> NO LINK WITH INJURY	<input type="checkbox"/> HELMET <input type="checkbox"/> WRIST SUPPORTS <input type="checkbox"/> SHIN PADS <input type="checkbox"/> GOGGLES <input type="checkbox"/> SUNGLASSES <input type="checkbox"/> CONTACT LENSES <input type="checkbox"/> OTHER	<input type="checkbox"/> TOBOGGAN <input type="checkbox"/> SNOWMOBILE <input type="checkbox"/> TRACTION VEHICLE <input type="checkbox"/> SKI/BOARD <input type="checkbox"/> ON FOOT <input type="checkbox"/> OTHER	<input type="checkbox"/> SELF <input type="checkbox"/> RELATIVE <input type="checkbox"/> GUARDIAN <input type="checkbox"/> INSTRUCTOR <input type="checkbox"/> FRIEND <input type="checkbox"/> AMBULANCE <input type="checkbox"/> OTHER	<input type="checkbox"/> SKIS/BOARD <input type="checkbox"/> BOOTS <input type="checkbox"/> POLES <input type="checkbox"/> CERVICAL COLLAR <input type="checkbox"/> OTHER	<input type="checkbox"/> BLANKETS <input type="checkbox"/> PILLOWS <input type="checkbox"/> TRIANGULARS <input type="checkbox"/> SPLINTS <input type="checkbox"/> DORSAL BOARD

INFORMATION ON INJURY						OTHER INFORMATION		
1°	2°	3°	SUSPECTED INJURY	1°	2°	3°	INJURY LOCATION	DESCRIPTION OF INCIDENT FIRST AID GIVEN COMMENTS HOSPITAL, CLINIC OR FIRST AID CENTER WHERE VICTIM WAS TAKEN ACCIDENT WITNESSES NAME : _____ ADDRESS : _____ TEL : () _____ NAME : _____ ADDRESS : _____ TEL : () _____ REGISTRATION NUMBER OF FIRST AIDER(S) REGISTRATION NUMBER (OR NAME) OF THE PERSON COMPLETING THE REPORT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SPRAIN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HEAD	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SIMPLE FRACTURE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FACE	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	COMPOUND FRACTURE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	EYE (L) (R)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DISLOCATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NOSE	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BRUISE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	MOUTH	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CUT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NECK	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SCRATCH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RIBS (L) (R)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FROG/BITE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	THORAX (L) (R)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HYPOTHERMIA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CERVICAL SPINE	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	INTERNAL INJURY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DORSAL SPINE	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CONCUSSION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LUMBAR SPINE	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DIZZINESS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	COLLAR BONE (L) (R)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HEART PROBLEM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SHOULDER BLADE (L) (R)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CEREBROVASCULAR ACCIDENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SHOULDER (L) (R)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BURN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UPPER ARM (L) (R)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HYPERVENTILATION OR OTHER RESPIRATORY PROBLEMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FOREARM (L) (R)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DIABETIC/INSULIN SHOCK	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ELBOW (L) (R)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	OTHER :	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HAND (L) (R)	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wrist (L) (R)	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	THUMB (L) (R)	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ABDOMEN (L) (R)	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HIP-PELVIS (L) (R)	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	THIGH (L) (R)	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LOWER LEG (L) (R)	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	KNEE (L) (R)	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ANKLE (L) (R)	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	FOOT (L) (R)	
SKIERS' CONDITION				FINDINGS				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UNCONSCIOUS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	PAIN	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CONSCIOUS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DEFORMATION	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CALM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	HAEMORRHAGE	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CONFUSED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	LOSS OF MOTRICITY/SENSATION	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	AGITATED					

ORIGINAL — RETURN TO THE MINISTÈRE DE L'ÉDUCATION

M.O., 2000-004**Order number 2000-004 of the Minister responsible for Wildlife and Parks dated 10 February 2000**

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

CONCERNING the Port-Daniel Wildlife Reserve

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

GIVEN that under section 81.2 of the Wild-life Conservation Act (R.S.Q., c. C-61) the Government adopted the Regulation respecting the Port-Daniel Wildlife made by Order in Council 848-84 dated April 4, 1984, and amended by the regulation made by Order in Council 1298-84 dated June 6, 1984, Order in Council 139-92 dated February 5, 1992, and by regulations made by Orders in Council 27-96 dated January 10, 1996 and 859-99 dated July 28, 1999;

GIVEN that the Wild-life Conservation Act has been replaced by the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1);

GIVEN that under section 186 of the Act respecting the conservation and development of wildlife every provision of a regulation, order in council or order made by the Government under the Wild-life Conservation Act continues to be in force to the extent that it is consistent with this Act;

GIVEN that under section 184 of this Act the provisions of the Wild-life Conservation Act are replaced by the corresponding provisions of the Act respecting the conservation and development of wildlife;

GIVEN that under section 111 of the Act respecting the conservation and development of wildlife amended by section 18 of Chapter 29 of the Acts of 1998 and by section 85 of Chapter 40 of the Acts of 1999, the Minister responsible for Wildlife and Parks may establish, after consultation with the Minister of Natural Resources, wildlife reserves on Crown lands and dedicate them to the conservation, development and utilization of wildlife;

GIVEN that under section 191.1 of the Act respecting the conservation and development of wildlife amended by section 27 of Chapter 29 of the Acts of 1998 regulations made by the Government under section 111 of this Act, before January 1, 1987, continue to be in force until, as of June 17, 1998, they are replaced or repealed by an order of the Minister responsible for Wildlife and Parks;

CONSIDERING that it is expedient to alter the territory of the Port-Daniel Wildlife Reserve;

CONSIDERING that it is expedient to replace the Regulation respecting the Port-Daniel Wildlife Reserve;

ORDERS THAT:

The “Port-Daniel Wildlife Reserve”, whose boundaries are delimited on the attached plan, be established;

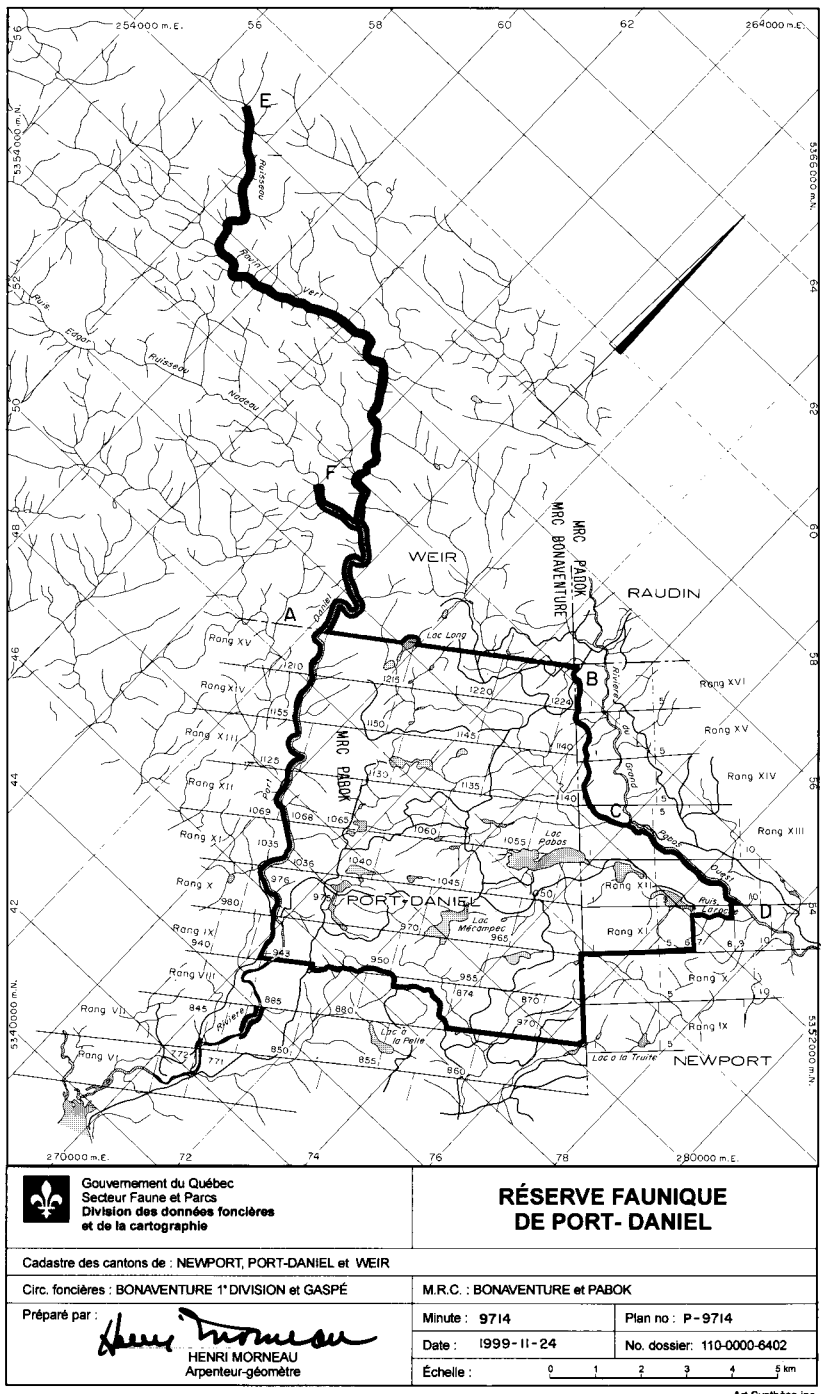
This Order be substituted for the Regulation respecting the Port-Daniel Wildlife Reserve made by Order in Council 848-84 dated April 4, 1984;



This Order come into force on the day of its publication in the *Gazette officielle du Québec*.

Québec, 10 February 2000

GUY CHEVRETTE,
Minister for Wildlife and Parks

SCHEDULE



 Gouvernement du Québec Secteur Faune et Parcs Division des données foncières et de la cartographie		RÉSERVE FAUNIQUE DE PORT-DANIEL	
Cadastre des cantons de : NEWPORT, PORT-DANIEL et WEIR			
Circ. foncières : BONAVENTURE 1 ^{re} DIVISION et GASPÉ		M.R.C. : BONAVENTURE et PABOK	
Préparé par :  HENRI MORNEAU Arpenteur-géomètre		Minute : 9714	Plan no : P-9714
		Date : 1999-11-24	No. dossier : 110-0000-6402
		Échelle : 0 1 2 3 4 5 km	

Art Synthèse inc.

Gouvernement du Québec

O.C. 111-2000, 9 February 2000

An Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1)

Casino games — Amendments

By-law amending the By-law respecting casino games

WHEREAS, under section 13 of the Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1), the Société des loteries du Québec determines by by-law the general standards and conditions relating to the nature and holding of the lottery schemes it conducts and administers and the by-law shall be submitted to the Government for approval;

WHEREAS, in accordance with the second paragraph of that section, if the by-law relates to State casino lottery schemes, the Régie des alcools, des courses et des jeux must give notice of it and such notice must be published in the *Gazette officielle du Québec*;

WHEREAS the company made the By-law to amend the By-law respecting casino games under that section;

WHEREAS, in accordance with the second paragraph of section 13 of the Act respecting the Société des loteries du Québec, the By-law was the subject of a notice of the Régie des alcools, des courses et des jeux that was published in Part 2 of the *Gazette officielle du Québec* of 3 November 1999;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the By-law was published as a draft in Part 2 of the *Gazette officielle du Québec* of 3 November 1999, with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the By-law;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for the Economy and Finance and Minister of Finance:

THAT the By-law amending the By-law respecting casino games, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

By-law amending the By-law respecting casino games*

An Act Respecting the Société des loteries du Québec (R.S.Q., c. S-13.1, a. 13)

1. Section 1 of the By-law respecting Casino games is amended by inserting, after the words “Caribbean Stud Poker”, the following: “3-Cards Poker, War”.

2. Section 44 of the said By-law is amended by replacing in paragraphs 1 and 2 the words “of the dealer”, everywhere they are found, by the words “of the bank”.

3. Section 45 of the said By-law is amended by replacing in paragraphs 1 and 2 the words “of the dealer”, everywhere they are found, by the words “of the bank”.

4. Section 46 of the said By-law is amended by replacing the words “of the dealer” with the words “of the bank”.

5. The said By-law is amended by inserting after section 67.21 the following sub-sections:

“§8. 3 Cards Poker

67.22 3-Cards Poker is played with one or two decks of cards. The ranks of the cards from the highest to the lowest are as follows: ace, king, queen, jack, ten, nine, eight, seven, six, five, four, three and two. An ace may, however, be used to complete a Straight Flush or a Pair formed with cards two and three.

67.23 The combinations of 3-Cards Poker from the highest to lowest are as follows:

1° Straight Flush: a hand consisting of three cards of the same suit in consecutive ranking, with ace, king and queen being the highest ranking Straight Flush, and ace, two and three being the lowest ranking Straight Flush;

2° Three-of-a-Kind: a hand consisting of three cards of the same rank regardless of suit, with three aces being the highest ranking Three-of-a-Kind, and three twos being the lowest ranking Three-of-a-Kind;

* The last amendment to the By-law Respecting Casino Games, approved by Order in Council number 1253-93 dated September 1, 1993 (1993, *G.O.* 2, 5130), was made by the By-law approved by Order in Council number 745-96 dated June 19, 1996 (1996, *G.O.* 2, 2779). For prior amendments, see the *Table of Amendments and Summary Index*, Éditeur officiel du Québec, 1999, updated March 1, 1999.

3° Straight: a hand consisting of three cards of consecutive rank regardless of suit, with ace, king and queen being the highest ranking Straight, and an ace, two and three being the lowest ranking Straight;

4° Flush: a hand consisting of three cards of the same suit;

5° Pair: a hand consisting of two cards of the same rank regardless of suit, with two aces being the highest ranking Pair, and two twos being the lowest ranking Pair.

67.24 When two hands are identical with regards to the combinations described in section 67.23, or if two hands contain none of the combinations authorized herein, the hand which contains the highest ranking card, is considered to be the highest ranking hand. If there is no such hand, the hands shall be considered a push.

67.25 The maximum number of players allowed at a 3-Cards Poker table corresponds to the number of places for wagers designated on the table layout.

67.26 The player must place his initial wager or his “pair or plus” wager or both, at the betting positions indicated for each one of these wagers before the dealer announces “No more bets”. Afterwards, other than as permitted by Section 67.28, no wager may be placed, amended or withdrawn.

67.27 The dealer deals three cards face down in turn to each player and to himself.

67.28 After having examined their three cards, each player has the choice of placing an additional wager, which must be identical to the initial wager. If the player decides not to place an additional wager, he loses his initial wager.

67.29 The dealer exposes his three cards and sets the highest ranking poker hand possible. To open, the dealer must have a queen, or a king, or an ace or a combination described in article 67.23. If the dealer cannot open, the initial wagers are paid at even money and the additional wagers are a push.

67.30 The dealer exposes each player’s three cards, one player at a time. The wagers are winning if the player’s hand has a higher rank than that of the dealer. The initial and additional wagers are then paid 1 to 1.

67.31 If the player, who placed an additional wager has a hand composed of a Straight Flush, a Three-of-a-Kind or a Straight, the initial wager is also paid as follows, regardless of the dealer’s hand ranking:

Wager	Payout
Straight Flush	5 to 1
Three-of-a-Kind	4 to 1
Straight	1 to 1

67.32 In addition to, or instead of his initial wager, the player may place a “pair or plus” wager. It is a winning wager, if the player’s hand is a Straight Flush, Three-of-a-Kind, Straight, Flush or a Pair, regardless of the dealer’s hand ranking. The “pair or plus” wager is paid as follows:

Wager	Payout
Straight Flush	40 to 1
Three-of-a-Kind	30 to 1
Straight	6 to 1
Flush	4 to 1
Pair	1 to 1

§9. War

67.33 War is played with six or eight decks of cards.

67.34 The rank of the cards from the highest to the lowest is: ace, king, queen, jack, ten, nine, eight, seven, six, five, four, three and two.

67.35 The maximum number of players allowed at a War table corresponds to the number of places for wagers designated on the table layout.

67.36 The player must place his initial wager on the designated area for that wager on the table layout as well as his supplemental wager, if such is the case, to the right of the initial wager before the first card of the game is distributed.

67.37 Starting with the player to his left, the dealer deals a card to each player, as well as to himself. The cards are distributed face up.

67.38 Once the cards have been distributed, the dealer compares each player’s card with his:

1° if the player’s card is of higher rank than that of the dealer, the initial wager is a winning wager and is paid 1 to 1;

2° if the player’s card is of lower rank than that of the dealer, he loses his initial wager;

3° if the player’s card is of equal rank to that of the dealer, the player may either withdraw from the game, losing half of his initial wager, or he may opt for War.

67.39 If the player opts for War, he must place an additional wager equal to his initial wager. The dealer draws three cards from the deck and deals the next card to the player face up. The dealer then draws three more cards from the deck and deals himself the next card face up. The dealer then compares his card to that of the player:

1° if the player's card is of higher rank than that of the dealer, the initial wager is a winning wager and is paid 1 to 1;

2° if the player's card is of lower rank than that of the dealer, he loses his wagers;

3° if the player's card is of equal rank to that of the dealer, the wagers are winning and the initial and additional wagers are paid out at 1 to 1.

67.40 In addition to the initial wager, the player can place a supplemental wager. The supplemental wager must be placed on the designated area of the table layout before the dealer announces "No more bets". It is a winning wager if the first card dealt to the player is of equal rank to that of the dealer. The winning supplemental wager pays 10 to 1."

6. Section 86 of the said By-law is replaced by the following section:

"**86.** The holder of a valid ticket must, if it is a winning ticket, present it for payment at the location and within the time limit stipulated on the ticket. The payment is made to the holder of the valid winning ticket."

7. This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 122-2000, 9 February 2000

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31)

Fiscal administration — Amendments

CONCERNING the Regulation to amend the Regulation respecting fiscal administration

WHEREAS under first paragraph of section 96 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), amended by section 283 of chapter 83 of the statutes of 1999, the Government may make regulations, in particular, to prescribe the measures required to carry out this Act;

WHEREAS under the second paragraph of section 31 of that Act, amended by section 34 of chapter 65 of the statutes of 1999, the Government may make regulations to determine that a refund owing to a person by reason of the application of a fiscal law may also be allocated to the payment of any amount for which that person is in debt to the State under an Act other than a fiscal law;

WHEREAS the Regulation respecting fiscal administration (R.R.Q., 1981, c. M-31, r. 1) was made under that Act;

WHEREAS it is expedient, for the purpose of ensuring better collection of accounts receivable for family benefits paid without entitlement, to amend that Regulation to allow the allocation of a refund owing under a fiscal law to the payment of such benefits;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without prior publication as prescribed in section 8 of that Act, where the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed therein so warrants;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established, amended or repealed by the Regulation warrants the absence of prior publication and such coming into force;

IT IS ORDERED, upon the recommendation of the Minister of Revenue:

THAT the Regulation to amend the Regulation respecting fiscal administration, attached hereto, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fiscal administration*

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, s. 31, 2nd par., s. 96, 1st par.; 1999, c. 65, s. 34; 1999, c. 83, s. 283)

1. Section 31R1 of the Regulation respecting fiscal administration is amended, in the first paragraph,

(1) by replacing the portion before subparagraph *a* by the following:

“**31R1.** The Minister may allocate a refund due to a person by reason of the application of a fiscal law, to the payment of any amount for which that person is indebted to the State under the following Acts:”;

(2) by replacing subparagraph *c* by the following:

“(c) the Act respecting financial assistance for education expenses (R.S.Q., c. A-13.3);”;

(3) by adding, after subparagraph *c*, the following paragraph:

“(d) the Act respecting family benefits (R.S.Q., c. P-19.1).”.

2. Section 31R2 of the Regulation is amended by replacing the portion before paragraph *a* by the following:

“**31R2.** For the purposes of the allocation, the Minister receives, from each Minister or body responsible for the application or the administration of an Act referred to in section 31R1, the following particulars concerning the persons indebted under the Act applied:”.

3. Section 31R3 of the Regulation is replaced by the following:

“**31R3.** Where the Minister receives the information described in section 31R2 respecting a debtor and a refund must be paid to that debtor by reason of the application of a fiscal law, the Minister deducts the amount of the debtor’s debt from the refund.”.

4. Section 31R4 of the Regulation is amended by replacing the portion of the first paragraph before subparagraph *a* by the following:

“**31R4.** After the allocation provided for in section 31R3, the Minister sends to each Minister or body concerned the following particulars concerning the debtor:”.

5. Section 31R5 of the Regulation is replaced by the following:

“**31R5.** The Minister also sends to each concerned Minister or body a list of the debtors for whom no allocation has been made.”.

6. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 142-2000, 16 February 2000

Professional Code
(R.S.Q., c. C-26)

Collège des médecins du Québec — Standards for equivalence of diplomas for the issue of a permit or specialist’s certificate

Regulation respecting the standards for equivalence of diplomas for the issue of a permit or specialist’s certificate by the Collège des médecins du Québec

WHEREAS, under section 3 of the Medical Act (R.S.Q., c. M-9), subject to that Act, the Collège des médecins du Québec and its members shall be governed by the Professional Code (R.S.Q., c. C-26);

WHEREAS, under paragraph *c* of section 93 of the Professional Code, the Bureau of a professional order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purpose of issuing a permit or specialist’s certificate;

WHEREAS, pursuant to section 94.1 of the Professional Code, the Bureau of a professional order may, in a regulation that it is authorized to make under that Code or under an Act constituting the professional order, make compulsory a standard established by a government or body and it may provide that reference to such a standard includes any subsequent amendment to it;

* The Regulation respecting fiscal administration (R.R.Q., 1981, c. M-31, r.1) was last amended by the Regulation made by Order in Council n° 1454-99 dated 15 December 1999 (1999, *G.O.* 2, 5207). For previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

WHEREAS, pursuant to the aforementioned provisions of the Professional Code, the Bureau of the Collège des médecins du Québec, at its meeting of 26 February 1999, adopted the Regulation respecting the standards for equivalence of diplomas for the issue of a permit or specialist's certificate by the Collège des médecins du Québec, to replace the Regulation respecting the standards for equivalence of the diplomas issued by educational establishments situated outside Québec for the issuing of a permit, approved by Order in Council 881-87 dated 3 June 1987;

WHEREAS, under section 95 of the Professional Code, subject to sections 95.1 and 95.2 of that Code, any regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination and it shall be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that Regulation was published as a draft in Part 2 of the *Gazette officielle du Québec* of 5 May 1999, with a notice indicating that it would be submitted to the Government which could approve it with or without amendment at the expiry of 45 days following its publication and inviting any person having comments to make to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec;

WHEREAS the Chairman of the Office des professions du Québec has received comments following the publication of the Regulation;

WHEREAS the Office has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation, with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting the standards for equivalence of diplomas for the issue of a permit or specialist's certificate by the Collège des médecins du Québec, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting the standards for equivalence of diplomas for the issue of a permit or specialist's certificate by the Collège des médecins du Québec

Professional Code
(R.S.Q., c. C-26, s. 93, par. c, and s. 94.1)

DIVISION I GENERAL

1. The purpose of this Regulation is to prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the issue, by the Bureau of the Collège des médecins du Québec, of a permit referred to in section 33 of the Medical Act (R.S.Q., c. M-9) or a specialist's certificate referred to in section 37 of that Act. It is also intended to establish an equivalence recognition procedure for those diplomas.

It applies to any person who does not hold a diploma giving access to the permit and specialist's certificates and who applies to have a diploma issued by an educational establishment situated outside Québec recognized as equivalent for the purposes of the issue of a permit or specialist's certificate.

"Diploma giving access to the permit and specialist's certificates" means a diploma recognized by government regulation as giving access to the permit and specialist's certificates of the College, made under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26).

2. Recognition of the equivalence of diplomas by the Bureau of the College pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code certifies that the level of knowledge and the skills and attitudes of a person holding a diploma issued by an educational establishment situated outside Québec are equivalent to those of a person holding a diploma giving access to the permit and specialist's certificates.

3. The examinations contemplated in paragraph 2 of sections 7 and 8 are intended to evaluate whether or not a diploma holder's knowledge, skills and attitudes compare to the knowledge of students evaluated by examinations upon completion of a program of study leading to a diploma giving access to the permit and specialist's certificates. There shall be at least one examination session per year and, in case of failure, the examination may be retaken twice.

4. Pursuant to section 94.1 of the Professional Code, a reference to standards established by the bodies referred to in sections 5 to 8 includes any subsequent amendment made thereto by those bodies.

DIVISION II **STANDARDS FOR EQUIVALENCE OF DIPLOMAS**

§1. Diplomas issued in Canada outside Québec

5. The diploma of doctor of medicine awarded by a university situated in Canada but outside Québec is equivalent to a diploma giving access to the permit and specialist's certificates, provided that the faculty of medicine of that university is accredited by the Association of Canadian Medical Colleges when the diploma is awarded.

§2. Diplomas issued in the United States

6. The diploma of doctor of medicine awarded by a school or faculty of medicine situated in the United States is equivalent to a diploma giving access to the permit and specialist's certificates, provided that the school or faculty is accredited by the Liaison Committee on Medical Education when the diploma is awarded.

7. The diploma of doctor of osteopathy awarded by a school of osteopathic medicine situated in the United States is equivalent to a diploma giving access to the permit and specialist's certificates, provided that the school is accredited by the Bureau of Professional Education of the American Osteopathic Association when the diploma is awarded and that the diploma holder

(1) has also been the holder, for at least three consecutive years, of a restrictive permit issued and renewed by the Bureau of the College on the basis of his hiring as full, associate or assistant professor in a faculty of medicine of a university that issues the diploma giving access to the permit and specialist's certificates and has been working in a clinical discipline in Québec during that period; or

(2) has passed the examinations established or approved by the Bureau of the College.

§3. Diplomas issued outside Canada and the United States

8. The diploma of doctor of medicine or a diploma of the same level awarded upon completion of medical studies by a school of medicine or a university situated outside Canada and the United States is equivalent to a diploma giving access to the permit and specialist's certificates, provided that the school or faculty of medi-

cine of that university is entered in the World Directory of Schools of Medicine published by the World Health Organization when the diploma is awarded and that the diploma holder

(1) has also been the holder, for at least three consecutive years, of a restrictive permit issued and renewed by the Bureau of the College on the basis of his hiring as full, associate or assistant professor in a faculty of medicine of a university that awards the diploma giving access to the permit and specialist's certificates and has been working in a clinical discipline in Québec during that period; or

(2) has passed the examinations established or approved by the Bureau of the College.

DIVISION III **EQUIVALENCE RECOGNITION PROCEDURE**

9. The secretary of the Collège des médecins du Québec shall forward to any person who applies for a diploma equivalence for the purposes mentioned in section 1

(1) a copy of this Regulation;

(2) a copy of the resolution of the Bureau of the College indicating which examinations are established or approved for the purposes of paragraph 2 of sections 7 and 8; and

(3) a copy of the resolution of the Bureau of the College passed under paragraph 8 of section 86.0.1 of the Professional Code prescribing the fees payable under this Regulation.

10. A person who needs a diploma equivalence shall apply therefor by using the form intended for that purpose and include the prescribed fees.

The person shall also include the following in the application:

(1) a certified true copy of the diploma held and whose recognition as equivalent is applied for;

(2) a description of the program of study taken, including theoretical courses, laboratories and clinical training periods, as well as their respective duration;

(3) if the person relies on paragraph 1 of section 7 or section 8, proof that the person has worked in a clinical discipline in Québec, during the time period mentioned in that paragraph;

(4) if the person relies on paragraph 2 of section 7 or section 8, proof that the person passed the examinations referred to in that paragraph.

A person who applies for a diploma equivalence shall provide a translation in French or English of any document submitted in support of his application and written in a language other than French or English. The translation shall be attested to by a solemn affirmation from the person who did it.

11. The secretary shall forward the record of a person applying for equivalence recognition to the committee on admission to practice — credentials division —, formed by the Bureau of the College pursuant to paragraph 2 of section 86.0.1 of the Professional Code. That committee shall examine the record and make a recommendation to the Bureau.

12. At the first meeting of the Bureau of the College following the filing of the committee's recommendation and in accordance with subparagraph *g* of the first paragraph of section 86 of the Professional Code, the Bureau shall decide whether or not the person shall be granted a diploma equivalence and provide reasons for its decision.

The secretary shall inform the person concerned in writing of the decision of the Bureau and the reasons therefor, by any means providing proof of receipt, within 15 days of the date on which it was rendered.

Where the Bureau decides not to grant a diploma equivalence, the secretary shall, on the same occasion, inform the person in writing of the conditions to be met to obtain the equivalence applied for or of the programs of study leading to a diploma giving access to the permit and specialist's certificates.

13. A person to whom the Bureau of the College denies a diploma equivalence may apply for a hearing. That person shall send the secretary a written application, together with the prescribed fees, within 15 days of the date on which the decision of the Bureau is received.

The person shall be heard within 45 days of the date of receipt of the application by a committee which, within that time, shall make a recommendation to the Bureau. That committee, formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code, shall be composed of three directors of the Bureau of the College.

The committee shall call the person who applied for a hearing to appear by sending a written notice to that effect by any means providing proof of receipt, at least ten days before the date of the hearing.

14. At the first meeting of the Bureau of the College following the filing of the recommendation of the committee made up for the purposes of section 13, the Bureau shall decide whether or not the person shall be granted a diploma equivalence and provide reasons therefor. The decision of the Bureau is final.

The secretary shall inform the person concerned of the decision of the Bureau and the reasons therefor by sending him a registered or certified letter within 15 days of the date on which the decision was rendered.

15. A person who is the subject of a decision of the Bureau or administrative committee of the College rendered after 13 October 1998 pursuant to section 6 of the Regulation respecting the standards for equivalence of the diplomas issued by educational establishments situated outside Québec for the issuing of a permit, approved by Order in Council 881-87 dated 3 June 1987, shall also benefit from the provisions of this Regulation.

The secretary shall send a copy of this Regulation to that person, by any means providing proof of receipt, not later than 90 days after the date of coming into force of this Regulation.

An application for a hearing made under section 13 and pertaining to a decision denying a diploma equivalence shall be sent in the manner provided for in that section, within 15 days of the date on which a copy of this Regulation is received.

16. Notwithstanding paragraphs 1 and 2 of section 8 of this Regulation, a person who holds a diploma referred to in section 4 of the Regulation respecting the standards for equivalence of the diplomas issued by educational establishments situated outside Québec for the issuing of a permit, approved by Order in Council 881-87 dated 3 June 1987, and also a restrictive permit issued by the Bureau of the College before the coming into force of this Regulation shall be granted a diploma equivalence, on the condition that he also provides, with the application prescribed in section 10, and in addition to what is mentioned in subparagraphs 1 and 2 of that section, proof that he has worked in a clinical discipline in Québec for at least six years under a restrictive permit.

17. This Regulation replaces the Regulation respecting the standards for equivalence of the diplomas issued by educational establishments situated outside Québec for the issuing of a permit, approved by Order in Council 881-87 dated 3 June 1987, as well as the Regulation respecting the standards for equivalence of the diplomas issued by educational establishments situated outside Québec for the issuing of a permit (Amendment), adopted

by the Bureau of the Collège des médecins du Québec on 25 October 1989 and published as a draft in Part 2 of the *Gazette officielle du Québec* of 16 May 1990.

18. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 143-2000, 16 February 2000

Professional Code
(R.S.Q., c. C-26)

Collège des médecins du Québec — Additional terms and conditions for the issue of permits — Standards of equivalence for certain of those terms and conditions

Regulation respecting additional terms and conditions for the issue of permits by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions

WHEREAS, under section 3 of the Medical Act (R.S.Q., c. M-9), subject to the provisions of the Act, the Collège des médecins du Québec and its members shall be governed by the Professional Code (R.S.Q., c. C-26);

WHEREAS, under paragraph *i* of section 94 of the Professional Code, the Bureau of a professional order may, by regulation, determine the other terms and conditions for issuing permits, in particular the obligation to serve the periods of professional training and to pass the professional examinations it determines; the regulation may also fix standards of equivalence applicable to the terms and conditions determined therein;

WHEREAS, under paragraph *h* of section 94 of the Professional Code, the Bureau of a professional order may, by regulation, determine, among the professional acts that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of the same section, and the terms and conditions on which such persons may engage in such acts;

WHEREAS, under section 94.1 of the Professional Code, the Bureau of a professional order may, in a regulation that it is authorized to make under the Code or under an Act constituting the professional order, make compulsory a standard established by a government or body and it may provide that reference to such a standard includes any subsequent amendment to it;

WHEREAS, pursuant to the aforementioned provisions of the Professional Code, the Bureau of the Collège des médecins du Québec, at its meeting of 26 February 1999, adopted the Regulation respecting additional terms and conditions for the issue of permits by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions, to replace the Regulation respecting the terms and conditions for the issuance of permits of the Ordre professionnel des médecins du Québec, approved by Order in Council 880-87 dated 3 June 1987;

WHEREAS, under section 95 of the Professional Code, subject to sections 95.1 and 95.2 of that Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination and it shall be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that Regulation was published as a draft in Part 2 of the *Gazette officielle du Québec* of 5 May 1999, with a notice indicating that it would be submitted to the Government which could approve it with or without amendment at the expiry of 45 days following its publication and inviting any person having comments to make to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec;

WHEREAS the Chairman of the Office des professions du Québec has received comments following the publication of the Regulation;

WHEREAS the Office has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting additional terms and conditions for the issue of permits by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting additional terms and conditions for the issue of permits by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions

Professional Code
(R.S.Q., c. C-26, ss. 94, pars. *h* and *i*, and 94.1)

DIVISION I GENERAL AND DEFINITIONS

1. The purpose of this Regulation is to determine the additional terms and conditions for the issue by the Bureau of the Collège des médecins du Québec of the permit referred to in section 33 of the Medical Act (R.S.Q., c. M-9) and to establish standards of equivalence for certain of those terms and conditions and a procedure for recognizing the equivalence.

It is also intended to determine, among the professional acts that may be performed by physicians, those that may be performed by a resident, in accordance with the terms and conditions determined thereafter.

2. The permit shall be issued to a person who meets the following conditions, in addition to the conditions and formalities imposed by law:

(1) the person has completed

(a) the postdoctoral training in family medicine and passes the family medicine examination prescribed by this Regulation; or

(b) the postdoctoral training prescribed for obtaining a specialist's certificate in a specialty within the medical profession and passes the examination prescribed for that specialty, according to the terms and conditions in the Regulation respecting the specialties within the medical profession, additional terms and conditions for the issue of specialist's certificates by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions approved by Order in Council 144-2000 dated 16 February 2000;

(2) the person applies on the form provided for that purpose and appends two copies of his passport-size photograph taken during the 12 months preceding the date of the application and authenticated by the signature of a witness; and

(3) the person pays the fees prescribed for obtaining a permit.

3. Pursuant to section 94.1 of the Professional Code (R.S.Q., c. C-26), reference, in this Regulation, to standards established by bodies include subsequent amendments made to it by those bodies.

4. In this Regulation, unless the context indicates otherwise,

“committee” means the committee on admission to practice -credentials division, formed by the Bureau of the College pursuant to paragraph 2 of section 86.0.1 of the Professional Code; (*comité*)

“position” means the employment held in an institution for the purposes of completing postdoctoral training in family medicine; (*poste*)

“resident” means a person holding a diploma giving access to the permit and specialist's certificates or to whom the Bureau of the College has, pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code, recognized a diploma equivalence and who is registered in a postdoctoral university program in family medicine and serves training periods under that program; (*résident*)

“secretary” means the secretary of the College; (*secrétaire*)

“training level” means the evaluation of the resident's progress in a postdoctoral university program in family medicine, in terms of the number of months of postdoctoral training deemed completed; (*niveau de formation*)

“training sites” means centres operated by institutions within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or institutions within the meaning of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5), affiliated with universities that issue the diplomas giving access to the permit and specialist's certificates, as well as offices, clinics or other establishments affiliated with such institutions or universities, and recognized by the Bureau of the College. (*milieux de formation*)

The fees payable under this Regulation shall be prescribed by the Bureau of the College pursuant to paragraph 8 of section 86.0.1 of the Professional Code.

DIVISION II **POSTDOCTORAL TRAINING IN FAMILY** **MEDICINE**

§1. Content and duration

5. Postdoctoral training in family medicine consists in a series of training periods lasting 24 months, served under a postdoctoral university program in family medicine approved by the Bureau of the College for that purpose, in training sites approved by the Bureau and within the scope and limits of that approval, as appearing in the List of Approvals established by the College, updated periodically and published annually.

Training periods shall be the subject of training reports signed by the deans of the faculties of medicine of the universities with which the training sites are affiliated, or by their representatives.

Postdoctoral training is deemed completed in the opinion of the Bureau where the resident, according to all training reports, possesses the required knowledge, skills and attitudes to practise family medicine autonomously.

When a resident so requests in writing, the secretary shall inform him in writing of any reason why the Bureau of the College does not deem the postdoctoral training completed.

§2. Training cards

6. A resident may not begin a training period unless he meets the conditions for the issue of a training card.

The resident shall apply therefor on the form provided for that purpose.

7. The secretary shall issue a training card to a resident who

(1) is entered in the register kept pursuant to paragraph *c* of section 15 of the Medical Act and holds a registration certificate issued in accordance with that Act;

(2) holds a position within the meaning of a statutory instrument of the Act respecting health services and social services, whose purpose is to determine the number of positions for medical residents;

(3) provides proof of his acceptance into a university postdoctoral program in family medicine and proof that

he has obtained a certificate of employment from an institution participating in such a program, in a position appropriate for his training level; and

(4) pays the fees prescribed for a training card.

8. A training card shall mention that the resident is entered in the register kept for that purpose, the postdoctoral university program in which he is registered, the training sites where he serves his training periods and their duration, as well as his training level. It shall bear the date on which training began and a facsimile of the secretary's signature.

Furthermore, the training card shall mention that training periods may also be served in any other site not indicated on the card, provided that it is approved by the Bureau of the College.

9. A training card shall be valid, from the date on which training began, for 12 months or until the date stipulated on it. However, it shall expire immediately if the resident's registration in the university postdoctoral program is cancelled, if the resident leaves the program or if his registration certificate is revoked in accordance with the Medical Act.

10. A training card is renewable on the same conditions until the postdoctoral training is deemed completed in accordance with the third paragraph of section 5.

§3. Professional acts that may be performed by residents

11. A resident may perform, among the professional acts that may be performed by physicians, those corresponding to his training level and required to complete his postdoctoral training, on the following conditions:

(1) he performs them in the training sites where he is serving his training periods, in compliance with the stipulations of his training card; and

(2) he performs them under the authority of competent persons and in compliance with the rules applicable to physicians, particularly those respecting ethics, prescriptions, the keeping of records and consulting rooms.

DIVISION III **FAMILY MEDICINE EXAMINATION**

§1. Eligibility for the examination

12. To be allowed to take the family medicine examination, a candidate shall hold a letter of eligibility for the examination.

He may take the examination as soon as 18 months of postdoctoral training in family medicine have been deemed completed in accordance with the third paragraph of section 5.

13. A candidate shall apply for a letter of eligibility for examinations on the form provided for that purpose.

To obtain a letter, a candidate shall, with the application and at least six months before the date fixed for the examination session,

(1) demonstrate that his postdoctoral training in family medicine has been deemed completed, in accordance with the third paragraph of section 5, or that there will remain no more than six months of postdoctoral training in family medicine to be completed on the date fixed for the examination session;

(2) provide two copies of his passport-size photograph taken during the 12 months preceding the date of the application and authenticated by the signature of a witness; and

(3) provide the prescribed fees.

14. A candidate to whom a letter of eligibility is issued before his postdoctoral training is completed shall demonstrate afterwards that he has finished his training and that it has been deemed completed in accordance with the third paragraph of section 5.

15. A candidate shall obtain a letter of eligibility for the examination no later than two years after the date on which his postdoctoral training in family medicine is deemed completed in accordance with the third paragraph of section 5, or after the date of a decision rendered by the Bureau of the College under this Regulation granting him a training equivalence in family medicine.

After this two-year period, a candidate may not obtain a letter of eligibility for the examination unless he demonstrates, with the application provided for in section 13, that he has kept his knowledge up-to-date and maintained the skills and attitudes required for the purposes for which he completed the postdoctoral training or obtained a training equivalence.

16. A candidate shall take the family medicine examination within three years of the date of his letter of eligibility.

After this three-year period, a candidate may not take the examination unless he holds a new letter of eligibility.

To obtain a new letter, a candidate shall apply therefor on the form provided for that purpose at least six months before the date fixed for the examination session and, with the application,

(1) demonstrate that he has kept his knowledge up-to-date and maintained the skills and attitudes required for the purposes for which he completed the postdoctoral training or obtained a training equivalence; and

(2) provide the prescribed fees.

17. The committee shall determine whether a candidate is eligible for the examination. The committee that denies a candidate's eligibility shall give its reasons for such decision.

18. When a candidate is declared eligible, the secretary shall send him a letter of eligibility for the examination.

The letter of eligibility for the examination issued pursuant to section 13 or 15 is valid for three years; a letter issued pursuant to section 16 is valid for one year.

19. The secretary shall inform a candidate in writing, giving reasons, of the committee's decision denying his eligibility for the examination.

20. A candidate whose eligibility is denied may apply to the committee for a review of the decision on the basis of new facts.

§2. Family medicine examination

21. The family medicine examination shall evaluate whether a candidate is qualified to practise family medicine autonomously.

The examination shall also pertain to the legislative, ethical and organizational aspects of medicine as practised in Québec.

The examination shall include at least one of the following components: clinical, written, computer, oral or practical; those components may be shared in whole or in part with those of the examinations administered respectively by the College of Family Physicians of Canada, for the issue of a certificate in family medicine (CCFPC), and by the Medical Council of Canada, for the issue of a licence (LMCC).

The Bureau of the College shall determine the component or components to be used and those to be shared.

22. A jury of five examiners appointed by the committee shall be set up; two examiners shall be chosen from among the list of family physicians provided by the deans of the faculties of medicine of the universities that issue the diplomas giving access to the permit and specialist's certificates.

All examiners shall be family physicians, appointed for a renewable one-year term.

The secretary may appoint additional examiners to assist the jury, if need be, or appoint an examiner to replace an examiner unable to act due to absence, illness or any other reason.

23. The quorum of the jury is three examiners.

24. The jury shall determine the content of the examination, recommend to the Bureau of the College any component to be used or shared, determine the procedure for setting the pass mark for the examination, supervise its administration and determine whether a candidate passes the examination, taking into account, if need be, all the training reports referred to in section 5.

The jury shall also determine the content and any component of the supplemental examination available to candidates who failed and, as of the first failure, may recommend to the Bureau of the College that the candidate complete additional postdoctoral training in family medicine before taking the supplemental examination. The jury may also recommend the content and duration of the additional training.

25. At least one examination session shall be held per year.

The secretary shall determine the place, date and time of the examination session and inform the candidates thereof in writing. Candidates shall also be informed of the components of the examination that were retained.

26. A candidate declared eligible shall register for the examination at least two months before the date fixed for the examination session by applying therefor on the form provided for that purpose and by including the prescribed fees.

27. A candidate may take an examination in French or in English.

28. The secretary or a person designated by him shall administer and supervise any component of the examination in writing or on computer.

Those two components of the examination shall be marked in a way that ensures the candidates' anonymity.

29. A candidate must obtain the pass mark to pass the examination.

30. The secretary shall inform each candidate of his results in writing.

31. Cheating or plagiarism, participation in such acts or any attempt to cheat or plagiarize shall result in the failure of the examination upon decision by the committee.

32. A candidate who fails is entitled to three supplemental examinations.

33. After the third supplemental examination, a candidate shall obtain a new letter of eligibility before taking another supplemental examination.

The provisions of the third paragraph of section 16 apply to the candidate.

34. The secretary shall inform the candidate in writing of the jury's decision on the supplemental examination.

35. When the jury has made a recommendation pursuant to the second paragraph of section 24, the Bureau of the College may decide, as of a first failure and after assessing whether a candidate's deficiencies are likely to be corrected by additional postdoctoral training in family medicine, that the candidate may not take the supplemental examination unless he completes such training, whose content and duration shall be determined by the Bureau.

The secretary shall inform a candidate in writing of the Bureau's decision in that regard.

36. A candidate who is obliged by the Bureau of the College to complete additional postdoctoral training in family medicine shall append to the application referred to in section 26 a document certifying that such training has been deemed completed in accordance with the third paragraph of section 5.

37. The provisions respecting examinations apply to supplemental examinations.

§3. *Appeal to the appeals committee*

38. A candidate who has failed the examination may appeal against the jury's decision to an appeals committee if he considers that the failure was caused by a factor related to the examination process.

The candidate shall apply on the form provided for that purpose within thirty days following the date of the forwarding of the examination results and include the prescribed fees.

39. The appeals committee shall be composed of three committee members appointed by it.

40. The appeals committee may grant or dismiss the appeal. It shall render its decision which is final within three months.

If it grants the appeal, it shall render one or more of the following decisions:

(1) reverse the jury's decision and decide that the candidate has passed the examination and order that the amount paid by the candidate under the second paragraph of section 38 be refunded to him;

(2) authorize the candidate to take a new examination that is not a supplemental examination within the meaning of section 32, on a date determined by the secretary, without additional expenses;

(3) change the composition of the jury for the new examination that the candidate is authorized to take.

If it rejects the appeal, it must, in its decision, indicate why the adduced factor is not the cause of the failure.

The secretary shall inform the candidate of the committee's decision within 15 days of the date of the decision by any means providing proof of receipt.

DIVISION IV **EQUIVALENCE OF CERTAIN TERMS AND** **CONDITIONS**

§1. Standards of equivalence for postdoctoral training in family medicine

41. Training shall be recognized equivalent to the postdoctoral training in family medicine referred to in section 5, where it consists of a series of training periods of at least 24 months served

(1) in Canada, outside Québec, in a postdoctoral university program in family medicine in a faculty of medicine, recognized by the College of Family Physicians of Canada; or

(2) in the United States, in a postdoctoral university program in family medicine in a school or faculty of medicine, recognized by the Accreditation Council for Graduate Medical Education.

42. Postdoctoral training in family medicine acquired outside Canada and the United States, recognized by a certificate or diploma authorizing the candidate to legally practise medicine and issued after a successful examination by a postdoctoral training body or an educational establishment situated outside Canada and the United States is also recognized as equivalent to the postdoctoral training in family medicine referred to in section 5. For the purposes of having such an equivalence recognized, a candidate shall

(1) demonstrate that he has served training periods as part of the postdoctoral training in question whose content and duration meet the requirements of section 5; and

(2) subject to the second paragraph, demonstrate, during 12 months of training, that he possesses the required knowledge, skills and attitudes to practise family medicine autonomously. To that end, the resident shall serve those months of training, in training sites, in a postdoctoral university program in family medicine approved for that purpose by the Bureau of the College, and those months shall correspond to the training completed by a resident in the last year of postdoctoral training. Those months of training shall be followed by semestrial reports signed by the deans of the faculties of medicine of the universities with which the training sites are affiliated, or by their representatives, and they shall be deemed completed by the Bureau of the College where the resident, according to all training reports, possesses the required knowledge, skills and attitudes.

A minimum of six consecutive years' work experience in Québec in family medicine, under a restrictive permit issued by the Bureau of the College, shall be equivalent to the 12 months of training referred to in subparagraph 2 of the first paragraph.

Subparagraph 2 of the first paragraph does not apply to a candidate to whom the Bureau of the College has granted a diploma equivalence pursuant to paragraph 1 of section 7 or 8 of the Regulation respecting the standards for equivalence of diplomas for the issue of a permit or specialist's certificate by the Collège des médecins du Québec, approved by Order in Council 142-2000 dated 16 February 2000.

§2. Standards of equivalence for certain components of the family medicine examination

43. A candidate who meets either one of the following conditions shall be granted an equivalence exempting him from the obligation to take any component of the family medicine examination that corresponds to the examination administered by the College of Family Phy-

sicians of Canada, for the issue of a certificate in family medicine (CCFPC):

(1) the candidate to whom the Bureau of the College grants an equivalence pursuant to section 41 passes the examination of the College of Family Physicians of Canada or of the American Board of Family Practice, required for the issue of a certificate in family medicine; or

(2) the candidate to whom the Bureau of the College grants an equivalence pursuant to section 42 holds a restrictive permit issued and renewed by the Bureau of the College on the basis of the hiring of that candidate as a full or associate professor in the faculty of medicine of a university that issues a diploma giving access to the permit and specialist's certificates.

§3. *Equivalence recognition procedure*

44. A person who applies for an equivalence shall do so on the form provided for that purpose and shall include the prescribed fees.

45. A person who applies under section 41 shall append to his application

(1) a certified true copy of the diploma giving access to the permit and specialist's certificates;

(2) a document certifying that he has completed his postdoctoral training in family medicine within an approved university program, issued by the dean of the school or faculty of medicine, including a description of the completed program and of the training periods, their duration and proof that they were completed;

(3) where applicable:

(a) a document certifying that the person practises or has practised family medicine competently, supported by references from the medical authorities concerned;

(b) proof that the person is in good standing with the competent authority of the place where he practises family medicine.

46. A person who applies under section 42 shall append to his application

(1) a certified true copy of the diploma giving access to the permit and specialist's certificates;

(2) a certified true copy of the certificate or diploma issued outside Canada and the United States authorizing him to legally practise medicine and proof that the cer-

tificate or diploma was issued after a successful examination;

(3) a document certifying that he has completed his postdoctoral training in family medicine outside Canada and the United States, including a description of the completed program and of the training periods, their duration and proof that they were completed;

(4) where applicable:

(a) a document certifying that the person practises or has practised family medicine competently, supported by references from the medical authorities concerned;

(b) proof that the person is in good standing with the competent authority of the place where he practises family medicine;

(c) the semestrial training reports signed by the deans of the faculties of medicine of the universities with which the training sites are affiliated.

47. A person who applies under paragraph 1 of section 43 shall append to his application a document issued by the College of Family Physicians of Canada or the American Board of Family Practice certifying that the person has passed the examination required for the issue of a certificate in family medicine or, as the case may be, a certified true copy of his certificate.

48. A person who makes an application for equivalence recognition shall provide a French or English translation of any document provided in support of his application and drawn up in a language other than French or English. The translation shall be certified by a solemn affirmation by the person who did it.

49. The secretary shall forward the record of the person applying for the recognition of equivalence to the committee which shall examine it and make its recommendation to the Bureau of the College.

50. At the first meeting of the Bureau of the College following the filing of the committee's recommendation, the Bureau shall render a decision on the application for equivalence and state its grounds.

The secretary shall inform the person concerned in writing of the Bureau's decision and the grounds therefor, by any means providing proof of receipt, within 15 days of the date on which it was rendered.

Where the Bureau decides not to grant an equivalence, the secretary shall, on the same occasion, inform the candidate in writing of the conditions to be met in

order to obtain the equivalence applied for or of the terms and conditions for the issue of the permit referred to in section 2.

51. A candidate whose application for equivalence is turned down by the Bureau of the College may apply for a hearing. The person shall apply therefor in writing to the secretary within 15 days following receipt of the Bureau's decision and include the prescribed fees.

The person shall be heard within 45 days following receipt of the application by a committee which, within that time, shall make a recommendation to the Bureau. The committee, formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code, shall be composed of three directors of the Bureau of the College.

The committee shall convene the applicant by sending him a written notice at least ten days before the date of the hearing by any means providing proof of receipt.

52. At the first meeting of the Bureau of the College following the filing of the committee's recommendation formed for the purposes of section 51, the Bureau shall render a decision on whether an equivalence should be granted and state its grounds. The decision of the Bureau is final.

The secretary shall inform the person concerned of the Bureau's decision and its grounds by registered or certified mail within 15 days of the date on which the decision was rendered.

DIVISION V TRANSITORY AND FINAL PROVISIONS

53. A person subject to a decision of the Bureau or administrative committee of the College rendered after 13 October 1998 pursuant to the Regulation respecting the terms and conditions for the issuance of permits of the Ordre professionnel des médecins du Québec, approved by Order in Council 880-87 dated 3 June 1987, on the recognition of the equivalence of a condition fixed therein shall also benefit from the provisions of Subdivision 3 of Division IV of this Regulation.

The secretary shall send a copy of this Regulation to such person, by any means providing proof of receipt, not later than 90 days after the date of coming into force of this Regulation.

An application for a hearing made pursuant to section 51 and pertaining to a decision denying the recognition of the equivalence shall be sent in the manner prescribed in that section within 15 days following receipt of a copy of this Regulation.

54. This Regulation replaces the Regulation respecting the terms and conditions for the issuance of permits of the Ordre professionnel des médecins du Québec, approved by Order in Council 880-87 dated 3 June 1987, the Regulation to amend the Regulation respecting the terms and conditions for the issuance of permits of the Ordre professionnel des médecins du Québec, adopted by the Bureau of the Collège des médecins du Québec on 25 October 1989 and published as a draft in Part 2 of the *Gazette officielle du Québec* of 16 May 1990, and the Regulation to amend the Regulation respecting the terms and conditions for the issuance of permits of the Ordre professionnel des médecins du Québec, adopted by the Bureau of the Collège des médecins du Québec at its meeting of 16 April 1997.

55. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 144-2000, 16 February 2000

Professional Code
(R.S.Q., c. C-26)

Collège des médecins du Québec — Specialties within the medical profession, additional terms and conditions for the issue of specialist's certificates

Regulation respecting the specialties within the medical profession, additional terms and conditions for the issue of specialist's certificates by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions

WHEREAS under section 3 of the Medical Act (R.S.Q., c. M-9), subject to the provisions of the Act, the Collège des médecins du Québec and its members shall be governed by the Professional Code (R.S.Q., c. C-26);

WHEREAS, under paragraph *e* of section 94 of the Professional Code, the Bureau of a professional order may, by regulation, define the different classes of specialization within the profession;

WHEREAS, under paragraph *i* of section 94 of the Professional Code, the Bureau of a professional order may, by regulation, determine the other terms and conditions for issuing permits, in particular the obligation to serve the periods of professional training and to pass the

professional examinations it determines; the regulation may also fix standards of equivalence applicable to the terms and conditions determined therein;

WHEREAS, under paragraph *h* of section 94 of the Professional Code, the Bureau of a professional order may, by regulation, determine, among the professional acts that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of the same section, and the terms and conditions on which such persons may engage in such acts;

WHEREAS, under section 94.1 of the Professional Code, the Bureau of a professional order may, in a regulation that it is authorized to make under the Code or under an Act constituting the professional order, make compulsory a standard established by a government or body and it may provide that reference to such a standard includes any subsequent amendment to it;

WHEREAS, pursuant to the aforementioned provisions of the Professional Code, the Bureau of the Collège des médecins du Québec, at its meeting of 26 February 1999, adopted the Regulation respecting the specialties within the medical profession, additional terms and conditions for the issue of specialist's certificates by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions to replace the Regulation respecting certain terms and conditions for a specialist's certificate to be issued by the Corporation professionnelle des médecins du Québec (R.R.Q., c. 1981, c. M-9, r. 7) and the Regulation respecting standards for recognizing the equivalence of the training of a person not holding the normally required diploma, for the purposes of issuing a specialist's certificate (R.R.Q., c. M-9, r. 10);

WHEREAS, under section 95 of the Professional Code, subject to sections 95.1 and 95.2 of that Code, any regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination and it shall be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that Regulation was published as a draft in Part 2 of the *Gazette officielle du Québec* of 5 May 1999, with a notice indicating that it would be submitted to the Government which could approve it with or without amendment at the expiry of 45 days following its publication and inviting any person having

comments to make to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec;

WHEREAS the Chairman of the Office has received comments following the publication of the Regulation;

WHEREAS the Office has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting the specialties within the medical profession, additional terms and conditions for the issue of specialist's certificates by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting the specialties within the medical profession, additional terms and conditions for the issue of specialist's certificates by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions

Code des professions
(R.S.Q., c. C-26, ss. 94, pars. *e*, *h* and *i*, and 94.1)

DIVISION I GENERAL AND DEFINITIONS

1. The purpose of this Regulation is to enumerate the various specialties within the medical profession, to determine the additional terms and conditions for the issue by the Bureau of the Collège des médecins du Québec of the specialist's certificate referred to in section 37 of the Medical Act (R.S.Q. c. M-9), and to establish standards of equivalence for certain of those terms and conditions and a procedure for recognizing the equivalence.

It is also intended to determine, among the professional acts that may be performed by physicians, those that may be performed by a resident in accordance with the terms and conditions determined hereunder.

2. The various specialties within the medical profession are enumerated in Schedule I.

3. A specialist's certificate in one of the specialties enumerated in Schedule I shall be issued to a person who meets the following conditions, in addition to the conditions and formalities imposed by law:

(1) the person has completed the postdoctoral training in the specialty and passes the examination prescribed for that specialty;

(2) the person applies on the form provided for that purpose and appends two copies of his passport-size photograph taken during the 12 months preceding the date of the application and authenticated by the signature of a witness; and

(3) the person pays the fees prescribed for a specialist's certificate.

Where a candidate who meets the terms and conditions determined by this Regulation does not yet have a permit issued by the Bureau of the College, the certificate shall bear the date of the issue of the permit.

4. Pursuant to section 94.1 of the Professional Code (R.S.Q., c. C-26), reference, in this Regulation, to standards established by bodies include subsequent amendments made to it by those bodies.

5. In this Regulation, unless the context indicates otherwise,

“committee” means the committee on admission to practise - credentials division, formed by the Bureau of the College pursuant to paragraph 2 of section 86.0.1 of the Professional Code; (*comité*)

“position” means the employment held in an institution for the purposes of completing postdoctoral training in a specialty; (*poste*)

“resident” means a person holding a diploma giving access to the permit and specialist's certificates or to whom the Bureau of the College has, pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code, recognized a diploma equivalence and who is registered in a postdoctoral university program in a specialty and serves training periods under that program; (*résident*)

“secretary” means the secretary of the College; (*secrétaire*)

“training level” means the evaluation of the resident's progress in a postdoctoral university program in a specialty, in terms of the number of months of postdoctoral training deemed completed; (*niveau de formation*)

“training sites” means centres operated by institutions within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or institutions within the meaning of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5), affiliated with universities that issue the diplomas giving access to the permit and specialist's certificates, as well as offices, clinics or other establishments affiliated with such institutions or universities, and recognized by the Bureau of the College. (*milieux de formation*)

The fees payable under this Regulation shall be prescribed by the Bureau of the College pursuant to paragraph 8 of section 86.0.1 of the Professional Code.

DIVISION II POSTDOCTORAL TRAINING IN A SPECIALTY

§1. Content and duration

6. The postdoctoral training required to obtain a specialist's certificate in one of the specialties within the medical profession, as well as its duration, are set out in Schedule I.

7. Unless the context indicates otherwise, postdoctoral training in a specialty consists in a series of training periods served under a postdoctoral university specialization program approved by the Bureau of the College for that purpose, and within the scope and limits of that approval as appearing in the List of Approvals established by the College, updated periodically and published annually.

Training periods shall be the subject of training reports signed by the deans of the faculties of medicine of the universities with which the training sites are affiliated, or by their representatives.

Postdoctoral training is deemed completed in the opinion of the Bureau where the resident, according to all training reports, possesses the required knowledge, skills and attitudes to practise the specialty autonomously.

When a resident so requests in writing, the secretary shall inform him in writing of any reason why the Bureau of the College does not deem the postdoctoral training completed.

§2. Training cards

8. A resident may not begin a training period unless he meets the conditions for the issue of a training card.

The resident shall apply therefor on the form provided for that purpose.

9. The secretary shall issue a training card to a resident who

(1) is entered in the register kept pursuant to paragraph *c* of section 15 of the Medical Act and holds a registration certificate issued in accordance with that Act;

(2) holds a position within the meaning of a statutory instrument under the Act respecting health services and social services, whose purpose is to determine the number of positions for medical residents;

(3) provides proof of his acceptance into a university postdoctoral program in a specialty and proof that he has obtained a certificate of employment from an institution participating in such a program, in a position appropriate for his training level; and

(4) pays the fees prescribed for a training card.

10. A training card shall mention that the resident is registered in the register kept for that purpose, the postdoctoral university program in which he is registered, the training sites where he serves his training periods and their duration, as well as his training level. It shall bear the date on which training began and a facsimile of the secretary's signature.

Furthermore, the training card shall mention that training periods may also be served in any other site not indicated on the card, provided that it is approved by the Bureau of the College.

11. A training card shall be valid, from the date on which training began, for 12 months or until the date stipulated on it. However, it shall expire immediately if the resident's registration in the postdoctoral program is cancelled, if the resident leaves the program or if his registration certificate is revoked in accordance with the Medical Act.

12. A training card is renewable on the same conditions until the postdoctoral training set out in Schedule I is deemed completed in accordance with the third paragraph of section 7.

§3. Professional acts that may be performed by residents

13. A resident may perform, among the professional acts that may be performed by physicians, those corresponding to his training level and required to complete his postdoctoral training in a specialty, on the following conditions:

(1) he performs them in the training sites where he is serving his training periods, in compliance with the stipulations of his training card; and

(2) he performs them under the authority of competent persons and in compliance with the rules applicable to physicians, particularly those respecting ethics, prescriptions, the keeping of records and consulting rooms.

DIVISION III EXAMINATION IN A SPECIALTY

§1. Eligibility for the examination

14. To be allowed to take an examination in a specialty, a candidate shall hold a letter of eligibility for the examination.

He may take the examination as soon as he is in his last year of postdoctoral training in the specialty.

15. A candidate shall apply for a letter of eligibility for examinations on the form provided for that purpose.

To obtain a letter, a candidate shall, with the application and at least six months before the date fixed for the examination session,

(1) demonstrate that his postdoctoral training in a specialty has been deemed completed, in accordance with the third paragraph of section 7, or that he will be registered in his last year of postdoctoral training in a specialty on the date fixed for the examination session;

(2) provide two copies of his passport-size photograph taken during the 12 months preceding the date of the application and authenticated by the signature of a witness; and

(3) pay the prescribed fees.

16. A candidate to whom a letter of eligibility for the examination is issued before his postdoctoral training has been deemed completed in accordance with the third paragraph of section 7 shall demonstrate afterwards that he has finished his training and that it has been deemed completed in accordance with the said paragraph.

17. A candidate shall obtain a letter of eligibility for the examination no later than two years after the date on which his postdoctoral training in a specialty is deemed completed in accordance with the third paragraph of section 7, or after the date of a decision rendered by the Bureau of the College under this Regulation recognizing the equivalence of his postdoctoral training in a specialty.

After this two-year period, a candidate may not obtain a letter of eligibility for the examination unless he demonstrates, with the application provided for in section 15, that he has kept his knowledge up-to-date and maintained the skills and attitudes required for the purposes for which he completed the postdoctoral training or obtained a training equivalence.

18. A candidate shall take the examination in the specialty within three years of the date of his letter of eligibility.

After this three-year period, a candidate may not take the examination unless he holds a new letter of eligibility.

To obtain a new letter, a candidate shall apply therefor on the form provided for that purpose at least six months before the date fixed for the examination session and, with the application,

(1) demonstrate that he has kept his knowledge up-to-date and maintained the skills and attitudes required for the purposes for which he completed the postdoctoral training or obtained a training equivalence; and

(2) pay the prescribed fees.

19. The committee shall determine whether a candidate is eligible for the examination. The committee that denies a candidate's eligibility shall give its reasons for such decision.

20. When a candidate is declared eligible, the secretary shall send him a letter of eligibility for the examination.

The letter of eligibility for the examination issued pursuant to section 15 or 17 is valid for three years; a letter issued pursuant to section 18 is valid for one year.

21. The secretary shall inform a candidate in writing, giving reasons, of the committee's decision denying his eligibility for the examination.

22. A candidate whose eligibility is denied may apply to the committee for a review of the decision on the basis of new facts.

§2. Examination in a specialty

23. The examination in a specialty shall evaluate whether a candidate is qualified to practise a specialty autonomously and, in particular, to serve as a consultant in the specialty.

The examination shall also pertain to the legislative, ethical and organizational aspects of medicine as practised in Québec.

The examination shall include at least one of the following components: clinical, written, computer, oral or practical; those components may be shared in whole or in part with those of the examination administered by the Royal College of Physicians and Surgeons of Canada for the issue of a specialist's certificate in an equivalent specialty.

The Bureau of the College shall determine, for the examination in each specialty, the component or components to be used, as well as those to be shared.

24. A jury of three examiners appointed by the committee shall be set up for each specialty.

All examiners shall be physicians who hold a specialist's certificate, appointed for a renewable one-year term.

The secretary may appoint additional examiners to assist the jury, if need be, or appoint an examiner to replace an examiner unable to act due to absence, illness or any other reason.

The three examiners forming a jury shall hold a specialist's certificate in the specialty concerned, except for the first five years of a new specialty.

The quorum of the jury is two examiners.

25. The jury shall determine the content of the examination, recommend to the Bureau of the College any component to be used or shared, determine the procedure for setting the pass mark for the examination, supervise its administration and determine whether a candidate passes the examination, taking into account, if need be, all the training reports referred to in section 7.

The jury shall also determine the content and any component of the supplemental examination available to candidates who failed and, as of the first failure, may recommend to the Bureau of the College that the candidate complete additional postdoctoral training in the specialty concerned before taking the supplemental examination. The jury may also recommend the content and duration of the additional training.

26. At least one examination session shall be held per year per specialty.

The secretary shall determine the place, date and time of the examination session and inform the candidates thereof in writing. Candidates shall also be informed of the components of the examination that were retained.

27. A candidate declared eligible shall register for the examination at least two months before the date fixed for the examination session by applying therefor on the form provided for that purpose and by including the prescribed fees.

28. A candidate may take an examination in French or in English.

29. The secretary or a person designated by him shall administer and invigilate any component of the examination done in writing or on computer.

Those two components of the examination shall be marked in a way that ensures the candidates' anonymity.

30. A candidate must obtain the pass mark to pass the examination.

31. The secretary shall inform each candidate of his results in writing.

32. Cheating or plagiarism, participation in such acts or any attempt to cheat or plagiarize shall result in the failure of the examination upon decision by the committee.

33. A candidate who fails is entitled to three supplemental examinations.

34. After the third supplemental examination, a candidate shall obtain a new letter of eligibility before taking another supplemental examination.

The provisions of the third paragraph of section 18 apply to the candidate.

35. The secretary shall inform the candidate in writing of the jury's decision on the supplemental examination.

36. When the jury has made a recommendation pursuant to the second paragraph of section 25, as of a first failure and after assessing whether a candidate's deficiencies are likely to be corrected by additional postdoctoral training in the specialty concerned, the Bureau of the College may decide that the candidate may not take the supplemental examination unless he com-

pletes such training, whose content and duration shall be determined by the Bureau.

The secretary shall inform a candidate in writing of the Bureau's decision in that regard.

37. A candidate who is obliged by the Bureau of the College to complete additional postdoctoral training in a specialty shall append to the application referred to in section 27 a document certifying that such training has been deemed completed in accordance with the third paragraph of section 7.

38. The provisions respecting examinations apply to supplemental examinations.

§3. Appeal to the appeals committee

39. A candidate who has failed an examination may appeal against the jury's decision to an appeals committee if he considers that the failure was caused by a factor related to the examination process.

The candidate shall apply on the form provided for that purpose within thirty days following the date of the forwarding of the examination results and include the prescribed fees.

40. The appeals committee shall be composed of three committee members appointed by it.

41. The appeals committee may grant or dismiss the appeal. It shall render its decision which is final within three months.

If it grants the appeal, it shall render one or more of the following decisions:

(1) reverse the jury's decision and decide that the candidate has passed the examination and order that the amount paid by the candidate under the second paragraph of section 39 be refunded to him;

(2) authorize the candidate to take a new examination that is not a supplemental examination within the meaning of section 33, on a date determined by the secretary, without additional expense;

(3) change the composition of the jury for the new examination that the candidate is authorized to take.

If it rejects the appeal, it must, in its decision, indicate why the adduced factor is not the cause of the failure.

The secretary shall inform the candidate of the committee's decision within 15 days of the date of the decision by any means providing proof of receipt.

DIVISION IV EQUIVALENCE OF CERTAIN TERMS AND CONDITIONS

§1. Standards of equivalence for postdoctoral training in a specialty

42. Postdoctoral training deemed completed in family medicine or in another specialty enumerated in Schedule I shall be recognized as equivalent to a part of the postdoctoral training prescribed in Schedule I for one of the specialties referred to therein, provided that the training is relevant to the postdoctoral training prescribed for the specialty concerned.

43. Specialist's training in a specialty equivalent to a specialty enumerated in Schedule I received in Canada outside Québec, or in the United States, in a postdoctoral program of a faculty or school of medicine approved by the Royal College of Physicians and Surgeons of Canada or by the Accreditation Council for Graduate Medical Education shall be recognized as equivalent to the postdoctoral training prescribed in Schedule I for one of the specialties enumerated therein, provided that the candidate having received that training can demonstrate that the content and duration of the training periods completed under that program meet the requirements of Schedule I for the specialty concerned.

44. Postdoctoral training in a specialty equivalent to a specialty enumerated in Schedule I acquired outside Canada and the United States, recognized by a certificate or diploma authorizing the candidate to legally practise in that equivalent specialty and issued after a successful examination by a postdoctoral training body or an educational establishment situated outside Canada and the United States, is also recognized as equivalent to the postdoctoral training prescribed in Schedule I for one of the specialties enumerated therein. For the purposes of having such an equivalence recognized, a candidate shall

(1) demonstrate that he has served training periods as part of the postdoctoral training in question whose content and duration meet the requirements of Schedule I for that specialty; and

(2) subject to the second paragraph, demonstrate, during 12 months of training, that he possesses the required knowledge, skills and attitudes to practise the specialty in question autonomously. To that end, the resident shall serve those months of training, in training sites, in a postdoctoral university program in that specialty approved for that purpose by the Bureau of the College, and those 12 months shall correspond to the training completed by a resident in the last year of postdoctoral

training. Those months of training shall be followed by semestrial reports signed by the deans of the faculties of medicine of the universities with which the training sites are affiliated, or by their representatives, and they shall be deemed completed by the Bureau of the College where the resident, according to all training reports, possesses the required knowledge, skills and attitudes.

A minimum of six consecutive years' work experience in Québec in a specialty, under a restrictive permit issued by the Bureau of the College, shall be equivalent to the 12 months of training referred to in subparagraph 2 of the first paragraph.

Subparagraph 2 of the first paragraph does not apply to a candidate to whom the Bureau of the College has granted a diploma equivalence pursuant to paragraph 1 of section 7 or 8 of the Regulation respecting the standards for equivalence of diplomas for the issue of a permit or specialist's certificate by the Collège des médecins du Québec, approved by Order in Council 142-2000 dated 16 February 2000.

§2. Standards of equivalence for certain components of the examination in a specialty

45. A candidate who meets either one of the following conditions shall be granted an equivalence exempting him from the obligation to take any component of an examination in a specialty prescribed by this Regulation that corresponds to the examination administered by the Royal College of Physicians and Surgeons of Canada for the issue of a specialist's certificate, or to take the written or computer component of the examination:

(1) the candidate to whom the Bureau of the College grants an equivalence pursuant to section 43 passes the examination of the Royal College of Physicians and Surgeons of Canada or of the American Board of Medical Specialties, required for the issue of a certificate in a specialty; or

(2) the candidate to whom the Bureau of the College grants an equivalence pursuant to section 44 holds a restrictive permit issued and renewed by the Bureau of the College on the basis of the hiring of that candidate as a full or associate professor in the faculty of medicine of a university that issues a diploma giving access to the permit and specialist's certificates.

§3. Standards of equivalence for a specialist's certificate in a new specialty

46. Within 30 days of the coming into force of a regulation of the Bureau of the College establishing a new specialty, the secretary shall inform each physician

by means of a written notice of the establishment of the new specialty and of the date of the coming into force of the regulation establishing it. The notice shall contain the provisions of this Subdivision, in addition to those of sections 53 to 58, as well as the postdoctoral training prescribed in Schedule I for the purposes of obtaining the specialist's certificate in that specialty.

47. Within six months following the delivery of that notice, a physician may, in order to obtain a specialist's certificate in the new specialty, demonstrate that, on the whole, his education, his training or his professional experience meet the requirements of this Regulation with respect to the postdoctoral training and the examination in the specialty prescribed for obtaining a specialist's certificate in the new specialty.

§4. *Equivalence recognition procedure*

48. A person who applies for an equivalence shall do so on the form provided for that purpose and shall include the prescribed fees.

49. A person who applies under section 42 shall append to his application the documents or certifications that demonstrate the relevance of his postdoctoral training already deemed completed.

50. A person who applies under section 43 shall append to his application:

(1) a document certifying that he has completed his training in a specialty within a recognized postdoctoral program, issued by the dean of the faculty or school of medicine, including a description of the completed program and of the training periods, their duration and proof that they were completed;

(2) where applicable:

(a) a certified true copy of the specialist's certificate issued by the Royal College of Physicians and Surgeons of Canada or by the American Board of Medical Specialties;

(b) a document certifying that the person practises or has practised the equivalent specialty competently, supported by references from the medical authorities concerned;

(c) proof that the person is in good standing with the competent authority of the place where he practises the equivalent specialty.

51. A person who applies under section 44 shall append to his application

(1) a certified true copy of the certificate or diploma issued outside Canada and the United States authorizing him to legally practise the equivalent specialty;

(2) proof that the certificate or diploma was issued after a successful examination;

(3) a document certifying that he has completed his postdoctoral training in the equivalent specialty outside Canada and the United States, including a description of the completed program and of the training periods, their duration and proof that they were completed;

(4) where applicable:

(a) a document certifying that the person practises or has practised the equivalent specialty competently, supported by references from the medical authorities concerned;

(b) proof that the person is in good standing with the competent authority of the place where he practises the equivalent specialty;

(c) the semestrial training reports signed by the deans of the faculties of medicine of the universities with which the training sites are affiliated.

52. A person who applies under paragraph 1 of section 45 shall append to his application a document issued by the Royal College of Physicians and Surgeons of Canada or by the American Board of Medical Specialties certifying that the person has passed the examination required for the issue of a specialist's certificate or, as the case may be, a certified true copy of his certificate.

53. A person who applies under section 47 shall append to his application

(1) a document certifying that he practises in the professional field related to the new specialty and a description of his professional activities; and

(2) a certified true copy of any diploma, certificate or attestation that demonstrates that he has acquired the training, knowledge, skills and attitudes related to the new specialty.

54. A person who files an application for equivalence recognition shall provide a French or English translation of any document provided in support of his application and drawn up in a language other than French or English. The translation shall be certified by the solemn affirmation of the person who did it.

55. The secretary shall forward the record of the person applying for the recognition of an equivalence to the committee which shall examine it and make its recommendation to the Bureau of the College.

With respect to a person who applies under section 47, the committee may recommend that the Bureau of the College recognize the equivalence of all or a part of the postdoctoral training, as well as the equivalence of the successful examination in the specialty or in one of its components.

56. At the first meeting of the Bureau of the College following the filing of the committee's recommendation, the Bureau shall render a decision on the application for equivalence and state its grounds.

The secretary shall inform the person concerned in writing of the Bureau's decision and the grounds therefor, by any means providing proof of receipt, within 15 days of the date on which it was rendered.

Where the Bureau decides not to grant an equivalence, the secretary shall at the same time inform the candidate in writing of the conditions to be met in order to obtain the equivalence applied for or of the terms and conditions for the issue of the specialist's certificate referred to in section 3.

57. A candidate whose application for equivalence is turned down by the Bureau of the College may apply for a hearing. The person shall apply therefor in writing to the secretary within 15 days following receipt of the Bureau's decision and include the prescribed fees.

The person shall be heard within 45 days following receipt of the application by an appeals committee which, within that time, shall make a recommendation to the Bureau. The appeals committee, formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code, shall be composed of three directors of the Bureau of the College.

The appeals committee shall convene the applicant by sending him a written notice at least ten days before the date of the hearing by any means providing proof of receipt.

58. At the first meeting of the Bureau of the College following the filing of the appeals committee's recommendation formed for the purposes of section 57, the Bureau shall render a decision on whether an equivalence should be granted and state its grounds. The decision of the Bureau is final.

The secretary shall inform the person concerned of the Bureau's decision and its grounds by registered or

certified mail within 15 days of the date on which the decision was rendered.

DIVISION V TRANSITORY AND FINAL PROVISIONS

59. This Regulation replaces the Regulation respecting certain terms and conditions for a specialist's certificate to be issued by the Collège des médecins du Québec (R.R.Q., 1981, c. M-9, r. 7) and the Regulation respecting standards for recognizing the equivalence of the training of a person not holding the normally required diploma, for the purposes of issuing a specialist's certificate (R.R.Q., 1981, c. M-9, r. 10).

60. A person subject to a decision of the Bureau or administrative committee of the College rendered after 13 October 1998 pursuant to the Regulation respecting standards for recognizing the equivalence of the training of a person not holding the normally required diploma, for the purposes of issuing a specialist's certificate with respect to the recognition of an equivalence, shall also benefit from the provisions of Subdivision 4 of Division IV of this Regulation.

The secretary shall send a copy of this Regulation to such person, by any means providing proof of receipt, not later than 90 days after the date of coming into force of this Regulation.

An application for a hearing made pursuant to section 57 and pertaining to a decision denying equivalence shall be sent in the manner prescribed in that section within 15 days following receipt of a copy of this Regulation.

61. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE I (ss. 2 and 6)

SPECIALTIES WITHIN THE MEDICAL PROFESSION AND POSTDOCTORAL TRAINING REQUIRED FOR A SPECIALIST'S CERTIFICATE IN A SPECIALTY

1. Anatomical pathology

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 36 months of training in anatomical pathology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

2. Anesthesiology

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 6 months of training in internal medicine;

(c) 30 months of training in anesthesiology including:

— 3 months of training in pediatric anesthesiology; and

— 3 months of training in critical care; and

(d) 12 months of training the content of which is determined by the university program mentioned in section 7.

3. Medical biochemistry

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 12 months of training in internal medicine or in pediatrics;

(c) 24 months of training in medical biochemistry including:

— 12 months of training in a centre operated by an institution within the meaning of the Act respecting health services and social services; and

(d) 12 months of training the content of which is determined by the university program mentioned in section 7.

4. Cardiology

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics;

(b) 24 months of training in cardiology including:

— 1 month of training in pediatric cardiology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

5. Cardiac surgery

72 months of training including:

(a) 24 months of training in surgery;

(b) 24 months of training in cardiac surgery including:

— 6 months of training in pediatric cardiac surgery;

(c) 12 months of training including:

— 6 months of training in thoracic surgery; and

— 6 months of training in general surgery or vascular surgery; and

(d) 12 months of training the content of which is determined by the university program mentioned in section 7.

6. General surgery

60 months of training including:

(a) 48 months of training in surgery including:

— 6 months of training in fields related to the specialty; and

— 42 months of training in general surgery, 12 months of which may be in other surgical fields; and

(b) 12 months of training the content of which is determined by the university program mentioned in section 7.

7. Orthopedic surgery

60 months of training including:

(a) 12 months of training in surgery;

(b) 36 months of training in orthopedic surgery including:

— 6 months of training in pediatric orthopedic surgery; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

8. Plastic surgery

60 months of training including:

(a) 12 months of training in surgery;

(b) 36 months of training in plastic surgery including:

— 3 months of training in pediatric plastic surgery; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

9. Dermatology

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 12 months of training in internal medicine or in pediatrics;

(c) 24 months of training in dermatology; and

(d) 12 months of training the content of which is determined by the university program mentioned in section 7.

10. Endocrinology

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics;

(b) 24 months of training in endocrinology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

11. Gastroenterology

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics;

(b) 24 months of training in adult and pediatric gastroenterology of which:

— 6 months may be replaced by 6 months of training in internal medicine or in pediatrics; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

12. Medical genetics

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics;

(b) 24 months of training in medical genetics; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

13. Geriatric medicine

60 months of training including:

(a) 24 months of training in internal medicine;

(b) 24 months of training in geriatric medicine including:

— 3 months of training in psychogeriatrics; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

14. Hematology

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics;

(b) 24 months of training in hematology including:

— 9 months of clinical training in adult or pediatric hematology,

— 9 months of training in a hematology laboratory; and

— 6 months of training in fields related to the specialty; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

15. Clinical immunology and allergy

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics;

(b) 24 months of training in clinical immunology and allergy including:

— 3 months of training in pediatric allergy; and

— 3 months of training in adult allergy; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

16. Emergency medicine

60 months of training including:

(a) 24 months of training in family medicine or in fields related to the specialty;

(b) 24 months of training in emergency medicine; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

17. Internal medicine

60 months of training including:

(a) 54 months of training in internal medicine including training in subspecialties for periods of not more than 3 months per subspecialty;

— 6 of those months may be replaced by 6 months of training in fields related to the specialty; and

(b) 6 months of training the content of which is determined by the university program mentioned in section 7.

18. Nuclear medicine

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 12 months of training in internal medicine or in pediatrics;

(c) 24 months of training in nuclear medicine; and

(d) 12 months of training the content of which is determined by the university program mentioned in section 7.

19. Medical microbiology and infectious diseases

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics; and

(b) 36 months of training in medical microbiology and infectious diseases including:

— 24 months of training in a medical microbiology diagnostic laboratory; and

— 12 months of training in infectious diseases.

20. Nephrology

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics;

(b) 24 months of training in nephrology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

21. Neurosurgery

72 months of training including:

(a) 24 months of training in fields related to the specialty;

(b) 36 months of training in neurosurgery; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

22. Neurology

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 12 months of training in internal medicine or in pediatrics;

(c) 24 months of training in neurology;

(d) 12 months of training the content of which is determined by the university program mentioned in section 7.

23. Obstetrics and gynecology

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 36 months of training in obstetrics and gynecology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

24. Medical oncology

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics;

(b) 24 months of training in medical oncology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

25. Ophthalmology

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 36 months of training in ophthalmology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

26. Otolaryngology

60 months of training including:

(a) 12 months of training in surgery;

(b) 36 months of training in otolaryngology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

27. Pediatrics

60 months of training including:

(a) 48 months of training in pediatrics; and

(b) 12 months of training the content of which is determined by the university program mentioned in section 7.

28. Physiatry

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 12 months of training in internal medicine 6 months of which may be replaced by 6 months of training in pediatrics;

(c) 24 months of training in physiatry including:

— 3 months of training in a rehabilitation centre; and

— 3 months of training in pediatric rehabilitation; and

(d) 12 months of training the content of which is determined by the university program mentioned in section 7.

29. Pneumology

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics;

(b) 24 months of training in pneumology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

30. Psychiatry

60 months of training including:

(a) 12 months of training at least 6 months of which are in fields related to the specialty;

(b) 36 months of training in psychiatry including:

— 6 months of training in pedopsychiatry; and

— 6 months of training in psychiatric long-term care and in rehabilitation; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

31. Diagnostic radiology

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 36 months of training in diagnostic radiology including:

— 6 months of training in ultrasonography; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

32. Radiation oncology

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 36 months of training in radiation oncology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

33. Rheumatology

60 months of training including:

(a) 24 months of training in internal medicine or in pediatrics;

(b) 24 months of training in rheumatology; and

(c) 12 months of training the content of which is determined by the university program mentioned in section 7.

34. Community health

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 24 months of training in a community health program and a master's degree in a field relevant to community health;

(c) 12 months of practical training in community health; and

(d) 12 months of training the content of which is determined by the university program mentioned in section 7.

35. Urology

60 months of training including:

(a) 12 months of training in fields related to the specialty;

(b) 12 months of training in surgery;

(c) 24 months of training in urology; and

(d) 12 months of training the content of which is determined by the university program mentioned in section 7.

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Draft Regulations

Draft Regulation

An Act respecting labour standards
(R.S.Q., c. N-1.1; 1999, c. 57)

Clothing industry

— Minimum labour standards in certain sectors

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting minimum labour standards in certain sectors of the clothing industry, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

This draft Regulation follows the enactment of the Act respecting the conditions of employment in certain sectors of the clothing industry and amending the Act respecting labour standards (1999, c. 57) by virtue of which the collective agreement decrees in the women's clothing industry, the men's clothing industry, the men's and boys' shirt industry and the leather glove industry expire on 1 July 2000.

The purpose of the draft Regulation is to prescribe the labour standards that will be applicable in the four sectors of the clothing industry currently governed by collective agreement decrees for a transition period starting 1 July 2000 and ending at the latest 31 December 2001. Those standards relate to the following six areas: minimum hourly rate, the length of the standard workweek, statutory holidays, annual vacation, meal periods and leave for family events. The provisions in each collective agreement decree respecting the minimum hourly rate and the standard workweek are continued. The provisions in the Decree respecting the men's clothing industry relating to the other four areas will apply to all of the sectors governed by the new Regulation.

Further information may be obtained by contacting Luc Favreau, Ministère du Travail, 35, rue de Port-Royal Est, 3^e étage, Montréal (Québec) H3L 3T1; telephone: (514) 873-4636; fax: (514) 873-9696, or Gilles Fleury, Ministère du Travail, 200, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1R 5S1, telephone: (418) 643-7572; fax: (418) 644-6969.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for Labour and Employment and Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

DIANE LEMIEUX,

*Minister of State for Labour and Employment
and Minister of Labour*

Regulation respecting minimum labour standards in certain sectors of the clothing industry

An Act respecting labour standards
(R.S.Q., c. N-1.1, s. 158; 1999, c. 57, s. 4)

CHAPTER I GENERAL

1. This Regulation applies to employees who perform work which, on 30 June 2000, would have been governed by one of the following decrees whose scopes appear in Schedule I:

(1) the Decree respecting the men's and boys' shirt industry (R.R.Q., 1981, c. D-2, r.11);

(2) the Decree respecting the women's clothing industry (R.R.Q., 1981, c. D-2, r. 26);

(3) the Decree respecting the men's clothing industry (R.R.Q., 1981, c. D-2, r. 27);

(4) the Decree respecting the leather glove industry (R.R.Q., 1981, c. D-2, r. 32).

2. For the purposes of this Regulation, in the men's and boys' shirt industry, the following expressions mean:

(1) "divider": an employee whose work consists in dividing the cuts of all materials used in the manufacture of garments and bundling them according to quantities and sizes; (*assortisseur*)

(2) “section head”: an employee who directly assists the foreman in the performance of his duties; (*chef de section*)

(3) “shirts”: garments covering the upper part of the body, with a collar and no body lining, worn generally with or without underwear, and with a full or partial front opening. These garments may be designed to be worn inside or outside pants; (*chemises*)

(4) “cutter”: an employee who cuts, by means of shears, electric knife or otherwise, according to recognized practices, all materials used in the manufacture of garments but who does not make markers; (*coupeur*)

(5) “cutter with die”: an employee who, according to recognized practices, and by means of cutting equipment (clicker), cuts all materials used in the manufacture of garments; (*coupeur à la matrice*)

(6) “hand-knife cutter”: an employee who cuts by hand with a short knife, according to recognized practices, all materials, trimmings and linings used in the manufacture of garments; (*coupeur au couteau à la main*)

(7) “spreader”: an employee who, in preparation for the cutter’s work, spreads out materials used in the manufacture of garments; (*étaleur*)

(8) “examiner”: an employee who performs the work of inspecting part of or a completed garment for faults in workmanship or who performs the operations of thread clipping or other necessary work for the completion of the garment; (*examineur*)

(9) “general hand”: an employee who performs the work of shipping, receiving, sweeping, or any other occupation not defined in this section; (*manœuvre d’atelier*)

(10) “marker”: an employee who makes markers, according to recognized practices, on paper or on materials used in the manufacture of garments; (*marqueur*)

(11) “operator”: an employee who performs, by ordinary 2-needle or more sewing machines, according to recognized practices, the operation of sewing together, in part or in whole, any garment once it has been cut. This term also includes sample makers, repair makers and the operators working on machines called “special machines” such as: taping, overlock, button-sewer, buttonhole, tucking, buttonmaking, snap-fastening button, overcasting seams; or the operators who are able to and actually perform one or more of the operations, by sewing machines and according to recognized practices, which make up the sewing of garments; (*opérateur*)

(12) “unskilled worker”: an employee who performs miscellaneous factory work incidental to the manufacture of all garments, such as carrying bundles of merchandise to operators, pressers or examiners and stamping, bundling, packing and wrapping, or helping the spreader, as well as any other employee whose trade has not been defined in this section and who performs work or an operation which, on 30 June 2000, would have been governed by the Decree respecting the men’s and boys’ shirt industry; (*ouvrier non spécialisé*)

(13) “folder”: an employee who performs the work, in part or in whole, of folding garments; (*plieur*)

(14) “presser”: an employee who performs the work, in part or in whole, of ironing or pressing garments; (*presseur*)

(15) “pyjamas”: a garment usually worn to sleep including garments described as sleepers and whose legs are extended to completely cover the feet; (*pyjamas*)

(16) “knitted fabrics”: knitted fabrics of a construction of 28 gauge or more, that is, 15 vertical stitches or more per 2 centimetres. (*tissus tricotés*)

The word “garment”, wherever it appears in the provisions of the first paragraph, refers to a garment governed by the Decree respecting the men’s and boys’ shirt industry.

3. For the purposes of this Regulation, in the women’s clothing industry, the following expressions mean:

(1) “general hand”: an employee who performs any operation incidental to the manufacturing of a garment, such as thread cutting, glueing, cleaning or fusing; (*aide à toutes mains*)

(2) “assistant presser”: an employee who opens or presses seams or who does part pressing or any other incidental pressing required for the sewing of garments, except where the employee is governed by paragraph 18; (*aide-presseur*)

(3) “clothing”: the preparing, making and production of clothes or parts thereof; (*confection*)

(4) “sample maker”: an employee who performs the work of an operator in the making of a sample or prototype; (*confectionneur d’échantillons*)

(5) “cutter, Class 1”: an employee who grades sizes, who makes markers or does both in whichever way, including with a computer. He may also perform the work of the cutter, Class 2, the piler or the spreader; (*coupeur, classe 1*)

(6) “cutter, Class 2”: an employee who cuts by shears, machine, knife or otherwise the material or goods used in the manufacture of garments. He may also perform the work of the piler or the spreader. He may produce markers or make markers on trimming only, in whichever way, including with a computer; (*coupeur, classe 2*)

(7) “piler”: an employee who stacks knitted blanks before giving them to the cutter; (*empileur*)

(8) “spreader”: an employee who spreads the material for the cutter when such material is intended for the making of garments other than capes, coats, suits, pantsuits or blazers; (*étaleur*)

(9) “examiner”: an employee who inspects finished garments to ascertain any defects; (*examineur*)

(10) “baster”: an employee who does basting by hand or by machine; (*faufileur*)

(11) “finisher”: an employee who pins and sews fur trimmings by hand, performs operations on a garment after the assembling, by affixing or sewing by hand, details, trimmings or accessories, snap fasteners, buttons, clasps, ties, belts, loops, buckles, eyelets or hems, or does by hand any other work required to complete the garment; (*finisseur*)

(12) “section operator”: an employee who uses an automatic or semi-automatic sewing machine or special machine, to close seams on one or several parts of a garment or a lining; (*opérateur à la section*)

(13) “operator for leather garments”: an employee who uses a standard sewing machine, a multiple-needle machine or a special machine to close seams, in whole or in part, on a leather garment; (*opérateur affecté aux vêtements de cuir*)

(14) “special machine operator”: an employee who uses any special machines for tucking, shirring, button-hole making, hem-stitching, button sewing, pinking, hemming, snap fastening, bottom felling and bottom cutting; (*opérateur de machine spéciale*)

(15) “operator for whole garments”: an employee, other than a section work operator, who uses a sewing machine, a special machine or a multiple-needle machine to close all the seams of a garment; (*opérateur de vêtement au complet*)

(16) “blank”: knitted material with at least one finished edge destined to be cut and sewn into a whole garment or part thereof; (*panneau de tricot*)

(17) “presser”: an employee who performs the pressing of a sewn garment, with an iron or a steam press. He may also perform the work of the assistant presser or the under presser; (*presseur*)

(18) “under presser”: an employee who presses seams, sleeves and lining of capes, coats, suits, pantsuits and blazers, so that the garment is ready for the finisher; (*presseur de dessous*)

(19) “separator”: an employee who affixes tickets or separates or bundles the several parts of the garment after they are cut by the cutter; (*séparateur*)

(20) “marker”: the drawing and layout of patterns on paper or on any material before cutting such material. (*tracé*)

The word “garment”, wherever it appears in the provisions of the first paragraph, refers to a garment governed by the Decree respecting the women’s clothing industry.

4. For the purposes of this Regulation, in the men’s clothing industry, the following expressions mean:

(1) “operating the Soabar machine”: this means operating the Soabar machine or making, printing, stapling or sewing on labels; (*manœuvrer la machine Soabar*)

(2) “operating an automatic sewing machine”: this operation consists in feeding an automatic sewing machine which has its own sewing cycle and where the employee does not have to guide the part to be sewn; (*manœuvrer une machine à coudre automatique*)

(3) “marking patterns on paper or cloth”: this operation consists in marking the outline of patterns with a pen or pencil, once the patterns have been spread out by the marker, or cutting the material or leather with a knife; (*marquer les patrons sur papier ou tissu*)

(4) “boys’ pants”: pants designed and made for wear by boys age 7 to 18 years and whose waist measurement does not exceed 78 centimetres or, in the case of chubby or husky boys, 84 centimetres. In addition to the waist measurement, the label attached to boys’ pants must show either the age, or size, to clearly indicate that these pants are made for boys; (*pantalons de garçons*)

(5) “general hand or floor help”: (*travail d’ordre général ou de commissionnaire*)

(a) “men’s and boys’ clothing”: this operation consists in tying up lots, distributing patterns or carrying out any minor operations not classified otherwise in a

cutting room, a factory, a warehouse, a department for receiving or shipping merchandise; (*vêtements pour hommes et garçons*)

(b) “jean clothing and children’s clothing”: this operation consists in tying up lots, distributing patterns or carrying out any minor operations not classified otherwise in a cutting room; (*vêtements-jeans et vêtements d’enfants*)

(6) “children’s clothing”: overcoats, cloaks, short jackets and coats of all types: (*vêtements d’enfants*)

(a) for boys size 4 up to size 6X;

(b) for girls size 4 up to size 16. Size 16 must not exceed the body measurements established by the standard sizes program for children called the Canada Standard Size Specifications approved by the Canadian General Standards Board, for measurements applying to girls age 4 to 16 years;

(7) “jean clothing”: jean trousers, jean jackets, jean vests, made as follows: (*vêtements-jeans*)

(a) they are made of denim or any other material whose cotton content is at least 65 %;

(b) the inner or outer seams for the legs and the seat seam of jean trousers are made with a closed double seam machine;

(c) the waistband for jean trousers is a continuous band and the belt loops are sewn on its outer face;

(d) the outer seams for jean jackets and jean vests are made with a closed double seam machine;

(e) the waistband and wristbands for jean jackets are sewn with a banding machine;

(8) “military garments”: any working or combat jackets, vests or trousers made for military personnel under a contract resulting from a call for tenders by Public Works and Government Services Canada; (*vêtements militaires*)

(9) “men’s and boys’ clothing”: (*vêtements pour hommes et garçons*)

(a) overcoats, suits, jackets, vests, trousers, raincoats, car coats, suburban coats, storm coats, duffle coats, parkas, anoraks, ski jackets, golf jackets, sports vests, windbreakers and all similar garments;

(b) leather garments (natural and synthetic);

(c) military garments.

5. For the purposes of this Regulation, in the leather glove industry, the following expressions mean:

(1) “general hand”: an employee who brings garments or parts of garments to the examiner, operator or presser, or who is assigned to any other work for which there is no other classification provided for in Table I of Division I of Schedule V; (*aide à toutes mains*)

(2) “cutter, Class A”: an employee who spreads, lays out or cuts leather, grades sizes or makes or reproduces markers on leather; (*coupeur, classe A*)

(3) “cutter, Class B”: an employee who performs the work of a cutter on any material other than leather used in the manufacture of garments; (*coupeur, classe B*)

(4) “examiner”: an employee who inspects garments or their parts, cuts threads, cleans or polishes these garments, or performs any other work necessary for the completion of the garment; (*examineur*)

(5) “shipper”: an employee who ties up bundles, wraps or packs up garments, checks or prepares orders or dispatches shipments to their destination; (*expéditionnaire*)

(6) “labourer”: an employee assigned to the handling or receiving of merchandise or to the sweeping of the shop; (*manœuvre*)

(7) “operator”: an employee who, with a sewing machine, sews together parts of a garment or who repairs garments or is assigned to an operation performed by means of one of the special machines used in the manufacture of garments; (*opérateur*)

(8) “turner”: employee assigned to the turning of garments; (*retourneur*)

The word “garment”, wherever it appears in the provisions of the first paragraph, refers to a garment governed by the Decree respecting the leather glove industry.

6. For the purposes of this Regulation:

(1) the reference year for the year 2000 shall be a period of 12 consecutive months from 1 June 1999 to 31 May 2000, except for the women’s clothing industry, where it shall be from 1 March 1999 to 29 February 2000;

(2) the reference year for the year 2001 shall be a period of 11 consecutive months from 1 June 2000 to 30 April 2001, except for the women’s clothing industry, where it shall be a period of 14 consecutive months from 1 March 2000 to 30 April 2001.

CHAPTER II MINIMUM WAGE

DIVISION I MEN'S AND BOYS' SHIRT INDUSTRY

7. An employee earning an hourly rate or a piecework rate who performs work which, on 30 June 2000, would have been governed by the Decree respecting the men's and boys' shirt industry, shall receive the equivalent minimum hourly wage that appears in the tables in Schedule II.

8. An employee shall be entitled to the increases provided for in the applicable progression period until he reaches the minimum hourly rate for the occupational category to which he belongs.

An employee who is promoted to an occupational category with a minimum hourly rate higher than his former occupational category shall continue, from the date on which he takes on his new job, to be entitled to the increases provided for in the applicable progression period. Notwithstanding the foregoing, the increases shall be calculated on the basis of the hourly rate paid to the employee and shall be applied for the time required to reach the minimum hourly rate of the new occupational category.

An employee who is demoted to an occupational category with a minimum hourly rate that is lower than the rate for the category to which he belonged may be paid according to the minimum hourly rate of the occupational category to which he is demoted.

9. An employee's experience is defined as the sum of the hours worked for an employer in an occupational category referred to in this Division. An employee's experience is cumulative.

Experience acquired previously with a given employer shall be recognized by another employer in the industry referred to in this Division for the purposes of computing the employee's experience.

10. An employee who is paid on a piecework basis is entitled to receive a wage at least equal to the wage he would receive if he were paid at the minimum hourly rates determined in Schedule II.

SECTION II WOMEN'S CLOTHING INDUSTRY

§1. *Employment in an establishment*

11. An employee earning an hourly rate or a piecework rate who performs work which, on 30 June 2000, would have been governed by the Decree respecting the women's clothing industry, shall receive the equivalent minimum hourly wage that appears in the tables in Schedule III.

12. An employee who has worked 250 hours in the industry referred to in this Division is deemed to have worked 250 hours in any craft in that industry.

13. The piecework rate that was paid for similar work immediately before a wage increase shall not be reduced;

An employer who changes his method of payment from the hourly rate to the piecework rate shall grant the hourly increase based on the hourly rate paid before the method of payment was changed if the employee returns to the hourly method of payment.

§2. *Work at home*

14. The manufacture of garments done in a domicile, a residence, a dwelling, and all outbuildings constitutes home work.

15. The home worker is paid on a piecework basis. The piecework rate is determined by taking, from among the rates verified, the lowest piecework rate paid for comparable garments in establishments and increasing this rate by 10 %.

16. The employer may determine the piecework rate payable to a home worker only in those cases where a similar garment has been made in his shop, or in the shop of the owner of the merchandise, under normal conditions and production quantities by regular employees who were not specifically chosen.

17. Where the same garment has been made in the employer's shop or in the shop of the owner of the merchandise during the 12 preceding months, and the entire sewing of the garment was done by one employee paid on a piecework basis, the home worker shall receive the piecework rate the employer pays to the shop employee, plus 10 %.

18. Where the same garment has been made in the employer's shop or in the shop of the owner of the merchandise during the 12 preceding months, and the sewing of the garment was done by more than one pieceworker, the home worker shall receive the sum of the piecework rates paid to all the shop pieceworkers who worked on the making of the garment, minus the piecework rates paid for those operations which are not done by the home worker, plus 30 %.

19. It is prohibited for an employer to give home work to shop employees who already work in the employer's establishment.

20. An employer shall pay the home worker in cash or by cheque for any work done at the time he takes delivery of the merchandise.

21. An employer shall supply all thread and the sample of the garment to be made, deliver to the home worker's dwelling all goods to be produced and take delivery of any completed garments and pay for transportation costs.

22. A home worker may be required to redo the work if it is not done to the employer's satisfaction. Where the employer has the work redone by another worker, he may not charge that cost to the home worker who did the original work.

DIVISION III MEN'S CLOTHING INDUSTRY

23. An employee who performs work which, on 30 June 2000, would have been governed by the Decree respecting the men's clothing industry, shall receive in a regular workweek, according to the operation and class of operation or, with respect to an apprentice, the number of months of employment, the equivalent minimum hourly wage that appears in the tables in Schedule IV.

24. The wage for an apprentice shall be increased to the minimum hourly rate prescribed for his class of operation.

When an employer hires an employee with previous experience in the industry referred to in this Division, he shall pay him at least the minimum hourly rate corresponding to his experience in comparable or similar operations.

An employee who is earning the minimum hourly rate prescribed for his work and who is assigned to other work which entails a higher minimum hourly rate shall be entitled to continue to be paid at least the same hourly

rate for the first four months of the new work. At the end of this four-month period, his rate shall then be increased to the rate set out in the table of apprentice wages closest to his current rate and every four months thereafter, until the prescribed minimum hourly rate for his new work is reached.

For the purposes of this section, an apprentice is an employee who is learning a trade or an operation or who is promoted to an operation in the establishment for which the minimum hourly rate is higher than the one corresponding to the work previously performed.

25. An employee who is paid on a piecework basis is entitled to receive a wage at least equal to the wage he would receive if he were paid at the minimum hourly rates determined in Schedule IV.

DIVISION IV LEATHER GLOVE INDUSTRY

26. An employee who performs work which, on 30 June 2000, would have been governed by the Decree respecting the leather glove industry, shall receive the equivalent minimum hourly wage that appears in the tables in Schedule V.

27. An employee shall be entitled to the increases provided for in the progression period until the minimum hourly rate for the occupational category to which he belongs is reached.

Where an employee is promoted to an occupational category for which the minimum hourly rate is higher than the rate for the occupational category to which he belonged, he shall continue, from the date he begins his new occupation, to be entitled to the increases provided for in the progression period. Increases shall be calculated on the basis of the employee's hourly rate and shall apply until the minimum hourly rate of the new category is reached.

Where an employee is demoted to an occupational category for which the minimum hourly rate is lower than the rate for the occupational category to which he belonged, the employer may pay him the minimum hourly rate for the category to which he is demoted.

28. An employee's experience is defined as the sum of the periods of uninterrupted service with an employer, in an occupational category in the industry referred to in this Division. Experience is accumulated only if it was acquired during the preceding 60 months, and is recognized only after 6 months of uninterrupted service.

The experience acquired in a category is valid for the purposes of computing experience in any other category in the industry referred to in this Division.

CHAPTER III STANDARD WORKWEEK

DIVISION I MEN'S AND BOYS' SHIRT INDUSTRY

29. The standard workweek is 36.5 hours scheduled as follows:

(1) first shift: the standard workday is 7.5 hours from 8:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 4:30 p.m. on Monday to Thursday, and 6.5 hours from 8:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 3:30 p.m. on Friday, with a one-hour lunch period between 12:00 p.m. and 1:00 p.m.;

(2) second shift: the standard workday is 7.5 hours on Monday to Thursday and 6.5 hours on Friday. It may not be scheduled to begin before 4:00 p.m. on Monday to Thursday or before 1:00 p.m. on Friday, with a half-hour break for the evening meal.

30. Employees working the second shift shall be entitled to a premium of 5 % in addition to their regular wage or piecework rate. The premium is paid as a separate item in or on the pay envelope or sheet. The premium shall be included in computing the payment of paid statutory holidays and annual vacation but shall not be included in the general average after one year.

31. Following a majority vote of employees and their written consent or the written consent of the union representing them, an employer may change the work schedule referred to in paragraph 1 of section 29, on the following conditions:

(1) the standard workday is scheduled between 7:00 a.m. and 5:00 p.m.;

(2) the standard workweek does not exceed 36.5 hours and the standard workday does not exceed 8 hours;

(3) the one-hour lunch period takes place at the same time for all the employees of one employer.

DIVISION II WOMEN'S CLOTHING INDUSTRY

32. The standard workweek is 39 hours scheduled from Monday to Friday. The working hours in a standard workweek are scheduled as follows:

(1) first shift: the standard workday is 8 hours scheduled between 7:00 a.m. and 5:00 p.m. on Monday, Tuesday, Wednesday and Thursday, and 7 hours scheduled between 7:00 a.m. and 4:00 p.m. on Friday, with a one-hour lunch break between 12:00 p.m. and 1:00 p.m.;

(2) second shift: the standard workday is 8 hours from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 12:00 a.m. on Monday, Tuesday, Wednesday and Thursday, and 7 hours, from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 11:00 p.m. on Friday, with a half-hour break for the evening meal.

33. An employee assigned to the second shift shall be entitled to a premium of \$0.50 per hour. The premium shall be included in computing the payment of statutory holidays, paid annual vacation and overtime.

34. An employer may schedule differently the standard workweek and workdays referred to in paragraph 1 of section 32, on the following conditions:

(1) the standard workday does not exceed 9 consecutive hours between 7:00 a.m. and 6:00 p.m., with a meal break;

(2) the meal break of at least one half-hour takes place no later than five hours after the start of the standard workday;

(3) following a majority vote of the employees, there is a written consent by the employees or the union representing them;

(4) the work schedule for the standard day and week is the same for all employees.

DIVISION III MEN'S CLOTHING INDUSTRY

§1. Men's and boys' clothing

35. The standard workweek is 39 hours scheduled as follows:

(1) first shift: the standard workday is 8 hours, from 7:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. on Monday, Tuesday, Wednesday, Thursday and on Friday, 7 hours, from 7:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 4:00 p.m., with a lunch break from 12:00 p.m. to 1:00 p.m.;

(2) second shift: the standard workday is 8 hours, from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 12:00 a.m. on Monday, Tuesday, Wednesday and Thursday and on Friday, 7 hours, from 3:30 p.m. to 7:30 p.m. and from

8:00 p.m. to 11:00 p.m., with a half-hour break for the evening meal.

36. The standard workday is 8 hours on Monday, Tuesday, Wednesday and Thursday and 7 hours on Friday for warehouse and shipping and receiving employees in the manufacturing of men's and boys' clothing.

§2. Children's clothing

37. The standard workweek is 40 hours scheduled as follows:

(1) first shift: the standard workday is 8 hours, from 7:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday, with a one-hour lunch break between 12:00 p.m. and 1:00 p.m.;

(2) second shift: the standard workday is 8 hours, from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 12:00 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday, with a half-hour break for the evening meal.

§3. Jean clothing

38. The standard workweek is 40 hours scheduled as follows:

(1) first shift: the standard workday is 8 hours, from 7:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday, with a one-hour lunch break between 12:00 p.m. and 1:00 p.m.

(2) second shift: the standard workday is 8 hours, from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 12:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday, with a half-hour break for the evening meal;

(3) third shift: the standard workday is 7.5 hours, from 0:01 a.m. to 4:00 a.m. and from 4:30 a.m. to 8 a.m. on Tuesday, Wednesday, Thursday, Friday and Saturday, with a half-hour meal break.

Where there is no third shift, the employer may schedule the standard workday of the second eight-hour shift to 1:00 a.m., with a half-hour break for the evening meal.

§4. Embroidery, washing or drying operations

39. In an establishment where three shifts are in operation in accordance with section 38, the employer may set up weekend shifts according to the following schedule:

(1) first weekend shift: the standard workday begins at the end of the third shift on Saturday and lasts 8 hours;

(2) second weekend shift: the standard workday begins at the end of the first weekend shift, and lasts 8 hours;

(3) third weekend shift: the standard workday begins at the end of the second weekend shift, ends before the first shift on Monday and lasts 8 hours.

§5. General

40. Second or third shift employees and weekend shift employees shall be entitled to a \$0.25 premium for each regular hour and to \$0.375 for each hour of overtime. The payment of the premium shall be indicated separately in the registration system or register referred to in paragraph 3 of section 29 of the Act respecting labour standards (R.S.Q., c. N-1.1). The premium shall be included in the calculation of holiday pay and annual vacation pay, but not in the regular wage rate.

For the purposes of this section, an employee's regular wage rate is the hourly rate appearing in the tables in Schedule IV or the hourly rate or piecework rate agreed with the employer provided that the rate equals or exceeds the minimum rate appearing in the tables in Schedule IV.

41. An employer may schedule differently the standard workday referred to in paragraph 1 of section 38, on the following conditions:

(1) the standard workday is 8.5 hours on Monday, Tuesday, Wednesday, and Thursday and 6 hours on Friday, with a one-hour meal break;

(2) the standard workday on Friday ends at the latest at 3:00 p.m.;

(3) following a majority vote of the employees, there is written consent by the employees or the union representing them.

**DIVISION IV
LEATHER GLOVE INDUSTRY**

42. The standard workweek is 40 hours and shall be scheduled over 5 days, from Monday to Friday.

43. The standard workday is 8 hours scheduled between 8:00 a.m. and 5:00 p.m. with a one-hour lunch break between 12:00 p.m. and 1:00 p.m.

44. An employer may change the work schedule provided for in section 43, on condition that the standard workday does not exceed 8 hours.

45. An employer may set up a second or third shift on the following conditions:

(1) the employees on any other shift may work all the hours of the standard workweek;

(2) the shiftwork may not exceed the number of hours in the standard workday or workweek;

(3) the standard workday hours of a shift may not be scheduled over more than 9 hours;

(4) the employer grants a one-hour meal period at the end of the first half of the standard workday;

(5) the standard workweek for a shift may not be scheduled over more than five consecutive 24-hour periods, from Monday to Friday, in the case of the first shift, and must end at the latest at 8:00 a.m. on Saturday, in the case of the second or third shift.

46. A second or third shift employee shall be entitled to a premium of \$0.15 for each hour of the standard workday included between 4:00 p.m. and 12:00 a.m. and \$0.18 for each hour worked between 12:00 a.m. and 8:00 a.m.; the premiums shall be included in the computing of regular earnings.

For the purposes of this section, an employee's regular earnings are all employee earnings but do not include any additional amount that may have been paid to him under section 3.1 of Schedule V.

CHAPTER IV PAID STATUTORY GENERAL HOLIDAYS

47. The 24th of June is a paid statutory general holiday, in accordance with the National Holiday Act (R.S.Q., c. F-1.1).

The following are paid statutory general holidays:

(1) January 1st;

(2) January 2;

(3) Good Friday;

(4) Easter Monday;

(5) Fête de Dollard or Victoria Day;

(6) July 1st;

(7) the first Monday in September;

(8) the second Monday in October;

(9) December 25.

48. For the purpose of computing the payment of statutory holidays referred to in the second paragraph of section 47, one day's pay means:

(1) for hourly paid employees: the employee's hourly wage rate multiplied by the number of hours in the standard workday that the employee would normally have worked on the day the statutory holiday falls or is observed;

(2) for piece rate employees: the employee's average hourly wage multiplied by the number of hours in the standard workday that the employee would normally have worked on the day the statutory holiday falls or is observed.

The average hourly wage shall be determined for each employee by dividing the actual earnings of such employee during the 4 weeks immediately prior to the week in which the statutory holiday falls by the actual number of regular and overtime hours worked. Actual earnings include all increases in effect but do not include overtime premiums.

An employee's statutory holiday pay computed in accordance with the first paragraph shall be at least equal to the payment prescribed under section 62 of the Act respecting labour standards. Should the amount payable to an employee computed in accordance with the first paragraph be less than the payment under section 62 of the Act, the employee shall be paid in accordance with section 62 of the Act.

49. Where 2 January falls on a Saturday or Sunday, an employee is entitled to a compensation as though the holiday were observed on a Monday.

CHAPTER V PAID ANNUAL VACATION

50. An employee who, at the end of the reference year, has completed less than one year of uninterrupted service with the same employer is entitled to an uninterrupted annual vacation the duration of which is equal to one day for each month of uninterrupted service, up to a maximum of two weeks, granted consecutively.

An employee who, at the end of the reference year, has completed one year of uninterrupted service with the same employer is entitled to two consecutive weeks of annual vacation.

An employee who, at the end of the reference year, has completed three years of uninterrupted service with the same employer is entitled to a third week of annual vacation.

51. The paid annual vacation is granted during the period which begins the week including the national holiday, 24 June, and ends at the end of the second full week of August of the current year.

However, the third week of annual vacation may be taken the week before or after the year-end holiday.

Notwithstanding the first and second paragraphs, warehouse or receiving and shipping employees may take their annual vacation upon agreement between the employer and the employee, during the twelve-month period following the reference year in which they became entitled to such annual vacation.

52. The annual vacation pay is 4 % of the employee's gross earnings during the reference period if the employee is entitled to two weeks' vacation or less and 6 % of the employee's gross earnings if entitled to three weeks' vacation.

53. Where an employee has, on 24 December, one year of uninterrupted service, the employee is entitled to the year-end holiday.

54. The year-end holiday begins on 26 December and ends on 31 December.

However, warehouse and shipping and receiving employees may be entitled to the year-end holiday, where there is an agreement between the employer and employee, between 3 January and 30 June of the year following the year-end holiday.

55. An employee who is entitled to the year-end holiday shall be paid 2 % of his total gross wages for the 12 months ending with the pay period closest to 30 November and preceding the holiday.

The employee shall be given his year-end holiday pay not later than with the last regular pay prior to Christmas Day.

CHAPTER VI MEAL PERIODS

56. An employee working the first shift is entitled to an unpaid one-hour meal period.

57. An employee working the second or third shift is entitled to an unpaid half-hour meal period.

58. An employee working the weekend shift, scheduled in accordance with section 39, is entitled to a paid thirty-minute meal period after four consecutive hours of work.

CHAPTER VII LEAVE FOR FAMILY EVENTS

59. An employee may be absent from work for one day, without reduction of wages, by reason of the death or funeral of his spouse, of his child or the child of his spouse, or of his father, mother, brother or sister. He may also be absent from work for three additional days on such occasion, but his employer is not required to pay him for those days.

An employee may be absent from work for one day by reason of the death or funeral of his son-in-law, daughter-in-law, grandparent, grandchild, or of his spouse's father, mother, brother or sister, but his employer is not required to pay him for that day.

An employee shall give notice of his absence as soon as possible.

60. An employee who has one year or more of uninterrupted service with the same employer may be absent from work for three consecutive days, without reduction of wages, by reason of the death or funeral of his spouse, of his child, of his father, mother, brother or sister. He may also be absent from work for one additional day on such occasion, but his employer is not required to pay him for that day.

An employee who has one year or more of uninterrupted service with the same employer may be absent from work, without reduction of wages, on the day of the funeral of one of his grandparents and of his spouse's father or mother.

An employee shall give notice of his absence as soon as possible.

61. The day's wage shall be computed in accordance with section 48.

CHAPTER VIII TRANSITIONAL AND FINAL PROVISIONS

62. In the women's clothing industry, the holiday and vacation pay paid to an employee during the year 2000 under section 7 of the Act respecting the conditions of employment in certain sectors of the clothing industry and amending the Act respecting labour standards (1999, c. 57) are deemed to be both the annual vacation pay for the reference year applicable for the year 2000, paid to that employee in accordance with section 52, and the year-end holiday pay for the year 2000 paid to that employee in accordance with section 55.

63. This Regulation comes into force on 1 July 2000.

SCHEDULE I

(s. 1)

SCOPE OF THE DECREES

DIVISION 1

DECREE RESPECTING THE MEN'S AND BOYS' SHIRT INDUSTRY

1. The Decree governs the manufacturing industry, that is, the preparation, manufacture and production in whole or in part of shirts and pyjamas for men and boys, of all kinds and regardless of their designation; it also applies to ladies' and girls' mannish tailored shirts and pyjamas whose style, patterns and materials, as well as the manufacturing operations, are the same as those used in the manufacture of shirts and pyjamas for men and boys.

These garments or parts of garments may be made of woven or knitted fabric or of any other kind of material.

2. The work referred to in this Decree includes the work of all persons performing any or many of the principal operations of and incidental or related to the manufacturing or producing of the above shirts or garments, whether the said operations are defined or not, whether the said operations are performed completely or in part by the same employer or by several employers, whether they are performed completely or in part in one or several trade plants, private, industrial, commercial or other establishments.

Such operations may or may not constitute the principal business of the employer or be accessory or complementary to any other business or enterprise and the said shirts and garments may or may not be manufactured or produced for the purpose of sale to other consumers or for the exclusive use of the employer.

3. The Decree applies to every employer who is manufacturer, retailer, contractor, subcontractor, distributor or intermediary and who manufactures, or has manufactured, under section 2, in his own establishment or elsewhere in Québec, garments or parts of garments referred to in section 1.

4. The Decree does not apply to:

(a) articles and garments which are governed by another decree;

(b) infants' and children's clothes or garments smaller than size 2 years;

(c) boxer shorts and underwear.

DIVISION 2

DECREE RESPECTING THE WOMEN'S CLOTHING INDUSTRY

1. The Decree governs the manufacture of the following garments or parts thereof for women: capes, coats, suits, pantsuits, blazers, raincoats, parkas, duffle coats (*canadiennes*), ski garments, dresses, ensembles, lounge wear, dressing gowns, kimonos, uniforms, dust smocks, smocks, blouses, bodices, dusters, sportswear, beach wear, play suits, bathing suits, sweaters, skirts, pants, shorts, jackets, whether such garments are a whole or part of a set, and all other similar garments, made of any type of material.

2. The Decree applies to every employer who is manufacturer, retailer, contractor, subcontractor, distributor or intermediary and who manufactures, or has manufactured, directly or indirectly, in his factory or elsewhere in Québec, the garments or parts of garments referred to in section 1.

3. The Decree does not apply to:

(1) capes, coats, suits, parkas, Eskimo suits, windbreakers, vests and jackets of all types for girls from size 0 to size 16 inclusively. Size 16 shall not exceed the body measurements determined by the Canada Standard Size Specifications program for standard sizes in children's garments approved by the Canadian General Standards Board, that is: 82 centimetre chest, 67.1 centimetre waist and 85 centimetre hips where the garments are manufactured under the following conditions, proof of which rests with the employers, that is:

(a) the children's garments must be entirely manufactured according to the same method of production used in the men's and boys' clothing industry;

(b) the employer must not be a manufacturer, contractor or subcontractor manufacturing mainly women's clothing above size 16;

(c) the children's garments must not be manufactured with the intention of or for the purpose of directly or indirectly evading the provisions of the Decree;

(2) garments made of vulcanized, natural or synthetic rubber;

(3) work referred to in this industry as trimmings, shirring, edging or embroidery where such work is not intended for one of the garments made by this manufacturer;

(4) the tailor who produces only garments made to measure for individual customers and that are not destined for sale to stores or for sale by wholesale intermediaries;

(5) an employee who is engaged in knitting operations, from spinning to the underpressing of blanks;

(6) an employee who joins or finishes garments by means of a looping machine;

(7) an employee who is engaged in the production of fully tailored knitted garments, which require no other cutting for assembling than slits.

(8) garments for girls not larger than size 6 as determined by the Canada Standard Size Specifications program for standard sizes in children's garments approved by the Canadian General Standards Board, that is, 62 centimetre chest, 53.9 centimetre waist and 60 centimetre hips;

(9) the manufacture of bathrobes, dressing gowns and kimonos made of material weighing at least 270 grams per square metre;

(10) knitted garments covering the upper part of the body that have an unravelable knitted edge not exceeding 68 centimetres in length where the material used has been knitted in the manufacturer's shop as blanks;

(11) garments manufactured exclusively of handwoven fibres, and where each garment must be cut individually;

(12) the manufacture of jean clothing referred to in the Decree respecting the men's clothing industry;

(13) the shipping of manufactured garments;

(14) fur garments;

(15) designer clothes.

DIVISION 3

DECREE RESPECTING THE MEN'S CLOTHING INDUSTRY

1. The Decree governs the manufacture, in whole or in part, of men's and boys' clothing over size 6, jean clothing over size 6 for both sexes and children's clothing.

The Decree also governs employees working as general hand or floor help in a warehouse or receiving and shipping department for men's and boys' clothing. It does not govern the employee mainly assigned to delivery by truck.

The expressions "boys' pants", "general hand or floor help", "children's clothing", "jean clothing", "military garments" and "men's and boys' clothing" referred to in paragraphs 4 to 9 of section 4 of this Regulation are included in the scope of this Decree.

2. This Decree does not govern the manufacture of:

(1) overalls, coveralls, combination overalls and overpants;

(2) pants and shorts to be worn by players in team sports;

(3) vulcanized rubber garments;

(4) windbreakers, snowsuits, ski suits and anoraks for girls;

(5) shirts, pyjamas, underwear, bathing suits and bathrobes;

(6) sweaters, unlined knitted garments, pants and shorts made of fleece material;

(7) pants and jeans for children up to size 6;

(8) suits that are exclusively custom-made by merchant-tailors, in their own shop and according to individual sizes, measurements and specifications of specific customers, provided that no more than 5 employees, including the cutter, carry out all the operations.

DIVISION 4
DECREE RESPECTING THE LEATHER GLOVE
INDUSTRY

1. The Decree governs the glove-making industry, that is, the preparation, manufacture and production, in whole or in part, of gloves, mittens or mitts of all kinds and all designations, made of leather or leather combined with any other material, as well as the operations incidental thereto.

However, “clute” gloves, the cotton part of which is greater than the leather part, are excluded.

SCHEDULE II
(s. 7)

MINIMUM WAGE IN THE MEN’S AND BOYS’
SHIRT INDUSTRY

DIVISION 1

Table 1 — Employees assigned to the manufacture of garments, except for pyjamas and knitted garments, and paid on an hourly or piecework basis

1.1 The minimum hourly rate payable to employees who manufacture garments, except for pyjamas and knitted garments and who are paid on an hourly or piecework basis, is established in the following table, per occupational category, as of the date indicated therein.

An employee shall be paid at the minimum hourly rate corresponding to the employee’s occupational category, as soon as the required hours in the progression period provided for in section 3.1 have been completed.

Occupational category	As of 2000 07 01
1. Unskilled worker	\$9.30
2. Operator, presser, folder and examiner	\$9.30
3. Divider and section head	\$9.35
4. General hand and spreader	\$10.32
5. Cutter with die (clicker)	\$10.65
6. Cutter	\$11.40
7. Hand-knife cutter and marker	\$11.52

DIVISION 2

Table 2 — Employees assigned to the manufacture of pyjamas and who are paid on an hourly or a piecework basis

2.1 The minimum hourly rate payable to employees who manufacture pyjamas and who are paid on an hourly or a piecework basis, is established in the following table, per occupational category, as of the date indicated therein.

An employee shall be paid at the minimum hourly rate corresponding to the employee’s occupational category, as soon as the required hours in the progression period provided for in section 3.1 have been completed.

Occupational category	As of 2000 07 01
1. Unskilled worker	\$8.38
2. Operator, presser, folder and examiner	\$8.38
3. Divider	\$8.43
4. Section head	\$9.35
5. General hand	\$9.30
6. Spreader	\$10.32
7. Cutter with die (clicker)	\$10.65
8. Cutter	\$11.40
9. Hand-knife cutter and marker	\$11.52

DIVISION 3

Table 3 — Progression period

3.1 An employee who belongs to a category listed in sections 1.1 and 2.1 is entitled to the following increases to the minimum hourly wage, based on the number of hours worked as of the date indicated therein.

	As of 2000 07 01
From 0 to 750 hours	\$0.00
From 751 to 1 500 hours	\$1.80
From 1 501 to 2 250 hours	\$3.45

As of 2000 07 01		As of 2000 07 01	
From 2 251 to 3 000 hours	\$4.15	1st semester	\$0.00
From 3 001 to 3 750 hours	\$4.85	2nd semester	\$0.75
From 3 751 to 4 000 hours	\$5.55	3rd semester	\$2.80
		4th semester	\$3.25
		5th semester	\$3.70
		6th semester	\$4.15
		7th semester	\$4.65

The expression “minimum hourly wage” means the minimum wage payable to the employee for the standard workweek hours in accordance with the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3), as it reads at the time of its application.

DIVISION 4

Table 4 — Employees assigned to the manufacture of knitted garments and who are paid on an hourly or piecework basis

4.1 The minimum hourly rate payable to employees who manufacture knitted garments and who are paid on an hourly or a piecework basis, is established in the following table, per occupational category, as of the date indicated therein.

An employee shall be paid at the minimum hourly rate corresponding to the employee’s occupational category, as soon as the required semesters in the progression period provided for in section 5.1 have been completed.

Occupational category	As of 2000 07 01
1. Unskilled worker, operator, presser, folder and examiner	Minimum hourly wage
2. Divider and section head	Minimum hourly wage
3. General hand and spreader	\$7.36
4. Cutter with die (clicker) and cutter	\$7.67
5. Hand-knife cutter and marker	\$7.77

DIVISION 5

Table 5 — Progression period

5.1 An employee who belongs to an occupational category listed in section 4.1 is entitled, according to the semester and as of the date indicated in the following table, to the minimum hourly wage increased by the amounts provided for hereafter:

DIVISION 6

AVERAGE HOURLY RATE

6.1 The average hourly rate for employees in category 2, referred to in sections 1.1 and 2.1, with 1 500 hours’ experience or more in the men’s and boys’ shirt industry, is established by adding the following amounts:

- (1) the minimum hourly rate;
- (2) the additional amount provided for in section 7.1;
- (3) \$0.15 per hour.

The general hourly average for employees with 1 500 hours’ experience or more is computed monthly by each plant and is obtained by dividing the current total earnings by the total hours worked for each employee.

Where the average hourly rate for employees in occupational category 2, referred to in sections 1.1 and 2.1, is not equal to the general hourly average provided for in this Division, each of the aforementioned employees shall be paid the difference for each hour worked during that month.

Any claim under this section must be made by the 15th day of the following month.

For the purposes of this section, an employee’s current earnings are the employee’s regular earnings, plus the additional amount referred to in section 7.1. An employee’s regular earnings are:

- (1) for an employee paid on an hourly or other basis, the wage rates paid or payable to the employee, plus all adjustments and increases payable under agreements between the employee and the employer or otherwise payable, whether or not they exceed the minimum rates

under sections 1.1, 2.1, 3.1, 4.1 and 5.1, but they do not include the additional amount referred to in section 7.1;

(2) for an employee paid on a piecework basis, the piecework wage according to the employer's system, plus all adjustments and increases payable under agreements between the employee and the employer or otherwise payable, but they do not include the additional amount referred to in section 7.1.

DIVISION 7 ADDITIONAL AMOUNT

7.1 All employees, whether they are paid on an hourly, weekly, piecework basis or otherwise, receives for each hour worked over and above their regular earnings, an additional amount of at least \$0.10 per hour after six months of uninterrupted service with the same employer.

DIVISION 8 CHILDREN'S CLOTHING

8.1 The minimum hourly rates provided for in sections 1.1, 2.1, 3.1, 4.1 and 5.1 and the general hourly average provided for in section 6.1 shall be reduced by 10 % for all employees within the scope of the Decree respecting the men's and boys' shirt industry, for as long as they are assigned to the manufacturing or production of children's clothing smaller than size 6X, provided that the employer keeps a record of such work, indicating the exact number of hours, the hourly rate or piece rate, paid or due, for each working day or week.

In no case, however, shall the minimum hourly rates be lower than the minimum hourly wage.

SCHEDULE III (s. 11)

MINIMUM WAGE IN THE WOMEN'S CLOTHING INDUSTRY

Table 1 — Minimum hourly rates as of 1 July 2000

Trade	Code	Scale	Hourly rate	Piece rate
General hand	10		Minimum hourly wage	\$7.05
Assistant presser	19			
— first 1 000 hours		Minimum hourly wage		
— 1 001 to 1 375 hours		\$7.42		
— 1 376 to 1 750 hours		\$8.39		

Trade	Code	Scale	Hourly rate	Piece rate
— from 1 751 hours			\$9.37	\$9.52
Sample maker	28		\$9.37	\$9.52
Cutter, Class 1	01		\$12.67	
Cutter, Class 2	02			
— first 1 000 hours		Minimum hourly wage		
— 1 001 to 1 375 hours		\$7.42		
— 1 376 to 1 750 hours		\$8.39		
— 1 751 to 2 125 hours		\$9.37		
— 2 126 to 2 500 hours		\$10.97		
— from 2 501 hours			\$12.30	
Piler	09			
— first 1 000 hours		Minimum hourly wage		
— 1 001 to 1 375 hours		\$7.42		
— 1 376 to 1 750 hours		\$8.39		
— from 1 751 hours			\$8.59	\$8.74
Spreader	13			
— first 1 000 hours		Minimum hourly wage		
— 1 001 to 1 375 hours		\$7.42		
— 1 376 to 1 750 hours		\$8.39		
— 1 751 to 2 125 hours		\$9.37		
— 2 126 to 2 500 hours		\$10.97		
— from 2 501 hours			\$11.33	\$11.48
Examiner	11			
— first 1 000 hours		Minimum hourly wage		
— from 1 001 hours			\$7.03	\$7.18

Trade	Code	Scale	Hourly rate	Piece rate	Trade	Code	Scale	Hourly rate	Piece rate
Baster	07				Operator for whole garments	15			
— first 1 000 hours		Minimum hourly wage			— first 1 000 hours		Minimum hourly wage		
— 1 001 to 1 375 hours		\$7.16			— 1 001 to 1 375 hours		\$7.42		
— from 1 376 hours			\$7.88	\$8.03	— 1 376 to 1 750 hours		\$8.39		
Finisher	22				— from 1 751 hours		\$9.37	\$9.52	
— first 1 000 hours		Minimum hourly wage			Presser	17			
— 1 001 to 1 375 hours		\$7.16			— first 1 000 hours		Minimum hourly wage		
— from 1 376 hours			\$7.88	\$8.03	— 1 001 to 1 375 hours		\$7.42		
Operator for leather garments	20				— 1 376 to 1 750 hours		\$8.39		
— first 1 000 hours		Minimum hourly wage			— 1 751 to 2 125 hours		\$9.37		
— 1 001 to 1 375 hours		\$7.42			— from 2 126 hours		\$10.97	\$11.12	
— from 1 376 hours			\$9.10	\$9.25	Under presser	18			
Section operator	16				— first 1 000 hours		Minimum hourly wage		
— first 1 000 hours		Minimum hourly wage			— 1 001 to 1 375 hours		\$7.42		
— 1 001 to 1 375 hours		\$7.42			— 1 376 to 1 750 hours		\$8.39		
— from 1 376 hours			\$9.10	\$9.25	— 1 751 to 2 125 hours		\$9.37		
Special machine operator	14				— from 2 126 hours		\$10.05	\$10.20	
— first 1 000 hours		Minimum hourly wage			Separator	12			
— 1 001 to 1 375 hours		\$7.42			— first 1 000 hours		Minimum hourly wage		
— from 1 376 hours			\$8.76	\$8.91	— from 1 001 hours		\$7.03	\$7.18	

SCHEDULE IV

(s. 23)

MINIMUM WAGE IN THE MEN'S CLOTHING INDUSTRY**DIVISION 1****CLASSIFICATION OF OPERATIONS AND WAGE SCALE****§1.1 Table 1 — Men's and boys' clothing**

Part I — Minimum hourly rates for operations performed in the manufacture of men's and boys' clothing

Classification of operations Wage scale
described in Part II of this Table

Class	As of 2000 07 01
A	\$11.85
B	\$10.25
C	\$8.40
D	\$7.75
E	\$6.95

Part II — Classification of operations performed in the manufacture of men's and boys' clothing

(1) Men and boys' clothing

(1.1) Cutting and trimming operations

Class

- A Marking patterns on paper or cloth. Marking or cutting body or sleeve linings.
- B Cutting by hand or electric shears. Marking or cutting with shears or knife trimmings other than body or sleeve linings. Operating automatic cutting machine.
- C Piling. Operating die-cutting equipment. Cutting undercollars. Matching parts to be cut.
- E Operating Soabar machine. Sorting. Operating photocopier. General hand or floor help.

(2) Men's and boys' clothing excluding trousers

(2.1) Pressing operations

Class

B Finish presser: an employee who performs the pressing of a fully sewn garment, with a hand iron or a steam press machine.

C Toppresser: an employee who presses garments with an automatic steam pressing machine or using a dummy, or presses military garments with a steam press machine.

Under presser: an employee who opens or presses seams, parts or any other pressing required for the sewing of the garment or does the smoothing of the lining after the garment has been pressed by the finish presser.

E Attaching pads to shoulders with an automatic steam machine.

(2.2) Machine operations

Class

C Employees performing any of the following operations: sewing on sleeves. Taping edges. Sewing edges of garments. Making pockets, which includes: sewing on beesoms, flaps, welts or appliqués. Stitching edges of fronts. Operating die-cutting equipment. Joining fronts, vees, sides, shoulders, bottoms or backs. Tacking pockets, which includes: closing opening and tacking corners. Tacking trim corners with zigzag stitch machine. Felling with Durkopp or A.M.F. type machines. Making or stitching fly fronts. Making linings, which includes: making or tacking pockets, sewing lining to facing, side seams, backs, yokes, vees, shoulder seams, or sewing sleeve lining to body. Sewing topcollar to undercollar. Basting which includes: edges, gorges, bottoms, fronts, canvas, facings, linings, armholes, shoulder seams, topcollar or undercollar to neck. Trimming and tacking armholes. Sewing gorges or undercollar to neck or to lining. Raising seams. Making samples. Sewing sleeves to body before side seams are closed. Closing coat shell to shell. Making general repairs. Sewing or stitching zipper to front or side of body. Sewing or stitching front or back yokes. Operating feed-off arm machine.

D (a) employees performing any other operation not listed in classes C and E;

(b) employees performing any operation on military garments, except the operations listed in class E;

(c) operating an automatic sewing machine.

E Operating Soabar machine. Stapling canvas or facings. Basting opening of pockets. Making ticket pockets. Making or sewing on armhole shields. Gathering shoulder head. Shirring canvas. Tacking hangers or cuffs. Making loops or imitation buttonholes. Closing pockets, sewing around bag when performed as a separate operation after pocket has been tacked. Turning and creasing parts by die machine. Setting hooks, eyelets, rivets or snaps. Threading or cutting zippers. Trimming or pinking bottoms. Sewing labels or tickets. Operations performed on military garments: sewing inside pockets, making flaps, collars, wristbands or epaulets; sewing patch pockets which have been previously creased with die machine, making general repairs, making button holes; sewing buttons; bar tacking.

(2.3) Hand operations

Class

C Fitting, sorting, matching and cutting with shears or electric knife garment parts or linings to be sewn which have been blocked by the cutter or the trimmer. Basting or stitching edges of body or other parts of garment. Underbasting of facing to front. Shaping. Basting topcollar. Examining general tailoring and busheling. Basting canvas, facing, lining, pleats, yokes or vents. Trimming and tacking armholes. Basting undercollar or topcollar to neck or topcollar to undercollar. Preparing armholes: basting lining or cloth, shoulder seams or crease of lining.

D Employees performing any other operation not enumerated in classes C and E.

E Sewing on labels or tickets. Thread marking or chalking. Pulling basting or cleaning. Marking buttons. Separating, numbering, sorting or assembling cut parts to be sewn. Turning garments or small parts. Trimming canvas, linings or small parts. Tacking fronts for shaping. Examining military garments. Fusing by automatic machine. General hand or floor help.

(3) Trousers

(3.1) Machine, hand and pressing operations

Class

C Making pockets, which includes: sewing on beesoms, welts, flaps, patches or tabs and sewing second stitch on back pocket. Tacking pockets, which includes: positioning pocket, closing open-

ing of pocket and tacking corners on regular or slant-type pockets. Seaming or raising seams on inside or outside leg seams or sewing seat seam. Stitching lining or waistband. Sewing lining to waistband. Sewing braid. Sewing cloth or elastic waistband on trousers. Operating the feed-off arm machine or die-cutting equipment. Stitching flies. Making repairs by machine. Fitting and separating. Pressing legs or top of trousers.

D (a) employees performing any other operation not listed in classes C and E;

(b) underpressing: employees who open or press seams, parts or any other pressing required for the assembling of trousers;

(c) employees performing the following operations defined in class C, on boys' trousers: making pockets, tacking pockets, seaming, stitching lining, sewing lining, sewing waistband or stitching flies;

(d) operating an automatic sewing machine.

E Operating Soabar machine. Sewing buttons, labels or tickets. Making loops. Setting hooks and eyelets. Threading or cutting zippers. Separating, sorting, pairing, numbering or chalking. Turning and creasing parts by die machine. Trimming or pinking bottoms. Cleaning or brushing. Fusing by automatic machine. General hand or floor help.

§1.2 Table 2 — Children's clothing

Part I — Minimum hourly rates for operations performed in the manufacture of children's clothing

Classification of operations described in Part II of this Table	Wage scale
Class	As of 2000 07 01
AY	\$10.57
BY	\$9.71
CY	\$8.55
DY	\$7.90
EY	\$7.10

Part II — Classification of operations performed in the manufacture of children's clothing

Class

AY Tracing outline of patterns on paper or cloth. Toppressing with steam press machine.

BY Marking or cutting linings or trimmings.

CY Piling. Underpressing or steam blowing. Making samples or general repairs. Sewing on sleeves or collars. Sewing facings to fronts.

DY Joining or raising seams on outer-shell of garment. Basting or stitching edges of fronts or small pieces. Making collars or sleeves. Operating felling machine, automatic welt-pocket machine, double-needle machine, automatic long seamer machine or photomarking machine. Making buttonholes or eyelets. Sewing zipper to fronts, facing or lining. Sewing fur to collar or sleeves. Sewing sleeves to body before side seams are closed. Sewing sleeve bottom, tape or canvas to fronts. Making or tacking pockets. Making linings or closing bottom of garments. Trimming and tacking armholes.

EY Making trimmings, undercollars, hoods, loops or small parts. Marking buttons or buttonholes. Sewing buttons, labels, piping, ribbons or pads. Trimming or turning garments or small parts. Examining, hand finishing, cleaning or brushing garments. Operating Soabar machine. Separating or thread marking. Bar tacking or serging. Tacking pads, loops or buttonholes. Taping shoulders or armholes. Fusing by automatic machine. General hand or floor help.

§1.3 Table 3 — Jean clothing

Part I — Minimum hourly rates for operations performed in the manufacture of jean clothing

Classification of operations described in Part II of this Table	Wage scale
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Class	As of 2000 07 01
AJ	\$9.55
BJ	\$7.60
CJ	\$7.35
DJ	\$7.15
EJ	Minimum hourly wage

Part II — Classification of operations performed in the manufacture of jean clothing

(1) Cutting and trimming operations

Class

AJ Marking patterns on paper or cloth.

BJ Piling. Operating automatic cutting machine or photomarking machine.

EJ Operating Soabar machine. Sorting. Numbering. General hand or floor help.

(2) Pressing operations

Class

BJ Pressing a completely sewn garment by steam press or on dummy.

(3) Machine and hand operations

Class

CJ Joining by safety stitch machine. Making or tacking pockets by plain machine. Sewing side pockets by folder or automatic sewing machine. Sewing patch pockets or elastic waistband. Sewing waistband by special banding machine. Sewing zipper. Stitching down flies. Operating welt-pocket machine or double-needle machine. Stitching down front edges. Sewing garment form or facing to front. Making general repairs. Closing garment shell to shell. Sewing on sleeves. Joining or raising outer parts of garment. Making linings. Making, raising or sewing collars, wristbands, epaulettes or small parts. Making sleeves. Making or sewing flies. Making trimmings, pleats or corners of waistbands. Preparing or closing pockets. Operating the feed-off arm machine. Making samples.

DJ With a special machine, serging, felling, hemming, making buttonholes, loops or bar tacking. Sewing buttons or labels. Underpressing or steam blowing.

EJ Cutting threads, cleaning, sorting or examining. Operating Soabar machine. Setting rivets or snaps. Operating washing, drying or embroidering machines. General hand or floor help.

DIVISION 2**TABLE OF APPRENTICE WAGES**

Scale	As of 2000 07 01
First 12 months	Minimum hourly wage
13 to 16 months	\$6.95
17 to 20 months	\$7.75
21 to 24 months	\$8.40
25 to 28 months	\$9.30
29 to 32 months	\$10.55
From 33 months	\$11.85

SCHEDULE V

(s. 26)

MINIMUM WAGE IN THE LEATHER GLOVE INDUSTRY**Table 1** — Minimum hourly rates

1.1 The minimum hourly rate is determined by zone and as of 1 July 2000 for each occupational category listed below.

The employee shall be paid at the minimum hourly rate corresponding to the employee's occupational category as soon as the required months of service in the progression period have been completed.

Occupational category	Zone I	Zone II
(1) general hand, examiner, operator	\$9.58	\$9.38
(2) labourer	\$10.13	\$9.93
(3) cutter, Class B, shipper	\$10.28	\$10.08
(4) turner	\$10.43	\$10.18
(5) presser	\$10.48	\$10.23
(6) cutter, Class A	\$10.53	\$10.28

1.2 For the purposes of section 1.1, zones I and II shall be as follows:

(1) **Zone I:** the administrative region 06 includes the territory described and defined under Order in Council 2000-87 dated 22 December 1987, amended by Orders in Council 1399-88 dated 14 September 1988, 1389-89, dated 23 August 1989, 965-97 dated 30 July 1997 and 1437-99 dated 15 December 1999;

(2) **Zone II:** the total Québec territory less the territory referred to in Zone I.

DIVISION 2**Table 2** — Progression period

2.1 The progression period is a wage scale applicable during the period between the time the employee is integrated into an occupational category provided for in Table 1 of Division I and the time the minimum hourly rate for that category is reached.

An employee who belongs to one of the occupational categories listed in section 1.1 is entitled, according to the months worked and as of 1 July 2000, to the minimum hourly wage increased by the amounts in the following table. After the first increase, the amounts prescribed shall be added to the employee's increased hourly rate.

(1) from the 4th month	\$0.25
(2) from the 7th month	\$0.50
(3) from the 10th month	\$0.50
(4) from the 13th month	\$0.50
(5) from the 16th month	\$0.50
(6) from the 19th month	\$0.50
(7) from the 22nd month	\$0.50
(8) from the 25th month	\$0.50
(9) from the 28th month	\$0.50
(10) from the 31st month	\$0.50

The expression "minimum hourly wage" means the minimum wage payable to the employee for the hours in a standard workweek according to the Regulation respecting labour standards as it reads at the time of its application.

DIVISION 3

ADDITIONAL AMOUNT

3.1 An employee who has completed three months of uninterrupted service with the same employer shall receive, for each hour of work and for all hours paid with respect to statutory holidays or annual vacation, an additional amount of \$0.16.

3436

Municipal Affairs

Gouvernement du Québec

O.C. 64-2000, 26 January 2000

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Amalgamation of Ville de Princeville and Paroisse de Princeville

WHEREAS each of the municipal councils of Ville de Princeville and Paroisse de Princeville adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS objections were sent to the Minister of Municipal Affairs and Greater Montréal, and the Minister did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application with the amendment proposed by the Minister of Municipal Affairs and Greater Montréal, which was approved by the councils of the applicant municipalities;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs and Greater Montréal;

THAT the application be granted and that a local municipality be constituted through the amalgamation of Ville de Princeville and Paroisse de Princeville, on the following conditions:

1. The name of the new town shall be “Ville de Princeville”.

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 18 November 1999; that description is attached as a schedule to this Order in Council.

3. The new town shall be governed by the Cities and Towns Act (R.S.Q., c. C-19).

4. The new town shall be part of the Municipalité régionale de comté de L'Érable.

5. A provisional council shall hold office until the first general election. It shall be composed of all the members of the two councils existing at the time of the coming into force of this Order in Council. The quorum shall be half the members in office plus one. The current mayors shall alternate as mayor and deputy mayor of the provisional council each month. The mayor of the former Paroisse de Princeville shall serve as mayor for the first month of the provisional council.

If a seat is vacant at the time of coming into force of this Order in Council or becomes vacant during the term of the provisional council, an additional vote shall be allotted to the mayor of the former municipality of origin of the council member whose seat has become vacant.

The mayors of the former Ville de Princeville and the former Paroisse de Princeville shall continue to sit on the council of the Municipalité régionale de comté de L'Érable until the first general election and shall have the same number of votes as before the coming into force of this Order in Council.

Throughout the term of the provisional council, the elected municipal officers shall receive the same remuneration as before the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held in the public hall of the town hall of the former Ville de Princeville.

7. The first general election shall be held on the first Sunday of the fourth month following the coming into force of this Order in Council. If such date falls on the first Sunday in January or February, the first general election shall be postponed to the first Sunday in March. The second general election shall take place in 2004.

The council of the new town shall be composed of seven members, that is, a mayor and six councillors. The councillor's seats shall be numbered from 1 to 6 from the first general election.

8. For the first general election, the only persons eligible for seats 1, 2 and 3 are the persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if such election were an election of the council members of the former Ville de Princeville and the only persons eligible for seats 4, 5 and 6 are the persons who would be eligible under that Act if such an election were an election of the council members of the former Paroisse de Princeville.

9. Mr. Mario Juaire, secretary-treasurer of the former Ville de Princeville, shall act as secretary-treasurer of the new town.

Ms. Louise Bergeron, deputy secretary-treasurer of the former Ville de Princeville and Mr. Jean-Marc Bédard, secretary-treasurer of the former Paroisse de Princeville, shall both act as deputy secretary-treasurers of the new town.

10. Any budgets adopted by either of the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new town and the expenditures and revenues shall be accounted for separately as if the former municipalities continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budgets of each of the former municipalities in proportion to their standardized real estate values, established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992 amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as it appears in the financial statements of those former municipalities for the fiscal year preceding the year during which this Order in Council comes into force.

11. If section 10 applies, the portion of the subsidy paid by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) related to the first year of the amalgamation, less the expenditures recognized by the council as resulting from the amalgamation and directly financed by that portion of the subsidy, shall constitute a reserve to be deposited into the general fund of the new town for the first fiscal year in which the new town does not apply separate budgets.

12. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in effect prior to the coming into force of this Order in Council shall continue to apply until the

end of the last fiscal year for which the former municipalities adopted separate budgets.

13. The working fund of each of the former municipalities shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets. The amount of the fund that is not committed on that date shall be added to the surplus accumulated on behalf of each of the former municipalities and dealt with in accordance with section 14.

The council of the new town may, if deemed appropriate, constitute a new working fund in accordance with the law.

14. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used in the following manner:

(a) \$104 600 shall be deducted from the surplus accumulated on behalf of the former Ville de Princeville and \$72 500 shall be deducted from the surplus accumulated on behalf of the former Paroisse de Princeville; those amounts shall be deposited into the general fund of the new town. If the surplus accumulated on behalf of a former municipality is insufficient to allow for the payment of its contribution to the general fund, a special real estate tax shall be imposed on all the taxable immovables in the sector made up of the territory of that former municipality in order to make up the difference;

(b) any balance shall be used for the benefit of ratepayers in the sector made up of the territory of the former municipality on whose behalf the surplus was accumulated. It may be used to carry out public works in the sector, to reduce the taxes applicable to all the immovables in that sector or to repay its debts.

15. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall remain charged to all the taxable immovables in the sector made up of the territory of that former municipality.

16. The share payable to the Société québécoise d'assainissement des eaux by the former Ville de Princeville shall be charged to the users of the sewer system in the new town; it shall be paid by means of a compensation rate to be fixed annually by the new town.

17. Repayment in principal and interest of the loan made under By-law 466-91 adopted by the former Ville de Princeville shall become, in a proportion of 40.8 %, charged to all the users of the waterworks and sewer

system of the new town and, in a proportion of 59.2 %, charged to all the taxable immovables in the sector made up of the territory of the former Ville de Princeville. The taxation clause provided for in that by-law shall be consequently amended.

The portion charged to all the users of the waterworks and sewer system of the new town shall be repaid by means of a compensation rate that the council shall fix annually. The council may amend the taxation clause for that portion of the by-law in accordance with the law, if it orders works to extend the systems.

A special tax shall be imposed and levied on all the taxable immovables in the sector made up of the territory of the former Ville de Princeville on the basis of their value as it appears on the assessment role in effect each year, to cover the portion of the by-law which remains charged to the sector made up of the territory of that former town. If the new town decides to amend the taxation clause of the by-law in accordance with the law, for the portion charged to that sector, the amendments may affect the taxable immovables in that sector only.

18. Notwithstanding section 17, the annual repayment of the instalments in principal and interest of all loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council shall remain charged to the sector made up of the territory of the former municipality that contracted them, in accordance with the taxation clauses in those by-laws. If the new town decides to amend the taxation clauses of those by-laws in accordance with the law, those amendments may affect the taxable immovables in that sector only.

19. Any debt or gain that may result from legal proceedings, for an act performed by a former municipality, shall remain charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

20. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new town in order to replace all the zoning and subdivision by-laws applicable to its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the new town, provided that such a by-law comes into force within four years of the coming into force of this Order in Council.

Such a by-law must be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the whole territory of the new town.

21. A municipal housing bureau shall be incorporated under the name of "Office municipal d'habitation de la Ville de Princeville".

That municipal bureau shall replace to the municipal housing bureau of the former Ville de Princeville, which is dissolved. The third and fourth paragraphs of section 58 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) amended by section 273 of chapter 40 of the Statutes of 1999, apply to the municipal housing bureau of the new town as if it had been incorporated by letters patent under section 57 of that Act, also amended by section 273.

The members of the bureau shall be the members of the municipal housing bureau of the former Ville de Princeville.

22. All the movable and immovable property belonging to each of the former municipalities shall become the property of the new town.

Notwithstanding the foregoing, the proceeds of the sale of land from the land reserve of the former Ville de Princeville shall be used for the exclusive benefit of the ratepayers in the sector made up of the territory of that former municipality up to the amount of the expenses incurred by that former municipality to acquire and develop those lands (waterworks, sewers and infrastructure). Any balance of the proceeds of the sale of land shall be deposited into the general fund of the new town.

Any amounts used to the benefit of the former municipality under the second paragraph may be used to carry out public works in the sector made up of the territory of that former municipality, to reduce the taxes applicable to all the taxable immovables in the former municipality or to repay its debts.

23. The new town may impose a business tax in respect of business establishments in the sector made up of the territory of the former Paroisse de Princeville at a different rate than that which applies in the sector made up of the territory of the former Ville de Princeville.

Standardization of those rates shall be made over a period of five years following the coming into force of this Order in Council. The difference between the rates shall be made up at the rate of one fifth of the difference annually.

24. For each of the first seven fiscal years following the coming into force of this Order in Council, a general real estate tax credit shall be granted to all the taxable immovables of the sector made up of the territory of the former Paroisse de Princeville; that credit shall be calculated according to the following rates:

First year:	\$0.20 per \$100 of assessment
Second year:	\$0.20 per \$100 of assessment
Third year:	\$0.20 per \$100 of assessment
Fourth year:	\$0.16 per \$100 of assessment
Fifth year:	\$0.12 per \$100 of assessment
Sixth year:	\$0.08 per \$100 of assessment
Seventh year:	\$0.04 per \$100 of assessment

25. For each of the first seven fiscal years following the coming into force of this Order in Council, a compensation rate reduction shall be granted to the users of the sewer system of the sector made up of the territory of the former Paroisse de Princeville; the amount of the reduction is as follows:

First year:	\$70
Second year:	\$70
Third year:	\$70
Fourth year:	\$56
Fifth year:	\$42
Sixth year:	\$28
Seventh year:	\$14

26. In addition to works that may be paid for by specific government subsidies other than the financial aid paid by the Government to take charge of the local road system, an annual amount of \$336 300 shall be dedicated to improving the road system of the sector made up of the territory of the former Paroisse de Princeville during the first five years following the coming into force of this Order in Council; the portion of the costs of capital expenditures representing an amount of \$300 000 shall be charged to all the taxable immovables of the new town; the balance of \$36 300 shall be charged to all the taxable immovables in the sector made up of the territory of the former Paroisse de Princeville.

27. The Régie intermunicipale des loisirs de Princeville and the Régie intermunicipale d'incendie de Princeville shall be dissolved at the end of the last fiscal year for which the former municipalities adopted separate budgets.

28. This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW VILLE DE PRINCEVILLE, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE L'ÉRABLE

The current territory of Paroisse de Princeville and Ville de Princeville, in the Municipalité régionale de comté de L'Érable, comprising in reference to the cadastres of Canton de Stanfold and Village de Princeville, the lots or parts thereof and their present and future subdivisions, as well as the roads, routes, streets, railway rights-of-way, islands, lakes, watercourses or parts thereof, the whole included within the limits described hereafter, namely: starting from the point of intersection of the centre line of Rivière Bécancour with a perpendicular line to the southeast bank of the said river and whose point of origin is the northern extremity of the eastern line of lot 13 of Rang 1 of the cadastre of Canton de Stanfold: thence, successively, the following lines and demarcations: southeasterly, the said perpendicular line to the southeast bank of the said river; in reference to the aforementioned cadastre, southerly, the eastern line of lot 13 of ranges 1, 2 and 3, that line extended across Rivière Bourbon that it meets; northeasterly, part of the dividing line between ranges 4 and 3 to the eastern line of lot 11 of Rang 4; southerly, the eastern line of lot 11 of ranges 4 and 5; northeasterly, part of the dividing line between ranges 6 and 5 to the eastern line of lot 5A of Rang 6, that line crossing Rivière Blanche that it meets; southerly, the eastern line of the said lot, that line crossing Chemin 6^e Rang Ouest that it meets; northeasterly, part of the dividing line between ranges 7 and 6 to the eastern line of lot 3A of Rang 7; southerly, the eastern line of the said lot; northeasterly, part of the dividing line between ranges 8 and 7 to the eastern line of the cadastre of Canton de Stanfold, that line crossing Ruisseau Pellerin that it meets; southerly, successively, part of the eastern line of the said cadastre to the apex of the southeastern angle of lot 1A of Rang 12 of the said cadastre then its extension to the southeast side of the right-of-way of Chemin des Pointes (shown in the original), that line crossing the disused railway right-of-way (lot 454 of the cadastre of

Municipalité de Somerset-Sud), Route 116, 10^e Rang Est and 11^e Rang Est roads and Ruisseau des Aulnes that it meets; southwesterly, successively, the southeast side of the right-of-way of Chemin des Pointes (shown in the original) limiting to the southeast lots 1A, 1B, 1C, 1D, 2A, 2B, 2C, 3A, 3B, 3C and 3E of Rang 12 of the cadastre of Canton de Stanfold then part of the southeastern line of the said cadastre to the western line of lot 16C of Rang 12 of the said cadastre, that line crossing Rivière Bulstrode, Route 263 and Route Boisvert and Rivière L'Abbé that it meets; in reference to that cadastre, northerly, the western line of the said lot, that line extended across Route 116 and the disused railway right-of-way that it meets; southwesterly, part of the dividing line between ranges 11 and 12 to the western line of lot 23D of Rang 11, that line crossing Route de l'Aéroport and Rivière Bulstrode that it meets; northerly, the western line of the said lot and its extension to the southeastern line of lot 23F of Rang 10; southwesterly, successively, part of the southeastern line of lot 23F and the southeastern line of lots 24A, 24B and 24C, all of Rang 10; northerly, the western line of lot 24C of the said range, that line extended across Chemin 10^e Rang Ouest that it meets; southwesterly, part of the dividing line between ranges 9 and 10 to the western line of lot 25B of Rang 9; northerly, the western line of the said lot, that line crossing Rivière Noire that it meets; northeasterly, part of the dividing line between ranges 9 and 8 to the western line of lot 24D of Rang 8; northerly, the western line of the said lot, that line extended across Chemin 8^e Rang Ouest that it meets; northeasterly, part of the dividing line between ranges 8 and 7 to the western line of lot 23B of Rang 7; northerly, the western line of the said lot; northeasterly, part of the dividing line between ranges 7 and 6 to the western line of lot 21B of Rang 6; northerly, successively, the western line of lot 21B of Rang 6, that line crossing Petit Ruisseau Perreault and Chemin 6^e Rang Ouest that it meets, then the western line of lot 21 of Rang 5; southwesterly, part of the dividing line between ranges 4 and 5 to the western line of lot 22A of Rang 4; northerly, the western line of the said lot, that line crossing Rivière Blanche that it meets; southwesterly, part of the dividing line between ranges 3 and 4 to the western line of lot 23A of Rang 3; northerly, the western line of the said lot; southwesterly, part of the dividing line between ranges 2 and 3 to the dividing line between the cadastres of Canton de Stanfold and Canton de Bulstrode; northerly, part of the dividing line between the said cadastres and its extension to the centre line of Rivière Bécancour, that line crossing route 165 and extended across Route Saint-Louis that it meets; finally, in a general northeasterly direction, the centre line of the said river upstream and to the right of all the islands making up the cadastre of Canton de Blandford to the starting point.

Those limits define the territory of the new Ville de Princeville in the Municipalité régionale de comté de L'Érable.

Ministère des Ressources naturelles
Direction de l'information foncière sur le territoire public
Division de l'arpentage foncier

Charlesbourg, 18 November 1999

Prepared by: JEAN-PIERRE LACROIX,
Land surveyor

P-207/1

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Gouvernement du Québec

O.C. 105-2000, 9 February 2000

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Correction to the amalgamation order constituting
Municipalité d'Oka

WHEREAS Order in Council 950-99 respecting the amalgamation of Municipalité d'Oka and Paroisse d'Oka was made on 25 August 1999;

WHEREAS an error in writing appears on that Order in Council;

WHEREAS section 214.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) provides that the Government is allowed to correct that error;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs and Greater Montréal:

THAT section 21 of the purview of Order in Council 950-99 dated 25 August 1999 respecting the amalgamation of Municipalité d'Oka and Paroisse d'Oka be amended by substituting the number "246" for the number "146" in the first sentence.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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Notices

Notice

Ecological Reserves Act
(R.S.Q., c. R-26.1, s. 2)

Mont-Saint-Pierre ecological reserve — Creation

Notification is hereby given in accordance with section 2 of the Ecological Reserves Act that the Minister of the Environment intends to propose to the government of Québec the establishment of the Mont-Saint-Pierre Ecological Reserve within the Denis-Riverin regional county municipality.

Specifically, the proposed reserve of nearly 643 hectares comprises part of lots 76 to 83 inclusively, lots 84 to 90, lots 91-1, 92-1, 93-1, 94-1, 95-4, 96-2, 97-3 and 98-4, part of lots 95-1, 95-2, 95-3, 96-1, 99-4, as well as part of lot 117 of the Saint-Maxime-du-Mont-Louis town cadastre in the municipality of Mont-Saint-Pierre.

Any interested party may, within 30 days, communicate to the Minister of the Environment, Mr. Paul Bégin, his point of view on the subject at 675, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5V7.

DIANE JEAN,
Deputy Minister

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Abbreviations: **A:** Abrogated, **N:** New, **M:** Modified

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