

Gazette officielle du Québec

Part 2 Laws and Regulations

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Regulations and other acts

Gouvernement du Québec

O.C. 207-2000, 1 March 2000

An Act respecting health services and social services
for Cree Native persons
(R.S.Q., c. S-5)

Executive directors of regional councils and public institutions

— **Selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal**

— **Amendments**

Regulation to amend the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public institutions referred to in the Act respecting health services and social services for Cree Native persons

WHEREAS under section 154 of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5), the Government may, by regulation, determine the standards and scales to be followed by regional councils, public institutions and the private institutions contemplated in sections 176 and 177, for the selection, appointment, remuneration and other conditions of employment of executive directors and senior and intermediate officers and the remuneration and other conditions of employment of the other staff members, taking account of the collective agreements in force;

WHEREAS the Government may also establish by regulation, for the persons contemplated in the first paragraph of that section who are not governed by a collective agreement, a procedure of appeal for cases of dismissal, non-renewal or termination of appointment other than cases resulting from proceedings for forfeiture of office. The regulation may also establish a procedure for the settlement of disagreements arising from

the interpretation and implementation of the conditions of employment it determines. Finally, the regulation may prescribe the designation of an arbitrator and the measures that the arbitrator may take following the hearing of the parties;

WHEREAS by Order in Council 599-98 dated 29 April 1998, the Government made the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public institutions referred to in the Act respecting health services and social services for Cree Native persons;

WHEREAS it is expedient to amend the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Health and Social Services and Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public institutions referred to in the Act respecting health services and social services for Cree Native persons, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public institutions referred to in the Act respecting health services and social services for Cree Native persons*

An Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5, s. 154, 1st par.)

1. The following section is inserted after section 3 of the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public institutions referred to in the Act respecting health services and social services for Cree Native persons:

“3.1 The provisions of the Regulation to amend the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional boards and of public health and social services institutions, approved by T.B. 193820 dated 21 September 1999, respecting professional membership dues, performance premiums, the single lump sum payment under the long-term group insurance plan, the parental rights and deferred salary leave plans and progressive pre-retirement plan apply, *mutatis mutandis*, to the executive directors of regional councils and of public health and social services institutions referred to in the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5).

Section 3 concerning professional membership dues, section 5 concerning the single lump sum payment under the long-term group insurance plan and section 6 concerning the parental rights and deferred salary leave

* The Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public institutions referred to in the Act respecting health services and social services for Cree Native persons has not been amended since it was made by Order in Council 599-98 dated 29 April 1998 (1998, *G.O.* 2, 1817).

plans and progressive pre-retirement plan of the Regulation referred to in the first paragraph take effect on 13 October 1999 while section 4 concerning lump sum performance premiums takes effect on 1 May 1999.”.

2. This Regulation replaces, for the purposes of the application of the provisions of the Regulation to amend the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional boards and of public health and social services institutions, approved by T.B. 193820 dated 21 September 1999, to the executive directors of regional councils and of public institutions referred to in the Act respecting health services and social services for Cree Native persons, Chapters 5, 8, 9 and 9.1 of the Regulation respecting certain conditions of employment applicable to directors general of regional councils and of public health and social services establishments, made by Order in Council 1178-92 dated 12 August 1992.

3. 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. 208-2000, 1 March 2000

An Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5)

**Officers of regional councils and public institutions and private institutions
— Accessibility to positions, remuneration, group insurance plans and employment stability measures
— Amendments**

Regulation to amend the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional councils and public institutions and private institutions referred to in the Act respecting health services and social services for Cree Native persons

WHEREAS under section 154 of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5), the Government may, by regulation, determine the standards and scales to be followed by regional councils, public institutions and the private institutions contemplated in sections 176 and 177, for

the selection, appointment, remuneration and other conditions of employment of executive directors and senior and intermediate officers and the remuneration and other conditions of employment of the other staff members, taking account of the collective agreements in force;

WHEREAS the Government may also establish by regulation, for the persons contemplated in the first paragraph of that section who are not governed by a collective agreement, a procedure of appeal for cases of dismissal, non-renewal or termination of appointment other than cases resulting from proceedings for forfeiture of office. The regulation may also establish a procedure for the settlement of disagreements arising from the interpretation and implementation of the conditions of employment it determines. Finally, the regulation may prescribe the designation of an arbitrator and the measures that the arbitrator may take following the hearing of the parties;

WHEREAS by Order in Council 600-98 dated 29 April 1998, the Government made the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional councils and public institutions and private institutions referred to in the Act respecting health services and social services for Cree Native persons;

WHEREAS it is expedient to amend the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Health and Social Services and Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional councils and public institutions and private institutions referred to in the Act respecting health services and social services for Cree Native persons, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional councils and public institutions and private institutions referred to in the Act respecting health services and social services for Cree Native persons*

An Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5, s. 154, 1st par.)

1. The following section is inserted after section 3 of the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional councils and public institutions and private institutions referred to in the Act respecting health services and social services for Cree Native persons:

“3.1 The provisions of the Regulation to amend the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions, approved by T.B. 193821 dated 21 September 1999, respecting leave for activities in the North, the lump-sum performance premium, the single lump sum payment under the long-term group insurance plan and the parental rights and deferred salary leave plans and progressive pre-retirement plan apply, *mutatis mutandis*, to the officers of regional councils and public and private health and social services institutions referred to in the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5).”

Section 3 concerning leave for activities in the North, section 5 concerning the compensatory lump sum for an officer who is not insured, section 6 concerning the single lump sum payment under the long-term group insurance plan and section 7 concerning the parental rights and deferred salary leave plans and progressive pre-retirement plan of the Regulation referred to in the

* The Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional councils and public institutions and private institutions referred to in the Act respecting health services and social services for Cree Native persons has not been amended since it was made by Order in Council 600-98 dated 29 April 1998 (1998, G.O. 2, 1818).

first paragraph take effect on 13 October 1999 while section 5 concerning lump-sum performance premiums takes effect on 1 May 1999.”.

2. This Regulation replaces, for the purposes of the application of the provisions of the Regulation to amend the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions, approved by T.B. 193821 dated 21 September 1999, to officers of regional councils and public and private institutions referred to in the Act respecting health services and social services for Cree Native persons, Chapters 5 and 6 of the Regulation respecting certain conditions of employment of officers of regional councils and of health and social services establishments, made by Order in Council 988-91 dated 10 July 1991.

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

3471

M.O., 2000

Order of the Minister of Education dated 17 February 2000

Education Act
(R.S.Q., c. I-13.3)

Regulation respecting the conditions of employment
of management staff of school boards

WHEREAS under section 451 of the Education Act (R.S.Q., c. I-13.3), the Minister of Education may, by regulation, establish for all or certain school boards, a classification of positions, the maximum number of positions in each job category, working conditions, remuneration, recourses and rights of appeal of the members of the staff who are not members of a certified association within the meaning of the Labour Code (R.S.Q., c. C-27);

WHEREAS the Regulation respecting the conditions of employment of management staff of school boards was made by the minister's order dated 23 September 1998 and amended 12 August 1999;

CONSIDERING that the positions of senior staff of schools and senior staff of centres were evaluated following the coming into force of amendments to the Education Act revising their responsibilities;

CONSIDERING that the results of such a study revealed a greater level of complexity in their professional and administrative tasks;

The Minister of Education adopts the Regulation to amend the Regulation respecting the conditions of employment of management staff of school boards attached hereto.

Québec, 17 February 2000

FRANÇOIS LEGAULT,
Minister of Education

Regulation to amend the Regulation respecting the conditions of employment of management staff of school boards*

Education Act
(R.S.Q., c. I-13.3, s. 451; 1997, c. 96, s. 130)

1. The Regulation respecting the conditions of employment of management staff of school boards is amended by adding the following Subdivision 9 to Part 1, Chapter 3, Division 1:

“§9. *Integration on 1 July 1999*

48.2 The senior staff of schools and senior staff of centres in service on 30 June 1999 are integrated on 1 July 1999 into the applicable classes of employment in accordance with the provisions of Schedule 15.”.

2. Schedule 1, Division C, senior staff of schools positions, levels 1 and 2, and Division D, senior staff of centres positions, levels 1 and 2, is replaced by the following:

“C: SENIOR STAFF OF SCHOOLS POSITIONS

1. LEVEL 1: PRINCIPAL (ELEMENTARY,
SECONDARY)

The position of principal entails responsibility for the management, from both the administrative and pedagogical aspects, of all the programs and resources of a school in order to foster the academic success of all students in accordance with the Education Act and the responsibilities defined by the board.

* The Regulation respecting the conditions of employment of management staff of school boards, made by the minister's order dated 23 August 1998 (1998, *G.O.* 2, 4052), was amended by the minister's order dated 12 August 1999 (1999, *G.O.* 2, 2796).

In general, this position includes the following responsibilities:

- evaluate the needs of the school and define the specific objectives of the school, taking into account legal provisions as well as the orientations, policies and by-laws of the board and the governing board;

- assist the governing board in the exercise of its functions and powers, participate in meetings and implement the decisions of the governing board;

- encourage concerted action between the parents, the students, the school team and all concerned, their participation in the life of the school and their collaboration in fostering academic success;

- participate in defining the policies and by-laws of the board as well as ensure their implementation;

- promote the school.

Instructional and educational matters

- Coordinate the development, implementation and evaluation of the educational project.

- Request, approve, refuse proposals or, failing proposals, make decisions and inform the governing board, particularly as regards local programs of studies, new instructional methods, standards and procedures for the evaluation of student achievement, and the rules governing the placement of students and their promotion from one cycle to the other at the elementary level.

- Prepare, after consulting the staff concerned, proposals to be submitted to the governing board for approval on such matters as: the approach for the implementation of the basic school regulation, the enrichment or adaptation of the objectives and suggested content of the programs of studies, the time allocation for each compulsory or elective subject, student services and special educational services.

- Develop, implement and evaluate individualized education plans for handicapped students or students with social maladjustments or learning disabilities.

- Propose procedures to the governing board for evaluating the school and see to the ongoing improvement of the school.

Management of human, material and financial resources

- Participate in or ensure the recruitment of school staff.

- Define the duties of as well as manage and animate school staff while ensuring its supervision and evaluation.

- Identify needs and organize professional development activities.

- Inform the board of the requirements of the school as regards any required equipment or repair of the premises or immovables and ensure the follow-up of the work.

- Purchase apparatus, equipment, movables and immovables and keep an inventory of goods and equipment.

- Prepare, administer and monitor the school budget.

Information and communications technologies

- Develop, implement and evaluate the plan for the integration and use of information and communications technologies.

Day care and noon-hour services

- Organize and administer the services agreed to, where applicable, between the board and the governing board.

Other matters

- Perform any other functions determined by law.

- Perform, at the request of the school board, functions other than the functions of a principal.

Required minimum qualifications

- A bachelor's degree in education or an undergraduate degree in a relevant field of study certifying a minimum three-year university program or hold a senior executive or senior staff position excluding that of manager in a board or hold a position of vice-principal.

- 8 years of relevant experience.

- A permanent teaching licence issued by the Minister.

- As of 1 September 2001, a graduate university program including a minimum of 30 credits in administration related to a senior staff position in a school:

A minimum of 6 credits must have been acquired prior to the first appointment to a senior staff position in a school and the remaining credits during the 5 years following such an appointment.

In exceptional cases, the board may refer to a selection committee a candidate who has not accumulated 6 credits in administration.

A senior staff member who does not complete the 30 credits in administration within the time limit prescribed may, in exceptional cases, be granted an extension. If not, he shall be relocated to a position that is available and compatible with his qualifications, as a senior staff member, manager, teacher or professional.

— Notwithstanding the aforementioned provisions, a senior staff member who holds, on 1 September 2001, a senior staff position in a school or centre shall be considered as meeting the requirements of that position.

2. LEVEL 2: VICE-PRINCIPAL

The position of vice-principal of an elementary or secondary school entails assisting the principal in accordance with the mandate defined by the latter in the management of the instructional, educational and administrative matters of the school.

In general, this position includes all or part of the following responsibilities and duties:

— participate in the development, implementation and evaluation of the educational project;

— prepare or take part in the preparation of proposals on matters such as: the approach for the implementation of the basic school regulation, programs of studies, individualized education plans for handicapped students or students with social maladjustments or learning disabilities, the selection of textbooks and instructional material, student services and special educational services, the use of non-teaching and non-scheduled time, rules of conduct and support services;

— coordinate, supervise or take part in the carrying out of activities, programs or services in different sectors of activities of the school such as: human, material or financial resources, information and communications technologies, day care and noon-hour services;

— assume any other responsibility compatible with his function that may be assigned to him by the immediate superior;

— replace the school principal if the latter is absent for a short period.

Required minimum qualifications

— A bachelor's degree in education or an undergraduate degree in a relevant field of study certifying a minimum three-year university program or hold a senior executive or senior staff position excluding that of manager in a board.

— 5 years of relevant experience in a teaching or non-teaching professional position.

— A permanent teaching licence issued by the Minister.

— As of 1 September 2001, a graduate university program including a minimum of 30 credits in administration related to a senior staff position in a school:

A minimum of 6 credits must have been acquired prior to the first appointment to a senior staff position in a school and the remaining credits during the 5 years following such an appointment.

In exceptional cases, the board may refer to a selection committee a candidate who has not accumulated 6 credits in administration.

A senior staff member who does not complete the 30 credits in administration within the time limit prescribed may, in exceptional cases, be granted an extension. If not, he shall be relocated to a position that is available and compatible with his qualifications, as a senior staff member, manager, teacher or professional.

— Notwithstanding the aforementioned provisions, a senior staff member who holds, on 1 September 2001, a senior staff position in a school or centre shall be considered as meeting the requirements for that position.

D: SENIOR STAFF OF CENTRES POSITIONS

1. LEVEL 1: SENIOR STAFF OF CENTRES

1.1 DIRECTOR OF ADULT EDUCATION CENTRE

The position of director of an adult education centre entails responsibility for the management, from both the administrative and pedagogical aspects, of all the programs and resources of an adult education centre in order to foster the academic success of all students in accordance with the Education Act and the responsibilities defined by the board.

In general, this position includes the following responsibilities:

— evaluate the needs of the centre and define the specific objectives of the centre, taking into account legal provisions as well as objectives, policies and by-laws of the board and the governing board;

— assist the governing board in the exercise of its functions and powers, participate in meetings and implement the decisions of the governing board;

— encourage concerted action between the students, the centre staff and all concerned, their participation in the life of the centre and their collaboration in fostering academic success;

— participate in defining the policies and by-laws of the board as well as ensure their implementation;

— promote adult education services.

Instructional and educational matters

— Coordinate the development, implementation and evaluation of the policies and action plan of the centre.

— Request, approve, refuse proposals or, failing proposals, make decisions particularly as regards local programs of studies, new instructional methods, standards and procedures for the evaluation of student achievement, the determination of prerequisites, the placement tests and the rules governing promotion from one course to the other.

— Prepare, after consulting the staff concerned, proposals to be submitted to the governing board for approval on such matters as: the approach for the implementation of the basic school regulation, the enrichment or adaptation of the objectives and suggested content of the programs of studies, the time allocation for each compulsory or elective subject, the implementation of programs of studies based on student needs, student services and popular education services.

— Formulate and implement strategies for the development or implementation of self-financed training activities.

— Devise a development plan for the centre and ensure its implementation and evaluation.

— Propose procedures to the governing board for evaluating the centre and see to the ongoing improvement of the centre.

Management of human, material and financial resources

— Participate in or ensure the recruitment of centre staff.

— Define the duties of as well as manage and animate centre staff while ensuring its supervision and evaluation.

— Identify needs and organize professional development activities.

— Inform the board of the requirements of the centre as regards any required equipment or repair of the premises or immovables and ensure the follow-up of the work.

— Purchase apparatus, equipment, movables and immovables and keep an inventory of goods, equipment and tooling.

— Prepare, administer and monitor the centre budget.

— Collect service fees billed by the centre to the businesses, organizations and ministries concerned.

Information and communications technologies

— Develop, implement and evaluate the plan for the integration and use of information and communications technologies.

Services provided to businesses and relations with employment and potential employability development agencies

— Negotiate and enter into agreements for services or training activities with businesses, organizations, ministries or school boards.

Other matters

— Perform any other functions determined by law.

— Perform, at the request of the school board, functions other than the functions of a director of an adult education centre.

Required minimum qualifications

— A bachelor's degree in education or an undergraduate degree in a relevant field of study certifying a minimum three-year university program or hold a senior executive or senior staff position excluding that of manager in a board.

Notwithstanding the first paragraph, a senior staff member who held, on 23 June 1992, the position of director of an adult education centre in a board shall be considered as meeting the requirement for that position up to 1 September 2001.

- 8 years of relevant experience.

- A permanent teaching licence issued by the Minister.

- As of 1 September 2001, a graduate university program including a minimum of 30 credits in administration related to a senior staff position in a school:

A minimum of 6 credits must have been acquired prior to the first appointment to a senior staff position in a school and the remaining credits during the 5 years following such an appointment.

In exceptional cases, the board may refer to a selection committee a candidate who has not accumulated 6 credits in administration.

A senior staff member who does not complete the 30 credits in administration within the time limit prescribed may, in exceptional cases, be granted an extension. If not, he shall be relocated to a position that is available and compatible with his qualifications, as a senior staff member, manager, teacher or professional.

- Notwithstanding the aforementioned provisions, a senior staff member who holds, on 1 September 2001, a senior staff position in a school or centre shall be considered as meeting the requirements for that position.

1.2 DIRECTOR OF VOCATIONAL TRAINING CENTRE

The position of director of a vocational training centre entails responsibility for the management, from both the administrative and pedagogical aspects, of all the programs and resources of a vocational training centre in order to foster the academic success of all students in accordance with the Education Act and the responsibilities defined by the board.

In general, this position includes the following responsibilities:

- evaluate the needs of the centre and define the specific objectives of the centre, taking into account legal provisions as well as the objectives, policies and by-laws of the board and the governing board or management committee;

- assist the governing board or management committee in the exercise of its functions and powers, participate in meetings and implement the decisions of the latter;

- encourage concerted action between the parents, where applicable, the governing board or management committee, the students, the centre staff, the representatives of the socioeconomic milieu and all concerned, their participation in the life of the centre, and their collaboration in fostering academic success;

- participate in defining the policies and by-laws of the board as well as ensure their implementation;

- promote initial training and made-to-measure training services.

Instructional and educational matters

- Coordinate the development, implementation and evaluation of the policies and action plan of the centre.

- Request, approve, refuse proposals or, failing proposals, make decisions particularly as regards special training projects, school organization models, new instructional methods, standards and procedures for the evaluation of student achievement, and the application of admission criteria and of the rules governing promotion from one module to the other.

- Prepare, after consulting the staff concerned, proposals to be submitted to the governing board or management committee for approval on such matters as: the approach for the implementation of the basic school regulation, the enrichment or adaptation of the objectives and suggested content of the programs of studies, the time allocation for made-to-measure training, and the implementation of programs of studies based on student needs.

- Formulate and implement strategies for the development or implementation of self-financed training activities.

- Devise a development plan for the centre and ensure its implementation and evaluation.

- Propose procedures to the governing board or management committee for evaluating the centre and see to the ongoing improvement of the centre.

Management of human, material and financial resources

— Participate in or ensure the recruitment of centre staff.

— Define the duties of as well as manage and animate centre staff while ensuring its supervision and evaluation.

— Identify needs and organize professional development activities.

— Inform the board of the requirements of the centre as regards any required equipment or repair of the premises or immovables and ensure the follow-up of the work.

— Purchase apparatus, equipment, movables and immovables and keep an inventory of goods, equipment and tooling.

— Prepare, administer and monitor the centre budget.

— Collect service fees billed by the centre to the businesses, organizations and ministries concerned.

Information and communications technologies

— Develop, implement and evaluate the plan for the integration and use of information and communications technologies.

Services provided to businesses and relations with employment and potential employability development agencies

— Negotiate and enter into agreements for services or training activities with businesses, organizations, ministries or school boards.

Other matters

— Perform any other functions determined by law.

— Perform, at the request of the school board, functions other than the functions of a director of a vocational training centre.

Required minimum qualifications

— A bachelor's degree in education or an undergraduate degree in a relevant field of study certifying a minimum three-year university program or hold a senior executive or senior staff position excluding that of manager in a board.

Notwithstanding the first paragraph, a senior staff member who held, on 23 June 1992, the position of director of an adult education centre in a board shall be considered as meeting the requirement for that position up to 1 September 2001.

— 8 years of relevant experience.

— A permanent teaching licence issued by the Minister.

The requirement of a permanent teaching licence may be replaced by 5 years of teaching experience in a training or industrial centre deemed relevant by the selection committee. In such circumstances, the senior staff member shall not be subject to the provisions of section 10, paragraph 2).

— As of 1 September 2001, a graduate university program including a minimum of 30 credits in administration related to a senior staff position in a school:

A minimum of 6 credits must have been acquired prior to the first appointment to a senior staff position in a school and the remaining credits during the 5 years following such an appointment.

In exceptional cases, the board may refer to a selection committee a candidate who has not accumulated 6 credits in administration.

A senior staff member who does not complete the 30 credits in administration within the time limit prescribed may, in exceptional cases, be granted an extension. If not, he shall be relocated to a position that is available and compatible with his qualifications, as a senior staff member, manager, teacher or professional.

— Notwithstanding the aforementioned provisions, a senior staff member who holds, on 1 September 2001, a senior staff position in a school or centre shall be considered as meeting the requirements for that position.

2. LEVEL 2: SENIOR STAFF OF CENTRES

2.1 ASSISTANT DIRECTOR OF ADULT EDUCATION CENTRE

The position of assistant director of an adult education centre entails assisting the centre director in accordance with the mandate defined by the latter in the management of the instructional, educational and administrative matters of the centre.

In general, this position includes the performance of all or part of the following duties and responsibilities:

Instructional and educational matters

— Participate in the development, implementation and evaluation of the policies and action plan of the centre.

— Prepare or take part in the preparation of proposals on matters such as: the approach for the implementation of the basic school regulation, programs of studies, student services and popular education services, the time allocation for each compulsory or elective subject, the selection of textbooks and instructional material, the determination of prerequisites, the placement tests and the rules governing promotion from one cycle to the other, rules of conduct and support services.

— Coordinate, supervise or take part in the carrying out of activities, programs or services in different sectors of activities of the centre such as: human, material or financial resources, information and communications technologies, welcoming and referral services, services provided to businesses and relations with employment and potential employability development agencies.

— Assume any other responsibility compatible with his function that may be assigned to him by the immediate superior.

— Replace the director of the adult education centre if the latter is absent for a short period.

Required minimum qualifications

— A bachelor's degree in education or an undergraduate degree in a relevant field of study certifying a minimum three-year university program or hold a senior executive or senior staff position excluding that of manager in a board.

Notwithstanding the first paragraph, a senior staff member who held, on 23 June 1992, the position of director of an adult education centre in a board shall be considered as meeting the requirement for that position up to 1 September 2001.

— 5 years of relevant experience.

— A permanent teaching licence issued by the Minister.

— As of 1 September 2001, a graduate university program including a minimum of 30 credits in administration related to a senior staff position in a school:

A minimum of 6 credits must have been acquired prior to the first appointment to a senior staff position in a school and the remaining credits during the 5 years following such an appointment.

In exceptional cases, the board may refer to a selection committee a candidate who has not accumulated 6 credits in administration.

A senior staff member who does not complete the 30 credits in administration within the time limit prescribed may, in exceptional cases, be granted an extension. If not, he shall be relocated to a position that is available and compatible with his qualifications, as a senior staff member, manager, teacher or professional.

— Notwithstanding the aforementioned provisions, a senior staff member who holds, on 1 September 2001, a senior staff position in a school or centre shall be considered as meeting the requirements for that position.

2.2 ASSISTANT DIRECTOR OF VOCATIONAL TRAINING CENTRE

The position of assistant director of a vocational training centre entails assisting the centre director in accordance with the mandate defined by the latter in the management of the instructional, educational and administrative matters of the centre.

In general, this position includes the performance of all or part of the following duties and responsibilities:

— Participate in the development, implementation and evaluation of the policies and action plan of the centre.

— Prepare or take part in the preparation of proposals on matters such as: the approach for the implementation of the basic school regulation, the programs of studies, training organization methods, special training projects, the selection of textbooks and instructional material, the application of admission criteria and of the rules governing promotion from one module to the other, rules of conduct and support services.

— Coordinate, supervise or take part in the carrying out of activities, programs or services in different sectors of activities of the centre such as: human, material or financial resources, information and communications technologies, welcoming and referral services, services provided to businesses and relations with employment and potential employability development agencies.

— Assume any other responsibility compatible with his function that may be assigned to him by the immediate superior.

— Replace the director of the vocational training centre if the latter is absent for a short period.

Required minimum qualifications

— A bachelor's degree in education or an undergraduate degree in a relevant field of study certifying a minimum three-year university program or hold a senior executive or senior staff position excluding that of manager in a board.

Notwithstanding the first paragraph, a senior staff member who held, on 23 June 1992, the position of director of an adult education centre in a board shall be considered as meeting the requirement for that position up to 1 September 2003.

— 5 years of relevant experience.

— A permanent teaching licence issued by the Minister.

The requirement of a permanent teaching licence may be replaced by 5 years of teaching experience in a training or industrial centre deemed relevant by the selection committee. In such circumstances, the senior staff member shall not be subject to the provisions of section 10.

— As of 1 September 2003, a graduate university program including a minimum of 30 credits in administration related to a senior staff position in a school:

“SCHEDULE 2 JOB CLASSIFICATION PLAN

TABLE 5: SENIOR STAFF OF SCHOOLS

Positions	Classification	Classes (number of students/school)				
		Cl. I 499 or less		Cl. II 500 or more		
Principal (elementary)	DP	Cl. I		Cl. II		
		Class I 499 or less	Class II 500 - 999	Class III 1 000 - 1 999	Class IV 2 000 - 3 199	Class V 3 200 or more
Principal (secondary)	DS	Cl. I	Cl. II	Cl. III	Cl. IV	Cl. V
		Cl. I 999 or less		Cl. II 1 000 or more		
Vice-principal (elementary and secondary)	DAS	Cl. I		Cl. II		

A minimum of 6 credits must have been acquired prior to the first appointment to a senior staff position in a school and the remaining credits during the 5 years following such an appointment.

In exceptional cases, the board may refer to a selection committee a candidate who has not accumulated 6 credits in administration.

A senior staff member who does not complete the 30 credits in administration within the time limit prescribed may, in exceptional cases, be granted an extension. If not, he shall be relocated to a position that is available and compatible with his qualifications, as a senior staff member, manager, teacher or professional.

— Notwithstanding the aforementioned provisions, a senior staff member who holds, on 1 September 2003, a senior staff position in a school or centre shall be considered as meeting the requirements for that position.”.

3. Schedule 2, the Job Classification Plan for senior staff of schools (table 5), senior staff of adult education centres (table 6) and senior staff of vocational training centres (table 7) is amended as follows:

TABLE 6: SENIOR STAFF OF ADULT EDUCATION CENTRES

Position	Classi- fication	Classes (number of group-hours of instruction)				
		Class I 9 999 or less	Class II 10 000 - 15 999	Class III 16 000 - 35 999	Class IV 36 000 - 87 999	Class V 88 000 or more
Director of Adult Education Centre	DCA	Cl. I	Cl. II	Cl. III	Cl. IV	Cl. V

Position	Classi- fication	Classes (number of group-hours of instruction)	
		Class I 87 999 or less	Class II 88 000 or more
Assistant Director of Adult Education Centre	DACA	Cl. I	Cl. II

TABLE 7: SENIOR STAFF OF VOCATIONAL TRAINING CENTRES

Position	Classi- fication	Classes (number of group-hours of instruction)			
		Class I 15 999 or less	Class II 16 000 - 35 999	Class III 36 000 - 87 999	Class IV 88 000 or less
Director of Vocational Training Centre	DCFP	Cl. I	Cl. II	Cl. III	Cl. IV

Position	Classi- fication	Classes (number of group-hours of instruction)	
		Class I 87 999 or less	Class II 88 000 or more
Assistant Director of Vocational Training Centre	DACFP	Cl. I	Cl. II

4. Schedule 3 contains the salary scales for senior staff of schools (table IV), senior staff of adult education centres (table V) and senior staff of vocational training centres (table VI) applicable as of 1 July 1999:

“TABLE IV
SENIOR STAFF OF SCHOOLS

Salary scales as of 1 July 1999

Position	Classi- fication	Salary	Classes (number of students/school)				
			Class I 499 or less		Class II 500 or more		
Principal (elementary)	DP	Maximum	69 064		72 963		
		Minimum	53 127		56 127		
Principal (secondary)	DS	Maximum	Class I 499 or less	Class II 500 - 999	Class III 1 000 - 1 999	Class IV 2 000 - 3 199	Class V 3 200 or more
		Minimum	69 064	72 963	76 874	80 913	85 541
Vice-principal (elementary and secondary)	DAS	Maximum	Cl. I 999 or less		Cl. II 1 000 or more		
		Minimum	61 763		64 976		
			47 510		49 981		

TABLE V
SENIOR STAFF OF ADULT EDUCATION CENTRES

Salary scales as of 1 July 1999

Position	Classi- fication	Salary	Classes (number of group-hours of instruction)				
			Class I 9 999 or less	Class II 10 000 - 15 999	Class III 16 000 - 35 999	Class IV 36 000 - 87 999	Class V 88 000 or more
Director of Adult Education Centre	DCA	Maximum	64 976	69 064	72 963	76 874	80 913
		Minimum	49 981	53 127	56 127	59 134	62 242
Assistant Director of Adult Education Centre	DACA	Maximum	Class I 87 999 or less		Class II 88 000 or more		
		Minimum	61 763		64 976		
			47 510		49 981		

TABLE VI
SENIOR STAFF OF VOCATIONAL TRAINING CENTRES

Salary scales as of 1 July 1999

Position	Classification	Salary	Classes (number of group-hours of instruction)			
			Class I 15 999 or less	Class II 16 000 - 35 999	Class III 36 000 - 87 999	Class IV 88 000 or more
Director of Vocational Training Centre	DCFP	Maximum Minimum	69 064 53 127	72 963 56 127	76 874 59 134	80 913 62 242
Position	Classification	Salary	Classes (number of group-hours of instruction)			
			Class I 87 999 or less	Class II 88 000 or less		
Assistant Director of Vocational Training Centre	DACFP	Maximum Minimum	64 976 49 981	69 064 53 127		

”.

5. Schedule 15 introduces the following integration rules as of 1 July 1999:

“SCHEDULE 15
INTEGRATION RULES AS OF 1 JULY 1999

The salary of a senior staff member in a school or centre on the salary scale applicable on 1 July 1999 is determined by increasing his salary on 30 June 1999 by a percentage equal to 2.0 % up to the maximum of the salary scale applicable on that date.

The salary allocated cannot be less than the minimum of the new class of employment into which the senior staff member in a school or centre is integrated.

If the salary, prior to the integration, of the senior staff member is greater than the maximum of the new applicable salary scale, it shall be maintained.

Subsequently, when the salary is reviewed within the framework of salary adjustments, the senior staff member shall receive, on the date of the salary adjustment, a minimum rate of increase that is equal to half of the percentage of increase applicable to his class of employment. If, as a result of the application of the minimum rate of increase, the senior staff member receives a

salary that is lower than the maximum of the scale of his class of employment, this minimum rate of increase shall be brought to the percentage required to enable the latter to attain the maximum of his class of employment.

On the one hand, the difference between the percentage of increase of the salary scale corresponding to the senior staff member&s class of employment and, on the other hand, the minimum rate of increase determined under the preceding paragraph shall be paid to the senior staff member as a lump sum according to the same terms and conditions as those for the payment of the senior staff member&s salary and shall apply to his pension plan contribution. Such a lump sum shall be adjusted according to the increase in salary of the senior staff member in his class of employment.

The lump sum paid to a senior staff member who benefits from the salary readjustment mechanism prescribed in section 57 of this Regulation shall be adjusted according to the salary increase in the new class of employment.”.

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

Draft Regulations

Draft Regulation

Education Act
(R.S.Q., c. I-13.3)

Basic adult general education

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Basic Adult General Education Regulation, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to replace the current Basic school regulation respecting educational services for adults in general education and to make the following amendments:

— clarification of the definitions of orientation services and support services; changing the names of those services to “services assisting the learning process” and “services supporting the learning process”;

— addition of a linguistic support objective in order to gain a better command of French, language of instruction, to the services supporting the learning process;

— revision of the definition of evaluation of learning and of the requirements for the awarding of a Secondary School Diploma;

— integration, in the Basic regulation, of the Certificate of learning in sociovocational integration;

— compliance with the recent amendments to the Education Act.

Further information may be obtained by contacting Alain Mercier, Direction de la formation générale des adultes, ministère de l'Éducation, 1035, rue De La Chevrotière, 17^e étage, Québec (Québec) G1R 5A5, telephone (418) 643-5287.

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 Education, 1035, rue De La Chevrotière, 17^e étage, Québec (Québec) G1R 5A5.

FRANÇOIS LEGAULT,
Minister of Education

Basic adult general education regulation

Education Act
(R.S.Q., c. I-13.3, s. 448; 1997, c. 96, ss. 129 and 164)

CHAPTER I

Nature and objectives of educational services

1. The educational services offered to adults in general education include learning services, popular education services and student services.

The purpose of those services is

(1) to enable adults to become increasingly self-sufficient;

(2) to facilitate the social and vocational integration of adults;

(3) to help adults enter and remain in the job market;

(4) to enable adults to contribute to the economic, social and cultural development of their community; and

(5) to enable adults to acquire learning that is certified by the Minister.

DIVISION I

LEARNING SERVICES

2. Learning services include instructional services and services supporting of the learning process.

3. The purpose of instructional services is to help adults acquire the theoretical or practical knowledge that will enable them to achieve their learning objectives. Those services may be offered through various learning methods such as self-directed learning and distance education and include:

(1) services assisting the learning process;

(2) literacy services;

(3) presecondary education services;

(4) Secondary Cycle One education services;

(5) Secondary Cycle Two education services;

- (6) social integration services;
 - (7) sociovocational integration services;
 - (8) francization services;
 - (9) vocational education preparation services;
 - (10) postsecondary education preparation services.
4. Services assisting the learning process are designed to enable adults to assess their personal and professional experiences and to be introduced to learning and teaching methods throughout their studies.
5. Literacy services are designed to enable adults
- (1) to access other learning services, if necessary;
 - (2) to increase their abilities in different areas of learning;
 - (3) to carry out their familial and societal roles.
6. Presecondary education services, in order to offer access to secondary education or to other learning services, are designed to enable adults
- (1) to increase their knowledge and skills in written comprehension and expression in the language of instruction and in mathematics;
 - (2) to acquire a basic knowledge of the second language and of other areas of learning that may be chosen from among the elective subjects.
7. Secondary Cycle One education services are designed to enable adults extend the scope of their knowledge in basic and elective subjects so that they may go on to Secondary Cycle Two or to vocational training, as the case may be.
8. Secondary Cycle Two education services are designed to enable adults to perfect their learning by gaining better command of the knowledge in basic and elective subjects so that they may earn a Secondary School Diploma or go on to vocational training or postsecondary education.
9. Social integration services are designed to enable adults experiencing adjustment difficulties of a psychological, intellectual, social or physical nature to gain access to an individualized learning path that will enable them to acquire basic social skills and will prepare them for further studies, if they so desire.

10. Sociovocational integration services are designed to enable adults to acquire the skills required to enter or remain in the job market or, to continue their studies, as the case may be.

11. Francization services are designed to develop the basic oral and written French skills of adults whose mother tongue is not French and, for some, to facilitate their integration into Québec society while preparing them for the transition to further studies or the job market.

12. Vocational education preparation services are designed to enable adults to acquire the prerequisites necessary for admission to the selected program.

13. Postsecondary education preparation services are designed to enable adults to acquire the necessary prerequisites.

14. Services supporting the learning process are designed to enable adults

- (1) to establish a learning plan that will take into account prior learning and the objectives set following reception and referral services;

- (2) to explore all possibilities and resources available in order to implement their learning plan in keeping with their learning profile;

- (3) to receive pedagogical support to facilitate remedial work and the transition from one course to another and to help them counter their learning difficulties during their studies.

- (4) to obtain linguistic support, for those whose mother tongue is not French, in order to gain better command of French as the language of instruction, unless they are making use of, at the same time, the francization services.

DIVISION II

POPULAR EDUCATION SERVICES

15. Popular education services are services that relate to the intellectual, social and cultural development of adults or of groups of adults and to the implementation of community projects.

16. The purpose of popular education services is to promote the acquisition of knowledge and the development of skills, attitudes and behaviour required in the everyday lives of adults, groups and communities.

DIVISION III **STUDENT SERVICES**

17. Student services are designed to support adults in learning in respect of their personal and social conditions.

18. Student services include services that provide information about community resources.

CHAPTER II **GENERAL ORGANIZATIONAL FRAMEWORK** **FOR EDUCATIONAL SERVICES**

DIVISION I **ADMISSION AND ENROLLMENT**

19. In order for an adult to be admitted to educational services offered by a school board, the adult shall apply to the school board offering the services.

The application for admission must include the following information:

- (1) the person's name;
- (2) the person's residential address;
- (3) if the student is a minor, the names and residential address of the person's parents.

20. If the person has previously attended an educational institution in Québec, the application must include an official document bearing the permanent code assigned to the person by the Ministère de l'Éducation, such as a statement of learning achievement.

If the person applying for admission is unable to provide such a document because he will be attending and educational institution in Québec for the first time, the application must include a birth certificate bearing the names of the person's parents, unless the person is of full age, or a copy of the person's act of birth issued by the registrar of civil status.

If, for one of the reasons set out in articles 130 and 139 of the Civil Code of Québec, a copy of the person's act of birth or birth certificate cannot be provided, the application for admission must include an affidavit attesting to the person's date and place of birth. That affidavit shall be made by the person if of full age, or by the person and one of his parents if the person is a minor.

21. The school board shall inform the person and, if the person is a minor, his parents whether his application for admission has been accepted or denied.

22. If an adult is admitted, the school board shall enroll him in an adult education centre.

DIVISION II **SCHOOL CALENDAR**

23. The following days are holidays for adults:

- (1) 1 July;
- (2) the first Monday in September;
- (3) the second Monday in October;
- (4) 24, 25 and 26 December;
- (5) 31 December, 1 and 2 January;
- (6) Good Friday and Easter Monday;
- (7) the Monday preceding 25 May;
- (8) 24 June.

However, in exceptional circumstances, adults may be called upon to participate in activities related to the programs of studies on those holidays.

DIVISION III **TEXTBOOKS AND INSTRUCTIONAL MATERIAL**

24. Adults shall have access to the textbooks and instructional material selected in accordance with the Act for their programs of studies.

DIVISION IV **EVALUATION OF LEARNING ACHIEVEMENT**

25. The evaluation of learning is a process that consists in gathering, analyzing and interpreting information related to the achievement of objectives of the programs of studies in order to make appropriate educational and administrative assessments and decisions.

26. Adults shall receive a statement of learning achievement at least twice a year.

27. Promotion shall be carried out separately for each program.

Adults may enroll in a program only after having obtained the prerequisites.

28. Adults may register for compulsory examinations to earn the credits without having taken the corresponding course.

29. The pass mark is 60 percent for each course.

CHAPTER III CERTIFICATION OF STUDIES

30. The Minister shall award a Secondary School Diploma to adults who earn at least 54 credits at the Secondary IV and V levels at least 20 of which are earned at the Secondary V level, and that include the following compulsory credits:

- (1) 6 credits in Secondary V language of instruction;
- (2) 4 credits in Secondary V second language;
- (3) 4 credits in Secondary V mathematics or in a Secondary IV mathematics program established by the Minister with objectives of a comparable level of difficulty;
- (4) 4 credits in Secondary IV science and technology;
- (5) 4 credits in Secondary IV history and citizenship education.

Credits earned in Secondary Cycle Two are taken into account when awarding the diploma, that is, credits in the elective subjects of general education programs or in the framework of a program of studies leading to a Diploma of Vocational Studies or in a program of studies leading to an Attestation of Vocational Specialization, and the learning equivalents recognized in accordance with section 250 of the Education Act.

31. One credit corresponds to 25 hours of learning.

32. The Minister shall award, together with the school board, a certificate of learning in sociovocational integration of adults to adults who, after successfully completing the programs of studies in language of instruction, mathematics and presecondary second language, have successfully completed a program in sociovocational integration comprising 900 hours divided as follows:

- (1) 200 hours of development of employability and attitudes towards sociovocational integration;
- (2) 600 hours of practical training in sociovocational integration;
- (3) 100 hours allotted according to the adult's learning plan.

The certificate shall indicate, in particular:

- (1) the adult's name and permanent code;
- (2) the date;
- (3) the title of the signee; and
- (4) the name of the school board.

CHAPTER IV FREE ACCESS TO SERVICES

33. Adults who are residents of Québec, as defined by the Education Act, and are enrolled in learning services are entitled to free access to all services, unless they have already been awarded a Secondary School Diploma, in which case they are only entitled to free access to the following learning services: services assisting the learning process, francization, social integration, literacy, sociovocational integration, vocational education preparation, postsecondary education preparation and services supporting the learning process services.

CHAPTER V QUALITY OF LANGUAGE

34. Adult education centres shall take the necessary measures to ensure that all teachers and all staff members pay special attention to the quality of written and spoken language in learning and in the centre's other activities.

CHAPTER VI FINAL AND TRANSITORY PROVISIONS

35. In respect of adults who begin secondary school before the 2007-2008 school year, the following shall be substituted for section 30 of this Regulation until 30 June 2008:

“30. The Minister shall award a Secondary School Diploma to adults who earn at least 54 credits at the Secondary IV and V levels, allocated as follows:

- (1) 12 credits in language of instruction at least 6 of which are earned at the Secondary V level;
- (2) 6 credits in English, second language, at the Secondary IV or V level, for adults whose language of instruction is French;
- (3) 6 credits in French, second language, at the Secondary V level, for adults whose language of instruction is English;

(4) 36 credits in elective subjects at least 18 of which are earned at the Secondary V level.

The number of credits earned in language of instruction and in second language may not exceed 36.

For the awarding of a Secondary School Diploma:

(1) the credits earned in the framework of a vocational training program shall be considered as credits earned at the Secondary V level, with the exception of those credits earned in a program of studies leading to the practice of a semi-skilled trade;

(2) adults must have earned the credits of at least one course at the Secondary V level offered by an adult education centre.”.

36. This Regulation replaces the Basic school regulation respecting educational services for adults in general education adopted by Order in Council 732-94 dated 18 May 1994.

37. This Regulation comes into force on 1 July 2000.

3469

Draft Regulation

Education Act
(R.S.Q., c. I-13.3)

Basic school — Preschool, elementary and secondary school education

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) that the Basic school regulation for preschool, elementary and secondary school education, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of this draft Regulation is to replace the current Basic school regulations (régime pédagogique) for preschool and elementary school education and the Basic school regulations (régime pédagogique) for secondary school education and to make the following amendments:

— redefinition of the nature and objectives of educational services and more specifically of student services in order to, in the latter case, leave school boards more room to manoeuvre in the establishment of programs in respect of those services;

— integration of remedial education into student services by the nature of the services offered;

— rewriting of the welcoming and francization services in order to make them comply with the Policy regarding integration into school and intercultural education and give greater flexibility to school bodies;

— clarification of the provisions related to the right of handicapped students, as redefined in Schedule I, who reach the age of four before 1 October of the school year, to be admitted to preschool education;

— mandatory promotion from elementary to secondary school after six years of elementary school studies, subject to the provisions prescribed in the Education Act;

— institution of three cycles into elementary school education, replacing the current two cycles, in order to spread out the instruction and make it further correspond to the various stages of child development;

— replacement of the subject-time allocation in order to reinforce the basic subjects;

— revision of the classes of handicapped students who may be exempted from the application of the subject-time allocation for primary and secondary school education;

— recognition, in the basic school regulation, of the Certificate in Life Skills and Work Skills Education;

— corrections to the rules of certification in relation to the amendments made to the subject-time allocation for secondary school;

— compliance with the recent amendments to the Education Act.

Further information may be obtained by contacting Louise Laurence, Direction de la formation générale des jeunes, Ministère de l'Éducation, 1035, rue De La Chevrotière, 17^e étage, Québec (Québec) G1R 5A5, telephone (418) 643-7057.

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 Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5

FRANÇOIS LEGAULT,
Minister of Education

Basic school regulation for preschool, elementary and secondary school education

Education Act
(R.S.Q., c. I-13.3, s. 447; 1997, c. 96, s. 128)

CHAPTER I NATURE AND OBJECTIVES OF EDUCATIONAL SERVICES

1. The educational services offered to students include preschool education services, elementary and secondary instructional services, student services and special services.

DIVISION I PRESCHOOL EDUCATION SERVICES AND ELEMENTARY AND SECONDARY INSTRUCTIONAL SERVICES

2. The purpose of preschool education services is to promote the overall development of children by helping them to acquire the attitudes and skills that will facilitate the success of their academic and personal journey.

The purpose of elementary instructional services is to allow the overall development of students through basic learning, which will contribute to the progressive development of their autonomy and will prepare them for the level of learning required in secondary school.

The purpose of secondary instructional services is to further the overall development of students, to encourage their social integration and to help them determine personal and career goals. These services complement and reinforce the basic education received by students so that they may obtain a Secondary School Diploma or other occupational qualifications and, if applicable, pursue postsecondary studies.

DIVISION II STUDENT SERVICES

3. The purpose of student services is to encourage the students' progress in diverse learning.

4. A program established for student services under the first paragraph of section 224 of the Education Act (R.S.Q., c. I-13.3) shall include the following:

(1) support services designed to provide students with conditions that are conducive to learning;

(2) school activities designed to contribute to the development of students' autonomy and to their sense of responsibility and belonging at school and in society;

(3) counselling services designed to help students throughout their studies, with their academic and career choices, and with any difficulties they may encounter;

(4) promotion and prevention services designed to provide students with an environment conducive to the development of a healthy lifestyle and of skills that are beneficial to their health and well-being.

5. Student services as referred to in section 4 must include the following:

(1) services designed to promote participation in school life;

(2) services designed to educate students about their rights and responsibilities;

(3) sports, cultural and social activities;

(4) support services for the use of the school's library documentary resources;

(5) academic and career counselling and information;

(6) psychological services;

(7) psychoeducational services;

(8) special education services;

(9) remedial education services;

(10) speech therapy services;

(11) health and social services.

DIVISION III SPECIAL SERVICES

6. Special services are designed for students who, because of particular circumstances, require welcoming services and assistance in learning French or require instruction at home or in a hospital.

7. Welcoming services and services providing assistance in learning French are designed for students whose first language is not French, who are receiving educational services in French for the first time, and whose knowledge of French does not allow them to keep up with a regular class.

The purpose of those services is to help those students to integrate into a regular class where instructional services are provided in French.

8. Home or hospital instruction is designed for students who are unable to attend school because they require specialized health care or social services.

The purpose of home or hospital instruction is to allow students to achieve the objectives of the program of studies despite being unable to attend school.

CHAPTER II

GENERAL ORGANIZATIONAL FRAMEWORK FOR EDUCATIONAL SERVICES

DIVISION I

ADMISSION AND SCHOOL ATTENDANCE

9. In order for a person to be admitted for the first time to the educational services offered by a school board, an application must be submitted to the school board under whose jurisdiction that person falls.

An application for admission must include at least the following information:

- (1) the person's name;
- (2) the person's residential address;
- (3) the names of the person's parents, unless the person is of full age;
- (4) the person's religion, if Catholic or Protestant, for the purpose of applying sections 6, 226 and 262 of the Education Act (R.S.Q., c. I-13.3).

10. If the person has already attended an educational institution in Québec, the application for admission must include an official document bearing the permanent code assigned to the person by the Ministère de l'Éducation, for example, a report card.

If the person cannot provide such a document, in particular because the person will be attending an educational institution in Québec for the first time, the application for admission must include a birth certificate bearing the names of the person's parents, unless the person is of full age, or a copy of the person's act of birth issued by the registrar of civil status.

If, for one of the reasons set out in articles 130 and 139 of the Civil Code of Québec, a copy of the person's act of birth or birth certificate cannot be provided, the application for admission must include an affidavit attesting to the person's date and place of birth. That affidavit shall be made by the person, if of full age, or by one of the person parents.

11. The school board shall inform the parents or the person, if of full age, whether the application for admission has been accepted or denied.

A school board that admits a student who was attending a school of another board or a private educational institution must send that school board or institution a confirmation of the admission.

12. Students who reach the age of five before 1 October of the current school year and whose parents have submitted an application for admission shall be admitted to preschool education.

Handicapped students or students living in low-income areas, as defined in Schedule I, who reach the age of four before 1 October of the current school year and whose parents have made an application, shall be admitted to preschool education; the Minister shall establish a list of the school boards authorized to admit those students living in low-income areas and shall determine the conditions for their admission.

Students who reach the age of six before 1 October of the current school year shall be admitted to elementary school.

13. Promotion from elementary to secondary school shall take place after six years of elementary school studies; it may however take place after five years of studies if the student has achieved the objectives of the programs of studies at the elementary level and has acquired sufficient emotional and social maturity.

It is up to the school board responsible for the elementary education of the student to determine whether or not that student satisfies the requirements of the elementary level.

14. Persons who are over the age limit stipulated in the first paragraph of section 1 of the Education Act may, under conditions determined by the Minister, be admitted to the educational services of a school board if in the previous school year they were enrolled in a school or vocational training centre established by a school board, either in a private educational establishment in Québec that offers elementary or secondary school education, or in an educational establishment outside Québec that offers instruction equivalent to elementary or secondary school education.

DIVISION II

CYCLES OF INSTRUCTION

15. Elementary education is divided into three cycles of two years each.

Secondary education is divided into two cycles: the first covers three school years and the second, two school years.

A cycle is a period of learning during which students acquire skills in each subject area and cross-curricular skills which prepare them for further studies.

DIVISION III SCHOOL CALENDAR AND PRESCRIBED TIME

16. The school calendar for students shall consist of a maximum of 200 days, at least 180 of which must be devoted to educational services. However, for the handicapped students and the students living in the low-income areas referred to in the second paragraph of section 12, the school calendar shall consist of a maximum of 200 half-days, at least 180 of which must be devoted to educational services.

17. For preschool and elementary students, the week shall consist of a minimum of 23 hours and 30 minutes devoted to educational services. Students shall have at least 50 minutes for lunch, in addition to the prescribed time. Elementary students shall also have a recreation period in both the morning and the afternoon in addition to the prescribed time.

However, for the handicapped students and the students living in low-income areas referred to in the second paragraph of section 12, the week shall consist of a minimum of 11 hours and 45 minutes devoted to educational services, unless the school board, to the extent and on the conditions determined by the Minister, grants them an exemption.

18. For secondary students, the week shall consist of a minimum of 25 hours devoted to educational services. Those students shall also have at least 50 minutes for lunch and five minutes between each class, in addition to the prescribed time.

19. The following days are holidays for students:

- (1) Saturdays and Sundays;
- (2) 1 July;
- (3) the first Monday in September;
- (4) the second Monday in October;

(5) 24, 25 and 26 December;

(6) 31 December, 1 and 2 January;

(7) Good Friday and Easter Monday;

(8) the Monday preceding 25 May;

(9) 24 June.

DIVISION IV INFORMATION AND DOCUMENTS TO BE SUPPLIED TO THE STUDENT'S PARENTS

20. At the beginning of the school year, the principal shall ensure that the following documents are provided to the parents of each student or to the student, if of full age:

(1) the general rules of the school and its calendar of activities;

(2) information on the preschool education program or, in the case of an elementary or secondary school student, information on that student's program of studies and a list of the textbooks required for those programs;

(3) the name of the student's teacher in the case of a child in preschool education and, in all other cases, the names of all the student's teachers, including, where applicable, the name of the homeroom teacher.

DIVISION V INSTRUCTIONAL MATERIAL

21. Elementary or secondary school students must have access to the instructional material selected in accordance with the Act for their programs of studies. Children in preschool education must have access to the instructional material required by the program of activities provided for them.

DIVISION VI SUBJECT-TIME ALLOCATION

22. In elementary school, the following subjects are compulsory and the number of hours per week is suggested, subject to the regulatory power of the Catholic committee and the Protestant committee referred to in section 22 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., c. C-60).

Cycle one Grades 1 and 2		Cycles two and three Grades 3, 4, 5 and 6	
Compulsory Subjects	Time	Compulsory Subjects	Time
Language of instruction	9 h	Language of instruction	7 h
Mathematics	7 h	Mathematics	5 h
	16 h		12 h
Religious or moral instruction	2 h	Religious or moral instruction	2 h
French, second language		Second language (French or English)	
Art		Art	
Physical education and health education		Physical education and health education	
		History, geography and citizenship education	
		Science and technology	
Unapportioned time	5.5 h	Unapportioned time	9.5 h
Total	23.5 h		23.5 h

Those subjects must be taught each year and the objectives of the programs for those subjects must be attained by the end of each cycle.

A school board may, to the extent and on the conditions determined by the Minister, exempt from the application of the first and second paragraphs students with moderate to severe intellectual impairments as defined in section 1 of Schedule II, students with profound intellectual impairments as defined in section 2 of Schedule II, students with pervasive development disorders as defined in section 3 of Schedule II, students with psychopathological disorders as defined in section 4 of Schedule II, students with a language disorder as defined in section 5 of Schedule II and students receiving special services.

23. In secondary school, subject to the regulatory power of the Catholic committee and the Protestant committee referred to in section 22 of the Act respecting the Conseil supérieur de l'éducation, the compulsory subjects, the number of credits per compulsory subject and the number of credits for elective subjects are the following:

Cycle one				Cycle two			
Secondary I and II		Secondary III		Secondary IV		Secondary V	
Compulsory Subjects	Credits	Compulsory Subjects	Credits	Compulsory Subjects	Credits	Compulsory Subjects	Credits
French, language of instruction	8	French, language of instruction	8	Language of instruction	6	Language of instruction	6
English, second language	4	English, second language	4	Second language	4	Second language	4
				Mathematics	4	Mathematics	4
English, language of instruction	6	English, language of instruction	6	History and citizenship education	4		—
French, second language	6	French, second language	6		—	Knowledge of the contemporary world	4
				Science and technology	4		—

Cycle one				Cycle two			
Secondary I and II		Secondary III		Secondary IV		Secondary V	
Compulsory Subjects	Credits	Compulsory Subjects	Credits	Compulsory Subjects	Credits	Compulsory Subjects	Credits
Mathematics	6	Mathematics	6	Physical education and health education	2	Physical education and health education	2
History and citizenship education	3	History and citizenship education	4	Moral and religious instruction or Moral instruction	2	Moral and religious instruction or Moral instruction	2
Geography	3	Science and technology	6				
Science and technology	4	Physical education and health education	2				
Physical education and health education	2	Moral and religious instruction or Moral instruction	2				
Moral and religious instruction or Moral instruction	2						
Art	4	Elective subjects	Credits	Elective subjects	Credits	Elective subjects	Credits
		Art or Modern languages or a local program	4		10		14
Total	36	Total	36	Total	36	Total	36

A school board may, to the extent and on the conditions determined by the Minister, exempt from the application of the first paragraph:

- (1) students with moderate to severe intellectual impairments, as defined in section 1 of Schedule II;
- (2) students with profound intellectual impairments, as defined in section 2 of Schedule II;
- (3) students with pervasive developmental disorders, as defined in section 3 of Schedule II;
- (4) students with psychopathological disorders as defined in section 4 of Schedule II;
- (5) students with a language disorder as defined in section 5 of Schedule II;
- (6) students receiving special services;
- (7) students who may enroll in an individualized learning path in life skills and work skills education, as defined in Schedule III.

24. For students admitted to an English language school, the school board may, with the parents' authorization, use French as the language of instruction for subjects other than French as a second language.

25. The school may, without authorization from the Minister, assign a maximum of four credits for a local program of studies.

26. A credit corresponds to 25 hours of instruction.

27. Students who show that they have achieved the objectives of a program by passing an examination set by the school or the school board are not required to take that program. The time allotted for that program shall be used for instructional purposes.

DIVISION VII

EVALUATION OF LEARNING ACHIEVEMENT

28. The evaluation of learning achievement is a process that consists in gathering, analyzing and interpreting information related to the achievement of objectives in order to make appropriate educational and administrative assessments and decisions concerning that student.

At the secondary school level, promotion shall be carried out separately for each program except in the case of special education situations or constraints due to the organization of the program.

A secondary school student may only enroll in a program after having obtained the prerequisites, unless that student possesses learning equivalents recognized in accordance with section 232 of the Education Act.

29. Schools shall provide the parents of a student or the student, if of full age, with at least four reports per year to inform the parents or the student, as the case may be, of the student's academic progress.

At least once a month, information shall be provided:

(1) to the parents of students whose performance puts them at risk of failing the current school year or, for children in preschool education, when their achievement indicates that they will not be ready to proceed to the first grade of elementary school at the beginning of the following school year;

(2) to the parents of students whose behaviour does not comply with the school's code of conduct;

(3) to the parents of students whose individualized education plan provides for that information.

The information is intended to foster collaboration between the parents and the school in correcting learning difficulties and behavioural problems as soon as they appear and, in some cases, in implementing an individualized education plan.

30. The report card shall contain at least the following information:

(1) the school year;

(2) the grade level;

(3) the name of the school board;

(4) the student's name;

(5) the student's permanent code;

(6) the student's date of birth;

(7) the names, address and telephone number of the student's parents or, if the student is of full age, the student's address and telephone number;

(8) the relationship between the student and the person to whom the report card is addressed (parent or other person responsible for the student);

(9) the principal's name;

- (10) the names of the student's teachers;
- (11) the name, address and telephone number of the school;
- (12) the school board seal or the principal's signature;
- (13) in the case of an elementary school student, the name of each subject taken; in the case of a secondary school student, the code and title of each course taken and the name of the teacher responsible for each course;
- (14) the student's attendance record;
- (15) the mark received in each subject or, in the case of a child in preschool education, an assessment of the child's development;
- (16) the number of credits allotted for each course taken by the student during the school year and, in the case of a secondary student, the number of credits earned for courses which the Minister does not set a compulsory examination.

31. To be admitted to an examination set by the Minister, secondary school students must have been legally enrolled in a school, and must have taken the corresponding program or received equivalent instruction at home following an exemption from school attendance in accordance with subparagraph 4 of the first paragraph of section 15 of the Education Act.

However, students exempted from taking the program because they have shown that they have achieved the objectives of that program by passing a compulsory examination set by the school or the school board may be admitted to an examination required by the Minister.

CHAPTER III CERTIFICATION OF STUDIES

32. The Minister shall award a Secondary School Diploma to a student who earns at least 54 credits at the Secondary IV and V levels in which at least 20 of those credits were earned at the Secondary V level, and among those credits, the following compulsory credits:

- (1) 6 credits in Secondary V language of instruction;
- (2) 4 credits in Secondary V second language;
- (3) 4 credits in Secondary V mathematics or in a Secondary IV mathematics program established by the Minister with objectives of a comparable level of difficulty;

(4) 4 credits in Secondary IV science and technology;

(5) 4 credits in Secondary IV history and citizenship education.

Credits earned in a program of studies leading to a Diploma of Vocational Studies or to an Attestation of Vocational Specialization are taken into account when awarding the secondary school diploma.

33. In the case of a student exempted from the application of section 23, in accordance with subparagraph 7 of the second paragraph of that section, the Minister and the school board having jurisdiction over the student shall jointly award a Certificate in Life Skills and Work Skills Education (youth sector) to the student who took general education and who has successfully completed a life skills and work skills education practical program comprising 1 800 hours of instruction divided as follows:

	Year 1	Year 2
General education	(Hours)	
Language of instruction	100	50
Mathematics	100	50
Second language	50	
Catholic religious and moral instruction, Protestant religious and moral instruction or Moral instruction	50	50
Introduction to the world of work		
Life skills	50	50
	100	100
Practical training		
Work skills	200	450
Unapportioned time	250	150
Total	900	900

The certificate shall indicate, in particular:

- (1) the student's name and permanent code;
- (2) the date;

- (3) the title of the signee;
- (4) the name of the school board

34. For all programs of studies offered at the secondary level that lead to the awarding of a Secondary School Diploma, the pass mark is 60 percent.

For all programs of studies for which the Minister sets an examination, the Minister shall take into account the evaluation carried out by the school board in a proportion of 50 percent, subject to section 470 of the Education Act. The Minister shall then certify success or failure in that program.

CHAPTER IV QUALITY OF LANGUAGE

35. Schools shall take the necessary measures to ensure that all teachers in all subjects and all school staff pay special attention to the quality of written and spoken language in learning and in all school activities.

CHAPTER V FINAL PROVISIONS

36. This Regulation replaces the Basic school regulations (régime pédagogique) for preschool and elementary school education made by Order in Council 73-90 dated 24 January 1990 and the Basic school regulations (régime pédagogique) for secondary school education made by Order in Council 74-90 dated 24 January 1990.

37. This Regulation comes into force on 1 July 2000.

SCHEDULE I (s. 12)

HANDICAPPED STUDENTS AND STUDENTS LIVING IN LOW-INCOME AREAS

1. Handicapped students are students whose overall functioning, evaluated by a qualified person, shows that they fit the following conditions:

- (1) the student is considered handicapped within the meaning of the Act to secure the handicapped in the exercise of their rights (R.S.Q., c. E-20.1);
- (2) the student displays disabilities that limit or prevent participation in the education services;
- (3) the student needs support in order to function in a school environment.

2. Students living in low-income areas are students residing in territories identified as economically disadvantaged according to the following criteria:

- (1) poverty, as defined by certain indices of income and education;
- (2) district, the basic territorial unit for any activities involving school-age children;
- (3) concentration, the presence of a certain number of poor families in a given area.

SCHEDULE II (ss. 22 and 23)

STUDENTS WITH MODERATE TO SEVERE INTELLECTUAL IMPAIRMENTS, WITH PROFOUND INTELLECTUAL IMPAIRMENTS, WITH PERVASIVE DEVELOPMENTAL DISORDERS, WITH PSYCHOPATHOLOGICAL DISORDERS OR WITH A LANGUAGE DISORDER

1. Students with moderate to severe intellectual impairments are students whose cognitive functions, evaluated by a multidisciplinary team using standardized tests, show a level of general functioning that is clearly below average, as well as impaired adaptive behaviour appearing from the beginning of the developmental period.

The student's functional evaluation must also show that the student displays:

- (1) limitations in the area of cognitive development restricting the ability to learn with respect to certain objectives of the ordinary programs of studies and requiring an adapted pedagogy or program;
- (2) limited functional abilities in the area of personal and social autonomy resulting in a need for assistance in new activities or a need for instruction in basic autonomy;
- (3) more or less marked difficulties in sensory, motor and communication development, making adapted intervention necessary in those areas.

2. Students with profound intellectual impairments are students whose cognitive functions, evaluated by a multidisciplinary team using standardized tests, show a level of general functioning that is clearly below average, as well as impaired adaptive behaviour appearing from the beginning of the developmental period.

The student's functional evaluation must also show that the student displays the following characteristics:

(1) major limitations in the area of cognitive development making it impossible to achieve the objectives of the ordinary programs of studies and requiring the use of an adapted program;

(2) perception, motor and communication skills are limited, requiring individualized methods of evaluation and stimulation;

(3) very low functional abilities in the area of personal and social autonomy, resulting in a constant need for support and supervision to accomplish daily school tasks.

The student's functional evaluation may also show that the student displays related impairments such as physical and sensorial impairments, as well as neurological and psychological disorders and an increased sensitivity to contracting various illnesses.

3. Students with pervasive developmental disorders are students whose overall functioning evaluation, carried out by a multidisciplinary team of specialists using systematic observation techniques and standardized tests in accordance with the diagnoses criteria of the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV), leads to one of the following diagnoses:

(1) autistic disorder, that is, a set of dysfunctions appearing from an early age and characterized by development that is clearly abnormal or lacking in social interaction and communication and by a markedly restricted, repetitive and stereotyped repertoire of activities, interests and behaviour which is demonstrated through several of the following specific limitations:

– an inability to make friends, significant problems integrating into the group;

– an inability to understand concepts and abstract ideas and a limited comprehension of words and gestures;

– specific language and communication problems, such as the absence of language, echolalia and pronoun reversals;

– behavioural problems such as hyperactivity, abnormal passivity, fits, fearfulness in ordinary situations or a lack of fear in dangerous situations;

– mannerisms, stereotyped and repetitive gestures.

(2) Rett syndrome, childhood disintegrative disorder, Asperger syndrome or a non-specific pervasive developmental disorder.

The evaluation of the overall functioning of the student must also conclude the disorder is of such severity that it prevents the student from accomplishing normal tasks, according to age and school environment, without continuous support.

4. Students with psychopathological disorders are students whose overall functioning evaluation, carried out by a team of multidisciplinary specialists using systematic observation techniques and standardized tests, leads to the diagnosis of a psychic impairment that appears through a distortion in several areas of development, particularly in the area of cognitive development.

The disorders in question include several of the following characteristics: disorganized behaviour, episodes of severe disturbance, extreme emotional distress, extreme confusion, distortion of reality, delirium and hallucinations.

The evaluation of the overall functioning of the student must also conclude that the developmental disorders lead to marked difficulties in the adaptation to school life and that they are of such severity that they prevent the student from accomplishing normal tasks, according to age and school environment, without continuous support.

5. Students with language disorders are students whose overall functioning evaluation, carried out by a multidisciplinary team using systematic observation techniques and appropriate tests, leads to a diagnosis of severe dysphasia, defined as a severe and persistent language development disorder significantly limiting verbal interactions, socialization and learning at school.

The student's functional evaluation must also show the presence of moderate to severe difficulties in the area of verbal comprehension and extremely marked difficulties in the following areas: language evolution, verbal expression and cognitive verbal abilities.

The student's functional evaluation must also conclude that the persistence and severity of the disorder prevents the student from accomplishing school tasks normally suggested to other students of the same age and that student services and an adapted pedagogy are required.

SCHEDULE III

(s. 23)

STUDENTS WHO MAY ENROLL IN AN INDIVIDUALIZED LEARNING PATH IN LIFE SKILLS AND WORK SKILLS EDUCATION

Students who may enroll in an individualized learning path in life skills and work skills education are students who display the following characteristics:

(1) they are at least 16 years of age on 30 September of the school year in which they begin that learning path;

(2) they have fallen so far behind in their schooling that they are unable to integrate into a regular learning path leading to a Secondary School Diploma or a Diploma of Vocational Studies.

Such students are evaluated to be two or more years behind in the language of instruction and in mathematics. The evaluation is based on a comparison with the majority of the students of the same age in the school board.

3468

Draft Regulation

Education Act
(R.S.Q., c. I-13.3)

Basic vocational training

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Basic Vocational Training Regulation, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to replace the current Basic school regulation respecting educational services for adults in vocational education, to propose a basic regulation applicable to vocational education for young persons and adults and make the following principal changes:

— recognition in the basic regulation of the Vocational Education Certificate, which certifies the programs preparing students for a semi-skilled trade, and establishment of the admission requirements of those programs;

— clarification of the definition of learning support services and changing the name of those services to “services supporting the learning process”;

— making the requirements for admission to a program of studies leading to an Attestation of Vocational Specialization more flexible by taking into account the practise of a trade or a profession related to the program in question and by eliminating admission requirements in the case of a business start-up program;

— amendment of the learning evaluation procedure by having results expressed as a pass or failure;

— application to all persons whose entitlement to free educational services may be subject to certain conditions of the requirement of full-time enrollment (minimum 15 hours a week) for the duration of their studies unless the courses remaining to complete their program of studies require less hours than that minimum; that requirement relating to full-time enrollment currently applies only to persons already holding a diploma or attestation.

Further information may be obtained by contacting Guy Demers, Direction des programmes de formation professionnelle et technique, ministère de l'Éducation, 1035, rue De La Chevrotière, 12^e étage, Québec (Québec) G1R 5A5, téléphone: (418) 646-1536.

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 Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

FRANÇOIS LEGAULT,
Minister of Education

Basic vocational training regulation

Education Act
(R.S.Q., c. I-13.3, s. 448; 1997, c. 96, ss. 129 and 164)

**CHAPTER I
NATURE AND OBJECTIVES OF EDUCATIONAL SERVICES**

1. The educational services offered in vocational training include learning services and student services.

The purpose of those services is:

(1) to help a person become increasingly self-sufficient;

(2) to facilitate social and vocational integration;

(3) to help a person enter and remain in the job market;

(4) to enable a person to contribute to the economic, social and cultural development of the community; and

(5) to enable a person to acquire learning that is certified by the Minister.

DIVISION **LEARNING SERVICES**

2. Learning services are the services related to the acquisition, evaluation and certification of the competencies referred to in the programs of studies that are offered.

They also include services related to pedagogical support and the educational environment in which the person learns, from his enrolment to the completion of his studies.

3. Learning services include instructional services and services supporting the learning process.

4. Instructional services may be offered through methods such as self-directed learning and distance education. Their purpose is to help a person acquire the occupational competencies leading to:

(1) a Vocational Education Certificate, which gives access to a semi-skilled trade or to continued studies;

(2) a Diploma of Vocational Studies, which gives access to a skilled trade or profession or to continued studies;

(3) an Attestation of Vocational Specialization, which gives access to a specialization in a particular branch of a trade or profession or to continued studies.

5. The services supporting the learning process are designed to enable a person

(1) to establish a learning plan that will take into account prior learning and the objectives set following reception and referral services;

(2) to explore all possibilities and available resources in order to implement the learning plan in keeping with the person's learning profile; and

(3) to receive pedagogical support to help with remedial work and progression from one course to the next

and to help counter any learning difficulties throughout the person's studies.

DIVISION II **STUDENT SERVICES**

6. The student services available to persons referred to in section 1 of the Education Act (R.S.Q., c. I-13.3) are those set out in the Basic school regulation for preschool, elementary and secondary school education.

The student services available to other persons are those set out in the Basic Adult General Education Regulation.

CHAPTER II **GENERAL ORGANIZATIONAL FRAMEWORK** **FOR EDUCATIONAL SERVICES**

DIVISION I **ADMISSION AND ENROLLMENT**

7. In order to be admitted to a vocational education program, a person shall apply for admission to the school board offering the program.

The application for admission must include the following information:

(1) the person's name;

(2) the person's residential address;

(3) if the person is a minor, the names and residential address of the person's parents.

8. If the person has previously attended an educational institution in Québec, the application must include an official document bearing the permanent code assigned to the person by the Ministère de l'Éducation.

If the person applying for admission is unable to provide such a document because the person will be attending an educational institution in Québec for the first time, the application must include a birth certificate bearing the names of the person's parents, unless the person is of full age, or a copy of the person's act of birth issued by the registrar of civil status.

If, for one of the reasons set out in articles 130 and 139 of the Civil Code of Québec, a copy of the person's act of birth or the person's birth certificate cannot be provided, the application for admission must include an affidavit attesting to the person's date and place of birth. That affidavit shall be made by the person if of full age or by the person and one of his parents if the person is a minor.

9. The school board shall inform the person and, if the person is a minor, the person's parents, whether the application for admission has been accepted or denied.

10. If the person is admitted, the school board shall enroll the person in a vocational training centre.

11. To be admitted to a program of studies leading to a Vocational Education Certificate, a person shall

(1) be at least 15 years of age on the 30 September of the school year in which vocational training is begun and meet the requirements for admission to the program established by the Minister in accordance with section 465 of the Education Act; and

(2) have at least Secondary II level credits in language of instruction, second language and mathematics and continue, if such is the case, concurrently with the vocational training, the general education studies in language of instruction, second language and mathematics at the Secondary III level.

12. To be admitted to a program of studies leading to a Diploma of Vocational Studies, a person shall

(1) hold a Secondary School Diploma;

(2) be at least 16 years of age on 30 September of the school year in which vocational training is begun and meet the requirements for admission to the program established by the Minister in accordance with section 465 of the Education Act;

(3) be 18 years of age or over and have the functional prerequisites prescribed for admission to the program by the Minister in accordance with section 465 of the Education Act; or

(4) have Secondary III level credits in language of instruction, second language and mathematics and continue, concurrently with the vocational training, the general education studies of the second cycle of secondary school.

13. To be admitted to a program of studies leading to an Attestation of Vocational Specialization, a person shall

(1) hold the prerequisite Diploma of Vocational Studies for the program as established by the Minister in accordance with section 465 of the Education Act; or

(2) practise a trade or profession related to the program of studies.

Those admission requirements do not apply in the case of a business start-up program.

14. A person who has been granted a recognition of equivalent learning in accordance with sections 232 and 250 of the Education Act is deemed to meet the requirements with respect to the recognized credits or diploma.

DIVISION II **SCHOOL CALENDAR**

15. The following days are holidays for persons enrolled in a vocational education program:

- (1) 1 July;
- (2) the first Monday in September;
- (3) the second Monday in October;
- (4) 24, 25 and 26 December;
- (5) 31 December, 1 and 2 January;
- (6) Good Friday and Easter Monday;
- (7) the Monday preceding 25 May; and
- (8) 24 June.

However, in exceptional circumstances, persons may be called upon to take part in activities related to the programs of studies on these holidays

DIVISION III **TEXTBOOKS AND INSTRUCTIONAL MATERIAL**

16. Persons enrolled in a vocational training centre shall have access to the textbooks and instructional material selected in accordance with the Act for their programs of studies.

Students referred to in section 1 of the Education Act shall be provided with the schoolbook selected in accordance with the Act for every compulsory and elective subject taken in general education concurrently with their vocational education.

DIVISION IV **EVALUATION OF LEARNING ACHIEVEMENT**

17. Each vocational education competency shall be evaluated and the results expressed as a pass or failure.

18. Persons enrolled in vocational training shall receive an statement of learning achievement at least twice a year.

19. The vocational training centre shall provide the parents of persons who are minors with at least four report cards a year with respect to any general education courses taken concurrently with the vocational education courses.

The report cards must contain at least the following information:

- (1) the school year;
- (2) the grade level;
- (3) the name of the school board;
- (4) the person's name;
- (5) the person's permanent code;
- (6) the person's date of birth;
- (7) the parents' names, address and telephone number;
- (8) the relationship between the student and the person to whom the report card is addressed (parent or other person responsible for the student);
- (9) the name of the director of the vocational training centre;
- (10) the names of the teachers;
- (11) the name, address and telephone number of the vocational training centre;
- (12) the school board seal or the signature of the director of the centre;
- (13) the code and title of each course taken and the name of the teacher responsible for each course;
- (14) the person's attendance record;
- (15) the mark received in each subject; and
- (16) the credits allotted for each course taken by the student during the school year in addition to the number of credits earned for the courses for which the Minister does not set a compulsory examination.

This section also applies to the school providing general education courses to the minor concurrently with vocational education.

20. A person enrolled in vocational training may register for compulsory examinations to earn credits without having taken the corresponding course, taking into account pedagogical and organizational requirements.

CHAPTER III CERTIFICATION OF STUDIES

21. On the recommendation of the school board, the Minister shall award a Vocational Education Certificate that specifies the semi-skilled trade and includes a statement of competencies to the person who has successfully completed a learning program of not more than 900 hours including:

(1) Secondary III departmental programs in language of instruction, second language and mathematics;

(2) not less than 75 hours and not more than 100 hours of learning preparing the person for the job market; and

(3) not less than 350 hours and not more than 450 hours of on-the-job training preparing the person to practise the semi-skilled trade.

22. The Minister shall award a Diploma of Vocational Studies that specifies the trade or profession and includes a statement of competencies to a person who meets all the admission requirements for the program of studies and has earned all of the credits in that program.

23. The Minister shall award an Attestation of Vocational Specialization that specifies the specialty and includes a statement of competencies to a person who has earned all of the credits in a program of studies.

24. A credit corresponds to 15 hours of instruction.

25. A person referred to section 1 of the Education Act who takes concurrent courses in general education is subject, with respect to those courses, to the rules governing certification of studies prescribed under the Basic school regulation for preschool, elementary and secondary school education. In all other cases, the person is subject to the rules under the Basic Adult General Education Regulation.

CHAPTER IV FREE EDUCATIONAL SERVICES

26. To be entitled to free educational services, a resident of Québec within the meaning of the Education Act who has reached 18 years of age, or 21 years of age in the case of a handicapped person within the meaning of the Act to secure the handicapped in the exercise of their rights (R.S.Q., c. E-20.1), must be enrolled, for the duration of the studies, in courses of a minimum of 15 hours a week unless the courses remaining to complete the studies require less hours.

This section does not apply to a person who takes part in activities referred to in subparagraph 1 of the first paragraph of section 255 of the Education Act.

27. A resident of Québec within the meaning of the Education Act who has reached 18 years of age, or 21 years of age in the case of a handicapped person within the meaning of the Act to secure the handicapped in the exercise of their rights, and who fails to achieve the objectives of the program of studies leading to a Diploma of Vocational Studies or to an Attestation of Vocational Specialization within the time allotted for the duration of the program of studies, plus 20 %, shall no longer be entitled to free educational services.

CHAPTER V QUALITY OF LANGUAGE

28. Vocational training centres shall take the necessary measures to ensure that all teachers and all staff members pay special attention to the quality of written and spoken language in learning and in the centre's other activities.

CHAPTER VI FINAL PROVISIONS

29. This Regulation replaces the Basic school regulation respecting educational services for adults in vocational education made by Order in Council 733-94 dated 18 May 1994.

30. This Regulation comes into force on 1 July 2000.

3470

Draft Regulation

Code of Civil Procedure
(R.S.Q., c. C-25)

Family mediation — Amendments

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 to amend the Regulation respecting family mediation, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to improve the quality of family mediation services by increasing the requirements respecting the conditions to be met by a mediator in order to be certified. It also prescribes new rules for the extension of a mediator's undertaking and the cancellation of a mediator's certification.

Further information on the draft Regulation may be obtained by contacting Mr. Pierre Tanguay, Direction générale des services de justice, 1200, route de l'Église, 7^e étage, Sainte-Foy (Québec) G1V 4M1 (telephone: (418) 644-7706; fax: (418) 644-9968).

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Justice, 1200, route de l'Église, 9^e étage, Sainte-Foy (Québec) G1V 4M1.

LINDA GOUPIL,
Minister of Justice

Regulation to amend the Regulation respecting family mediation*

Code of Civil Procedure
(R.S.Q., c. C-25, a. 827.3)

1. The Regulation respecting family mediation is amended by substituting the following for section 1:

* The Regulation respecting family mediation, made by Order in Council 1686-93 dated 1 December 1993 (1993, *G.O.* 2, 6734), was last amended by the Regulation made by Order in Council 905-99 dated 11 August 1999 (1999, *G.O.* 2, 2817). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

1. To be certified, an applicant shall

(1) be a member of the Barreau du Québec, the Chambre des notaires du Québec, the Ordre professionnel des conseillers et conseillères d'orientation du Québec, the Ordre des psychologues du Québec, the Ordre professionnel des travailleurs sociaux du Québec or be an employee of an institution operating a child and youth protection centre within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) and, in the latter case, meet the conditions required to be eligible for one of the above-mentioned professional orders;

(2) have taken a 50-hour basic training course in family mediation in the five years preceding the application;

(3) have three years' experience in one of the fields of competence referred to in paragraph 1; and

(4) undertake to carry out, within two years of certification, ten family mediation mandates under the supervision of a certified mediator who has carried out 40 family mediation mandates, and to receive, within the same time, 45 hours of complementary training in family mediation.”

2. Section 2 is amended

(1) by adding the words “(particularly the fixing of children support and the partition of the family patrimony and of other patrimonial rights resulting from the marriage)” after the word “aspects” in subparagraph 1 of the first paragraph; and

(2) by substituting the following for the second and third paragraphs:

“The basic training shall also include at least six hours of training to promote awareness regarding family violence and three hours of training to promote awareness regarding the living conditions of people after a separation, a divorce or an annulment of marriage.

The complementary training shall deal in greater depth with the same subjects as the basic training course, but at least 30 hours of training shall be devoted to subjects complementary to the applicant's academic training.”

3. Section 3 is amended

(1) by adding the words “or, in the case of unmarried spouses, the settlement of the common interests they may have in certain property” at the end of the first paragraph; and

(2) by substituting “(4 issues, including at least one partition of the family patrimony and of other patrimonial rights resulting from the marriage)” for “(4 issues)” in subparagraph 1 of the second paragraph.

4. Section 4 is amended

(1) by substituting “The application shall mention the name of the mediator who will supervise the first mediation mandate, include fees of \$65” for “The application must be accompanied with fees of \$35” in the second paragraph; and

(2) by deleting the third paragraph.

5. The following is inserted after section 4:

“**4.1** A certifier shall extend the 2-year period that the mediator has to comply with the conditions of his undertaking, if the mediator applies therefor for the first time and establishes that he was unable to comply with that undertaking for reasons related, in particular, to illness, an accident, parental leave, absence from Québec or a change of career. The application shall include fees of \$65 for its examination and the required vouchers and be supported by an affidavit. That extension shall be granted for the portion of the 2-year period remaining at the time when the mediator failed to comply with his undertaking.

The certifier shall also extend that 2-year period by one year if the mediator applies therefor to the certifier for the first time, at least three months before the expiry of the 2-year period, and claims that he has been unable to carry out the mediation mandates required.

In the latter case, the mediator shall include in his application:

(1) fees of \$65 for its examination;

(2) an affidavit from the supervisor for the supervised mandates, if any;

(3) attestations that complementary training courses have been taken; and

(4) where applicable, a schedule of the remaining courses to be taken.

When applying for the extension provided for in the second and third paragraphs, a mediator may replace his undertaking to carry out ten family mediation mandates by an undertaking to carry out only five mediation mandates and to receive 21 hours of practical training including in particular simulation exercises and role-play-

ing about fictitious cases. In such case, the mandates shall meet the conditions provided for in section 3, except for subparagraph 3 of the second paragraph.”.

6. The following paragraph is added at the end of section 5:

“He shall also organize services that give mediators access to supervision.”.

7. The following is substituted for subparagraph 3 of the first paragraph of section 7:

“(3) who has failed to establish that he has complied with the undertaking given under subparagraph 4 of section 1 and, where applicable, under section 4.1 by providing the certifier with a course certificate and an affidavit from his supervisor.”.

8. Section 8 is revoked.

9. The following is inserted after section 9:

“9.1 Following a revocation, the certifier, upon request by a mediator, shall grant him a new certification in the following cases and on the following conditions:

(1) if the mediator has complied with his undertaking and if his certification has been cancelled for less than five years, a new certification shall be granted to him; the application must include fees of \$65 for its examination;

(2) if the mediator has complied with his undertaking and if his certification has been cancelled for more than five years, he shall undertake to receive the complementary training again within one year and shall include fees of \$65 in his application for its examination;

(3) if the mediator has not complied with his undertaking, he shall, within two years, meet the conditions prescribed in the third paragraph of section 4.1, provided that not more than five years have elapsed since the cancellation; in such a case, he shall submit a new application for certification.”.

10. Any person who was certified before 1 June 1998 and who, on 1 June 2000, has not complied with his undertaking may, within three months of the coming into force of this Regulation, apply for an extension in accordance with section 4.1 of the Regulation respecting family mediation, made by section 5 of this Regulation.

11. This Regulation comes into force on 1 June 2000.

Draft Regulation

Hospital Insurance Act
(R.S.Q., c. A-28)

Regulation

— Amendments

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 to amend the Regulation respecting the Hospital Insurance Act, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

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 Health and Social Services and Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

PAULINE MAROIS,
*Minister of State for Health and Social Services and
Minister of Health and Services*

Regulation to amend the Regulation respecting the Hospital Insurance Act*

Hospital Insurance Act
(R.S.Q., c. A-28, s. 8)

1. Section 10 of the Regulation respecting the Hospital Insurance Act is amended

(1) by substituting the following for the first and second paragraphs:

“10. Tariff: A hospital centre for short-term care shall charge \$72.40 per day for a private room. That tariff is amended in the following manner:

(a) for a private room with an area of 9.75 to 11.50 square metres, with telephone, washbasin or toilet either private or shared with another room: \$89.63 per day;

(b) for a private room with an area of not less than 11.50 square metres, with telephone, washbasin and

* The Regulation respecting the Hospital Insurance Act (R.R.Q., 1981, A-28 r. 1) was last amended by the Regulation made by Order in Council 812-97 dated 18 June 1997 (1997, G.O. 2, 3338). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

toilet either private or shared with another room: \$106.87 per day;

(c) for a private room with an area of not less than 11.50 square metres, with telephone and full bathroom shared with another room: \$125.25 per day;

(d) for a private room with an area of not less than 11.50 square metres, with telephone and full private bathroom: \$143.65 per day;

(e) for a private room with telephone, private bathroom and adjoining sitting room: \$179.26 per day.

A hospital centre for short-term care shall charge a beneficiary \$44.81 per day for a semi-private room. That tariff is amended in the following manner:

(a) for a room with two of the following facilities: telephone, washbasin or toilet either private or shared with another room: \$49.41 per day;

(b) for a room with telephone, washbasin and toilet either private or shared with another room: \$54.00 per day;

(c) for a room with telephone and full bathroom: \$63.20 per day.”; and

(2) by substituting “2001” for “1998” in the fifth paragraph.

2. This Regulation comes into force on 1 June 2000.

3463

Draft Regulation

Parks Act
(R.S.Q., c. P-9)

Parks

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

The draft Regulation proposes to review completely the regulatory provisions respecting parks by removing certain standards applicable to users and deemed non-essential to the management of parks.

It also provides, pursuant to section 6.1 of the Parks Act (R.S.Q., c. P-9) enacted by the legislature in 1995, that a person must hold an authorization issued by the Société de la faune et des parcs du Québec to enter a park, travel or engage in activities in a park; it also provides the fees payable, if any, for the issue of that authorization and exemptions applicable.

Finally, it specifies certain powers and duties of the superintendent and other employees of a park with respect to admission and activities that may be practised in a park, as well as the conditions for staying, travelling and engaging in activities in a park.

To date, study of the matter has revealed the following impact on the general public and businesses, in particular small and medium-sized businesses:

— the purpose of the obligation to hold an authorization and to pay fees to enter a park, travel or engage in activities in a park, provided in the draft Regulation, is to increase the participation of users in the development of the Québec parks network;

— those measures, insofar as they apply to activities not yet subject to tariffs in current regulations, might temporarily reduce the rate of admissions in parks and, consequently, the income of people or enterprises that operate businesses or that sell or rent goods and services in parks. However, the proposed Regulation provides, as allowed by the Act, certain exemptions to minimize as much as possible that momentary negative impact on the general public and small and medium-sized businesses.

Further information may be obtained by contacting
Mr. Jean-Pierre Dorion
Société de la faune et des parcs du Québec
Vice-Chairmanship, Parcs
675, boulevard René-Lévesque Est, 10^e étage, boîte 91
Québec (Québec)
G1R 5V7

Telephone : (418) 521-3880, extension 4088
Fax : (418) 528-0834
E-mail address : jean-pierre.dorion@fapaq.gouv.qc.ca

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 responsible for Wildlife and Parks, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

GUY CHEVRETTE,
*Minister responsible for
Wildlife and Parks*

Parks Regulation

Parks Act
(R.S.Q., c. P-9, ss. 9 and 9.1; 1999, c. 36, s. 149)

DIVISION I

SCOPE

1. This Regulation applies to the parks referred to in section 2.

DIVISION II

ZONING

2. Each park is divided into zones indicated on the zoning map posted at the reception station.

The zoning map of each park appears in the following schedules:

Schedule 2: Parc de conservation de la Gaspésie

Schedule 3: Parc de conservation de la Jacques-Cartier

Schedule 4: Parc de conservation des Grands-Jardins

Schedule 5: Parc de récréation du Mont-Orford

Schedule 6: Parc de récréation du Mont-Tremblant

Schedule 7: Parc de conservation du Saguenay

Schedule 8: Parc de récréation de la Yamaska

Schedule 9: Parc de récréation des Îles-de-Boucherville

Schedule 10: Parc de conservation du Bic

Schedule 11: Parc de conservation d'Aiguebelle

Schedule 12: Parc de conservation de Miguasha

Schedule 13: Parc de conservation de l'Île-Bonaventure-et-du-Rocher-Percé

Schedule 14: Parc de conservation du Mont-Saint-Bruno

Schedule 15: Parc de conservation de la Pointe-Taillon

Schedule 16: Parc de récréation de Frontenac

Schedule 17: Parc de récréation d'Oka

Schedule 18: Parc de conservation du Mont-Mégantic

Schedule 19: Parc de conservation des Monts-Valin.

DIVISION III

AUTHORIZATION TO ENTER, STAY AND ENGAGE IN ACTIVITIES

§1. Definition

3. For the purposes of this division, an “organized group” means a group of at least 15 persons who travel together and who enter a park simultaneously by using the same means of transport.

§2. Entrance

4. Subject to the exemptions provided for in section 5, any person who enters a park, travels or engages in an activity in a park shall hold an authorization to enter issued under section 6.1 of the Parks Act (R.S.Q., c. P-9).

The authorization shall be issued, subject to the exemptions provided for in section 6, upon paying the fees provided for in section 1 of Schedule 1; the fees include the amount of any payable tax.

The daily authorization to enter shall be valid until midnight.

The yearly authorization to enter shall be valid from 1 April to 31 March.

The date or year for which entering a park, travelling or engaging in an activity in a park is allowed shall be indicated on any authorization to enter.

5. The following persons shall be exempted from the obligation to hold the authorization provided for in the first paragraph of section 4:

(1) persons who travel across Parc de récréation du Mont-Orford by taking Route 141;

(2) persons who enter Parc de récréation du Mont-Orford, Parc de conservation du Mont-Saint-Bruno or Parc de récréation du Mont-Tremblant for the sole purpose of going to a territory subject to a contract establishing superficies, under section 8.1 of the Parks Act, or who come back therefrom directly;

(3) persons who enter Parc de conservation de Miguasha for the sole purpose of going to Le Dévonien restaurant or to the souvenir shop located in the same building, or who come back therefrom directly;

(4) employees of the Société de la Faune et des Parcs du Québec or of another contracting party referred to in section 8.1 of the Parks Act, who must enter a park for work purposes.

6. The following persons shall be exempted from paying the fees provided for in the second paragraph of section 4, in the cases stipulated hereafter and if they so request an employee of the Société or an employee of another contracting party referred to in section 8.1 of the Parks Act, appointed by the Société pursuant to section 6.1 of the Act to issue the authorizations provided therein:

- (1) persons aged five or under;
- (2) persons aged 6 to 17 in an organized group;
- (3) students in an organized group from a school board or a private institution holding a permit issued under the Act respecting private education (R.S.Q., c. E-9.1) to offer preschool education or education at the elementary or secondary level;
- (4) persons who must enter a park for work purposes;
- (5) persons who must enter a park for the sole purpose of going to their residence or their private property or of coming back therefrom, as well as their guests;
- (6) persons who enter Parc de conservation du Bic, Parc de récréation des Îles-de-Boucherville or Parc de conservation du Mont-Mégantic for the sole purpose of going to a territory subject to a contract establishing superficies, under section 8.1 of the Parks Act, or who come back therefrom directly;
- (7) persons living in Tadoussac and who enter Parc de conservation du Saguenay for the sole purpose of going to the Maison des Dunes, or who come back therefrom directly;
- (8) persons who enter a park for the sole purpose of taking part in an activity in the context of a particular event lasting one day or less, organized by the Société or by another contracting party or together with the Société or the other contracting party, or who come back therefrom directly after taking part in that activity;
- (9) members of a Native community, referred to in Column I of section 3 of Schedule 1, who engage in an activity for food, ritual or social purposes in a park referred to in Column II.

An application for exemption for a person aged five or under may be made by any person having his custody or who is responsible for watching him.

§3. Stay

7. A person who stays in a park must hold a staying authorization issued under section 6.1 of the Parks Act.

A staying authorization must specify the period and the place of the stay.

A staying authorization shall serve as the authorization to enter provided for in section 4, from midnight to the time indicated thereon, for the last day of stay specified thereon.

For the purposes of this section, the expression “to stay in a park” means to be at some place in a park to sleep, between 10:00 p.m. and 8:00 a.m.

8. Section 7 does not apply to members of a Native community, referred to in Column I of section 3 of Schedule 1, who engage in an activity for food, ritual or social purposes in a park referred to in Column II.

§4. Fishing

9. In addition to the authorization referred to in section 4, any person who fishes in a park must hold an authorization to fish issued under section 6.1 of the Parks Act.

The authorization shall be issued upon paying the fees provided for in section 2 of Schedule 1; the fees do not include the amount of the payable taxes.

Where lodging in a camp is not provided, the fees provided for in paragraph 2.1 of section 2 of that Schedule shall include the cost of the authorization to fish for a child under 18 years of age accompanied by the person having parental authority, holding an authorization to fish, or who is part of a group whose supervision is the responsibility of a person of 18 years of age or over, holding an authorization to fish.

10. Section 9 does not apply:

(1) to persons who fish in Parc de conservation du Bic, Parc de conservation de l'Île-Bonaventure-et-du-Rocher-Percé, Parc de récréation des Îles-de-Boucherville, Parc de conservation de Miguasha, Parc de récréation d'Oka, Parc de conservation de la Pointe-Taillon, Parc de récréation de la Yamaska and in the part of Lac Saint-François situated in Parc de récréation de Frontenac;

(2) to members of a Native community referred to in Column I of section 3 of Schedule 1 who fish in a park referred to in Column II under a communal licence issued under the Aboriginal Communal Fishing Licences Regulations (SOR/93-332) or under a food fishing licence for an aboriginal issued under the Québec Fisheries Regulations (1990) (SOR/90-214).

11. To fish anadromous Atlantic salmon in the Rivière Sainte-Anne located in Parc de conservation de la Gaspésie, any person must, in addition, have made a reservation.

12. Any holder of an authorization to fish must rent lodging services, fishing equipment and any other available services related to that activity where they are offered at the place for which the authorization to fish is issued.

DIVISION IV POWERS AND DUTIES OF THE EMPLOYEES

13. A park superintendent shall draw up the list of activities offered in the park, for educational or recreational purposes, by indicating the periods and places where the activities may be practised except in a maximum preservation zone; he shall also indicate on that list the means of admission authorized in the park, for educational or recreational purposes, as well as the periods and places where they may be used.

He shall post that list at the reception station or at any other place in the park where it may be easily consulted by any person who enters the park. He shall give a copy thereof to any interested person.

It is the responsibility of the park superintendent to put the information included in that list in the form of signs, where applicable.

Any person who travels, stays or engages in an activity in a park must comply with the list of activities and means of admission referred to in the first paragraph and with the periods and places indicated therein and their signs.

14. A park superintendent may, for educational, recreational, scientific or management purposes, authorize the practice of an activity that is not provided in the list of activities offered in the park, or the practice of an activity that is offered but in a period or at a place other than what is provided in that list, provided that the practice of that activity does not:

- (1) damage the natural environment;
- (2) disrupt the peace and quiet or endanger the safety of other persons;
- (3) interfere with wildlife.

A park superintendent may also, for the same purposes, authorize means of admission different from those provided for in the list referred to in section 13 or

according to periods or places different from those indicated in that list.

In a maximum preservation zone, an authorization provided for in this section may be issued by a park superintendent only for scientific or management purposes.

15. A park superintendent may temporarily prohibit the practice of an activity or deny access to part or all of the park:

- (1) if human safety is in jeopardy;
- (2) if facilities have reached or exceeded maximum capacity;
- (3) if there is risk of damage to the environment;
- (4) if there is specific need to protect a wildlife or a plant species.

A park superintendent shall post a notice stating such prohibition at the reception station or at any other place in the park where it may be easily read by any person who enters the park. He shall give a copy thereof to any interested person.

It is the responsibility of a park superintendent to put such prohibition in the form of signs.

16. The employees of the Société or of another contracting party referred to in section 8.1 of the Parks Act who are appointed by the Société pursuant to section 6.1 of the Act to issue the authorizations that are provided therein may require from any person who is in a park that he show his authorization to enter, stay or fish; they may also require that he show them the authorizations issued by a park superintendent under section 14.

DIVISION V CONDITIONS FOR STAYING, TRAVELLING AND ENGAGING IN ACTIVITIES

17. Any person who is in a park must, upon request of an employee referred to in section 16, show his authorization to enter, stay or fish or those provided for in section 14, where required under this Regulation.

18. No person who travels or stays in a park or engages in an activity in a park for educational or recreational purposes may

(1) fell, damage, remove or bring in a tree, a shrub, a herbaceous plant or a part thereof; however, the picking of edible vegetable products is allowed, except for com-

mercial purposes or in a preservation zone or maximum preservation zone;

(2) paint, deface or remove rocks or parts thereof, pebbles, fossils or other natural formations;

(3) feed animals living in the park;

(4) bring in animals or fish except:

(a) guide dogs;

(b) dogs or horses used to practise an activity offered in the park;

(c) to cross the park or to travel in the park in possession of an animal or a fish kept at all times inside a vehicle or a boat;

(d) to travel or stay in a park or to engage in an activity in the park with a dog kept at all times on a leash and only at the places marked for that purpose;

(5) make fires at places other than those marked for that purpose.

19. No person may travel in a park, for educational or recreational purposes, by off-highway vehicle referred to in section 1 of the Act respecting off-highway vehicles (R.S.Q., c. V-1.2); however, that prohibition does not apply to persons travelling by snowmobile or motorized all-terrain vehicle referred to in subparagraph 2 of the first paragraph of section 1 of that Act, for the periods and in the trails marked for that purpose, where the practice of those activities is expressly authorized by a vice-chair of the Société.

20. The possession of fishing tackle is prohibited in a park except for holders of authorizations to fish and for members of a Native community referred to in Column I of section 3 of Schedule 1 who fish in a park referred to in Column II under a communal licence issued under the Aboriginal Communal Fishing Licences Regulations or under a food fishing licence for an aboriginal issued under the Québec Fisheries Regulations.

Furthermore, that prohibition does not apply to a person who fishes in Parc de conservation du Bic, Parc de conservation de l'Île-Bonaventure-et-du-Rocher-Percé, Parc de récréation des Îles-de-Boucherville, Parc de conservation de Miguasha, Parc de récréation d'Oka, Parc de conservation de la Pointe-Taillon, Parc de conservation du Saguenay, Parc de récréation de la Yamaska or in the part of Lac Saint-François situated in Parc de récréation de Frontenac.

21. The possession of arms or hunting or trapping implements is prohibited in a park.

22. A holder of an authorization to fish must, after practising his activity, report his activity at the place provided for that purpose at the reception station by indicating the number of fish he has caught per day, if any; certain parts of the fish may be taken for study purposes.

A person who has caught an anadromous Atlantic salmon must bring it whole to the place provided for that purpose to have it measured and registered.

This section also applies to members of a Native community referred to in Column I of section 3 of Schedule 1 who fish in a park referred to in Column II under a communal licence issued under the Aboriginal Communal Fishing Licences Regulations or under a food fishing licence for an aboriginal issued under the Québec Fisheries Regulations.

DIVISION VI ADMINISTRATIVE SANCTION

23. Every person who infringes the Parks Act, this Regulation, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) or the Fisheries Act (R.S.C. (1985), c. F-14) may be ejected from a park or from part of a park where that person is at the time of the infringement.

DIVISION VII PENAL

24. Every person who infringes any of the provisions of sections 4, 7, 9, 11, 12, the fourth paragraph of section 13 and sections 17 to 22, as well as a prohibition to enter or to engage in an activity ordered by a park superintendent pursuant to section 15 or an authorization issued by him pursuant to section 14 of this Regulation, is guilty of an offence punishable according to section 11.3 of the Parks Act.

25. This Regulation replaces the Parks Regulation made by Order in Council 567-83 dated 23 March 1983.

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

SCHEDULE 1

(ss. 4 and 9)

1. FEES FOR AUTHORIZATIONS TO ENTER PARKS:

Period	Daily authorization for one park	Annual authorization for one park	Annual authorization for all the parks
Person, category or group of persons			
1 adult aged 18 and over	\$4	\$20	\$30
1 adult aged 18 and over with children aged 6 to 17	\$6	\$30	\$45
2 adults aged 18 and over with children aged 6 to 17	\$10	\$50	\$75
1 child aged 6 to 17	\$2	\$10	\$15
1 organized group	\$3 per person aged 18 and over	n/a	n/a

2. FEES FOR AUTHORIZATIONS TO FISH IN PARKS:

2.1. For any species of fish other than anadromous Atlantic salmon:

(a) \$13.48 per day per person;

(b) \$65.20 for seven consecutive days per person where no lodging in a camp is provided.

2.2. For anadromous Atlantic salmon or any other species of fish during the anadromous Atlantic salmon fishing period in salmon rivers:

(a) a holder of a sport fishing licence for anadromous Atlantic salmon for Québec residents: \$100 per day per person;

(b) a holder of a sport fishing licence for anadromous Atlantic salmon for non-residents of Québec: \$200 per day per person.

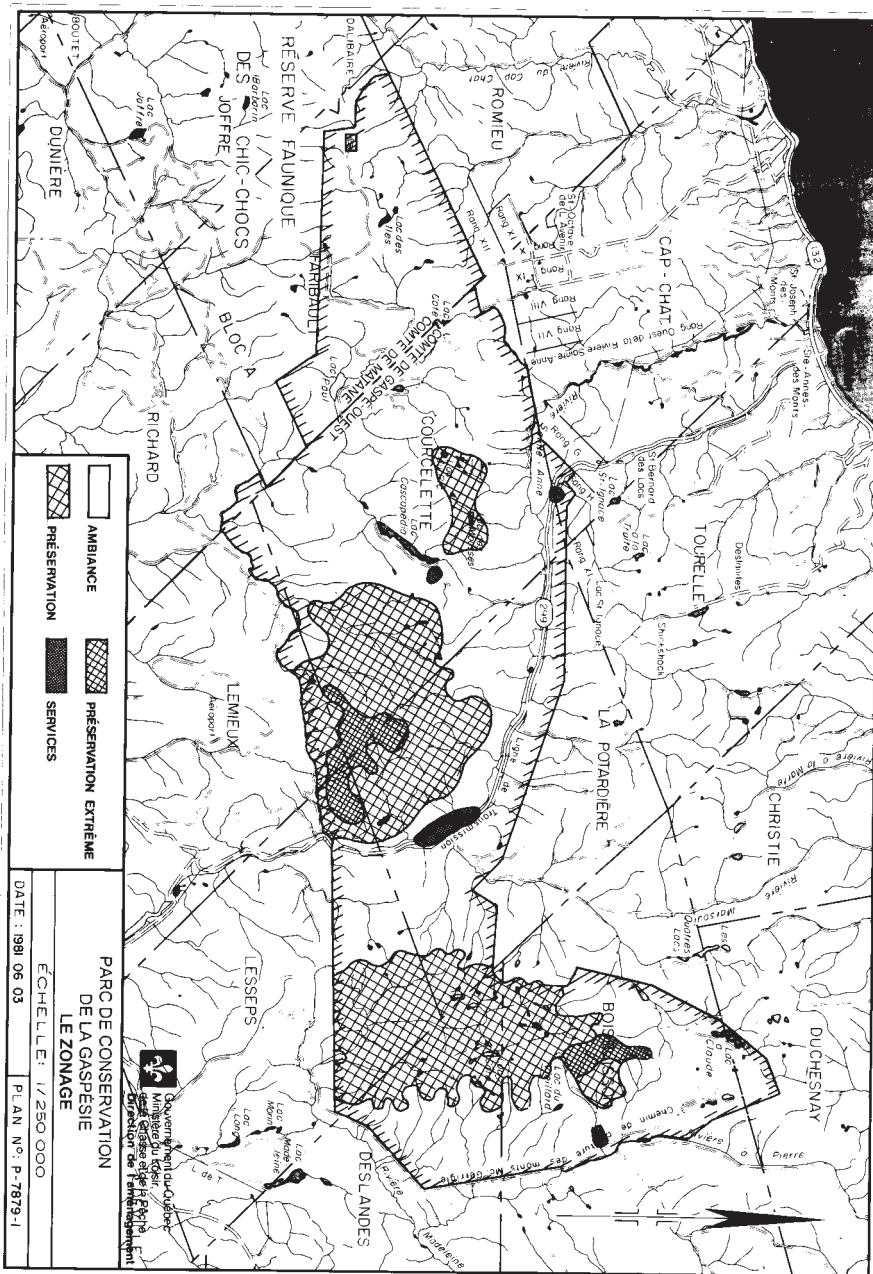
3. EXEMPTIONS FOR MEMBERS OF A NATIVE COMMUNITY:

Column I Native community	Column II Park
Abenakis	Parc de conservation du Mont-Mégantic, Parc de récréation du Mont-Orford and Parc de récréation de la Yamaska
Algonquins	Parc de conservation d'Aiguebelle
Hurons-Wendat	Parc de conservation de la Jacques-Cartier and Parc de conservation des Grands-Jardins
Malecites	Parc de conservation du Bic
Micmacs	Parc de conservation de Miguasha and Parc de conservation de l'Île-Bonaventure-et-du-Rocher-Percé
Mohawks	Parc de récréation des Îles-de-Boucherville, Parc de conservation du Mont-Saint-Bruno and Parc de récréation d'Oka
Montagnais	Parc de conservation des Monts-Valin, Parc de conservation de la Pointe-Taillon and Parc de conservation du Saguenay

SCHEDULE 2

(s. 2)

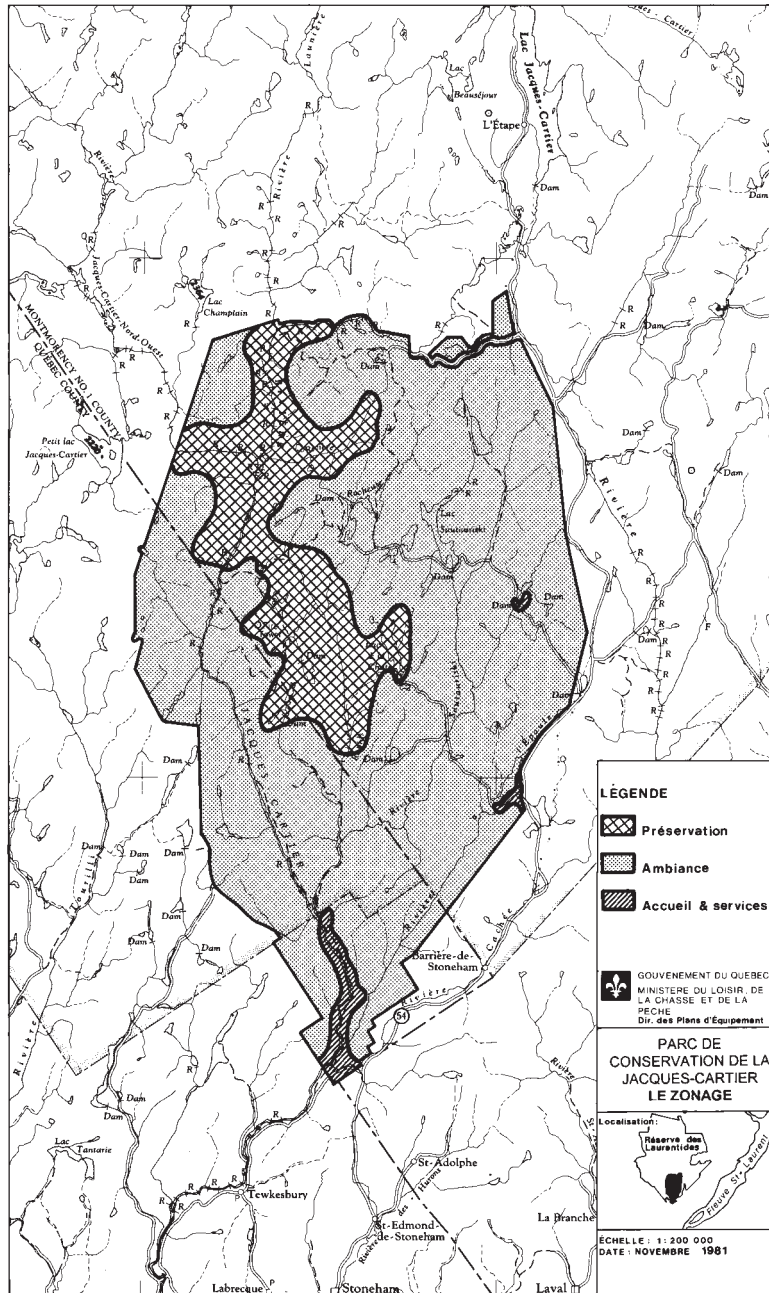
PARC DE CONSERVATION DE LA GASPÉSIE ZONING MAP



SCHEDULE 3

(s. 2)

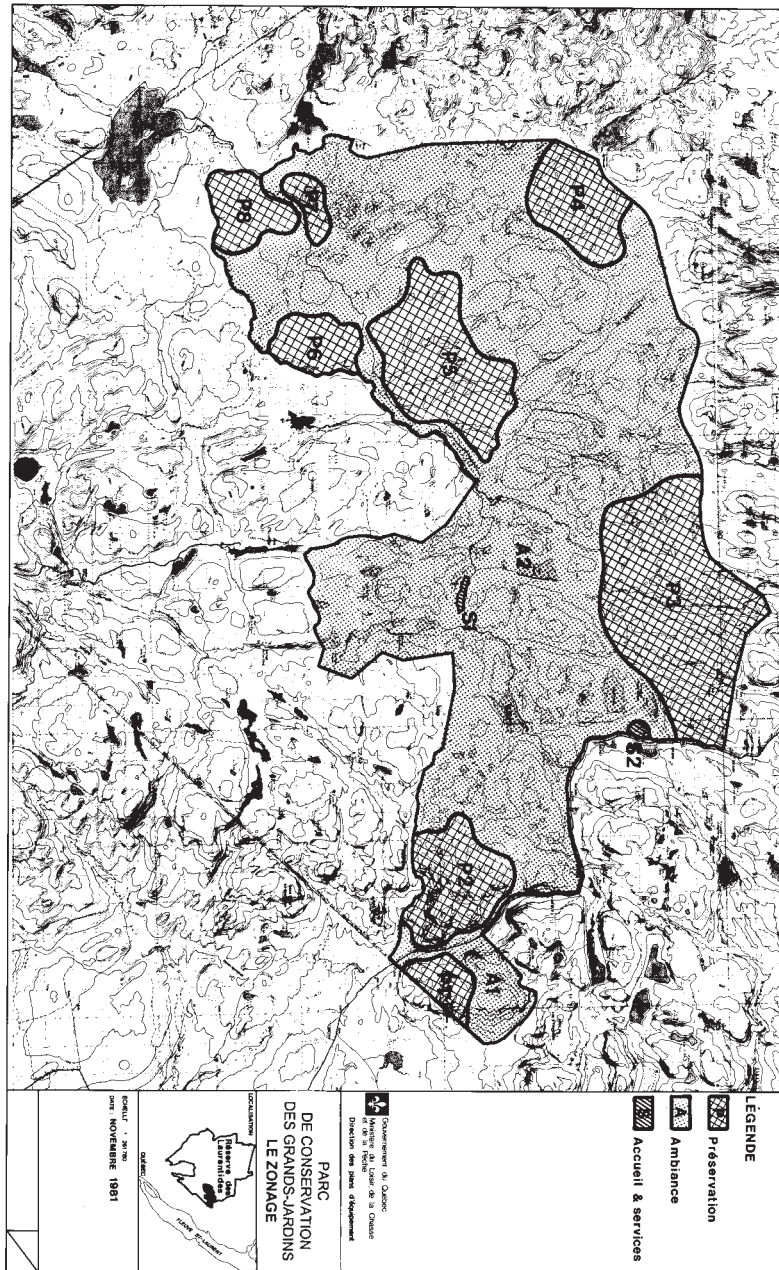
PARC DE CONSERVATION DE LA JACQUES-CARTIER ZONING MAP



SCHEDULE 4

(s. 2)

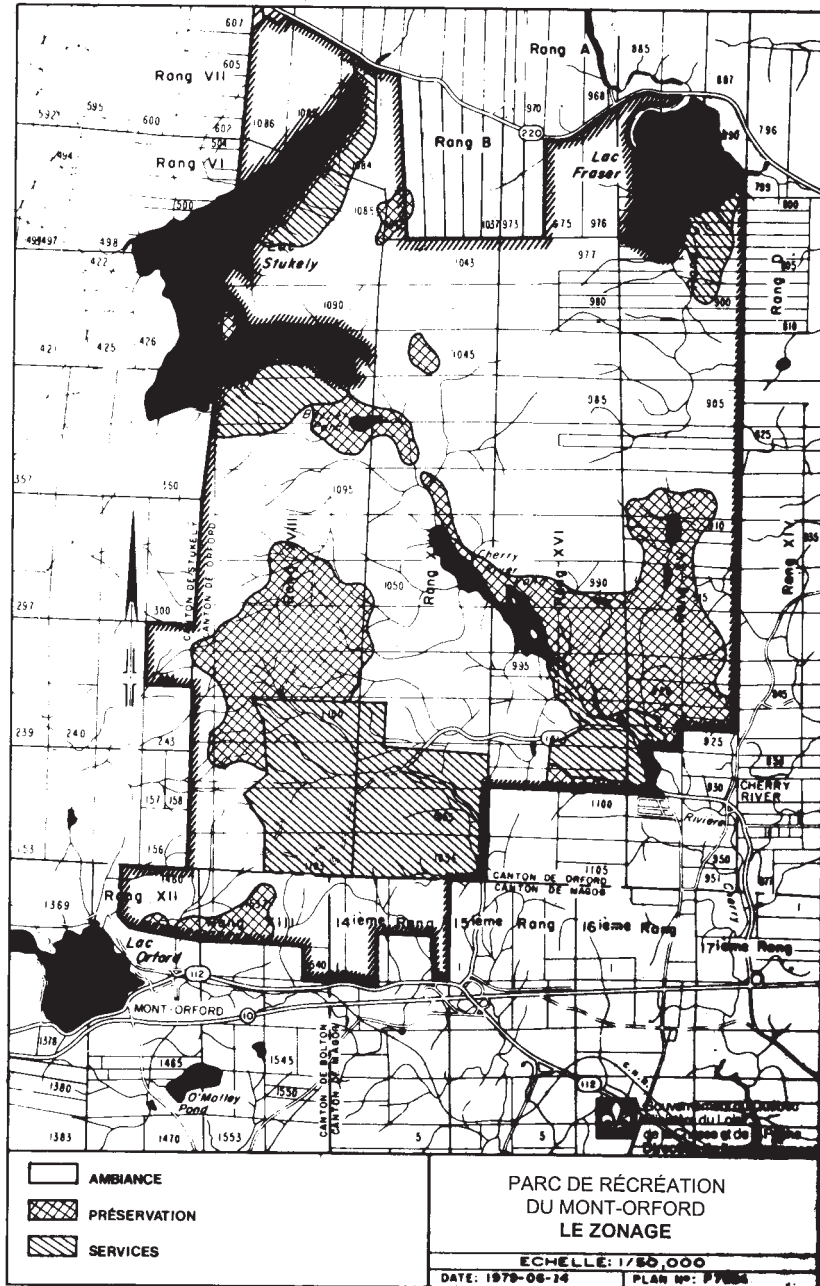
PARC DE CONSERVATION DES GRANDS-JARDINS ZONING MAP



SCHEDULE 5

(s. 2)

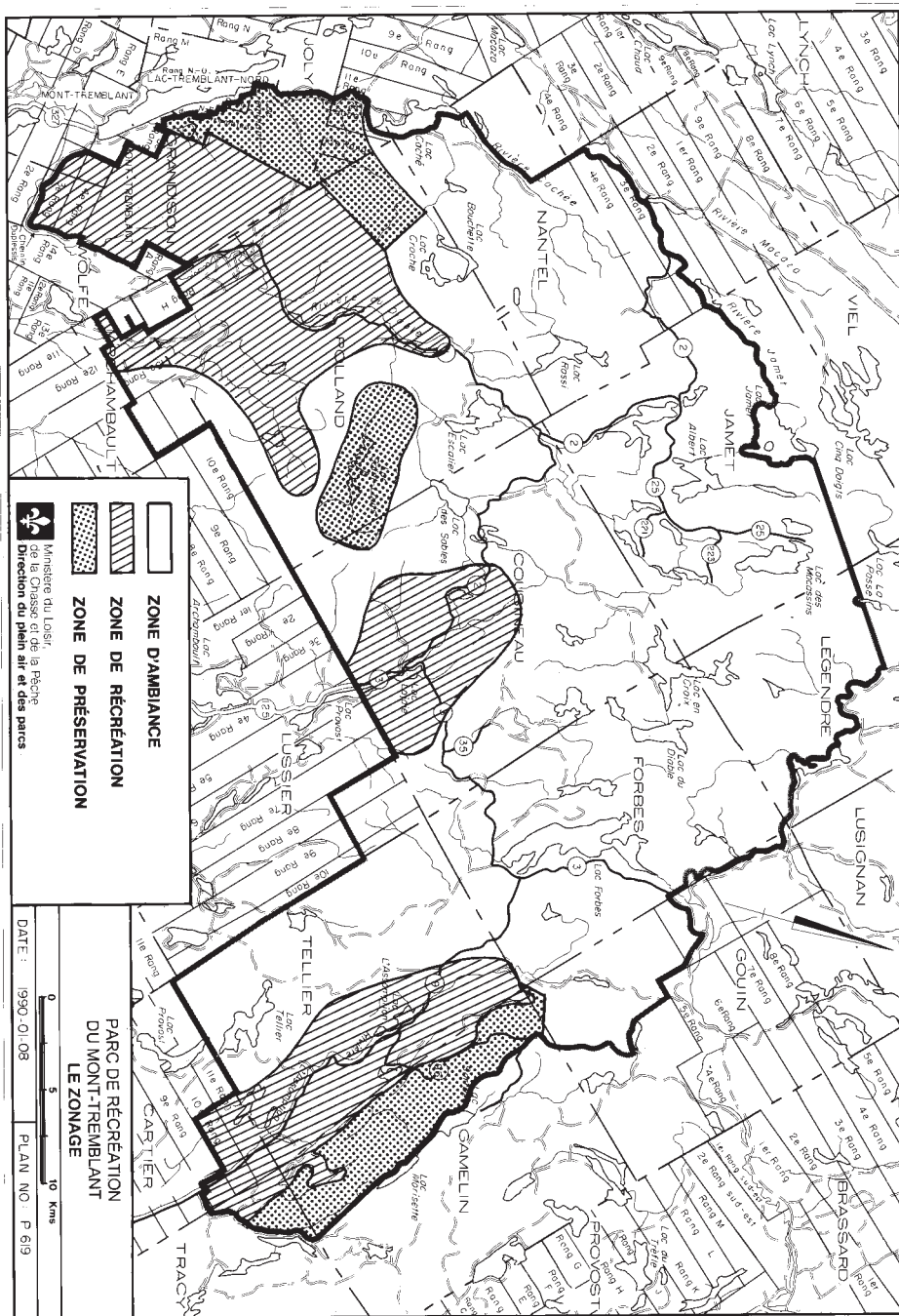
PARC DE RÉCRÉATION DU MONT-ORFORD ZONING MAP



SCHEDULE 6

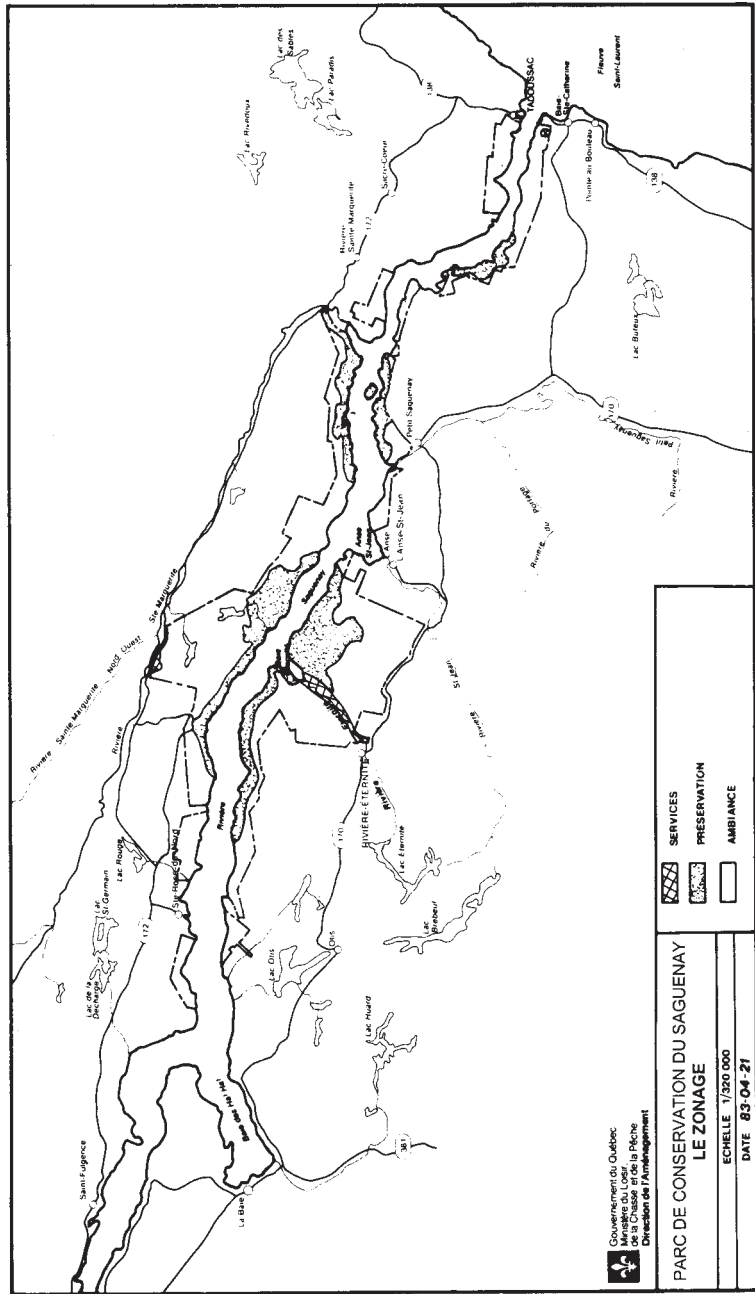
(s. 2)

PARC DE RÉCRÉATION DU MONT-TREMBLANT ZONING MAP





SCHEDULE 7
(s. 2)

PARC DE CONSERVATION DU SAGUENAY ZONING MAP



Gouvernement du Québec
Ministère du Logement, de la Faune et de la Pêche
Direction de l'aménagement

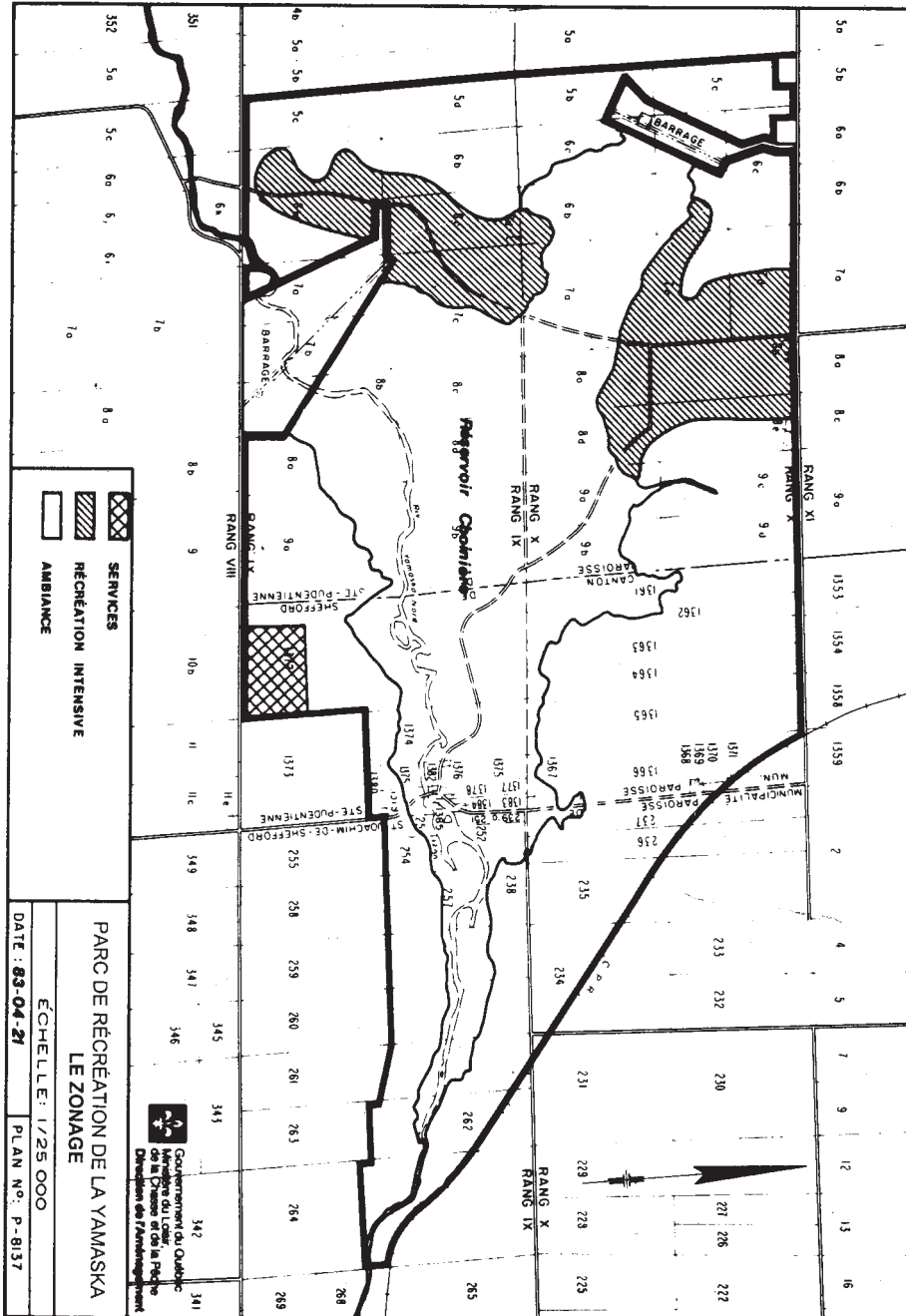
PARC DE CONSERVATION DU SAGUENAY
LE ZONAGE
ECHELLE 1/320 000
DATE 83-04-21

	SERVICES
	PRESERVATION
	AMBIANCE

SCHEDULE 8

(s. 2)

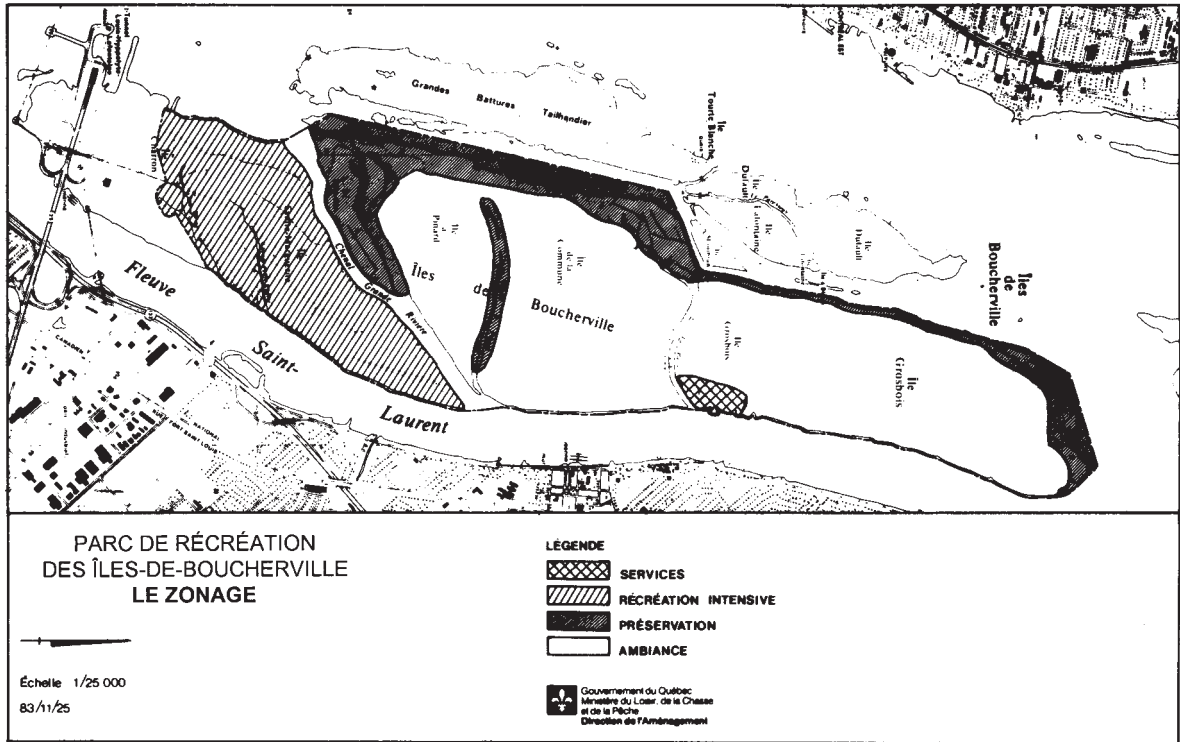
PARC DE RÉCRÉATION DE LA YAMASKA ZONING MAP



SCHEDULE 9

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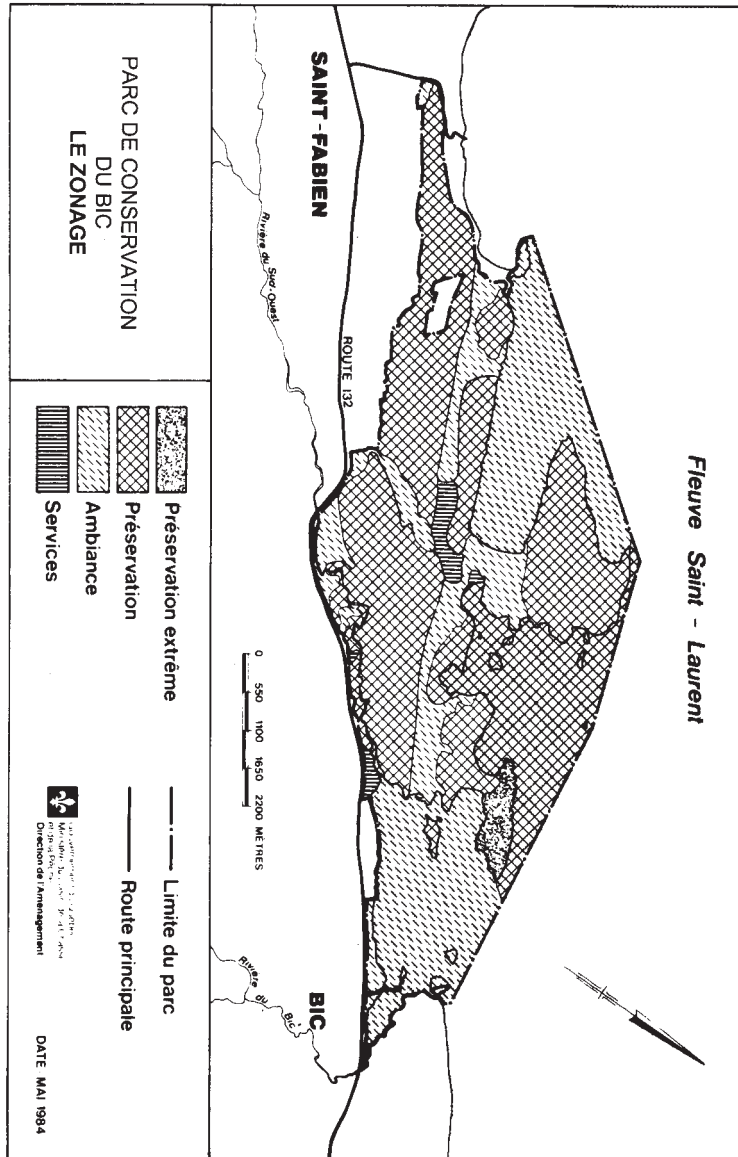
PARC DE RÉCRÉATION DES ÎLES-DE-BOUCHERVILLE ZONING MAP



SCHEDULE 10

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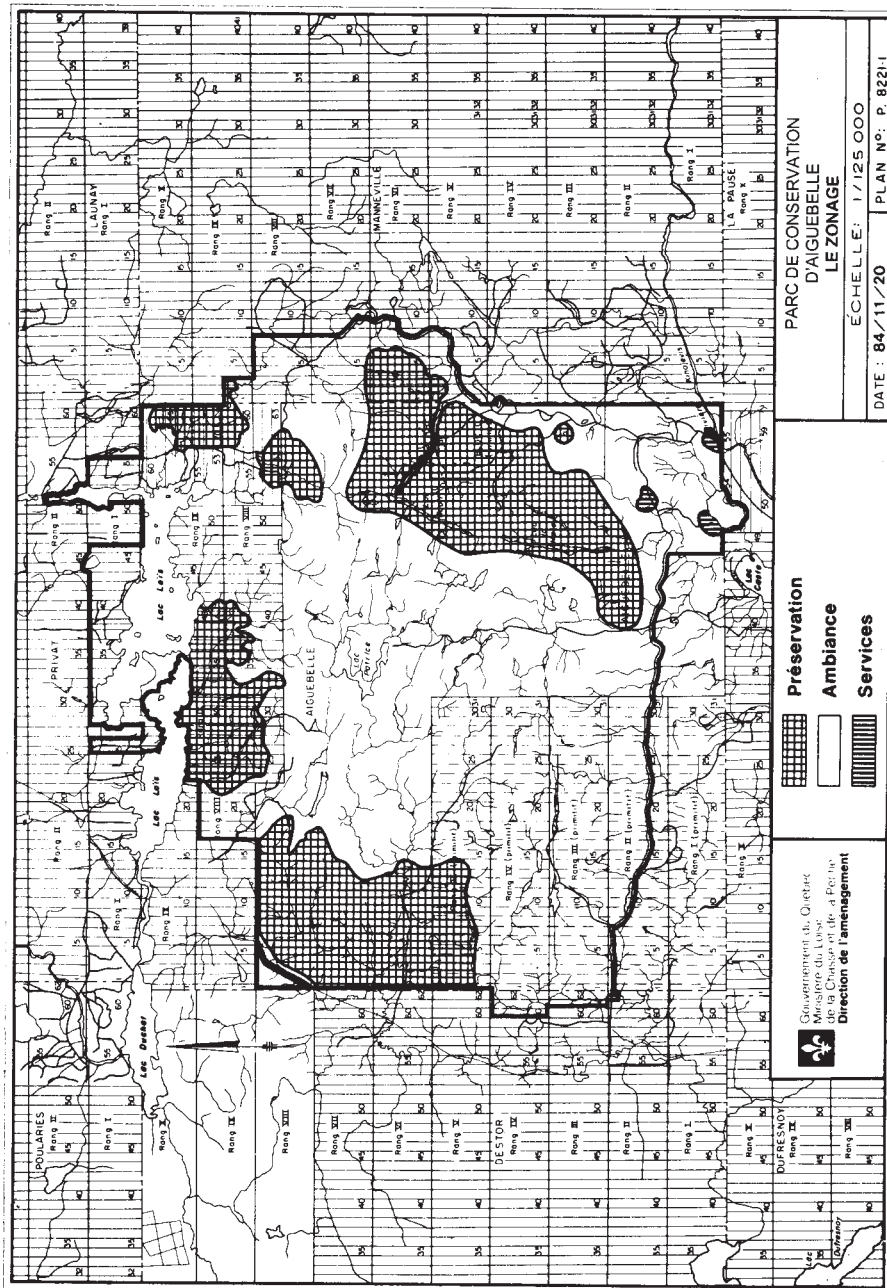
PARC DE CONSERVATION DU BIC ZONING MAP



SCHEDULE 11

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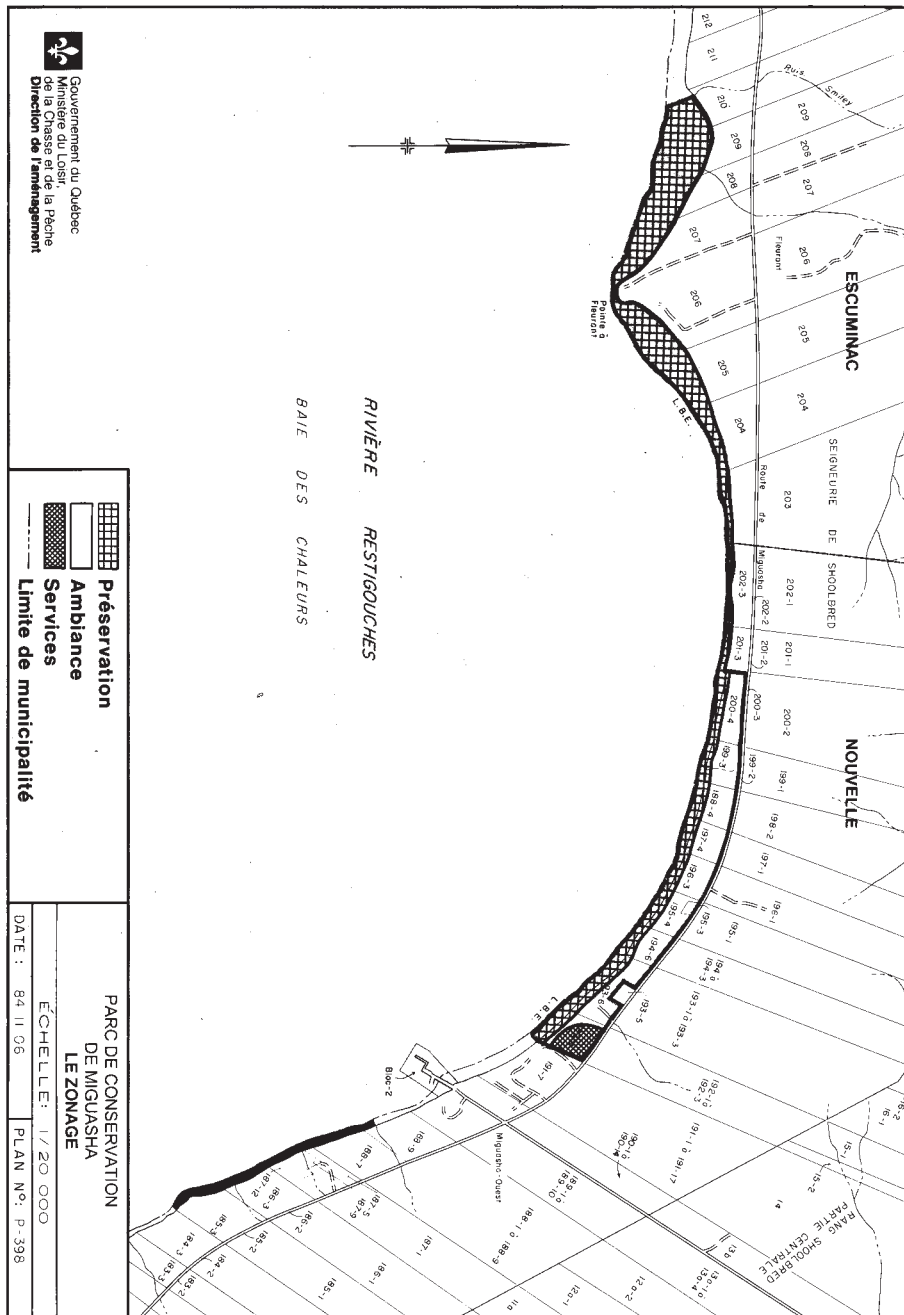
PARC DE CONSERVATION D'AIGUEBELLE ZONING MAP



SCHEDULE 12

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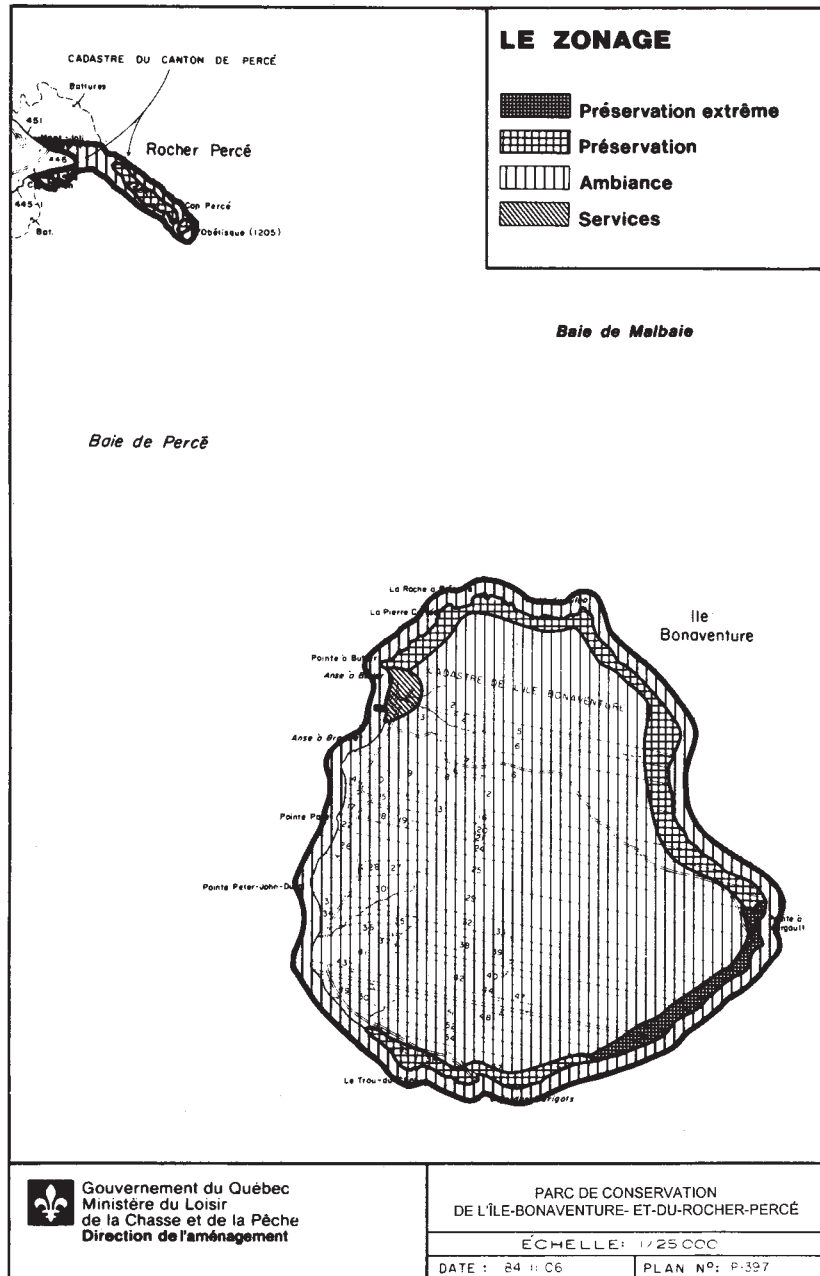
PARC DE CONSERVATION DE MIGUASHA ZONING MAP



SCHEDULE 13

(s. 2)

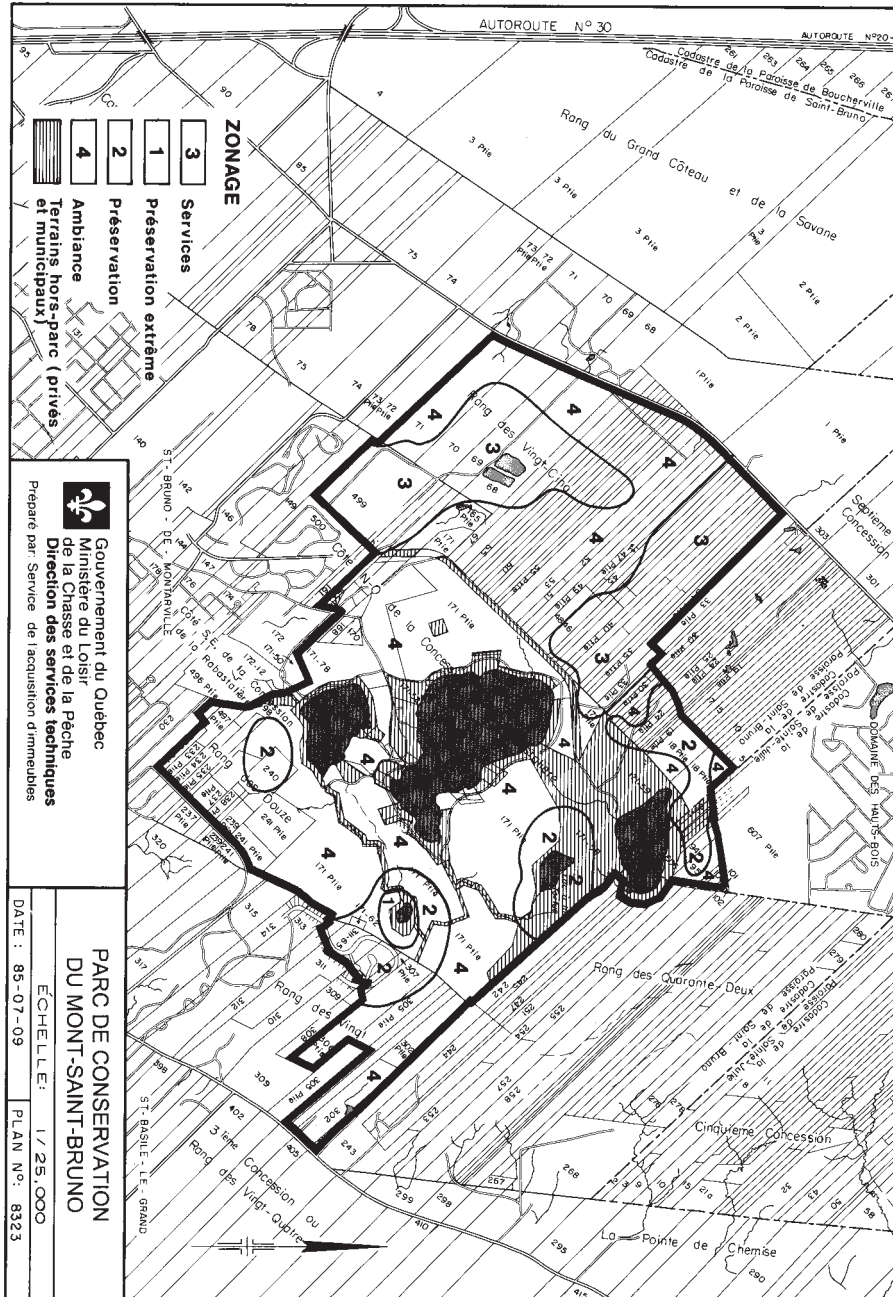
PARC DE CONSERVATION DE L'ÎLE-BONAVENTURE-ET-DU-ROCHER-PERCÉ ZONING MAP



SCHEDULE 14

(s. 2)

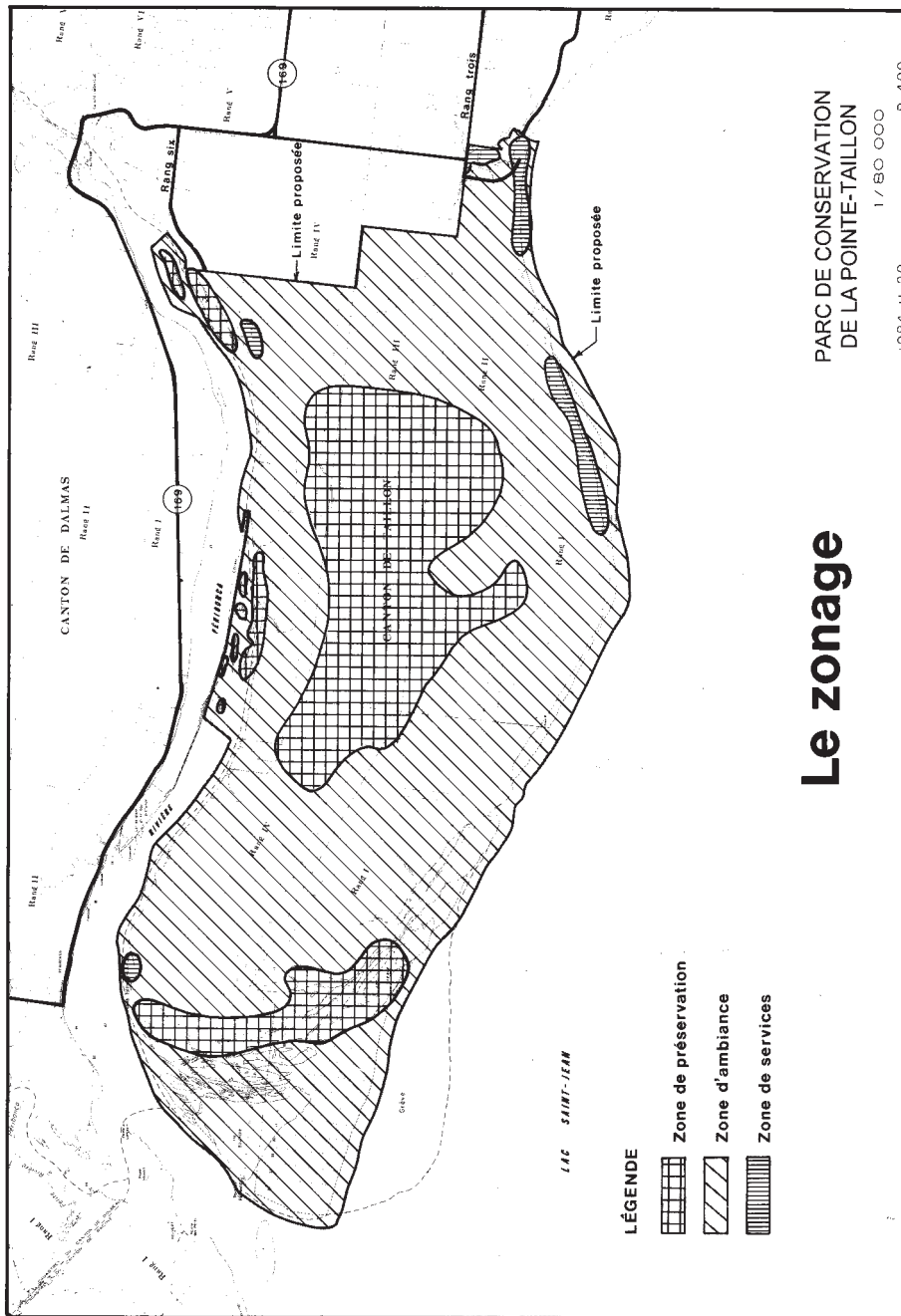
PARC DE CONSERVATION DU MONT-SAINT-BRUNO ZONING MAP



SCHEDULE 15

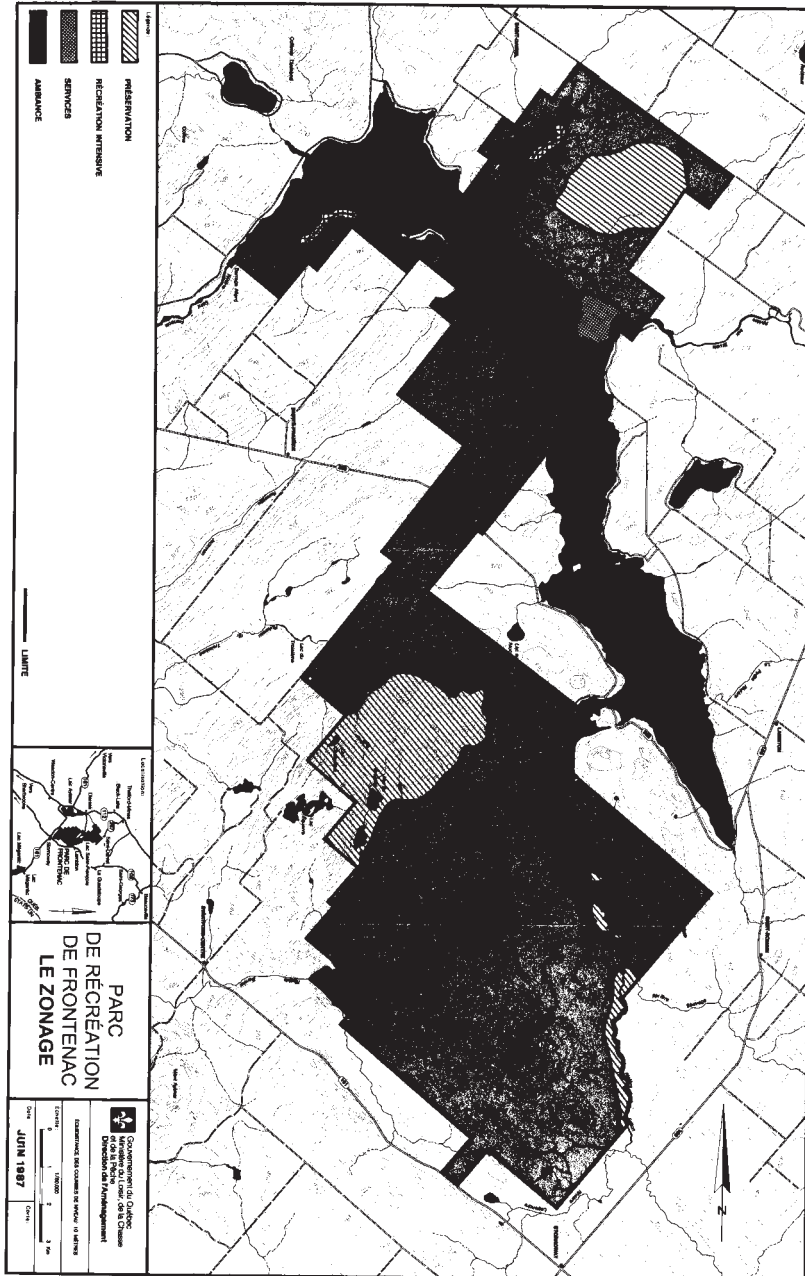
(s. 2)

PARC DE CONSERVATION DE LA POINTE-TAILLON ZONING MAP



SCHEDULE 16
(s. 2)

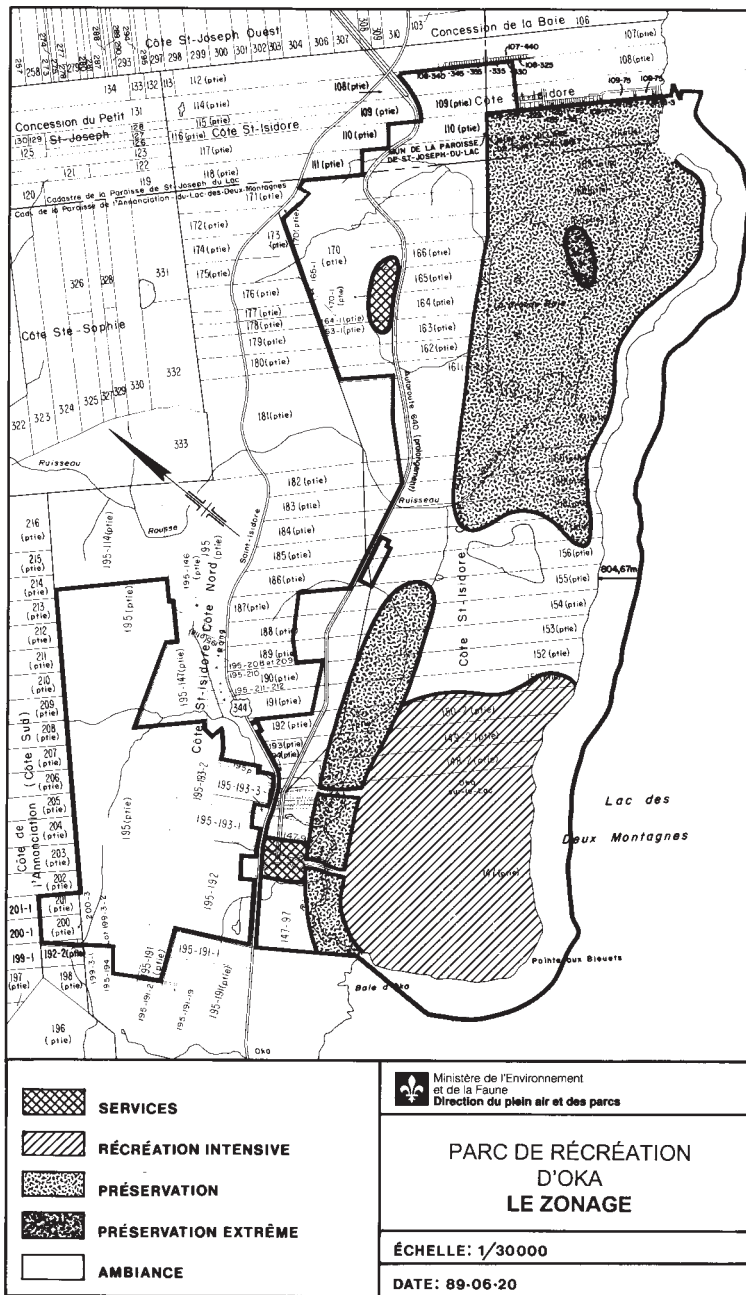
PARC DE RÉCRÉATION DE FRONTENAC ZONING MAP



SCHEDULE 17

(s. 2)

PARC DE RÉCRÉATION D'OKA ZONING MAP



Ministère de l'Environnement
et de la Faune
Direction du plein air et des parcs

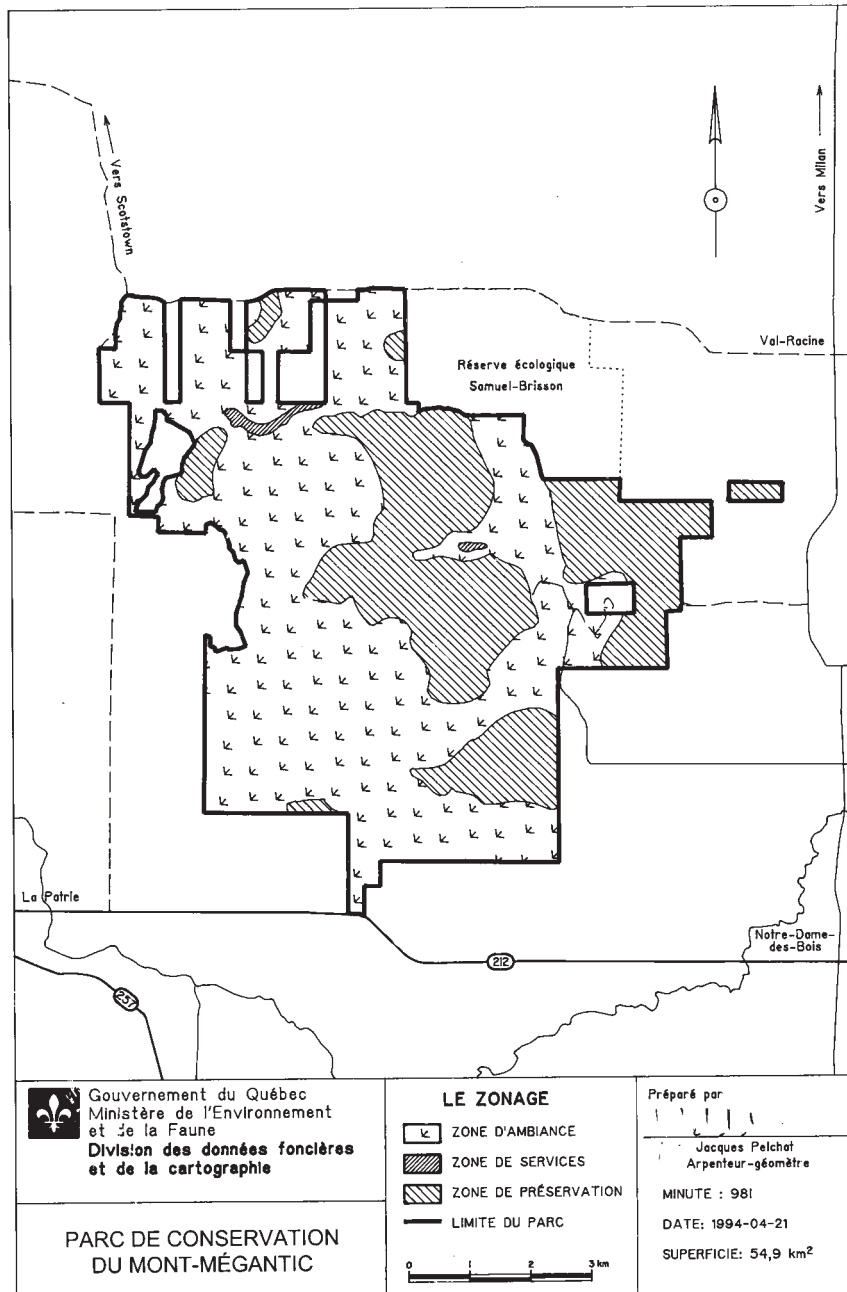
**PARC DE RÉCRÉATION
D'OKA
LE ZONAGE**

ÉCHELLE: 1/30000

DATE: 89-06-20

SCHEDULE 18

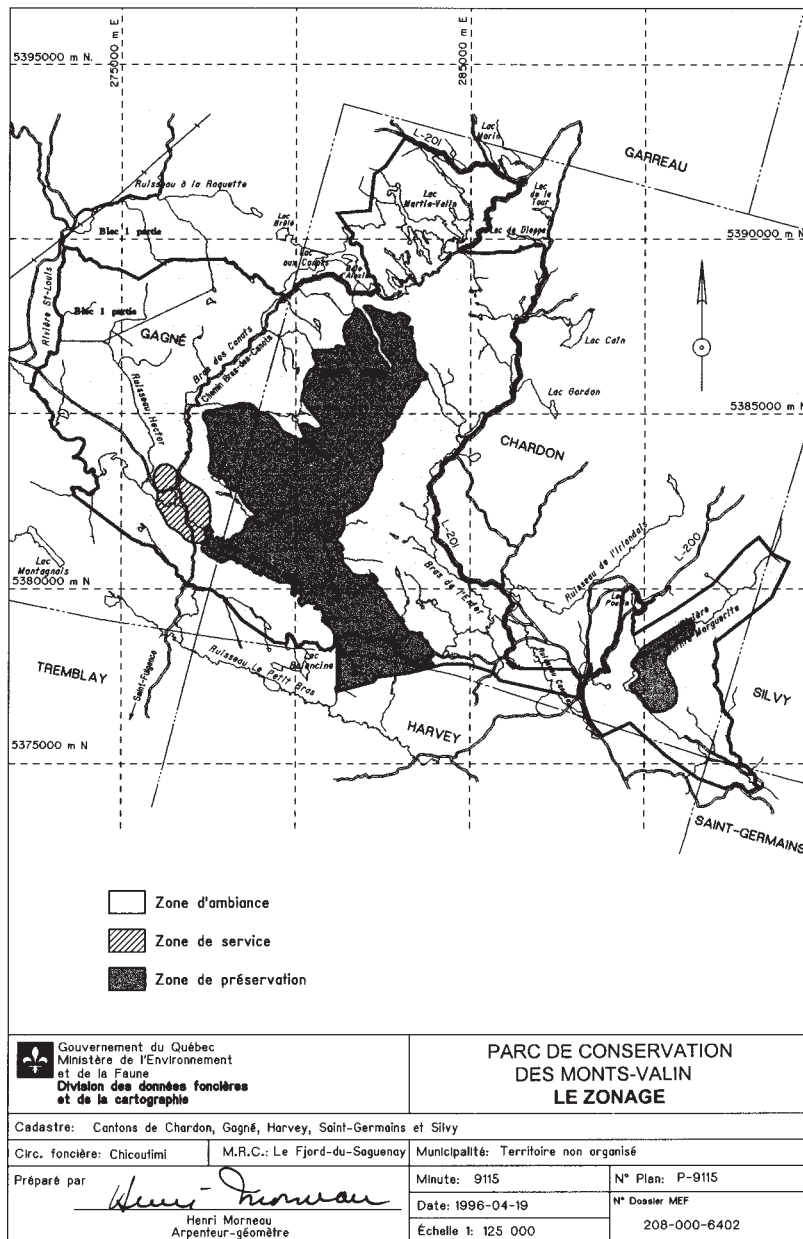
(s. 2)

PARC DE CONSERVATION DU MONT-MÉGANTIC ZONING MAP

SCHEDULE 19

(s. 2)

PARC DE CONSERVATION DES MONTS-VALIN ZONING MAP



Draft Regulation

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

Respiratory therapists — Standards for diploma or training equivalence for the issuance of a permit by the Ordre

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre professionnel des inhalothérapeutes du Québec made the Regulation respecting the standards for diploma or training equivalence for the issuance of a permit by the Ordre professionnel des inhalothérapeutes du Québec at its meeting of 10 December 1999.

The Office des professions du Québec, pursuant to section 95 of the Professional Code, will examine the Regulation, the text of which appears below. Pursuant to the same section, it will then be submitted to the Government, with the recommendation of the Office. The Government may approve it, with or without amendment, upon the expiry of a 45-day period following the date of this publication.

The Ordre professionnel des inhalothérapeutes du Québec proposes the Regulation, pursuant to paragraph c of section 93 of the Professional Code, to determine equivalence standards for diplomas conferred by teaching institutions outside Québec, for the issuance of a permit by the Ordre, and standards of training equivalence for a person who does not hold the required diploma. The Regulation will also uphold the quality of the services provided by respiratory therapists. It will have no impact on businesses, including small businesses.

Further information may be obtained by contacting Ms. Andrée Lacoursière, Assistant Director, Direction générale of the Ordre professionnel des inhalothérapeutes, 1610, rue Sainte-Catherine Ouest, bureau 409, Montréal (Québec) H3H 2S2; tel. (514) 931-2900 or 1 800 561-0029; fax (514) 931-3621.

Any interested person having comments to make on the matter is asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The Office will forward these comments to the Minister responsible for the ad-

ministration of legislation respecting the professions; they may also be sent to the professional order that made the Regulation, as well as to interested citizens, departments and bodies.

JEAN-K. SAMSON,
*Chairman of the Office
des professions du Québec*

Regulation respecting the standards for diploma or training equivalence for the issuance of a permit by the Ordre professionnel des inhalothérapeutes du Québec

(R.S.Q., c. C-26, s. 93, par. c)

DIVISION I GENERAL

1. The secretary of the Order shall forward a copy of this regulation to a candidate who wishes to obtain recognition of the equivalence of a diploma awarded by an educational establishment outside Quebec or the equivalence of training for the purpose of obtaining a permit from the Order.

2. In this regulation,

1) “diploma equivalence”: means recognition by the Bureau of the Ordre professionnel des inhalothérapeutes du Québec that a diploma awarded by an educational establishment outside Québec certifies that the candidate’s level of knowledge and skills is equivalent to that of the holder of a diploma recognized as giving access to a permit issued by the Order;

2) “training equivalence”: means recognition by the Bureau of the Ordre professionnel des inhalothérapeutes du Québec that a candidate’s training has permitted the candidate to attain a level of knowledge and skills equivalent to that of the holder of a diploma recognized as giving access to a permit issued by the Order.

DIVISION II DIPLOMA EQUIVALENCE STANDARDS

3. Subject to section 4, a candidate who holds a diploma awarded by an educational establishment outside Québec is granted diploma equivalence if the diploma was obtained upon completion of college – or university

– level studies comprising at least 2,775 hours, or the equivalent, of learning activities, including 2,115 hours of training specific to this area of specialization and apportioned as follows:

1) at least 360 hours in subjects dealing with human biology, human anatomy, chemistry, biochemistry, and physiology;

2) at least 795 hours in subjects directly relating to professional training in respiratory therapy;

3) supervised clinical training sessions in respiratory therapy, including at least 270 hours in anaesthesia assistance.

The candidate must also have passed a program synthesis test at the end of the study program demonstrating the integration of knowledge acquired.

4. The studies must result in mastery of the following skills:

1) analysing the working dimension;

2) adopting health, safety, and asepsis measures;

3) using respiratory therapy equipment;

4) communicating with the patient, the patient's family, and the health care team;

5) combining the proper therapeutic method with a given cardiopulmonary disorder or cardiopulmonary-related disorder in an adult, child, or newborn;

6) combining the proper medication with clinical respiratory therapy and anaesthesia situations;

7) giving respiratory therapy to adults, children, and newborns;

8) recording and analysing electrocardiograms;

9) carrying out tests of pulmonary and cardiopulmonary function;

10) ensuring technical support in the case of adult and child anaesthesia;

11) evaluating the quality of mechanical ventilation in the case of adults, children, and newborns;

12) administering cardiopulmonary treatment and technique to adults, children, and newborns;

13) organizing work.

5. Notwithstanding sections 3 and 4, where the diploma that is the subject of the application for equivalence was obtained more than 3 years prior to the application and the candidate has not practised or has ceased to practise during this period, the equivalence shall be refused if the knowledge acquired by the candidate no longer corresponds, taking into account developments in the profession, to the knowledge that is imparted, at the time of the application, in a program of studies leading to a diploma recognized under government regulations as giving access to a permit.

However, equivalence shall be granted if the candidate's relevant work experience and training acquired since the diploma was awarded have allowed the candidate to reach the required level of knowledge.

DIVISION III **TRAINING EQUIVALENCE STANDARDS**

6. A candidate is granted training equivalence where the candidate demonstrates theoretical and practical knowledge and skills equivalent to those acquired by the holder of a diploma recognized under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26).

7. Notwithstanding section 6, where the training that is the subject of the application for equivalence was completed more than 3 years before the application and the candidate has not practised or has ceased to practise during this period, the equivalence shall be refused if the knowledge and skills acquired by the candidate no longer correspond, taking into account developments in the profession, to the knowledge and skills that, at the time of the application, are accumulated following a program of studies leading to a diploma recognized by government regulation as giving access to a permit.

8. In assessing the training equivalence of a candidate, the Bureau of the Order shall take into account all the following factors:

1) the nature and the number of years of the candidate's experience;

2) the fact that the candidate holds one or more diplomas awarded in Québec or elsewhere;

3) the nature and content of courses taken;

4) completed supervised clinical training sessions in respiratory therapy;

5) total number of years of schooling.

**DIVISION IV
EQUIVALENCE OR TRAINING RECOGNITION
PROCEDURE**

9. A candidate who wishes to obtain the recognition of diploma or training equivalence must apply in writing and provide the secretary with the following supporting documents and information, together with the fees required under paragraph 8 of section 86.0.1 of the Professional Code (R.S.Q., c. C-26):

- 1) academic record, including a description of courses taken, the number of credits or units and related hours, and results obtained;
- 2) certified true copies of diplomas awarded;
- 3) a document attesting to participation in and successful completion of all clinical training sessions in respiratory therapy;
- 4) a document attesting to and describing relevant work experience in the field of respiratory therapy;
- 5) if applicable, a document attesting to participation in continuing training or refresher activities in the field of respiratory therapy since graduation.

10. Documents in a language other than English or French submitted in support of an application must be accompanied by a translation into English or French that is certified by a sworn statement by the translator and attached to the original.

11. The person designated by the Bureau to apply this regulation shall examine applications for recognition of diploma or training equivalence and shall make the appropriate recommendations to the Bureau.

12. In deciding on a candidate's application for equivalence, the Bureau may, at its first meeting following receipt of a recommendation,

- 1) recognize the candidate's diploma or training equivalence;
- 2) recognize the candidate's diploma or training equivalence in part and inform the candidate that to obtain equivalence, one or more of the following conditions must be met;
 - a) passing of an examination set by the Bureau;

b) successful completion of a program of studies determined by the Bureau;

c) successful completion of training sessions;

3) refuse to recognize the candidate's diploma or training equivalence.

13. If the Bureau recognizes the equivalence, it shall inform the candidate, in writing, within 15 days following its decision.

If the Bureau recognizes the equivalence in part, or rejects it, it shall inform the candidate, in writing, within 15 days following its decision, indicating the number of hours and the learning activities that are missing or do not meet the requirements of section 3 and, as the case may be, the possibility of study programs, training sessions, or examinations, the successful completion of which, given the candidate's level of knowledge, would allow the candidate to receive the equivalence.

14. A candidate who is informed of the Bureau's decision not to recognize the equivalence requested may apply to the Bureau for a hearing, provided that the candidate applies to the secretary in writing within 30 days after the date on which decision is mailed.

The Bureau shall hear the candidate at the next regular meeting following the date of receipt of such application. It must summon the candidate by notice in writing sent by registered mail not less than 10 days before the date of the hearing.

The decision of the Bureau is final and must be sent to the candidate in writing within 30 days following the date of the hearing.

15. This regulation replaces the Regulation respecting the standards for equivalence of diplomas awarded by educational establishments outside Québec for the issue of a permit of the Corporation professionnelle des inhalothérapeutes du Québec, approved by Order in Council 1145-93 dated August 18, 1993.

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

Draft Regulation

An Act respecting health services and social services
(R.S.Q., c. S-4.2)

Transmission of information on blood or blood product recipients

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 the transmission of information on blood or blood product recipients, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to provide for an efficient manner of identifying recipients of blood or blood products in Québec. Those persons will be invited to consult their physician and eventually to undergo a screening test for the hepatitis C virus.

To date, study of the matter has revealed no impact on businesses.

Further information may be obtained by contacting:

Mr. Claude Vézina
Direction de la protection de la santé publique
Ministère de la Santé et des Services sociaux
201, boulevard Crémazie Est, bureau RC01
Montréal (Québec)
H2M 1L2

Telephone: (514) 864-8044
Fax: (514) 864-2900
Internet: Claude.Vézina@msss.gouv.qc.ca

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 Health and Social Services and Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

PAULINE MAROIS,
*Minister of State for Health and Social Services
and Minister of Health and Social Services*

Regulation respecting the transmission of information on blood or blood product recipients

An Act respecting health services and social services
(R.S.Q., c. S-4.2, s. 505, par. 26)

1. An institution that operates or has operated a hospital centre of the class of general and specialized hospital centres shall transmit to the Minister of Health and Social Services the following information about users who, according to available blood bank registers, have received a blood transfusion or blood products between 1960 and July 1990: the user's name at birth and date of birth, sex, health insurance number, social insurance number, the date of the blood transfusion or of the administration of blood products, the number of the blood units received such as packed red cells, platelets, cryoprecipitate, cryoprecipitate supernatants and plasma, including the blood group and the Rh factor.

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

3472

Municipal Affairs

Gouvernement du Québec

O.C. 172-2000, 1 March 2000

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Amalgamation of Ville de Farnham and Municipalité de Rainville

WHEREAS each of the municipal councils of Ville de Farnham and of Municipalité de Rainville 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 no objection to the application was 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 council 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 resulting from the amalgamation of Ville de Farnham and of Municipalité de Rainville be constituted, on the following conditions:

1. The name of the new town shall be “Ville de Farnham”.

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 5 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 Municipalité régionale de comté de Brome-Missisquoi.

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 acting mayor of the provisional council for two equal periods. The mayor of the former Ville de Farnham shall act as mayor of the provisional council for the first period.

If a seat is vacant at the time of the coming into force of this Order in Council or becomes vacant during the term of the provisional council, one additional vote shall be allotted to the mayor of the former municipality of origin of the council member whose seat has become vacant.

Throughout the term of the provisional council, the elected municipal officers shall receive the same remuneration as they were receiving before the coming into force of this Order in Council.

Throughout the term of the provisional council, the mayors of the former municipalities shall continue to be qualified to sit on the council of Municipalité régionale de comté de Brome-Missisquoi.

6. The first sitting of the provisional council shall be held at the town hall of the former Ville de Farnham located at 477, rue de l’Hôtel-de-Ville.

7. The first general election shall be held on 7 May 2000.

The second general election shall be held on the first Sunday in November 2003.

8. For the first general election, only those 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 Farnham shall be eligible for seats 1, 3 and 5 and only those persons who would be eligible under that Act if such election were an election of the council members of the former

Municipalité de Rainville shall be eligible for seats 2, 4 and 6.

For any election held prior to the second general election, only the voters in the sector made up of the former Ville de Farnham shall participate in the election of the council members for seats 1, 3 and 5 and only the voters in the sector made up of the territory of the former Municipalité de Rainville shall participate in the election of the council members for seats 2, 4 and 6.

For the second general election, the new town shall be divided into electoral districts in accordance with the Act respecting elections and referendums in municipalities.

9. Ms. Johanne Lafleur, director general and clerk of the former Ville de Farnham, shall act as director general and clerk of the new town.

Ms. Marie-Josée Lepage, secretary-treasurer and director general of the former Municipalité de Rainville, shall act as assistant clerk of the new town.

Ms. Maryvonne Saint-Denis, treasurer of the former Ville de Farnham, shall act as treasurer of the new town.

10. Any budget adopted by each 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 though those 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 property value 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 the former municipalities for the fiscal year preceding that during which this Order in Council comes into force.

11. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in force before the coming into force of this Order in Council shall continue to apply until the end of the last fiscal year for which separate budgets were adopted.

12. 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 for the benefit of the ratepayers in the sector made up of the territory of the former municipality. It may be used for carrying out public works in that sector, reducing taxes applicable to all the taxable immovables situated therein or repaying debts charged to that sector.

13. 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 continue to be charged to all the taxable immovables in the sector made up of the territory of that former municipality.

14. The working fund of the former Ville de Farnham shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets. The uncommitted amount of the fund on that date shall be added to the former municipality's accumulated surplus and used in accordance with section 12.

A working fund of \$255 300 shall be constituted for the new town from a contribution taken from the surplus accumulated on behalf of each of the former municipalities. The contribution of the former Ville de Farnham is \$195 300 and that of the former Municipalité de Rainville is \$60 000. If the amount of the surplus accumulated on behalf of a former municipality is insufficient to allow for the payment of that contribution, a special tax shall be imposed on all the taxable immovables in the sector made up of the territory of that former municipality to make up such difference.

15. A special fund used for parks shall be constituted for the new town from funds managed for those purposes by each of the former municipalities as they exist at the end of the last fiscal year for which the former municipalities adopted separate budgets.

16. The balance in principal and interest of loan By-laws 81, 346, 400, 436, 451, 522, 523, 604, 616, 631, 638, 645, 676, 689, 690, 693, 696, 698, 708, 740, 742, 764, 771, 772, 779, 791, 806, 820, 826, 866, 878 and 882, 3rd series, of the former Ville de Farnham shall continue to be charged to the sector made up of the territory of that former municipality, in accordance with the taxation clauses of those by-laws.

17. The balance in principal and interest of loan By-laws 161, 635, 669, 675, 797 and 804, 3rd series, of the former Ville de Farnham, shall continue to be charged to all the taxable immovables situated on the territory of the new town.

The taxation clauses of those by-laws shall be amended accordingly.

18. The balance in principal and interest of loan by-laws 733 and 766, 3rd series, of the former Ville de Farnham shall continue, in a proportion of 31.29 %, to be charged to all the taxable immovables situated on the territory of the new town and, in a proportion of 68.71 %, to be charged to all the taxable immovables in the sector made up of the territory of the former Ville de Farnham.

The taxation clauses of those by-laws shall be amended accordingly.

19. The balance in principal and interest of amounts owed to the Société québécoise d'assainissement des eaux under the agreement signed between the Gouvernement du Québec and the former Ville de Farnham on 5 May 1980 shall be charged to all the users served by the sewer system of the new town.

20. The balance in principal and interest of loan By-laws 99 and 936, 3rd series, of the former Ville de Farnham shall be charged to all the users served by the waterworks system of the new town.

The taxation clauses of those by-laws shall be amended accordingly.

21. The annual repayment of the instalments in principal and interest of all loans made under the by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in sections 16 and 20, shall continue to be charged to the sector that made them, in accordance with the taxation clauses provided for in those by-laws.

If the new town decides to amend the taxation clauses of those by-laws in accordance with law, those amendments may affect only the taxable immovables in the sector made up of the territory of that former municipality.

22. The available balance of the loan by-laws shall be used for paying the annual instalments in principal and interest of those loans or, if the securities were issued for a term shorter than that originally fixed, for reducing the balance of those loans. If the available balance is used for the purposes of paying annual instalments of loans, the rate of the tax imposed to pay the instalments shall be reduced so that the revenues of the tax be equal to the balance to be paid, less the available balance used.

23. For the eleven fiscal years following the last fiscal year for which the former municipalities adopted separate budgets, 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 Farnham on the basis of their value as it appears on the assessment roll in force each year; the tax rate shall be the following:

First two years:	\$0.40 per \$100 of assessment;
Third year:	\$0.36 per \$100 of assessment;
Fourth year:	\$0.32 per \$100 of assessment;
Fifth year:	\$0.28 per \$100 of assessment;
Sixth year:	\$0.24 per \$100 of assessment;
Seventh year:	\$0.20 per \$100 of assessment;
Eighth year:	\$0.16 per \$100 of assessment;
Ninth year:	\$0.12 per \$100 of assessment;
Tenth year:	\$0.08 per \$100 of assessment;
Eleventh year:	\$0.04 per \$100 of assessment.

24. The amounts received as subsidies, under the Programme d'aide financière au regroupement municipal (PAFREM), shall be apportioned as follows:

— 23.5 % shall be used for the benefit of ratepayers in the sector made up of the territory of the former Municipalité de Rainville;

— 76.5 % shall be used for the benefit of ratepayers in the sector made up of the territory of the former Ville de Farnham.

During the five fiscal years following the last fiscal year for which the former municipalities adopted separate budgets, those amounts shall be used for the carrying out of roadwork.

25. The amount payable by each of the former municipalities to the special local activities financing fund established in accordance with the Act to establish the special local activities financing fund (R.S.Q., c. F-4.01) shall continue to be charged to all the taxable immovables in the sector made up of the territory of each of the former municipalities.

26. The standardization of the rate of the property surtax imposed on non-residential immovables shall be carried out over a maximum period of ten years. Thus, the rate in force for 1999 on the territory of the former Ville de Farnham will be applied gradually in the sector made up of the territory of the former Municipalité de Rainville at the rate of one-tenth of that rate for the first year during which this Order in Council comes into force and one-tenth more each subsequent year up to 100 % of the rate of the tenth year.

The rate of the property surtax imposed in the sector made up of the territory of the former Municipalité de Rainville may not exceed that which would be imposed in the sector made up of the territory of the former Ville de Farnham during that period.

27. During the eleven fiscal years following the last fiscal year for which the former municipalities adopted separate budgets, the construction of any new water-works, sewerage and street foundation infrastructure work on the territory of the new town will be entirely charged to the users served by those infrastructures and will have to be financed by means of a property tax imposition or a tariff to the ratepayers.

28. Any debt or gain that may result from legal proceedings for an act performed by a former municipality, including any increase of the insurance premium related to any of those acts, shall continue to be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

29. A municipal housing bureau is incorporated under the name of "Office municipal d'habitation de la Ville de Farnham".

That municipal bureau shall succeed to the municipal housing bureau of the former Ville de Farnham, 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 Ville de Farnham 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 Farnham.

30. All the movable and immovable property belonging to each of the former municipalities shall become the property of the new town.

Notwithstanding the foregoing, during the eleven fiscal years following the fiscal year for which the former municipalities adopted separate budgets, the proceeds of the sale of movable property belonging to one of the former municipalities at the time of the coming into force of this Order in Council shall be dealt with in accordance with section 12.

31. 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 to replace all the zoning and subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to all the territory of the new municipality, provided that such a by-law comes into force within four years following 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 municipality.

32. 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 VILLE DE FARNHAM, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE BROME-MISSISQUOI

The current territory of Municipalité de Rainville and of Ville de Farnham, in Municipalité régionale de comté de Brome-Missisquoi, comprising in reference to the cadastres of the parishes of Sainte-Brigide and Saint-Romuald-de-Farnham-Ouest and to the cadastre of Ville de Farnham, the lots or parts of lots and their present and future subdivisions as well as the roads, routes, streets, railway rights-of-way, islands, islets, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the meeting point of the northwesterly extension of the northeastern line of lot 404 of the cadastre of Paroisse de Saint-Romuald-de-Farnham-Ouest with the centre line of Rivière Yamaska; thence, successively, the following lines and demarcations: in reference to that cadastre, southeasterly, the said extension and part of the northeastern line of the said cadastre to the dividing line between lots 270 and 269, that line crossing Chemin Yamaska, a railway (lot 434), Route 235, Ruisseau Lussier and another railway (lot 433) that it meets; successively northerly and easterly, the western and northern lines of lot 269; southeasterly, successively, the northeastern line of lots 269, 265, 266, 264, 263 and the extension of the latter line to the centre line of Rivière Yamaska, that line crossing Chemin Rang Magenta that it meets; in a general southwesterly direction, the centre line of the said river downstream to the northwesterly extension of the dividing line between the cadastres of the parishes of Saint-Romuald-de-Farnham-Ouest and l'Ange-Gardien; successively, southeasterly, easterly, southerly, southeasterly and northerly, part of

the broken dividing line between the said cadastres to its meeting point with the dividing line between the cadastres of Paroisse de Saint-Romuald-de-Farnham-Ouest and Canton de Farnham; in a general southerly direction, that latter dividing line between the cadastres, that line crossing Rivière Yamaska Sud-Est, a railway (lot 431 of the cadastre of Paroisse de Saint-Romuald-de-Farnham-Ouest), Chemin Gordon, Chemin de Brigham and Route 104 that it meets; westerly, part of the dividing line between the cadastres of Paroisse de Saint-Romuald-de-Farnham-Ouest and of Canton de Stanbridge to the apex of the southwestern angle of lot 23 of the cadastre of Paroisse de Saint-Romuald-de-Farnham-Ouest, that line crossing Chemin Boulais that it meets; in reference to that cadastre, northerly, successively, the western line of lot 23 extended across a public road (Chemin Audette) and the western line of lot 21; westerly, successively, the southern line of lots 106 and 105, the south side of the right-of-way of a public road shown on the original (Chemin du Golf) and bordering to the south lots 102 and 103, the extension on the south side of the said road across Chemin Audette then the southern line of lots 95, 94, 93 and 92, that line crossing Ruisseau Morpions that it meets; northwesterly, the dividing line between lots 92 and 91, that line crossing Ruisseau Ménard that it meets; westerly, successively, the south side of a public road shown on the original (Chemin Jetté) bordering to the south lots 193, 198 and 199 and crossing Route 235 and a railway (lot 435), then the southern line of lots 200, 201 and 202; northerly, part of the dividing line between the cadastres of Paroisse de Saint-Romuald-de-Farnham-Ouest and of Sainte-Brigide to the north side of the railway right-of-way (lot 536 of the cadastre of Paroisse de Sainte-Brigide) crossing lot 324 of the cadastre of Paroisse de Saint-Romuald-de-Farnham-Ouest, that line crossing Chemin Delorme that it meets; westerly, the north side of the right-of-way of the said railway to the southwest side of the right-of-way of Route 104; northwesterly, the southwest side of the right-of-way of the said route to the southerly extension of the western line of lot 426 of the cadastre of Paroisse de Sainte-Brigide; in reference to that cadastre, northerly, the said extension and part of the said lot line to the north side of the right-of-way of Montée des Écossais; in a general northeasterly direction, the northwest side of Montée des Écossais crossing lots 426 and 425 and bordering to the northwest lots 427 and 490 to the apex of the southeasterly angle of lot 489; northerly, the west side of a road dividing the cadastre of Paroisse de Saint-Romuald-de-Farnham-Ouest from Paroisse de Sainte-Brigide (Route 233) to the westerly extension of the northern line of lot 418 of the cadastre of Paroisse de Saint-Romuald-de-Farnham-Ouest; easterly, the said extension and the said lot line;

southeasterly, the northeastern line of lots 418, 416 and 415, the latter line extended to the centre line of Rivière Yamaska; finally, in a general northerly direction, the centre line of the said river downstream to the starting point.

The said limits define the territory of the new Ville de Farnham, in Municipalité régionale de comté de Brome-Missisquoi.

Ministère des Ressources naturelles
Direction de l'information foncière sur le territoire public
Division de l'arpentage foncier

Charlesbourg, 5 November 1999

Prepared by: JEAN-PIERRE LACROIX,
Land surveyor

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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