

# Gazette officielle du Québec

## Part 2 Laws and Regulations

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**PROVINCE OF QUÉBEC**

1st SESSION

36th LEGISLATURE

QUÉBEC, 30 MAY 2000

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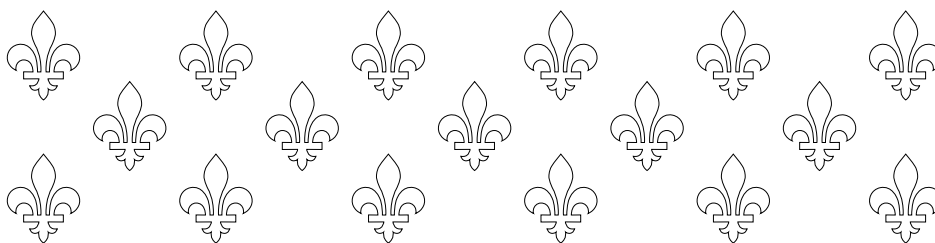
**OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 30 May 2000*

This day, at seven minutes past four o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to sanction the following bills:

- 6 An Act to amend the Act respecting the Société de la Place des Arts de Montréal and the Act respecting the Société du Grand Théâtre de Québec
- 82 Public Administration Act
- 93 Dam Safety Act

To these bills the Royal assent was affixed by His Excellency the Lieutenant-Governor.





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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 93  
(2000, chapter 9)

## **Dam Safety Act**

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**Introduced 16 December 1999**  
**Passage in principle 11 April 2000**  
**Passage 23 May 2000**  
**Assented to 30 May 2000**

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**Québec Official Publisher**  
**2000**

## **EXPLANATORY NOTES**

*The purpose of this bill is to increase the safety of the dams to which the bill applies and of dikes and other appurtenant works. To that end, the bill reforms the legal framework governing the establishment and operation of this type of works.*

*A new authorization system is introduced for high-capacity dams that imposes a series of obligations on dam owners, particularly as concerns dam safety assessment and monitoring, the performance of remedial work and the implementation of impounded water management plans and emergency action plans.*

*The bill also requires low-capacity dams to be declared to the Minister of the Environment.*

*Under the bill, a register will be established for all dams one metre or more in height, that is to contain basic information on the condition and classification of the dams. The information will be available to the public.*

*The bill reinforces the powers of intervention available to public authorities to prevent or remedy any situation that may compromise the safety of persons or the protection of property.*

*The bill confers regulatory powers on the Government that deal with safety standards, dam classification and the content of the assessments, impounded water management plans, emergency action plans and registers prescribed by the Act.*

*Lastly, the bill imposes substantial penal sanctions for offences against the provisions of the Act or the regulations.*

## **LEGISLATION AMENDED BY THIS BILL :**

- Act respecting administrative justice (R.S.Q., chapter J-3).



## **Bill 93**

### **DAM SAFETY ACT**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

#### **CHAPTER I**

##### **GENERAL PROVISIONS**

1. The purpose of this Act is to increase the safety of the dams to which the Act applies and thereby protect persons and property against the risks associated with the presence of dams.

2. For the purposes of this Act, “dam” means any works intended to divert or impound the water of a watercourse or of a lake or reservoir listed in the *Répertoire toponymique du Québec* or a supplement to that publication.

In addition, a person holding or operating a dam shall be considered to be a dam owner.

3. This Act is binding on the Government, on government departments and on bodies that are mandataries of the State.

#### **CHAPTER II**

##### **PROVISIONS APPLICABLE TO HIGH-CAPACITY DAMS**

4. The following dams are considered to be high-capacity dams :

(1) dams 1 metre or more in height having an impounding capacity greater than 1,000,000 m<sup>3</sup> ;

(2) dams 2.5 metres or more in height having an impounding capacity greater than 30,000 m<sup>3</sup> ;

(3) dams 7.5 metres or more in height, regardless of impounding capacity ;

(4) regardless of their height, retaining works and works appurtenant to a dam referred to in paragraph 1, 2 or 3, and works intended to retain all or part of the water stored by such a dam.

**DIVISION I****PROJECTS REQUIRING AUTHORIZATION**

5. The construction, structural alteration or removal of any high-capacity dam requires the authorization of the Minister of the Environment.

The authorization of the Minister is also required for any change in use of a high-capacity dam likely to affect the safety of the works, and for any permanent or temporary stopping of the operation of the dam.

6. An application for authorization must be filed by the promoter or the owner of the dam by way of a notice containing a general description of the project.

The following documents must be submitted in support of an application for authorization for the construction or structural alteration of a high-capacity dam :

(1) the plans and specifications for the project, prepared by an engineer ;

(2) a certificate of an engineer stating that the plans and specifications conform to the safety standards prescribed by the Government by regulation.

The Government may, by regulation, determine the other information or documents to be submitted with an application for authorization.

7. The Minister may require an applicant to submit any information, document, study or expert opinion the Minister considers necessary to the assessment of the project.

8. The authorization of the Minister may include conditions and fix the time within which the work must be completed.

9. Any modification to the plans and specifications must be prepared by an engineer and, if the modification is likely to affect the safety of the works, be submitted to the Minister for approval before the work is undertaken.

The application for approval must include a certificate of an engineer stating that the proposed modifications conform to the safety standards prescribed by the Government by regulation.

10. Upon completion of the work authorized pursuant to section 5 and, where applicable, before the dam is put into operation, the owner must advise the Minister of the completion of the work and forward to the Minister a certificate of an engineer stating that the work has been carried out in conformity with the plans and specifications and any conditions of authorization.

Any modifications made to the plans and specifications during the carrying out of the work that were not required to be submitted to the Minister for approval under section 9 must also, within the same time limits, be forwarded to the Minister, together with a certificate of an engineer stating that the modifications are not likely to affect the safety of the works.

11. A new authorization must be sought for every proposed construction, structural alteration or removal of a high-capacity dam that is not undertaken within two years.

12. A decision by the Minister refusing authorization or approval may be contested by the applicant before the Administrative Tribunal of Québec within 30 days of notification.

13. The Minister shall maintain a register of applications for authorization and approval and shall record all authorizations and approvals granted.

The information contained in the register is public information.

## **DIVISION II**

### **CLASSIFICATION**

14. Every high-capacity dam must be classified on the basis of the risk it presents for persons and property.

The classification shall be effected and kept current by the Minister according to the conditions and using the methods and parameters determined by the Government by regulation, including dam type, location, dimensions, impounding capacity, age, condition and consequences of dam failure for persons and property.

Before a decision is made by the Minister on the classification of a dam, the owner must be informed of the Minister's intention and given an opportunity to present observations.

The Minister's decision as to the classification of a dam may be contested by the owner before the Administrative Tribunal of Québec within 30 days of notification.

## **DIVISION III**

### **SAFETY STANDARDS**

15. The Government shall determine, by regulation, the safety standards applicable to high-capacity dams and, in particular, flood and earthquake resistance standards.

16. Every high-capacity dam must, at the intervals and on the other conditions determined by the Government by regulation, undergo a safety review by an engineer to assess its safety in terms of good practice and regulatory safety standards. The safety review must, in particular, identify any situation liable to compromise the safety of the works and indicate, where applicable, the proposed remedial measures.

17. In addition to forwarding the safety review required under section 16 to the Minister within the time fixed by the Government by regulation, the dam owner must forward for approval, within the same time, an outline of the remedial measures the owner intends to take and an implementation schedule.

The Minister's approval may include conditions; the Minister may modify the remedial measures and implementation schedule submitted, or require the owner to submit new remedial measures and a new implementation schedule within the time the Minister fixes, in which case the owner must first be advised of the Minister's intention and given an opportunity to present observations.

A decision by the Minister refusing approval, approving the remedial measures and implementation schedule with modifications, or requiring the owner to submit new remedial measures and a new implementation schedule may be contested by the owner before the Administrative Tribunal of Québec within 30 days of notification.

18. If the owner of a dam fails to have a safety review carried out as provided in section 16, to implement approved remedial measures in accordance with the implementation schedule, or to submit new remedial measures or a new implementation schedule within the time fixed, the Minister may have the safety review carried out or implement any required remedial measures at the owner's expense.

19. The owner of a high-capacity dam must have an impounded water management plan prepared by an engineer according to the conditions and within the time fixed by the Government by regulation, and must keep the management plan current.

In addition, the owner of the works must, in collaboration with the emergency preparedness authorities and in compliance with the conditions and time limits fixed by the Government by regulation, prepare and keep current an emergency action plan.

The owner of the works is responsible for ensuring that the plans are applied. The plans must remain available for inspection by the Minister.

The information contained in the impounded water management plan and in the emergency action plan is public information. The Government shall, by regulation, determine the manner in which the plans are to be made available to the public.

A regulation made by the Government pursuant to the first or second paragraph may, however, prescribe the conditions on which dams may be exempted from an obligation set out in those provisions.

20. Every high-capacity dam must be monitored and maintained on a regular basis to ensure the timely detection and correction of any deficiency and to maintain the works in good repair. The Government may, by regulation, determine the conditions applicable to the monitoring of the works, including monitoring frequency and the qualifications required of the persons who perform the monitoring.

In addition, the apparatus or devices with which the dam is equipped must, if they contribute to ensuring the safety of the dam, be maintained in accordance with good practice and the manufacturer's instructions so as to ensure that they are in proper working order at all times.

21. A register for every high-capacity dam must be established, and kept current, in which the results of the observations and monitoring performed under section 20 and all other information as may be required by the Government by regulation are recorded.

The register for the dam must remain available for inspection by the Minister.

22. In the event of a situation that may compromise the safety of a high-capacity dam, the dam owner must, without delay, take the necessary steps to remedy the situation; the dam owner must also, without delay, inform the Minister and, if there is a threat to persons or property, the emergency preparedness authorities.

#### **DIVISION IV**

##### **SAFETY PROGRAMS**

23. An owner may, in respect of a high-capacity dam, submit a safety program to the Minister for approval that, if approved, will replace the regulatory standards prescribed pursuant to this Act and indicated in the program, other than the safety standards referred to in section 15.

The Minister shall approve the program submitted by the owner, with or without conditions, if the owner shows that the resulting level of safety under the program is equal to or greater than the level of safety that would be achieved through compliance with the regulatory standards. The Minister may also approve any safety program modification submitted by the owner that meets the requirements of this section.

A decision by the Minister refusing approval of a safety program or safety program modification may be contested by the owner of the works before the Administrative Tribunal of Québec within 30 days of notification.

No safety program may be established for a period exceeding five years.

24. The Government may, by regulation, prescribe the conditions subject to which a safety program may be approved and determine the minimal content of a safety program.

25. A safety program may be terminated in the manner specified in the program.

A program may also be terminated by the Minister before its expiry and without compensation, where the Minister is of the opinion that the owner of the works

(1) no longer meets the conditions for approval of the program ;

(2) is failing to comply with the provisions of this Act or the regulations, or is not complying with the obligations incumbent upon the owner under the program ;

(3) has made false or misleading statements to the Minister.

Before a program is terminated by the Minister, the owner must be informed of the Minister's intention and given an opportunity to present observations.

A decision by the Minister terminating a safety program before its expiry may be contested by the owner of the works before the Administrative Tribunal of Québec within 30 days of notification.

26. A person does not contravene the regulatory provisions indicated in a safety program approved by the Minister if the person complies with the corresponding provisions of the program.

27. The Minister shall maintain a register of approved programs containing the name and address of the beneficiaries of the programs, the designation of the dams involved, the regulatory provisions concerned and the contents of the approved substitutions. Where a program has been renewed or modified, or terminated before its expiry, the Minister shall make a mention to that effect in the register.

The information contained in the register is public information.

### **CHAPTER III**

#### **PROVISIONS APPLICABLE TO LOW-CAPACITY DAMS**

28. The following dams are considered to be low-capacity dams :

(1) dams 2 metres or more in height to which section 4 does not apply ;

(2) regardless of their height, retaining works and works appurtenant to a dam referred to in paragraph 1, and works intended to retain all or part of the water stored by such a dam.

29. The construction, structural alteration or removal of any low-capacity dam must be declared.

The declaration must be filed with the Minister by the promoter or owner of the dam at the same time as an application for authorization under section 22 of the Environment Quality Act (R.S.Q., chapter Q-2), or a notice required under section 31.2 of that Act if the project is subject to an environmental assessment.

The Government shall, by regulation, determine the information to be contained in and the documents to be submitted with the declaration.

30. The Minister may require the person filing the declaration to submit any information, document, study or additional expert opinion the Minister considers necessary to assess the safety of the works or project.

## **CHAPTER IV**

### **ADMINISTRATIVE MEASURES**

31. The Minister shall establish and keep current a register of all dams 1 metre or more in height. For that purpose, every owner of such a dam is required to inform the Minister of the existence of the works.

The Government shall, by regulation, prescribe the information to be recorded in the register, including the location, characteristics and classification of the dams, the documents it must contain and the conditions and time limits to be respected by the owners of the works in forwarding the information or documents to the Minister.

The information or documents contained in the register are public. The Government shall, by regulation, determine the manner in which the register is to be made available to the public. The regulation shall also prescribe the procedure for the forwarding, to the local municipalities, regional county municipalities, urban communities or the Kativik Regional Government, of any information or document contained in the register concerning a dam situated in their territory.

32. The Minister or any person authorized by the Minister may, for the purposes of this Act, the regulations or the safety programs mentioned in section 23,

(1) have access at all times to any place where dams, apparatus or devices governed by this Act are situated and conduct an inspection;

(2) inspect the premises and take photographs of the premises and of the dams, apparatus or devices;

(3) examine and obtain a copy of any register or other document relating to the dams, apparatus, devices or activities governed by this Act and the regulations;

(4) require any information or document relating to the application of this Act, the regulations or a safety program.

A person conducting an inspection must, when so requested, produce a certificate signed by the Minister showing authority to conduct the inspection.

33. The Minister may, for the purpose of assessing the safety of a dam, order the owner of the works to carry out any test, survey, testing or verification the Minister specifies.

The Minister may also, for the same purpose, order the owner to install, within the time specified, any device or apparatus the Minister indicates.

Furthermore, the Minister may require the owner to report, in the form and within the time the Minister determines, on any aspect of the construction or operation of the dam and to submit the report with any information or document required.

34. Where the Minister is of the opinion that a dam does not sufficiently ensure the safety of persons or the protection of property, the Minister may order the owner of the works to take any measure the Minister considers appropriate, including the lowering of the impounded water level or the removal of the works.

35. Where the owner of the works fails to comply with an order of the Minister, the Minister may cause the order to be carried out or the appropriate remedial measures to be taken at the expense of the owner. The Minister may recover the cost, with interest and other costs, in particular by claiming the security or guarantee furnished by the owner.

Where the owner of the dam is unknown or cannot be found, or ownership of the dam cannot be ascertained, a judge of the Superior Court may, on motion of the Minister, authorize the Minister to take any measure the Minister considers appropriate, including the performance of remedial work, or to immediately have the dam removed and recover the cost, with interest and other costs, from the owner if the owner's identity becomes known or the owner is found. The judge may also authorize the Minister to transfer ownership of the dam to any other person or partnership.



## CHAPTER V

### REGULATIONS

36. In addition to the other regulatory powers provided for in this Act, the Government may make regulations

(1) determining the methods and criteria to be used to calculate the height of a dam and the impounding capacity ;

(2) requiring, in the cases, on the conditions and within the time it determines, liability insurance to be contracted or security or a guarantee to be furnished, and determining the extent, term, amount and other conditions applicable thereto ;

(3) prescribing, in the cases, on the conditions and within the time it determines, the creation of a special trust fund to cover the costs generated by the maintenance or, where applicable, the removal of the works, where the operation of a dam is stopped temporarily or permanently, and in particular the rules governing the financing and administration of the trust fund and the conditions applicable to the payment of sums out of the trust fund ;

(4) fixing the file processing fees payable by any person filing a declaration or applying for an authorization or approval or for the renewal or modification of an authorization or approval, or the method and criteria to be used to calculate the fees, and determining the terms and conditions of payment ;

(5) determining the annual fees payable to the Minister by dam owners to cover the costs incurred in the administration of this Act and the regulations, or the method and criteria to be used to calculate the fees, and determining the terms and conditions of payment ;

(6) prescribing the time within which the Minister must make a decision pursuant to section 5, 9, 17 or 23 ;

(7) determining, from among the provisions of a regulation made pursuant to this Act, the provisions a violation of which constitutes an offence, and specifying, for each offence, the fines to which the offender is liable ; such fines may not exceed \$500,000.

The regulations may make mandatory any standards, methods or technical procedures established by another government or by a body responsible for establishing them and prescribe that in such a case, references to the texts containing them are references to those texts as subsequently amended.

37. The regulatory provisions made by the Government pursuant to this Act may vary according to the classes of dams, any of the parameters mentioned in the second paragraph of section 14 or the classes of dam owners that may otherwise be established by the provisions, and specify the conditions in which and time limits within which the provisions may be applied to existing works.

**CHAPTER VI****PENAL PROVISIONS**

38. Every person who undertakes a project referred to in section 5 without holding the required authorization or fails to have a modification to plans and specifications approved, in contravention of section 9 is liable to a fine of not less than \$2,000 nor more than \$1,000,000.

39. Every dam owner who fails to fulfill the obligations prescribed under sections 16, 17, 19, 20 and 22 or fails to comply with an order made by the Minister under section 34 is liable to the fine under section 38.

40. Every dam owner who fails to comply with the conditions of an authorization or approval is liable to a fine of not less than \$2,000 nor more than \$500,000.

41. The following persons are liable to a fine of not less than \$2,000 nor more than \$200,000:

- (1) every dam owner who contravenes the provisions of section 10;
- (2) every promoter or dam owner who undertakes a project without holding the authorization required under section 11;
- (3) every dam owner who fails to keep the register prescribed by section 21 or fails to provide any information, documents, reports or registers required under this Act;
- (4) every promoter or dam owner who undertakes a project without filing the declaration required under section 29;
- (5) every dam owner who fails to comply with an order made by the Minister pursuant to section 33.

42. Every person who hinders the work of the Minister or of a person authorized by the Minister to exercise powers under section 32, makes a false or misleading statement, records false or misleading information or omits to record information in a document, report or register, or who participates in or consents to the making or recording of such a statement or such information or to the omitting of such information is liable to a fine of \$500 to \$20,000 in the case of a natural person, and \$2,000 to \$50,000 in the case of a legal person.

43. The fines under this Act or a regulation under this Act shall be doubled for a subsequent offence.

44. The court may order an offender to remedy any failure of which the offender has been found guilty.

45. Every director or officer of a legal person who did not take reasonable measures, having regard to the circumstances, to prevent an offence from being committed, or who ordered, authorized, consented to or participated in the offence is liable to the fine prescribed for that offence, whether or not the legal person has been prosecuted or convicted.

## **CHAPTER VII**

### **MISCELLANEOUS PROVISIONS**

46. Any balance of the fees payable under this Act that remains unpaid shall bear interest at the rate fixed under section 28 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31). The interest is capitalized monthly.

47. The provisions of this Act are public policy; they therefore apply to any dam governed by a special Act and prevail over any inconsistent provision of such an Act.

48. Schedule III to the Act respecting administrative justice (R.S.Q., chapter J-3) is amended by adding, after paragraph 3, the following paragraph:

“(4) proceedings against decisions of the Minister under sections 12, 14, 17, 23 and 25 of the Dam Safety Act (2000, chapter 9).”

49. The Minister of the Environment is responsible for the administration of this Act.

50. This Act comes into force on the date or dates to be fixed by the Government.



## Regulations and other acts

Gouvernement du Québec

### **O.C. 651-2000, 1 June 2000**

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

#### **Basic school regulation for preschool, elementary and secondary education**

Basic school regulation for preschool, elementary and secondary education

WHEREAS under section 447 of the Education Act (R.S.Q., c. I-13.3), the Government may make regulations to be known as the “basic school regulation”;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 8 March 2000 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 458 of the Education Act, the draft Regulation was submitted to the Conseil supérieur de l'éducation for examination and an advice was forwarded to the Minister;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Basic school regulation for preschool, elementary and secondary education, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

#### **Basic school regulation for preschool, elementary and secondary education**

Education Act  
(R.S.Q., c. I-13.3, s. 447)

##### **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 competencies that will facilitate their success as students and as individuals and by enabling them to integrate gradually into society.

The purpose of elementary instructional services is to promote the overall development of students and their integration into society 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 foster 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, as the case may be, pursue postsecondary studies.

##### **DIVISION II**

##### **STUDENT SERVICES**

3. The purpose of student services is to help students to progress in their various types of learning.

4. Student services for which programs are to be established 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) student life services designed to contribute to the development of students' autonomy, and to their sense of responsibility and feeling of belonging to the school and to society;
- (3) counselling services designed to help students throughout their studies, with their academic and career choices, and with any difficulties they 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) Catholic pastoral care and guidance or Protestant religious care and guidance services designed to ensure that students continue their moral and spiritual development.

5. Student services provided under section 4 must include the following:

- (1) services designed to promote student 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 documentary resources of the school library;
- (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 services providing assistance in learning French or home or hospital instruction.

7. Welcoming services and 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 enable them to keep up with a regular class. Those students may benefit from assistance in learning French for more than one school year.

The purpose of these welcoming services and assistance in learning French is to help these 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 who are unable to attend school to achieve the objectives of the programs of studies.

### **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 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, such as a report.

If the person cannot provide such a document, because, for example, 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, except if 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's 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 refused.

A school board that admits a student who was attending a school or centre in another board or a private educational institution must send that school board or institution an attestation of admission.

12. Children 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.

Children 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.

Children with handicaps, within the meaning of 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.

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

13. A student shall be promoted from elementary to secondary school after six years of elementary school

studies; a student may however be promoted after five years of studies if he or she 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, a private educational institution in Québec that offers elementary or secondary education or an educational institution outside Québec that offers instruction equivalent to elementary or secondary education.

## **DIVISION II**

### **CYCLES OF INSTRUCTION**

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

Secondary education is organized 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 competencies in each subject area and cross-curricular competencies which prepare them for further studies.

## **DIVISION III**

### **SCHOOL CALENDAR AND PRESCRIBED TIME**

16. The school calendar for students shall consist of the equivalent of a maximum of 200 days, at least 180 of which must be devoted to educational services.

However, for the students with handicaps and the students living in the low-income areas referred to in the second and third paragraphs of section 12, the school calendar shall consist of the equivalent of a maximum of 200 half-days, at least 180 of which must be devoted to educational services, unless the school board, to the extent and on the conditions determined by the Minister, grants them an exemption.

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 a

minimum period of 50 minutes for lunch, in addition to the prescribed time. Elementary students shall also have a recess in both the morning and the afternoon in addition to the prescribed time.

However, for the students with handicaps and the students living in low-income areas referred to in the second and third paragraphs 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. These students shall also have a minimum period of 50 minutes for lunch and five minutes between each class, in addition to the prescribed time.

**19.** The following days are school 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 the calendar of the school's activities;

(2) information on the preschool education program or, in the case of an elementary or a secondary student, information on the student's programs of studies and a list of the textbooks required for these 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.** In addition to the right of personal use of school textbooks in accordance with section 7 of the Education Act, elementary or secondary students shall have access to the instructional material selected in accordance with the Act for their programs of studies. Children in preschool education shall have access to the instructional material required by the programs 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)	
Arts education:		Arts education:	
Two of the four following subjects:		Two of the four following subjects:	
Drama		Drama	
Arts		Arts	
Dance		Dance	
Music		Music	
Physical education and health		Physical education and health	
		History, geography and citizenship education	
		Science and technology	
Unapportioned time	5.5 h	Unapportioned time	9.5 h
<b>TOTAL</b>	<b>23.5 h</b>	<b>TOTAL</b>	<b>23.5 h</b>

These subjects must be taught each year and the objectives of the programs for these 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

(1) students with moderate to severe intellectual handicaps as defined in section 1 of Schedule II;

(2) students with profound intellectual handicaps 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; and

(6) students receiving welcoming services and assistance in learning French or students receiving home or hospital instruction.

**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		Secondary II		Secondary III		Secondary IV		Secondary V	
Compulsory Subjects	Credits	Compulsory Subjects	Credits	Compulsory Subjects	Credits	Compulsory Subjects	Credits	Compulsory Subjects	Credits
French, language of instruction	8	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	English, second language	4	Second language	4	Second language	4
_____	_____	_____	_____	_____	_____	Mathematics	4	Mathematics	4
English, language of instruction	6	English, language of instruction	6	English, language of instruction	6	History and citizenship education	4	_____	_____
French, second language	6	French, second language	6	French, second language	6	_____	_____	Understanding of the contemporary world	4
_____	_____	_____	_____	_____	_____	Science and technology	4	_____	_____
Mathematics	6	Mathematics	6	Mathematics	6	Physical education and health	2	Physical education and health	2
History and citizenship education	3	History and citizenship education	3	History and citizenship education	4	Moral and religious instruction	2	Moral and Religious Instruction	2
_____	_____	_____	_____	_____	_____	or	_____	or	_____
_____	_____	_____	_____	_____	_____	Moral instruction	_____	Moral instruction	_____
Geography	3	Geography	3	Science and technology	6	_____	_____	_____	_____
Science and technology	4	Science and technology	4	Physical education and health	2	_____	_____	_____	_____

		Cycle one				Cycle two			
Secondary I		Secondary II		Secondary III		Secondary IV		Secondary V	
Compulsory Subjects	Credits	Compulsory Subjects	Credits	Compulsory Subjects	Credits	Compulsory Subjects	Credits	Compulsory Subjects	Credits
Physical education and health	2	Physical education and health	2	Moral and religious instruction	2				
				or					
				Moral instruction					
Moral and religious instruction	2	Moral and religious instruction	2						
or		or							
Moral instruction		Moral instruction							
Arts education:		Arts education:							
Two of the four following subjects:		Two of the four following subjects:							
Drama	2	Drama	2						
Arts	2	Arts	2						
Dance	2	Dance	2						
Music	2	Music	2						
				Elective subjects	Credits	Elective subjects	Credits	Elective Subjects	Credits
				Arts education or Modern languages or a local program	4		10		14
TOTAL	36	TOTAL	36	TOTAL	36	TOTAL	36	TOTAL	36

Schools may use the time allotted for the elective subject for remedial purposes, to extend the time allotted for the compulsory subjects or to implement student services programs. No credits are given in those cases. Schools may also offer, as elective subjects, local programs of studies for which credits are given.

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 handicaps, as defined in section 1 of Schedule II;

(2) students with profound intellectual handicaps, 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 welcoming services and assistance in learning French or students receiving home or hospital instruction;

(7) students who may enroll in an individualized path for learning in life skills and work skills education, as defined in Schedule III.

**24.** The teaching of English as a second language shall begin in the second cycle of elementary school except for projects of a special pedagogical interest authorized by the Minister.

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

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

**26.** Schools provide 25 hours of instructional services for each of the credits assigned for a program of studies, unless the compulsory objectives and contents of the program may be achieved within less time.

**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 learning purposes.

## **DIVISION VII** **EVALUATION OF LEARNING**

**28.** The evaluation of learning 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.

At the secondary school level, promotion shall be carried out separately for each program except in the case of particular educational situations or organizational constraints.

A secondary student may only enroll in a program after having obtained the prerequisites, unless that student possesses equivalent learning 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 to the parents of minors in the following cases:

(1) their results put them at risk of failing the current school year or, for children in preschool education, when their progress 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) their behaviour does not comply with the school's rules of conduct;

(3) an individualized education plan providing for this information was prepared for those students.

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 must 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 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 seal of the school board or the principal's signature;
  - (13) in the case of an elementary student, the name of each subject taken; in the case of a secondary student, the code and title of each course taken and the name of the teacher responsible for each course;
  - (14) the data on the student's attendance;
  - (15) the mark obtained 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 to 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 for which the Minister does not set an examination.
- 31.** To be admitted to an examination set by the Minister, secondary 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 set by the Minister.

### **CHAPTER III**

#### **CERTIFICATION OF STUDIES**

**32.** The Minister shall award a Secondary School Diploma to students who earn at least 54 credits at the Secondary IV and V levels including at least 20 credits at the Secondary V level, and among those 54 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 vocational training program 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 has taken general education courses and who has successfully completed the practical training component of a life skills and work skills education program comprising 1 800 hours of instruction divided as follows:

Education	Year 1	Year 2
<b>General education</b>	<b>(Hours)</b>	
Language of instruction	100	50
Mathematics	100	50
Second language	50	
Catholic religious and moral instruction, Protestant religious and moral education or Moral education	50	50
Introduction to the world of work	50	50
Life skills	100	100
<b>PRACTICAL TRAINING</b>		
Work skills	200	450
<b>UNAPPORTIONED TIME</b>	250	150
<b>TOTAL</b>	900	900

34. For all programs of studies offered at the secondary level that lead to 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 summative evaluation of the student transmitted 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 TRANSITORY AND FINAL PROVISIONS

36. The provision of the first paragraph of section 13 in respect of the mandatory promotion of a student from elementary to secondary school shall apply to students who begin their elementary education after 1 July 2000.

Students who begin their elementary education before 1 July 2000 shall normally be promoted after 6 years of elementary studies, but must be promoted after 7 years of elementary studies.

37. This Regulation replaces the Basic school regulations (régime pédagogique) for preschool and elementary school education and the Basic school regulations (régime pédagogique) for secondary school education made respectively by Orders in Council 73-90 and 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 educational 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 during the 1996-1997 school year, 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, i.e. the presence of a certain number of poor families in a given area.

**SCHEDULE II**

(s. 22 and 23)

**STUDENTS WITH MODERATE TO SEVERE INTELLECTUAL HANDICAPS, WITH PROFOUND INTELLECTUAL HANDICAPS, 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 evaluation of the student's level of functioning 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 regular 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 who are profoundly intellectually handicapped 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 evaluation of the student's level of functioning 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 regular 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 evaluation of the student's level of functioning 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 propensity to contract various illnesses.

3. Students with pervasive developmental disorders are students whose overall functioning, through an 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 at 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 functional 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 functional 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 evaluation of the student's level of functioning 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 evaluation of the student's level of functioning 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 PATH FOR LEARNING IN LIFE SKILLS AND WORK SKILLS EDUCATION

Students who may enroll in an individualized path for learning 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 path;

(2) in their schooling, they have earned no Secondary II credits.

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Gouvernement du Québec

### O.C. 652-2000, 1 June 2000

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

#### Basic adult general education

##### Basic Adult General Education Regulation

WHEREAS under section 448 of the Education Act (R.S.Q., c. I-13.3), the Government shall, by regulation, establish a basic adult education regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 8 March 2000 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 458 of the Education Act that draft Regulation was submitted to the Conseil supérieur de l'éducation for examination and an advice was forwarded to the Minister;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Basic Adult General Education Regulation, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

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## Basic adult general education regulation

Education Act  
(R.S.Q., c. I-13.3, s. 448)

### CHAPTER I NATURE AND OBJECTIVES OF EDUCATIONAL SERVICES

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

The purpose of these services is:

- (1) to enable adults to become increasingly autonomous;
- (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 TRAINING SERVICES

2. Training services include instructional services and orientation services.

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. These services may be offered through various learning methods and include:

- (1) pedagogical support services;
- (2) literacy services;
- (3) preparatory services for secondary education;
- (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 training preparation services;
- (10) preparatory services for postsecondary education.

4. Pedagogical support services are designed to enable adults:

(1) to receive pedagogical support to facilitate remedial work and the transition from one course to another and to help them overcome their learning difficulties during their studies;

(2) to obtain linguistic support, for those whose mother tongue is not French, in order to improve their mastery of French as the language of instruction, except when they are receiving francization services.

5. Literacy services are designed to enable adults:

- (1) to access other learning services, if necessary;
- (2) to improve their capacities in different areas of learning;
- (3) to carry out their family and social roles.

6. Preparatory services for secondary education, in order to offer access to secondary education or to other training services, are designed to enable adults:

- (1) to increase their knowledge and abilities 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 allow adults to 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 allow adults to complete their secondary education by mastering basic and elective subjects so that they may obtain a Secondary School Diploma or go on to vocational training or postsecondary education, as the case may be.

9. Social integration services are designed to provide adults experiencing adjustment difficulties of a psycho-

logical, intellectual, social or physical nature with access to individualized learning that will enable them to acquire basic social skills and will prepare them for further studies, if they wish to do so.

10. Sociovocational integration services are designed to allow adults to acquire the competencies required to enter or remain in the labour market or, to pursue their studies, if they wish to do so.

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 allowing them to prepare their transition to further studies or the labour market.

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

13. Preparatory services for secondary education are designed to enable adults to acquire the necessary prerequisites.

14. Orientation services are designed to enable adults:

(1) to establish a learning plan following reception and referral services, taking into account their personal and work experience and their goals;

(2) to explore the paths and resources available in order to carry out their learning plan in keeping with their learning profile;

## **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 provide adults in training programs with support regarding 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 the educational services offered by a school board, the adult must apply for admission 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 person is a minor, the names and residential address of the person's parents.

20. If the person has already 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 or she 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, the person is unable to provide a birth certificate or a copy of the act of birth, the application for admission must include a written 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 or her parents if the person is a minor.

21. 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 refused.

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

## **DIVISION II** **SCHOOL CALENDAR**

23. The following days are holidays for persons enrolled in an adult education centre:

- (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, adults may be called upon to take part in sociovocational integration training courses on these 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**

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 imposed examinations to earn the credits without having taken the corresponding course.

29. The pass mark for all courses 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 including at least 20 credits at the Secondary V level, and among those 54 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 Secondary Cycle Two are taken into account when awarding the diploma, that is, credits earned for elective subjects of general education programs or a vocational training program leading to a Diploma of Vocational Studies or in a vocational training program leading to an Attestation of Vocational Specialization, and the equivalent learning recognized in accordance with section 250 of the Education Act (R.S.Q., c. I-13.3).

31. Adult education centres shall offer 25 hours of instructional services for each credit in a program of studies, unless fewer hours are required to achieve the compulsory objectives and cover the compulsory content of the program.

32. The Minister shall award, jointly with the school board, a training certificate in sociovocational integration of adults to adults who, after successfully completing the preparatory courses for secondary education in language of instruction, mathematics and second language, have successfully completed a program in sociovocational integration comprising 900 hours divided as follows:

- (1) 200 hours of development of employability and sociovocational attitudes;

(2) 600 hours of practical training in sociovocational integration;

(3) 100 hours divided according to the person's learning plan.

#### CHAPTER IV FREE EDUCATIONAL SERVICES

33. Adults who are residents of Québec, within the meaning of the Education Act, and are enrolled in training services are entitled to free access to all services, with the exception of, if they have already been awarded a Secondary School Diploma, preparatory services for secondary education, Secondary Cycle One education services and Secondary Cycle Two education 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 activities and in all the centre's activities.

#### CHAPTER VI TRANSITIONAL AND FINAL 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, divided as follows:

(1) 12 credits in language of instruction, including at least 6 at the Secondary V level;

(2) 6 credits in Secondary IV or Secondary V English, second language, for adults whose language of instruction is French;

(3) 6 credits in Secondary V French, second language, for adults whose language of instruction is English;

(4) 36 credits in elective subjects, including at least 18 at the Secondary V level.

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

For the awarding of a Secondary School Diploma:

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

(2) adults must have obtained credits for at least one course at the Secondary V level given 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.

3665

Gouvernement du Québec

### O.C. 653-2000, 1 June 2000

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

#### Basic vocational training

##### Basic Vocational Training Regulation

WHEREAS under section 448 of the Education Act (R.S.Q., c. I-13.3), the Government shall, by regulation, establish a basic vocational training regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 8 March 2000 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 458 of the Education Act that draft Regulation was submitted to the Conseil supérieur de l'éducation for examination and an advice was forwarded to the Minister;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Basic Vocational Training Regulation, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

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## Basic vocational training regulation

Education Act  
(R.S.Q., c. I-13.3, s. 448)

### CHAPTER I NATURE AND OBJECTIVES OF EDUCATIONAL SERVICES

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

The purpose of these services is:

- (1) to enable persons to become increasingly autonomous;
- (2) to facilitate the social and vocational integration of persons;
- (3) to help persons enter and remain in the job market;
- (4) to enable persons to contribute to the economic, social and cultural development of the community; and
- (5) to enable persons to acquire training that is certified by the Minister.

### DIVISION I TRAINING SERVICES

2. Training 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 persons learn, from their enrolment to the completion of their studies.

3. Training services include instructional services and orientation services.

4. Instructional services may be offered by various means. Their purpose is to help persons acquire the occupational competencies leading to:

(1) an Attestation of Vocational Education, leading to a semi-skilled trade or to further studies if applicable;

(2) a Diploma of Vocational Studies, leading to a skilled trade or occupation or to further studies if applicable;

(3) an Attestation of Vocational Specialization, leading to a specialization in a particular branch of a trade or occupation or to further studies if applicable.

5. Orientation services are designed to allow persons:

(1) to establish their learning plan following reception and referral services, taking into account their personal and work experience and their goals; and

(2) to explore the paths and resources available in order to carry out their learning plan based on their learning needs.

### 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 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 training 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 he or she 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. In order to be admitted to a vocational training program leading to an Attestation of Vocational Education, a person shall:

(1) be at least 15 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; and

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

12. In order to be admitted to a vocational training program leading to a Diploma of Vocational Studies, a person shall:

(1) hold a Secondary School Diploma and meet the requirements for admission to the program established by the Minister in accordance with section 465 of the Education Act;

(2) be at least 16 years of age on 30 September of the school year in which vocational training is to begin 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 earned Secondary III credits in language of instruction, second language and mathematics in programs of studies established by the Minister and continue, concurrently with his or her vocational training, his or her general education courses in secondary school second cycle programs of studies established by the Minister and required for admission to the vocational training program.

13. In order to be admitted to a vocational training program leading to an Attestation of Vocational Specialization, a person shall:

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

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

These admission requirements do not apply in the case of a program to start a business.

14. A person whose prior learning is recognized as equivalent in accordance with sections 232 and 250 of the Education Act is deemed to have earned the required credits or to hold the required diploma.

## **DIVISION II** **SCHOOL CALENDAR**

15. The following days are holidays for persons enrolled in vocational training:

- (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.

Notwithstanding the foregoing, those persons may be called upon to take part in training related to the vocational training programs 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 vocational training programs.

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

### **DIVISION IV** EVALUATION OF LEARNING

**17.** Each vocational training competency shall be evaluated and the results expressed as a pass mark or a fail mark.

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

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

The reports 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 family relationship or responsibility linking the person with the person to whom the report is addressed;
- (9) the name of the principal 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 seal of the school board or the signature of the principal 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 to 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 impose a compulsory examination.

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

**20.** A person enrolled in vocational training may register for imposed examinations to earn credits without having taken the corresponding course, provided the pedagogical and organizational requirements are met.

### **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 vocational training program of not more than 900 hours, including:

- (1) ministerial Secondary III programs in language of instruction, second language and mathematics;
- (2) not less than 75 hours and not more than 100 hours of instruction 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 occupation and includes a statement of competencies to a person who has met all the admission requirements for the vocational training program and has earned all of the credits in that program.

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

24. Training centres shall give 15 hours of instructional services for each credit in a vocational training program unless fewer hours are required to achieve the compulsory objectives and cover the compulsory content of the program.

25. A person referred to in 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 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 for a minimum of 15 hours a week unless the courses remaining to complete the studies require fewer hours.

This section does not apply to a person who takes part in activities referred to in 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 has not achieved the objectives of a vocational training program leading

to a Diploma of Vocational Studies or to an Attestation of Vocational Specialization within the time allotted for the duration of the vocational training program, plus 20 per cent, 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 all the centre's 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.

3666

Gouvernement du Québec

#### O.C. 655-2000, 1 June 2000

Environment Quality Act  
(R.S.Q., c. Q-2)

#### Recovery and reclamation of discarded paint containers and paints

Regulation respecting the recovery and reclamation of discarded paint containers and paints

WHEREAS paragraph 4 of section 53.28, section 53.30, subparagraph 15 of the first paragraph of section 70.19 and section 109.1 of the Environment Quality Act (R.S.Q., c. Q-2), amended by Chapters 40 and 75 of the Statutes of 1999, allows the Government to regulate the matters set forth therein;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 6 October 1999, with a notice that it could be made by the Government upon the expiry of 60 days following that publication;



WHEREAS it is expedient to make the Regulation with amendments to take into account the comments received following its publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment:

THAT the Regulation respecting the recovery and reclamation of discarded paint containers and paints, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

## **Regulation respecting the recovery and reclamation of discarded paint containers and paints**

Environment Quality Act  
(R.S.Q., c. Q-2, s. 53.28, par. 4, ss. 53.30, 70.19, 1st par., subpar. 15 and s. 109.1; 1999, c. 40, s. 239; 1999, c. 75, s. 13)

1. The purpose of this Regulation is to reduce the quantity of residual materials to be eliminated by encouraging the recovery and reclamation of discarded paint containers and paints.

2. This Regulation applies to paints sold in retail outlets, excluding artist's paints.

It also applies to paints sold in containers of less than 170 litres capacity on the wholesale market for the maintenance, protection or decoration of buildings or structures annexed to them.

For the purposes of this Regulation, "paints" includes stains, primers, varnishes, lacquers, wood or masonry treatment products, and any other similar mixture designed for maintenance, protection or decoration.

3. Any business that markets paints under a trademark which it owns or uses is required, through a recovery system that includes the minimum specifications described in the Schedule, to recover or to see to the recovery of the paint containers that are returned to the collection points provided for by that system and that are of the same type it markets. That business is also required to recover or to see to the recovery of any paint found in the containers insofar as that paint is of the same type it markets.

Where a business referred to in the first paragraph does not have a domicile or an establishment in Québec,

the recovery obligation prescribed by that paragraph shall be the responsibility of the leading supplier of those paints in Québec, whether or not it is the importer.

4. A business or supplier subject to the recovery obligation prescribed by section 3 must take the appropriate measures to inform consumers of the existence and operation of the recovery system outlined in that section, particularly the accessibility of the collection points, as well as the environmental advantages resulting from the recovery and reclamation of discarded paint containers and paints. Those measures may include, in addition to holding information campaigns, providing consumers with information booklets.

5. The recovery system prescribed by section 3 must ensure a minimum rate of recovery of paint containers that equals, in weight or volume, the following percentages, calculated on the basis of the paint containers marketed annually by the business or supplier:

— 25 %, as of 2002;

— 50 %, as of 2005;

— 75 %, as of 2008.

6. A business or supplier subject to the recovery obligation prescribed by section 3 is also required to reclaim or to see to the reclamation of any paint containers that it has recovered or has had recovered.

The business or supplier is also required to reclaim or to see to the reclamation of the recovered paints, insofar as their reclamation is technically possible and the costs associated with the reclamation do not put its competitiveness at risk.

7. The paint containers marketed by a business or supplier subject to the recovery obligation prescribed by section 3 must clearly display information on the recoverability of the discarded containers and paints.

8. Within 90 days of the date on which it becomes subject to the recovery obligation prescribed by section 3, a business or supplier is required to transmit to the Minister of the Environment the following information:

(1) its name, address and its registration number if it is registered in the register of sole proprietorships, partnerships and legal persons, as well as the names and addresses of its officers;

(2) the territory where it markets its paints;

(3) identification of the products marketed according to the types of containers or paints;

(4) a description of the recovery system by which it recovers or sees to the recovery of the products in question, including the number, category and location of the collection points, the name and address of the person in charge of the system if that person is a third party, and the terms and conditions of transport, storage and processing of the recovered products, according to the different types of containers and paints;

(5) a description of the information campaigns and other measures planned to promote the recovery of the products in question to consumers and to obtain their cooperation;

(6) a description of the means used to reclaim the recovered products, including the reclamation methods, the name and address of the person in charge of the reclamation if that person is a third party, the efforts planned to develop the markets or techniques of reclamation or outlets for reclaimed products;

(7) a description of the elimination methods planned for recovered paints that are not reclaimed, if any, indicating the name and address of the person in charge of the elimination if that person is a third party.

9. No later than on 31 March of each year, a business or supplier subject to the recovery obligation prescribed by section 3 must transmit to the Minister the following information for the preceding calendar year:

(1) the quantities, in weight or volume, of each type of marketed container and paint that was recovered and then reclaimed or, if any, the quantities of paint eliminated due to the lack of reclamation alternatives, indicating the reclamation or elimination methods used;

(2) the measures taken to promote the development of techniques for the reclamation of recovered paint containers and paints, particularly for the purposes of reuse and recycling, and the results of the research that was carried out;

(3) a description of the information campaigns carried out and the other measures taken to promote the recovery and reclamation of discarded paint containers and paints;

(4) the costs generated by the implementation of the recovery system and the reclamation methods, as well as those resulting from the carrying out of the information campaigns and other measures taken to promote the recovery and reclamation of the products in question;

(5) an update, if applicable, of the information transmitted to the Minister pursuant to section 8.

The information referred to in subparagraphs 1, 2 and 4 of the first paragraph must be verified by a third party expert who shall certify that it is accurate. This certification must accompany the information transmitted to the Minister.

In addition, the business' or supplier's yearly data on the quantity of containers and paints marketed according to the different types of containers and paints must be kept available to the Minister.

10. A business or supplier is exempt from the obligations prescribed in sections 3 to 9 if that business or supplier is a member of an organization

(1) whose function or one of its functions is either to implement a recovery or a reclamation system for discarded paint containers or paints or to financially contribute to the implementation of such a system in accordance with the conditions determined in an agreement entered into by that organization and the Minister; and

(2) whose name appears on a list drawn up by the Minister of the Environment and published in the *Gazette officielle du Québec*.

11. Any offence against the provisions of sections 3 to 7 makes the offender liable

(1) in the case of a natural person, to a fine from \$2000 to \$25 000;

(2) in the case of a legal person, to a fine from \$5000 to \$250 000.

12. Every person who fails to communicate to the Minister any of the information prescribed by section 8 or 9, or who communicates false or inaccurate information, is liable

(1) in the case of a natural person, to a fine from \$1000 to \$10 000;

(2) in the case of a legal person, to a fine from \$2000 to \$50 000.

13. For any subsequent offence, the fines prescribed under sections 11 and 12 shall be doubled.

14. This Regulation comes into force on 1 January 2001, except for section 7 which comes into force on 1 January 2002.

**SCHEDULE**

(s. 3)

The recovery system referred to in section 3 must be established in a way that offers a recovery service to the residents of each urban community or regional county municipality located south of the 51st parallel, excluding unorganized territories, in which the business or supplier markets paints.

The recovery system must include collection points where paint containers of the same type as those marketed by the business or supplier subject to this Regulation may be returned free of charge as well as any paint they may contain.

The minimum number of collection points that must be included in the recovery system as well as their category and their location shall be determined according to the option chosen by the business or supplier in question.

The categories of collection points that may be prescribed for a recovery system are the following:

**Category A:** each collection point shall have a permanent depot, accessible year round during business hours and for a period of at least 24 hours per week in which at least 6 of those hours are during the weekend.

**Category B:** each collection point shall have a permanent depot or a mobile unit, accessible at least 10 days a year for at least 8 hours a day, including at least one day each season and at least half of those days must be a Saturday or a Sunday.

**OPTIONS AVAILABLE TO A BUSINESS OR SUPPLIER**

(number, category and location of collection points)

**Option 1**

For each sales point in a local municipality that sells paints under a trademark which is owned or used by a business or supplier in question, there must be at least one collection point located on the territory of that municipality. The category and the location of those collection points shall be determined according to the number of residents in the local municipality in question, in accordance with the requirements set out in the following table.

Local municipalities (population)	Category and location of collection points
< 15 000	One category A or B collection point located at each of the sales points or less than 20 km, by a road opened year-round, from each of the sales points.
≥ 15 000	One category A collection point located at each of the sales points or less than 10 km, by a road opened year-round, from each of the sales points.

**Option 2**

For each local municipality belonging to an urban community or a regional county municipality for which a recovery system must be established, the number and category of collection points shall be determined according to the number of residents in the local municipality in question, in accordance with the requirements set out in the following table.

The collection points must be located on the territory of the local municipality except for those whose population is less than 5 000 residents; in such a case, the collection point may or may not be located on the territory of the local municipality, provided that it is located less than 50 km, by a road opened year-round, from the town hall of that municipality.

Local municipalities (population)	Minimum number and categories of collection points
≥ 100 and < 5000	One Category A or B collection point
≥ 5000 and < 15 000	One Category B collection point
≥ 15 000 and < 30 000	One Category A collection point
≥ 30 000 and < 60 000	One Category A collection point and one Category B collection point
≥ 60 000	Two Category A collection points and: – one Category A collection point for every additional 40 000 residents or part thereof, up to a total of 20 collection points; or – one Category B collection point for every additional 20 000 residents or part thereof, up to a total of 30 collection points

Gouvernement du Québec

## O.C. 659-2000, 1 June 2000

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

### Parks

#### — Amendments

##### Regulation to amend the Parks Regulation

WHEREAS under paragraph *b* of section 9 of the Parks Act (R.S.Q., c. P-9), the Government may make regulations, in respect of a park, to divide it into different zones;

WHEREAS, under paragraph *e* of section 9 of the Act, the Government may, in respect of a park, prohibit or regulate the possession and transport of arms, hunting gear or fishing tackle;

WHEREAS, under paragraph *i* of section 9 of the Act, the Government may, in respect of a park, prohibit or regulate the posting of bills;

WHEREAS the Parks Regulation was made under the Parks Act by Order in Council 567-83 dated 23 March 1983;

WHEREAS it is expedient to amend the Parks Regulation particularly in order to amend the zoning map of the Parc de récréation du Mont-Tremblant and to allow the transport of arms or hunting gear, in that park, on Route No. 3 linking the Saint-Donat entrance with the Saint-Michel-des-Saints entrance;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulations to amend the Parks Regulation were published in Part 2 of the *Gazette officielle du Québec* of 28 April 1999 with a notice that upon the expiry of 45 days following that publication, they could be made by the Government;

WHEREAS it is expedient to make the Regulation to amend the Parks Regulation with an amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for Wildlife and Parks:

THAT the Regulation to amend the Parks Regulation, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Parks Regulation\*

Parks Act  
(R.S.Q., c. P-9, s. 9, pars. *b*, *e* and *i*)

### 1. Section 21 of the Parks Regulation is amended

(1) by substituting (:) for (.) at the end of subparagraph 4 of the second paragraph;

(2) by adding the following subparagraph at the end of the second paragraph:

“(5) in the Parc de récréation du Mont-Tremblant, on Route No. 3 between the Saint-Donat entrance and the Saint-Michel-des-Saints entrance.”.

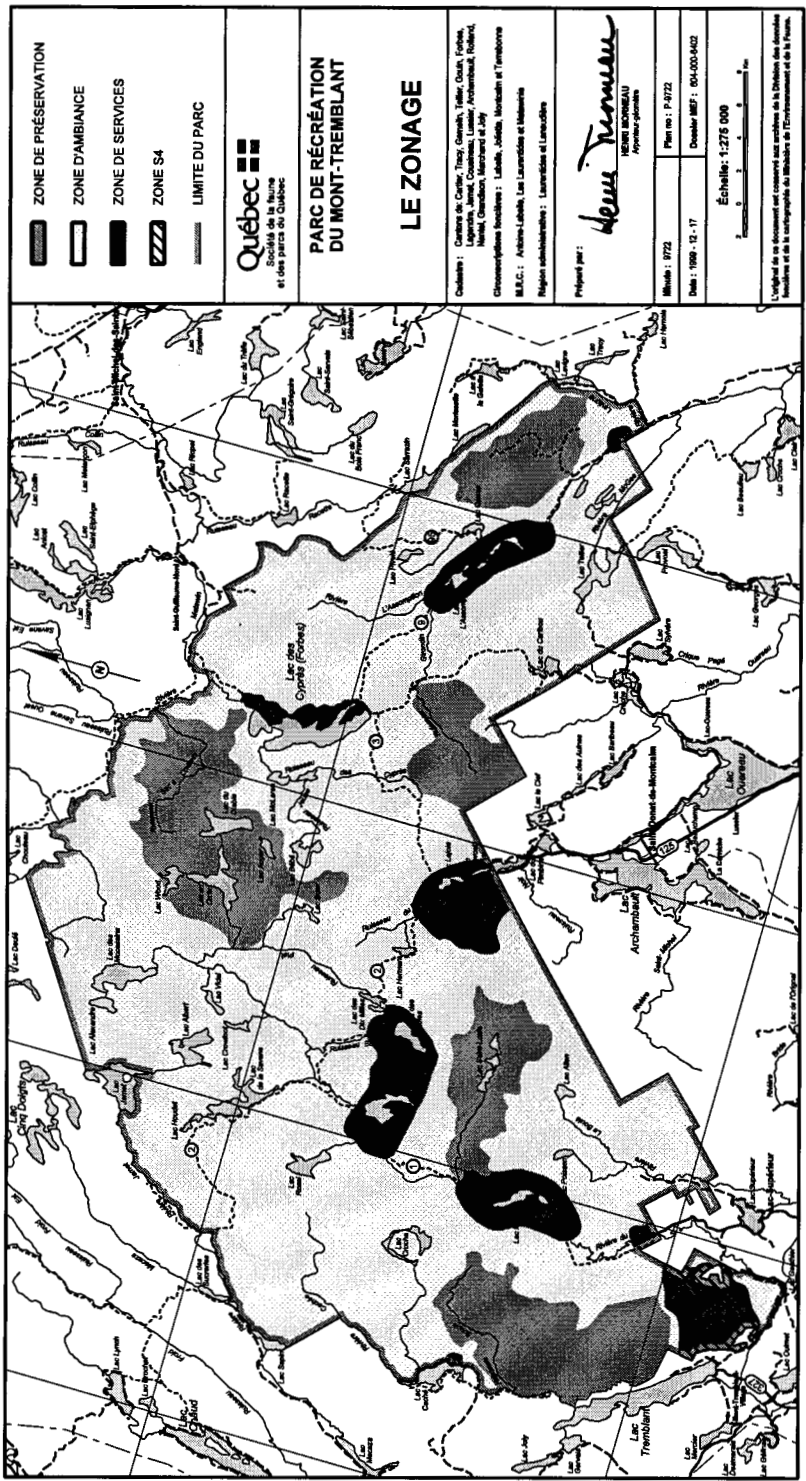
### 2. The following is substituted for section 37:

“37. Section 35 does not apply to Zone S-4 of the Parc de récréation du Mont-Tremblant.”.

### 3. Schedule 6 attached hereto is substituted for Schedule 6 to the Parks Regulation.

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

\* The Parks Regulation, made by Order in Council 567-83 dated 23 March 1983 (1983, *G.O.* 2, 1399), was last amended by the Regulations made by Order in Council 191-99 dated 10 March 1999 (1999, *G.O.* 2, 277) and by Orders in Council 622-2000 and 624-2000 dated 24 May 2000. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.



Gouvernement du Québec

## O.C. 660-2000, 1 June 2000

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

### Parc de récréation du Mont-Tremblant — Amendments

Regulation to amend the Regulation respecting the Parc de récréation du Mont-Tremblant

WHEREAS under section 4 of the Parks Act (R.S.Q., c. P-9), the Government may establish or abolish, or change the boundaries or classification of, a park, if the Minister has previously:

(a) given notice of his intention to establish or abolish or to change the boundaries or classification of the park in the *Gazette officielle du Québec* and in one or two newspapers published in the region concerned, or, if no newspaper is published in that region, in one or two newspapers published in the closest neighbouring region;

(b) granted sixty days' delay from the publication of such notice to enable interested persons to submit their objections to him in writing;

(c) received in a public hearing the persons contemplated in paragraph b;

WHEREAS in accordance with the procedure established in section 4 of that Act, a notice of the Minister regarding the changes to the boundaries of the Parc de récréation du Mont-Tremblant was published in the *Gazette officielle du Québec* of 17 June 1998 and in two local newspapers on 13 June 1998; another notice was published in the *Gazette officielle du Québec* of 9 September 1998 and in two local newspapers on 29 August 1998 to the effect of changing the dates of public hearings;

WHEREAS in accordance with the procedure established in section 4 of that Act, public hearings were held by the Minister on 23 and 24 October 1998 respectively in Saint-Donat and Saint-Jovite;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the Parc de récréation du Mont-Tremblant;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the Parc de récréation du Mont-Tremblant, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the Parc de récréation du Mont-Tremblant\*

Parks Act  
(R.S.Q., c. P-9, ss. 4 and 14)

1. Schedule 1 attached hereto is substituted for Schedule 1 to the Regulation respecting the Parc de récréation du Mont-Tremblant.

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

### SCHEDULE 1

GOUVERNEMENT DU QUÉBEC  
WILDLIFE AND PARKS

REGISTRATION DIVISIONS OF TERREBONNE,  
MONTCALM, JOLIETTE AND LABELLE

TECHNICAL DESCRIPTION

### Parc de récréation du Mont-Tremblant

#### Foreword

In this technical description, it is understood that when following a watercourse or skirting a lake, it is always done, unless otherwise specified, along the outside limit of the shore or bank, that is, the normal high water mark.

A territory situated in the territory of the regional county municipalities of: Les Laurentides, Antoine-Labelle and Matawinie, in the cadastre of the townships of: Cartier, Tracy, Gamelin, Gouin, Wolfe, Lussier, Archambault, Rolland, Nantel, Grandison, Marchand and

\* The Regulation respecting the Parc de récréation du Mont-Tremblant (R.R.Q., 1981, c. P-9, r. 5) was last amended by the Regulation made by Décret 1728-90 dated 12 December 1990 (1991, *G.O.* 2, 14). For previous amendments, refer to the *Tableau des modifications et Index Sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000

Joly and in the original survey of: Tellier, Forbes, Legendre, Jamet and Cousineau, with a total area of 1 510.1 km<sup>2</sup> and whose perimeters are described as follows:

### 1st perimeter

Starting from point 1 situated on the southern corner of the cadastre of Canton de Tellier;

Thence, northwesterly, following the southwestern limit of the cadastre of Canton de Tellier to point 2 situated on the southeastern limit of lot 46, Rang 10 of the cadastre of Canton de Lussier;

Thence, southwesterly, following the southeastern limit of lot 46 of ranges 10, 9 and 8;

Thence, northwesterly, following the southwestern limit of Rang 8;

Thence, southwesterly, following the southeastern limit of the cadastre of the townships of Cousineau and Rolland to point 3 situated on the northeastern limit of lot 35, Rang 10 of the cadastre of Canton d'Archambault;

Thence, southeasterly, following that limit and the northeastern limit of lot 35 of Rang 9;

Thence, southwesterly, following the southeastern limit of Rang 9;

Thence, northwesterly, following the northeastern limit of Rang 13 to point 4 situated on the southeastern limit of lot 52 of Rang 13;

Thence, southwesterly, following the limit of that lot and the southeastern limit of lot 52 of Rang 12;

Thence, northwesterly, following the southwestern limit of Rang 12 to point 5 situated on the southeastern limit of lot 55 of Rang 11;

Thence, southwesterly, following the limit of that lot;

Thence, northwesterly, following the southwestern limit of Rang 11 to point 6 situated on the northwestern limit of lot 57 of that range in the cadastre of Canton d'Archambault;

Thence, northeasterly, following the northwestern limit of that lot;

Thence, northwesterly, following the southwestern limit of Rang 12 to point 7 situated on the southeastern limit of lot 60 of Rang 11;

Thence, southwesterly, following the limit of that lot over a distance of 845 m;

Thence, northwesterly, following a line crossing lot 60 perpendicularly to its northwestern limit;

Thence, northeasterly, following that limit;

Thence, northwesterly, following the southwestern limit of Rang 12;

Thence, northeasterly, following the northeastern limit of Rang 2 of the cadastre of Canton de Rolland;

Thence, northwesterly, following the northeastern limit of that range to point 8 situated on the southeastern limit of lot 8 of Rang 2;

Thence, southwesterly, following the limit of that lot;

Thence, northwesterly, following the southwestern limit of Rang 2 to point 9 situated on the western limit of Rang A, of the cadastre of Canton de Grandison;

Thence, southerly and easterly, following the western and southern limits of that range;

Thence, southwesterly, following the eastern limit of the cadastre of Canton de Grandison to point 10 situated on the northern limit of the right-of-way of Chemin Duplessis;

Thence, southwesterly, following that right-of-way limit to its meeting point with the eastern limit of a parcel forming a part of lot 58 of the cadastre of Canton de Grandison, that meeting point is defined as the intersection of that right-of-way limit with a straight line having its origin at the point whose coordinates are:

5 120 709 m N and 226 355 m E and a bearing of 184°55'00";

Thence, northwesterly, southerly, easterly, southerly, southwesterly, southeasterly, northeasterly, southeasterly then southwesterly, following a broken line whose apex coordinates are as follows:

5 120 709 m N and 226 355 m E, 5 120 940 m N and 226 297 m E,

5 121 050 m N and 226 310 m E, 5 121 254 m N and 226 209 m E,

5 121 320 m N and 226 109 m E, 5 121 439 m N and 226 082 m E,

5 121 560 m N and 225 861 m E, 5 121 883 m N and 225 412 m E,

5 121 910 m N and 225 323 m E, 5 121 373 m N and 225 345 m E,

5 121 339 m N and 225 677 m E, 5 120 905 m N and 225 780 m E,

5 120 847 m N and 225 626 m E, 5 120 667 m N and 225 364 m E,

5 120 457 m N and 225 435 m E, 5 120 697 m N and 226 023 m E,

5 120 608 m N and 226 212 m E, 5 120 564 m N and 226 189 m E;

Thence, a straight line following a bearing of 180°05'50" to its meeting point with the northwestern limit of the right-of-way of Chemin Duplessis;

Thence, southeasterly, following that right-of-way limit, so as to exclude it, to its meeting point with the western limit of lot 8, Rang 14 of the cadastre of Canton de Wolfe;

Thence, southerly then easterly, the western and southern limits of that lot the meeting point with the western limit of the right-of-way of Chemin Duplessis;

Thence, southerly then westerly, following that right-of-way limit to point 11 situated on the eastern limit of lot 16, Rang 3 of the cadastre of Canton de Grandison;

Thence, northwesterly, northeasterly, southeasterly, northeasterly, southeasterly, northwesterly, southwesterly, northwesterly, southwesterly, southeasterly then southwesterly, following a broken line crossing a part of lots 16 of ranges 3, 49 and 48 of Canton de Grandison and whose apex coordinates are as follows:

5 117 537 m N and 222 612 m E, 5 117 757 m N and 222 411 m E,

5 117 923 m N and 222 461 m E, 5 118 130 m N and 222 662 m E,

5 118 006 m N and 222 852 m E, 5 118 066 m N and 222 890 m E,

5 117 972 m N and 222 996 m E, 5 117 832 m N and 223 361 m E,

5 118 436 m N and 223 138 m E, 5 118 566 m N and 222 782 m E,

5 118 755 m N and 222 537 m E, 5 118 888 m N and 222 257 m E,

5 118 832 m N and 222 227 m E, 5 118 995 m N and 221 968 m E,

5 118 746 m N and 221 904 m E, 5 118 629 m N and 222 052 m E,

5 118 154 m N and 222 302 m E, 5 118 082 m N and 222 264 m E,

5 118 047 m N and 222 068 m E,

the latter point is situated on the dividing line between lots 49 and 18, Rang 3 of the cadastre of Canton de Grandison;

Thence, northwesterly and northerly, following the southwestern and western limits of lot 49 to point 12 situated at 23.87 m south of the dividing line between ranges 3 and 4 of the said cadastre;

Thence, northwesterly, following a broken line crossing a part of lot 21 of Rang 3 and lots 21 to 25 of Rang 4 and whose apex coordinates are as follows:

5 118 983 m N and 221 650 m E, 5 119 507 m N and 221 554 m E,

5 119 635 m N and 221 434 m E, 5 119 664 m N and 221 455 m E,

5 119 817 m N and 221 401 m E, 5 119 939 m N and 221 448 m E,

5 120 037 m N and 221 396 m E, 5 120 098 m N and 221 302 m E,

5 120 212 m N and 221 261 m E, 5 120 210 m N and 221 279 m E,

5 120 222 m N and 221 293 m E, 5 120 292 m N and 221 273 m E,

5 120 315 m N and 221 269 m E, 5 120 404 m N and 221 275 m E,

5 120 436 m N and 221 256 m E, 5 120 440 m N and 221 233 m E,

5 120 427 m N and 221 187 m E, 5 120 522 m N and 221 157 m E,

5 120 619 m N and 221 064 m E, 5 120 638 m N and 221 027 m E,

5 120 769 m N and 220 974 m E,

the latter point is situated on the northern limit of lot 25, Rang 4 of the cadastre of Canton de Grandison;

Thence, westerly, following the northern limit of that range;

Thence, northerly, following the eastern limit of Rang 5;

Thence, westerly, following the northern limit of that range to the eastern limit of lot 32-B;

Thence, southerly, following that limit to the southwestern limit of lot 32-B;

Thence, northwesterly, following the limit of that lot to the eastern limit of lot 33-A of Rang 6;

Thence, northerly, westerly then southerly, following the eastern, northern and western limits of lot 33-A of that range to the southwestern limit of lot 34-B;

Thence, northwesterly, following the southwestern limit of lots 34-B, 35-B and 36-B to the limit of the cadastre of the townships of Grandison and Joly;



Thence, northeasterly, following that limit to point 13 situated on the southern limit of lot 12-B, Rang Nord-Est du Lac-Tremblant of the cadastre of Canton de Joly;

Thence, westerly, following that limit to the southwestern limit of lot 12-B;

Thence, northwesterly then easterly, following the southwestern and northern limits of lot 12-B to the southwestern corner of lot 13-A;

Thence, northwesterly, following the southwestern limit of lots 13-A and 14-A to the southern limit of lot 15-B;

Thence, westerly, northwesterly then easterly, following the southern, southwestern and northern limits of lot 15-B to the western limit of lot 16-A;

Thence, northerly, following that limit;

Thence, westerly then northerly, following the southern and western limits of lot 17-A;

Thence, westerly then northerly, following the southern and western limits of lot 18-A;

Thence, westerly, following the northern limit of lot 18-B to the eastern limit of lot 19-A of Rang Nord-Est du Lac-Tremblant;

Thence, northerly, following the eastern limit of the said range to the southern limit of lot 21-C;

Thence, westerly then northwesterly, following the southern and western limits of lot 21-C to the southern limit of lot 22-F;

Thence, westerly then northerly, following the southern and western limits of lot 22-F to the southern limit of lot 23-C;

Thence, westerly, following the southern limit of lots 23-C and 23-A to the southwestern limit of lot 23-A;

Thence, northwesterly, following the southwestern limit of lots 23-A and 24-C;

Thence, westerly, following the northern limit of lot 24-E;

Thence, northerly, following the eastern limit of lot A-8 of Rang M;

Thence, westerly, following the northern limit of lot A-8 and its extension to its meeting point with the right bank of Rivière Cachée;

Thence, northerly, following that bank, so as to include it, to the meeting point with the eastern limit of lot 29-C of Rang M;

Thence, northerly, following the latter limit to a point situated 60 m from the right bank of Rivière Cachée;

Thence, northeasterly, following a line parallel to and 60 m from the said bank to point 14 situated 185 m from the western limit of the right-of-way of the road along Rivière Cachée;

Thence, westerly then northerly, following a line parallel to and 185 m from that right-of-way limit to its meeting point with the northern limit of the right-of-way of the road passing north of Petit Lac Caché, point situated near the dividing line between lots 7 and 8, Rang 11 of the cadastre of Canton de Marchand;

Thence, northeasterly, following the northern limit of the right-of-way along Rivière Cachée to the southeast shore of Lac Caché;

Thence, northeasterly, following that shore on lots 9, 10-A, 11-A and 12-A of Rang 12 to a point situated 100 m from the east shore of the said lake;

Thence, northeasterly then northwesterly, following a line parallel to and 100 m west from the east shore of Lac Caché to point 15 whose coordinates are:  
5 137 751 m N and 214 616 m E;

Thence, easterly, following a straight line to the east shore of Lac Caché;

Thence, northerly, following the east shore of Lac Caché and the east bank of rivière Caché to its meeting point with the extension of the northern limit of Bloc A of Canton de Nantel;

Thence, westerly, following the said extension and the said limit of Bloc A to a point located 60 m from the right bank of rivière Caché;

Thence, northeasterly, following a line parallel to and 60 m from that bank to the intersection with the extension of the southwestern limit of lot 26, Rang 4 of the cadastre of Canton de Nantel;

Thence, northwesterly, following that extension and the southwestern limit of lot 26 to the southeast shore of Lac Sapin;

Thence, northeasterly, following the east shore of Lac Sapin then the left bank of Rivière Macaza to point 16 situated on the southwestern limit of the right-of-way

(20 m) of Route No. 2 at the south end of Lac des Sucreries;

Thence, northeasterly then northwesterly, following the right-of-way of that route and the eastern limit of the right-of-way (20 m) of Route No. 6, so as to exclude them, to their meeting point with the left bank of Rivière Jamet (Lac Écuyer), point situated on lot 59, Rang 3 of the cadastre of Canton de Nantel;

Thence, northeasterly then northwesterly, following that bank, the east shore of Lac Écuyer, the south and east shores of Lac Jamet to point 17 whose coordinates are:

5 161 044 m N and 227 872 m E;

Thence, northeasterly, following a straight line whose bearing is of 57°21'10" over an approximate distance of 12.21 km to point 18 situated on the right bank of Rivière Matawin-ouest, skirting to the southeast Lac La Passe, so as to exclude it;

Thence, southeasterly, following the right bank of Rivière Matawin-ouest then the right bank of Rivière Matawin to point 19 being the southernmost meeting point with the southwestern limit of the cadastre of Canton de Gouin;

Thence, southeasterly, following the limit of that cadastre to its meeting point with the southeastern limit of the right-of-way of the road along Rivière Matawin (Route No. 3);

Thence, northeasterly, following that right-of-way limit, so as to exclude it, to point 20 situated at the meeting point of a new road alignment, point situated on lot 38-A, Rang 6 of the cadastre of Canton de Gouin and whose approximate coordinates are:

5 161 518 m N and 253 738 m E;

Thence, easterly then southeasterly, following the right-of-way of the new road, the southwestern limit of the right-of-way of the road along Rivière Matawin (Route No. 3) to the southwestern limit of lot 32, Rang 5 of the cadastre of Canton de Gouin;

Thence, southeasterly, following that limit to the southeastern limit of Rang 5;

Thence, northeasterly, following that limit to the northeastern limit of lot 30 of Rang 5;

Thence, southeasterly, following a straight line joining the southwest end of Lac Richard;

Thence, easterly then northeasterly, following the shore of Lac Richard, so as to exclude it, to point 21 situated on the right bank of its effluent flowing into Ruisseau Racette;

Thence, in a general southwesterly and southeasterly direction, following the limit of the two drainage basins whose apexes are identified by the following coordinates:

5 159 111 m N and 261 256 m E, 5 158 015 m N and 260 745 m E,

5 156 985 m N and 261 528 m E, 5 155 627 m N and 262 417 m E,

5 154 403 m N and 261 441 m E, 5 153 876 m N and 261 707 m E,

5 153 626 m N and 262 365 m E, 5 153 006 m N and 263 049 m E,

5 152 727 m N and 263 960 m E, 5 151 505 m N and 264 345 m E;

Thence, easterly, following a straight line whose bearing is 90°05'00" over an approximate distance of 2 080 m to point 22 situated on the west shore of Lac Sarrazin;

Thence, southeasterly, following the southwest shore of Lac Sarrazin, the left bank of the effluent of Lac Morissette, the southwest shore of Lac Morissette, so as to exclude them, to the southeast end of the latter lake;

Thence, southeasterly, following a straight line to point 23 situated on the western limit of the right-of-way of the road along Lac Lavigne, point whose coordinates are:

5 145 106 m N and 275 501 m E;

Thence, southerly, following the western limit of the right-of-way of the road along Lac Lavigne and Rivière Lavigne to the southwestern limit of lot 36, Rang 8 of the cadastre of Canton de Cartier, skirting to the west, so as to exclude it, a piece of land near the south end of Lac Lavigne measuring 60 m wide by 40 m deep (MRN lease) situated between points 24 and 25;

Thence, northwesterly, following the southwestern limit of the said lot 36 to the southeastern limit of Rang 9;

Thence, southwesterly, following that limit to the northeastern right-of-way of the road along Rivière L'Assomption;

Thence, northwesterly, following that right-of-way limit to the intersection with the northeasterly extension of the northwestern limit of lot 34-1, Rang 9 of the cadastre of Canton de Cartier;

Thence, southwesterly, following the said extension, the northwestern limit of lot 34-1 of Rang 9 and its extension in Rivière L'Assomption to point 26 situated 60.35 m from the right bank of the said river;

Thence, northwesterly, following a line parallel to and 60.35 m from that bank to the southeastern limit of Rang 10;

Thence, southwesterly, following that limit to the southwestern limit of lot 23 of Rang 10;

Thence, northwesterly, following the southwestern limit of lot 23 of ranges 10 and 11 to the southeastern limit of the cadastre of Canton de Tellier;

Thence, southwesterly, following that limit to the starting point.

Area: 1 509.2 km<sup>2</sup>

## 2nd perimeter

Starting from point 27 situated on the eastern limit of the cadastre of Canton de Grandison with the intersection of the southern limit of the right-of-way of Chemin Duplessis;

Thence, southwesterly, following that right-of-way limit to its meeting point with the eastern limit of a parcel being a part of lot 56, that meeting point is defined as the intersection of that right-of-way limit with a straight line having its origin at the point whose coordinates are: 5 120 580 m N and 226 344 m E and a bearing of 4°55'00";

Thence, southerly and westerly, following a broken line being a part of lot 56, whose apex coordinates are as follows:

5 120 580 m N and 226 344 m E, 5 120 549 m N and 226 278 m E, 5 120 235 m N and 226 359 m E;

Thence, westerly, a straight line having a bearing of 270°03'10" to its meeting point with the eastern limit of the right-of-way of Chemin Duplessis;

Thence, southeasterly, following that right-of-way limit to its meeting point with the eastern limit of the cadastre of Canton de Grandison;

Thence, northerly, following that limit to the starting point.

Area: 401 882 m<sup>2</sup>

## 3rd perimeter

Starting from point 28 situated at the northwestern corner of lot 7-1, Rang 14 of the cadastre of Canton de Wolfe;

Thence, southwesterly, following the western limit of lot 7-1 following a bearing of 196°09'10" over a distance of 79.19 m;

Thence, westerly, following a broken line whose bearings and distances are as follows: 309°01'20" – 39.51 m, 286°32'10" – 23.93 m and 268°30'00" – 77.11 m, the latter point is situated on the eastern limit of the right-of-way of Chemin Duplessis;

Thence, northeasterly, following that right-of-way limit over a distance of 82.07 m, that is, to the northern limit of lot 7;

Thence, southeasterly, following that limit to the starting point.

Area: 9 394 m<sup>2</sup>

## 4th perimeter

Starting from point 29 situated at the meeting point of the eastern limit of lot 6-1, Rang 3 of the cadastre of Canton de Grandison with the southern limit of the right-of-way of Chemin Duplessis;

Thence, easterly then northerly, following that right-of-way limit to a point situated 158.28 m north of the dividing line between lots 6 and 7, Rang 14 of the cadastre of Canton de Wolfe, that distance being measured along the said right-of-way;

Thence, northeasterly then southeasterly, following the northern limit of a parcel being a part of lot 7 (Ref: Christian Murray, l.s., minute 7663) and whose bearings and distances are as follows: 88°30'00" – 60.00 m, 140°55'00" – 76.06 m and 130°17'20" – 47.19 m, the latter point being situated on the right bank of Rivière du Diable;

Thence, southerly then westerly, following that bank to its meeting point with the dividing line between ranges 2 and 3 of the cadastre of Canton de Grandison;

Thence, westerly, following the dividing line between the said ranges to a point situated 25.72 m to the east of the eastern limit of lot 6-1 of Rang 3;

Thence, southerly, following a line following a bearing of  $187^{\circ}20'50''$  over a distance of 91.58 m (Ref: Christian Murray, l.s., minute 7663) to the right bank of Rivière du Diable;

Thence, westerly, following that bank to the eastern limit of lot 6-7 of Rang 2;

Thence, northerly, following the latter limit then the eastern limit of lot 6-1 of Rang 3 to the starting point.

Area: 350 191 m<sup>2</sup>

### 5th perimeter

Starting from point 30 situated on the right bank of Rivière du Diable and at the southwest corner of lot 7-1, Rang 2 of the cadastre of Canton de Grandison;

Thence, northwesterly and westerly, following that bank to the meeting point with the dividing line between ranges 2 and 3;

Thence, westerly, following that limit to its meeting point with the western limit of lot 9 of Rang 3;

Thence, northeasterly, following that limit to its meeting point with the southern limit of the right-of-way of Chemin Duplessis;

Thence, northeasterly then southeasterly, following that right-of-way limit to its meeting point with the northwestern limit of lot 8-1 of Rang 3;

Thence, southwesterly, following that limit and the western limit of lot 7-1 of Rang 2 to the starting point.

Area: 47 474 m<sup>2</sup>

### 6th perimeter

Starting from point 31 situated at the meeting point of the right bank of Rivière du Diable with the west end of the dividing line between ranges 2 and 3 of the cadastre of Canton de Grandison, that point being also situated on lot 12 of Rang 3 of the said cadastre;

Thence, northwesterly, following that bank to its meeting point with the western limit of lot 15 of Rang 3;

Thence, northeasterly, following the latter limit to its meeting point with the southeastern limit of the right-of-way of Chemin Duplessis;

Thence, northeasterly then southeasterly, following that right-of-way limit to a point situated 197.35 m from the dividing line between lots 12 and 13 of Rang 3;

Thence, southerly, following a straight line along a bearing of  $182^{\circ}10'40''$  over a distance of 43.79 m, that is, to the starting point.

Area: 21 981 m<sup>2</sup>

The SCOPQ coordinates mentioned above are given in metres and were graphically traced in the card files of cadastral compilation to a scale of 1:20 000 published by the Ministère des Ressources naturelles du Québec. They are situated in Zone 8 and in reference to the 1983 North-american datum (NAD 83).

The whole as shown on the plan to a scale of 1:75 000 bearing number P-9585, a copy of which in reduced format to a scale of 1:250 000 is attached hereto for information purposes.

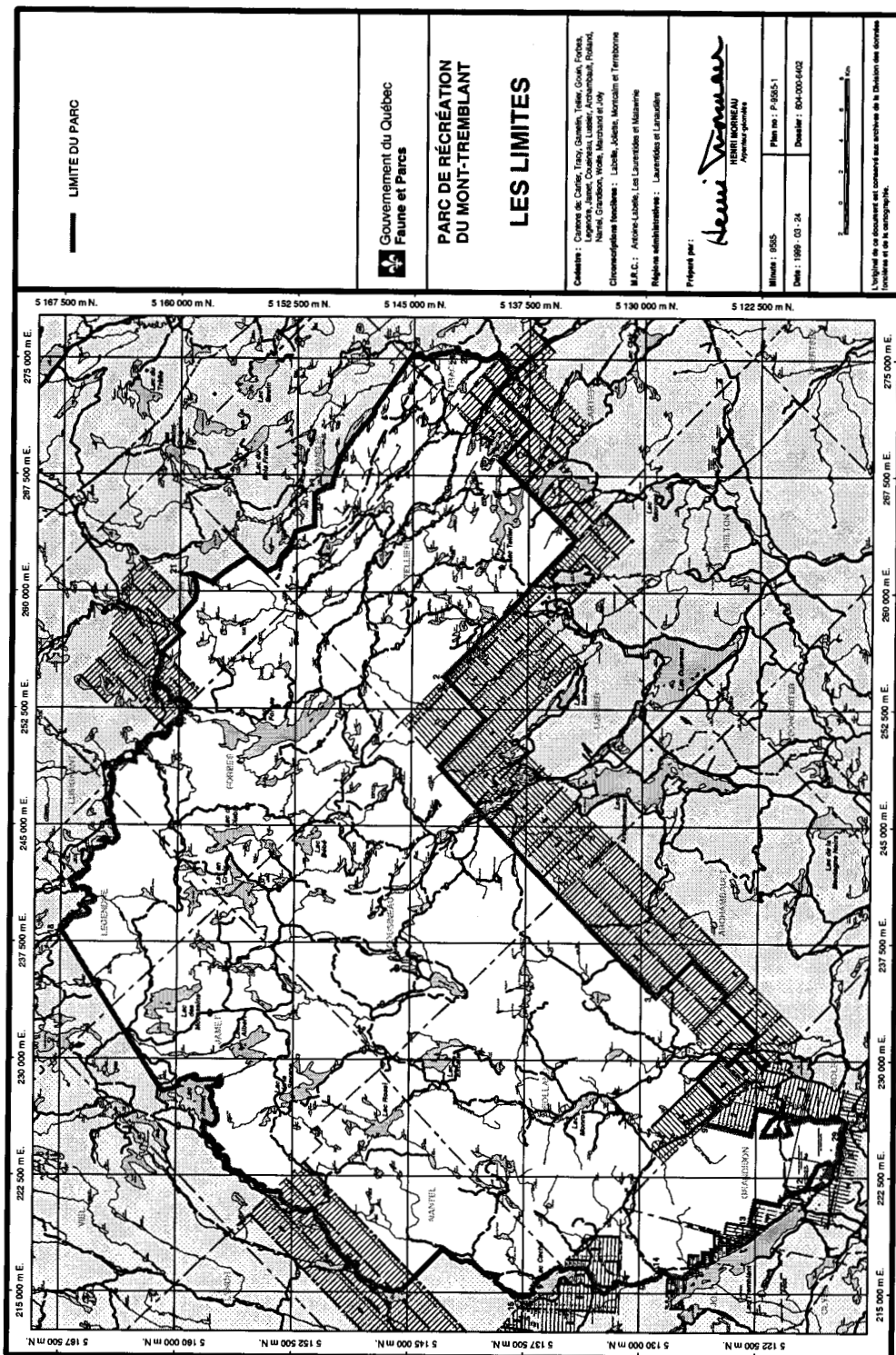
The original of this document is kept at the Division des données foncières et de la cartographie du secteur Faune et Parcs du Gouvernement du Québec.

Prepared at Québec, 24 March 1999, under number 9585 of my minutes.

By: HENRI MORNEAU,  
*Land surveyor*

Cartographic plans:

31I04-200-0201	31I05-200-0101	31I05-200-0201	31I12-200-0101
31I12-200-0201	31J01-200-0201	31J01-200-0202	31J02-200-0202
31J07-200-0102	31J07-200-0202	31J08-200-0101	31J08-200-0102
31J08-200-0201	31J08-200-0202	31J09-200-0101	31J09-200-0102
31J09-200-0201	31J09-200-0202	31J10-200-0102	31J10-200-0202



Gouvernement du Québec

### **O.C. 674-2000, 1 June 2000**

An Act to establish a fund to combat poverty through reintegration into the labour market  
(R.S.Q., c. F-3.2.0.3)

Fund to combat poverty through reintegration into the labour market

WHEREAS the Act to establish a fund to combat poverty through reintegration into the labour market (R.S.Q., c. F-3.2.0.3), amended by Chapter 40 of the Statutes of 1999, was assented to on 12 June 1997;

WHEREAS under section 15 of the Act, it has effect from 26 November 1996 and will cease to have effect on 1 April 2000 or on any later date determined by the Government;

WHEREAS under Order in Council 382-99 dated 31 March 1999, the Government determined that the Act will cease to have effect on 1 April 2001, so that the Fund to combat poverty through reintegration into the labour market may carry out the projects accepted by the fund before 1 April 2000;

WHEREAS at the *Sommet du Québec et de la jeunesse*, a consensus was reached to the effect that the Government should renew the Fund to combat poverty through reintegration into the labour market for three years, under different terms and conditions, for an amount of 160 million dollars;

WHEREAS the Fund to combat poverty through reintegration into the labour market intends to finance projects that will be accepted before 1 April 2003, but which will require commitments and payments after 31 March 2003;

WHEREAS it is expedient that the Fund to combat poverty through reintegration into the labour market cease to have effect on 1 April 2004 so that the projects may be carried out;

WHEREAS under section 14 of the Act, any sum remaining in the fund on the date on which the Act ceases to have effect in excess of \$250,000,000 shall be paid into the consolidated revenue fund and shall be appropriated to the financing of such complementary measures consistent with the objects of the fund as are determined by the Government, in the manner fixed by the Government;

WHEREAS there are surplus in the Fund to combat poverty through reintegration into the labour market in excess of the amount of \$250,000,000 originally intended;

WHEREAS it is expedient that the surplus of the Fund to combat poverty through reintegration into the labour market in excess of \$250,000,000 be reappropriated in the fund and be used to finance it for the 2000-2001 fiscal year and the following, as the case may be;

WHEREAS it is expedient to replace Order in Council 382-99 dated 31 March 1999;

WHEREAS under Order in Council 1509-98 dated 15 December 1998, the Minister of Social Solidarity was designated by the Government as the Minister responsible for the administration of the Act to establish a fund to combat poverty through reintegration into the labour market;

IT IS ORDERED, therefore, on the recommendation of the Minister of Social Solidarity:

THAT the Act to establish a fund to combat poverty through reintegration into the labour market (R.S.Q., c. F-3.2.0.3), amended by Chapter 40 of the Statutes of 1999, cease to have effect on 1 April 2004;

THAT the sums remaining in the Fund to combat poverty through reintegration into the labour market in excess of \$250,000,000 be reappropriated in the fund and be used to finance it for the 2000-2001 fiscal year and the following, as the case may be;

THAT this Order in Council replace Order in Council 382-99 dated 31 March 1999;

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

3670

Gouvernement du Québec

### **O.C. 678-2000, 1 June 2000**

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

#### **Clothing industry** — **Minimum labour standards in certain sectors**

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

WHEREAS the Act respecting the conditions of employment in certain sectors of the clothing industry and amending the Act respecting labour standards (1999, c. 57) was assented to on 11 November 1999;

WHEREAS under section 158.1 of the Act respecting labour standards (R.S.Q., c. N-1.1), enacted by section 4 of the Act respecting the conditions of employment in certain sectors of the clothing industry and amending the Act respecting labour standards, the Government may, by regulation, determine minimum conditions of employment applicable during a transitory period in certain sectors of the clothing industry;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation respecting minimum labour standards in certain sectors of the clothing industry was published in Part 2 of the *Gazette officielle du Québec* of 23 February 2000, on page 947, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with an amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT the Regulation respecting minimum labour standards in certain sectors of the clothing industry, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

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

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

### CHAPTER I GENERAL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(13) “operator for leather garments”: an employee who uses a standard sewing machine, a multiple-needle machine or a special machine to close seams, in whole



or in part, on a leather garment; (*opérateur affecté aux vêtements de cuir*)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) “men’s and boys’ clothing”: this operation consists in tying up lots, distributing patterns or carrying out any minor operations not classified otherwise in a cutting room, a factory, a warehouse, a department for receiving or shipping merchandise; (*vêtements pour hommes et garçons*)

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) leather garments (natural and synthetic);

(c) military garments.

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

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

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

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

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

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

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

(7) “operator”: an employee who, with a sewing machine, sews together parts of a garment or who repairs

garments or is assigned to an operation performed by means of one of the special machines used in the manufacture of garments; (*opérateur*)

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

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

6. For the purposes of this Regulation:

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

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

## CHAPTER II MINIMUM WAGE

### DIVISION I MEN’S AND BOYS’ SHIRT INDUSTRY

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

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

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

An employee who is demoted to an occupational category with a minimum hourly rate that is lower than the

rate for the category to which he belonged may be paid according to the minimum hourly rate of the occupational category to which he is demoted.

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

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

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

## **SECTION II**

### **WOMEN'S CLOTHING INDUSTRY**

#### *§1. Employment in an establishment*

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

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

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

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

#### *§2. Work at home*

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

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

In addition to his piecework wages, the home worker shall receive an amount equal to 732 % of such wages.

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

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

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

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

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

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

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

## **DIVISION III**

### **MEN'S CLOTHING INDUSTRY**

23. An employee who performs work which, on 30 June 2000, would have been governed by the Decree respecting the men's clothing industry, shall receive in a regular workweek, according to the operation and class of operation or, with respect to an apprentice, the num-

ber of months of employment, the equivalent minimum hourly wage that appears in the tables in Schedule IV.

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

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

An employee who is earning the minimum hourly rate prescribed for his work and who is assigned to other work which entails a higher minimum hourly rate shall be entitled to continue to be paid at least the same hourly rate for the first four months of the new work. At the end of this four-month period, his rate shall then be increased to the rate set out in the table of apprentice wages closest to his current rate and every four months thereafter, until the prescribed minimum hourly rate for his new work is reached.

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

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

#### **DIVISION IV LEATHER GLOVE INDUSTRY**

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

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

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

apply until the minimum hourly rate of the new category is reached.

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

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

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

### **CHAPTER III STANDARD WORKWEEK**

#### **DIVISION I MEN'S AND BOYS' SHIRT INDUSTRY**

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

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

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

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

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

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

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

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

## **DIVISION II WOMEN'S CLOTHING INDUSTRY**

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

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

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

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

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

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

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

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

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

## **DIVISION III MEN'S CLOTHING INDUSTRY**

### *§1. Men's and boys' clothing*

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

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

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

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

### *§2. Children's clothing*

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

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

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

### *§3. Jean clothing*

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

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

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

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

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

#### *§4. Embroidery, washing or drying operations*

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

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

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

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

#### *§5. General*

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

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

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

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

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

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

#### **DIVISION IV LEATHER GLOVE INDUSTRY**

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

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

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

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

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

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

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

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

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

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

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

## CHAPTER IV PAID STATUTORY GENERAL HOLIDAYS

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

The following are paid statutory general holidays:

- (1) January 1st;
- (2) January 2;
- (3) Good Friday;
- (4) Easter Monday;
- (5) Fête de Dollard or Victoria Day;
- (6) July 1st;
- (7) the first Monday in September;
- (8) the second Monday in October;
- (9) December 25.

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

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

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

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

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

first paragraph be less than the payment under section 62 of the Act, the employee shall be paid in accordance with section 62 of the Act.

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

## CHAPTER V PAID ANNUAL VACATION

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

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

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

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

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

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

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

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

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

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

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

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

#### **CHAPTER VI MEAL PERIODS**

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

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

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

#### **CHAPTER VII LEAVE FOR FAMILY EVENTS**

59. An employee may be absent from work for one day, without reduction of wages, by reason of the death or funeral of his spouse, of his child or the child of his spouse, or of his father, mother, brother or sister. He may also be absent from work for three additional days on such occasion, but his employer is not required to pay him for those days.

An employee may be absent from work for one day by reason of the death or funeral of his son-in-law, daughter-in-law, grandparent, grandchild, or of his spouse's father, mother, brother or sister, but his employer is not required to pay him for that day.

An employee shall give notice of his absence as soon as possible.

60. An employee who has one year or more of uninterrupted service with the same employer may be absent from work for three consecutive days, without reduction of wages, by reason of the death or funeral of his spouse, of his child, of his father, mother, brother or sister. He may also be absent from work for one additional day on such occasion, but his employer is not required to pay him for that day.

An employee who has one year or more of uninterrupted service with the same employer may be absent from work, without reduction of wages, on the day of the funeral of one of his grandparents and of his spouse's father or mother.

An employee shall give notice of his absence as soon as possible.

61. The day's wage shall be computed in accordance with section 48.

#### **CHAPTER VIII TRANSITIONAL AND FINAL PROVISIONS**

62. In the women's clothing industry, the holiday and vacation pay paid to an employee during the year 2000 under section 7 of the Act respecting the conditions of employment in certain sectors of the clothing industry and amending the Act respecting labour standards (1999, c. 57) are deemed to be both the annual vacation pay for the reference year applicable for the year 2000, paid to that employee in accordance with section 52, and the year-end holiday pay for the year 2000 paid to that employee in accordance with section 55.

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

#### **SCHEDULE I (s. 1)**

##### **SCOPE OF THE DECREES**

#### **DIVISION 1 DECREE RESPECTING THE MEN'S AND BOYS' SHIRT INDUSTRY**

1. The Decree governs the manufacturing industry, that is, the preparation, manufacture and production in whole or in part of shirts and pyjamas for men and boys, of all kinds and regardless of their designation; it also applies to ladies' and girls' mannish tailored shirts and pyjamas whose style, patterns and materials, as well as the manufacturing operations, are the same as those used in the manufacture of shirts and pyjamas for men and boys.

These garments or parts of garments may be made of woven or knitted fabric or of any other kind of material.

2. The work referred to in this Decree includes the work of all persons performing any or many of the principal operations of and incidental or related to the manufacturing or producing of the above shirts or garments, whether the said operations are defined or not, whether the said operations are performed completely or



in part by the same employer or by several employers, whether they are performed completely or in part in one or several trade plants, private, industrial, commercial or other establishments.

Such operations may or may not constitute the principal business of the employer or be accessory or complementary to any other business or enterprise and the said shirts and garments may or may not be manufactured or produced for the purpose of sale to other consumers or for the exclusive use of the employer.

3. The Decree applies to every employer who is manufacturer, retailer, contractor, subcontractor, distributor or intermediary and who manufactures, or has manufactured, under section 2, in his own establishment or elsewhere in Québec, garments or parts of garments referred to in section 1.

4. The Decree does not apply to:

(a) articles and garments which are governed by another decree;

(b) infants' and children's clothes or garments smaller than size 2 years;

(c) boxer shorts and underwear.

## **DIVISION 2**

### **DECREE RESPECTING THE WOMEN'S CLOTHING INDUSTRY**

1. The Decree governs the manufacture of the following garments or parts thereof for women: capes, coats, suits, pantsuits, blazers, raincoats, parkas, duffle coats (*canadiennes*), ski garments, dresses, ensembles, lounge wear, dressing gowns, kimonos, uniforms, dust smocks, smocks, blouses, bodices, dusters, sportswear, beach wear, play suits, bathing suits, sweaters, skirts, pants, shorts, jackets, whether such garments are a whole or part of a set, and all other similar garments, made of any type of material.

2. The Decree applies to every employer who is manufacturer, retailer, contractor, subcontractor, distributor or intermediary and who manufactures, or has manufactured, directly or indirectly, in his factory or elsewhere in Québec, the garments or parts of garments referred to in section 1.

3. The Decree does not apply to:

(1) capes, coats, suits, parkas, Eskimo suits, windbreakers, vests and jackets of all types for girls from size 0 to size 16 inclusively. Size 16 shall not exceed the

body measurements determined by the Canada Standard Size Specifications program for standard sizes in children's garments approved by the Canadian General Standards Board, that is: 82 centimetre chest, 67.1 centimetre waist and 85 centimetre hips where the garments are manufactured under the following conditions, proof of which rests with the employers, that is:

(a) the children's garments must be entirely manufactured according to the same method of production used in the men's and boys' clothing industry;

(b) the employer must not be a manufacturer, contractor or subcontractor manufacturing mainly women's clothing above size 16;

(c) the children's garments must not be manufactured with the intention of or for the purpose of directly or indirectly evading the provisions of the Decree;

(2) garments made of vulcanized, natural or synthetic rubber;

(3) work referred to in this industry as trimmings, shirring, edging or embroidery where such work is not intended for one of the garments made by this manufacturer;

(4) the tailor who produces only garments made to measure for individual customers and that are not destined for sale to stores or for sale by wholesale intermediaries;

(5) an employee who is engaged in knitting operations, from spinning to the underpressing of blanks;

(6) an employee who joins or finishes garments by means of a looping machine;

(7) an employee who is engaged in the production of fully tailored knitted garments, which require no other cutting for assembling than slits.

(8) garments for girls not larger than size 6 as determined by the Canada Standard Size Specifications program for standard sizes in children's garments approved by the Canadian General Standards Board, that is, 62 centimetre chest, 53.9 centimetre waist and 60 centimetre hips;

(9) the manufacture of bathrobes, dressing gowns and kimonos made of material weighing at least 270 grams per square metre;

(10) knitted garments covering the upper part of the body that have an unravelable knitted edge not exceed-

ing 68 centimetres in length where the material used has been knitted in the manufacturer's shop as blanks;

(11) garments manufactured exclusively of handwoven fibres, and where each garment must be cut individually;

(12) the manufacture of jean clothing referred to in the Decree respecting the men's clothing industry;

(13) the shipping of manufactured garments;

(14) fur garments;

(15) designer clothes.

### **DIVISION 3**

#### **DECREE RESPECTING THE MEN'S CLOTHING INDUSTRY**

1. The Decree governs the manufacture, in whole or in part, of men's and boys' clothing over size 6, jean clothing over size 6 for both sexes and children's clothing.

The Decree also governs employees working as general hand or floor help in a warehouse or receiving and shipping department for men's and boys' clothing. It does not govern the employee mainly assigned to delivery by truck.

The expressions "boys' pants", "general hand or floor help", "children's clothing", "jean clothing", "military garments" and "men's and boys' clothing" referred to in paragraphs 4 to 9 of section 4 of this Regulation are included in the scope of this Decree.

2. This Decree does not govern the manufacture of:

(1) overalls, coveralls, combination overalls and overpants;

(2) pants and shorts to be worn by players in team sports;

(3) vulcanized rubber garments;

(4) windbreakers, snowsuits, ski suits and anoraks for girls;

(5) shirts, pyjamas, underwear, bathing suits and bathrobes;

(6) sweaters, unlined knitted garments, pants and shorts made of fleece material;

(7) pants and jeans for children up to size 6;

(8) suits that are exclusively custom-made by merchant-tailors, in their own shop and according to individual sizes, measurements and specifications of specific customers, provided that no more than 5 employees, including the cutter, carry out all the operations.

### **DIVISION 4**

#### **DECREE RESPECTING THE LEATHER GLOVE INDUSTRY**

1. The Decree governs the glove-making industry, that is, the preparation, manufacture and production, in whole or in part, of gloves, mittens or mitts of all kinds and all designations, made of leather or leather combined with any other material, as well as the operations incidental thereto.

However, "clute" gloves, the cotton part of which is greater than the leather part, are excluded.

### **SCHEDULE II**

(s. 7)

#### **MINIMUM WAGE IN THE MEN'S AND BOYS' SHIRT INDUSTRY**

### **DIVISION 1**

#### **TABLE 1 – EMPLOYEES ASSIGNED TO THE MANUFACTURE OF GARMENTS, EXCEPT FOR PYJAMAS AND KNITTED GARMENTS, AND PAID ON AN HOURLY OR PIECEWORK BASIS**

1.1 The minimum hourly rate payable to employees who manufacture garments, except for pyjamas and knitted garments and who are paid on an hourly or piecework basis, is established in the following table, per occupational category, as of the date indicated therein.

An employee shall be paid at the minimum hourly rate corresponding to the employee's occupational category, as soon as the required hours in the progression period provided for in section 3.1 have been completed.

Occupational category	As of 2000 07 01
1. Unskilled worker	\$9.30
2. Operator, presser, folder and examiner	\$9.30
3. Divider and section head	\$9.35
4. General hand and spreader	\$10.32
5. Cutter with die (clicker)	\$10.65
6. Cutter	\$11.40
7. Hand-knife cutter and marker	\$11.52

## DIVISION 2

**Table 2 – EMPLOYEES ASSIGNED TO THE MANUFACTURE OF PYJAMAS AND WHO ARE PAID ON AN HOURLY OR A PIECEWORK BASIS**

2.1 The minimum hourly rate payable to employees who manufacture pyjamas and who are paid on an hourly or a piecework basis, is established in the following table, per occupational category, as of the date indicated therein.

An employee shall be paid at the minimum hourly rate corresponding to the employee's occupational category, as soon as the required hours in the progression period provided for in section 3.1 have been completed.

Occupational category	As of 2000 07 01
1. Unskilled worker	\$8.38
2. Operator, presser, folder and examiner	\$8.38
3. Divider	\$8.43
4. Section head	\$9.35
5. General hand	\$9.30
6. Spreader	\$10.32
7. Cutter with die (clicker)	\$10.65
8. Cutter	\$11.40
9. Hand-knife cutter and marker	\$11.52

## DIVISION 3

**Table 3 – PROGRESSION PERIOD**

3.1 An employee who belongs to a category listed in sections 1.1 and 2.1 is entitled to the following increases to the minimum hourly wage, based on the number of hours worked as of the date indicated therein.

	As of 2000 07 01
From 0 to 750 hours	\$0.00
From 751 to 1 500 hours	\$1.80
From 1 501 to 2 250 hours	\$3.45
From 2 251 to 3 000 hours	\$4.15
From 3 001 to 3 750 hours	\$4.85
From 3 751 to 4 000 hours	\$5.55

The expression "minimum hourly wage" means the minimum wage payable to the employee for the standard workweek hours in accordance with the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3), as it reads at the time of its application.

## DIVISION 4

**Table 4 – EMPLOYEES ASSIGNED TO THE MANUFACTURE OF KNITTED GARMENTS AND WHO ARE PAID ON AN HOURLY OR PIECEWORK BASIS**

4.1 The minimum hourly rate payable to employees who manufacture knitted garments and who are paid on an hourly or a piecework basis, is established in the following table, per occupational category, as of the date indicated therein.

An employee shall be paid at the minimum hourly rate corresponding to the employee's occupational category, as soon as the required semesters in the progression period provided for in section 5.1 have been completed.

Occupational category	As of 2000 07 01
1. Unskilled worker, operator, presser, folder and examiner	Minimum hourly wage
2. Divider and section head	Minimum hourly wage
3. General hand and spreader	\$7.36
4. Cutter with die (clicker) and cutter	\$7.67
5. Hand-knife cutter and marker	\$7.77

## DIVISION 5

**Table 5 – PROGRESSION PERIOD**

5.1 An employee who belongs to an occupational category listed in section 4.1 is entitled, according to the semester and as of the date indicated in the following table, to the minimum hourly wage increased by the amounts provided for hereafter:

	As of 2000 07 01
1st semester	\$0.00
2nd semester	\$0.75
3rd semester	\$2.80
4th semester	\$3.25
5th semester	\$3.70
6th semester	\$4.15
7th semester	\$4.65

## DIVISION 6 AVERAGE HOURLY RATE

6.1 The average hourly rate for employees in category 2, referred to in sections 1.1 and 2.1, with 1 500 hours' experience or more in the men's and boys' shirt industry, is established by adding the following amounts:

- (1) the minimum hourly rate;
- (2) the additional amount provided for in section 7.1;
- (3) \$0.15 per hour.

The general hourly average for employees with 1 500 hours' experience or more is computed monthly by each plant and is obtained by dividing the current total earnings by the total hours worked for each employee.

Where the average hourly rate for employees in occupational category 2, referred to in sections 1.1 and 2.1, is not equal to the general hourly average provided for in this Division, each of the aforementioned employees shall be paid the difference for each hour worked during that month.

Any claim under this section must be made by the 15th day of the following month.

For the purposes of this section, an employee's current earnings are the employee's regular earnings, plus the additional amount referred to in section 7.1. An employee's regular earnings are:

(1) for an employee paid on an hourly or other basis, the wage rates paid or payable to the employee, plus all adjustments and increases payable under agreements between the employee and the employer or otherwise payable, whether or not they exceed the minimum rates under sections 1.1, 2.1, 3.1, 4.1 and 5.1, but they do not include the additional amount referred to in section 7.1;

(2) for an employee paid on a piecework basis, the piecework wage according to the employer's system, plus all adjustments and increases payable under agreements between the employee and the employer or otherwise payable, but they do not include the additional amount referred to in section 7.1.

## DIVISION 7 ADDITIONAL AMOUNT

7.1 All employees, whether they are paid on an hourly, weekly, piecework basis or otherwise, receives for each hour worked over and above their regular earnings, an additional amount of at least \$0.10 per hour after six months of uninterrupted service with the same employer.

## DIVISION 8 CHILDREN'S CLOTHING

8.1 The minimum hourly rates provided for in sections 1.1, 2.1, 3.1, 4.1 and 5.1 and the general hourly average provided for in section 6.1 shall be reduced by 10 % for all employees within the scope of the Decree respecting the men's and boys' shirt industry, for as long as they are assigned to the manufacturing or production of children's clothing smaller than size 6X, provided that the employer keeps a record of such work,

indicating the exact number of hours, the hourly rate or piece rate, paid or due, for each working day or week.

In no case, however, shall the minimum hourly rates be lower than the minimum hourly wage.

### SCHEDULE III

(s. 11)

#### MINIMUM WAGE IN THE WOMEN'S CLOTHING INDUSTRY

Table 1 – MINIMUM HOURLY RATES AS OF 1 JULY 2000

Trade	Code	Scale	Hourly rate	Piece rate
General hand	10		Minimum hourly wage	\$7.05
Assistant presser	19			
– first 1 000 hours		Minimum hourly wage		
– 1 001 to 1 375 hours		\$7.42		
– 1 376 to 1 750 hours		\$8.39		
– from 1 751 hours			\$9.37	\$9.52
Sample maker	28		\$9.37	\$9.52
Cutter, Class 1	01		\$12.67	
Cutter, Class 2	02			
– first 1 000 hours		Minimum hourly wage		
– 1 001 to 1 375 hours		\$7.42		
– 1 376 to 1 750 hours		\$8.39		
– 1 751 to 2 125 hours		\$9.37		
– 2 126 to 2 500 hours		\$10.97		
– from 2 501 hours			\$12.30	

Trade	Code	Scale	Hourly rate	Piece rate
Piler	09			
– first 1 000 hours		Minimum hourly wage		
– 1 001 to 1 375 hours		\$7.42		
– 1 376 to 1 750 hours		\$8.39		
– from 1 751 hours			\$8.59	\$8.74
Spreader	13			
– first 1 000 hours		Minimum hourly wage		
– 1 001 to 1 375 hours		\$7.42		
– 1 376 to 1 750 hours		\$8.39		
– 1 751 to 2 125 hours		\$9.37		
– 2 126 to 2 500 hours		\$10.97		
– from 2 501 hours			\$11.33	\$11.48
Examiner	11			
– first 1 000 hours		Minimum hourly wage		
– from 1 001 hours			\$7.03	\$7.18
Baster	07			
– first 1 000 hours		Minimum hourly wage		
– 1 001 to 1 375 hours		\$7.16		
– from 1 376 hours			\$7.88	\$8.03
Finisher	22			
– first 1 000 hours		Minimum hourly wage		
– 1 001 to 1 375 hours		\$7.16		
– from 1 376 hours			\$7.88	\$8.03

Trade	Code	Scale	Hourly rate	Piece rate	Trade	Code	Scale	Hourly rate	Piece rate
Operator for leather garments	20				Under presser	18			
– first 1 000 hours		Minimum hourly wage			– first 1 000 hours		Minimum hourly wage		
– 1 001 to 1 375 hours		\$7.42			– 1001 to 1 375 hours		\$7.42		
– from 1 376 hours			\$9.10	\$9.25	– 1 376 to 1 750 hours		\$8.39		
Section operator	16				– 1751 to 2 125 hours		\$9.37		
– first 1 000 hours		Minimum hourly wage			– from 2 126 hours			\$10.05	\$10.20
– 1 001 to 1 375 hours		\$7.42			Separator	12			
– from 1 376 hours			\$9.10	\$9.25	– first 1 000 hours		Minimum hourly wage		
Special machine operator	14				– from 1 001 hours			\$7.03	\$7.18
– first 1 000 hours		Minimum hourly wage			<b>SCHEDULE IV</b> (S. 23)				
– 1 001 to 1 375 hours		\$7.42			MINIMUM WAGE IN THE MEN'S CLOTHING INDUSTRY				
– from 1 376 hours			\$8.76	\$8.91	<b>DIVISION 1</b> CLASSIFICATION OF OPERATIONS AND WAGE SCALE				
Operator for whole garments	15				<b>§1.1 Table 1 – Men's and boys' clothing</b>				
– first 1 000 hours		Minimum hourly wage			Part I – Minimum hourly rates for operations performed in the manufacture of men's and boys' clothing				
– 1 001 to 1 375 hours		\$7.42			Classification of operations described in Part II of this Table		Wage scale		
– 1 376 to 1 750 hours		\$8.39			<hr/>				
– from 1 751 hours			\$9.37	\$9.52	<b>Class</b>	<b>As of 2000 07 01</b>			
Presser	17				<hr/>				
– first 1 000 hours		Minimum hourly wage			A	\$11.85			
– 1001 to 1 375 hours		\$7.42			B	\$10.25			
– 1 376 to 1 750 hours		\$8.39			C	\$8.40			
– 1 751 to 2 125 hours		\$9.37			D	\$7.75			
– from 2 126 hours			\$10.97	\$11.12	E	\$6.95			

Part II - Classification of operations performed in the manufacture of men's and boys' clothing

(1) Men and boys' clothing

(1.1) Cutting and trimming operations

**Class**

A Marking patterns on paper or cloth. Marking or cutting body or sleeve linings.

B Cutting by hand or electric shears. Marking or cutting with shears or knife trimmings other than body or sleeve linings. Operating automatic cutting machine.

C Piling. Operating die-cutting equipment. Cutting undercollars. Matching parts to be cut.

E Operating Soabar machine. Sorting. Operating photocopier. General hand or floor help.

(2) Men's and boys' clothing excluding trousers

(2.1) Pressing operations

**Class**

B Finish presser: an employee who performs the pressing of a fully sewn garment, with a hand iron or a steam press machine.

C Toppresser: an employee who presses garments with an automatic steam pressing machine or using a dummy, or presses military garments with a steam press machine.

Under presser: an employee who opens or presses seams, parts or any other pressing required for the sewing of the garment or does the smoothing of the lining after the garment has been pressed by the finish presser.

E Attaching pads to shoulders with an automatic steam machine.

(2.2) Machine operations

**Class**

C Employees performing any of the following operations: sewing on sleeves. Taping edges. Sewing edges of garments. Making pockets, which includes: sewing on beesoms, flaps, welts or appliqués. Stitching edges of fronts. Operating die-cutting equipment. Joining fronts, vees, sides, shoulders, bottoms or backs. Tacking pockets, which includes: closing opening and tacking corners. Tacking trim corners with zigzag stitch machine. Felling with Durkopp or A.M.F. type machines. Making or stitching fly fronts. Making linings, which includes: making or tacking pockets, sewing lining to facing, side seams, backs, yokes, vees, shoulder seams, or sewing sleeve lining to body. Sewing topcollar to undercollar. Basting which includes: edges, gorges, bottoms, fronts, canvas, facings, linings, armholes, shoulder seams, topcollar or undercollar to neck. Trimming and tacking armholes. Sewing gorges or undercollar to neck or to lining. Raising seams. Making samples. Sewing sleeves to body before side seams are closed. Closing coat shell to shell. Making general repairs. Sewing or stitching zipper to front or side of body. Sewing or stitching front or back yokes. Operating feed-off arm machine.

D (a) employees performing any other operation not listed in classes C and E;

(b) employees performing any operation on military garments, except the operations listed in class E;

(c) operating an automatic sewing machine.

E Operating Soabar machine. Stapling canvas or facings. Basting opening of pockets. Making ticket pockets. Making or sewing on armhole shields. Gathering shoulder head. Shirring canvas. Tacking hangers or cuffs. Making loops or imitation buttonholes. Closing pockets, sewing around bag when performed as a separate operation after pocket has been tacked. Turning and creasing parts by die machine. Setting hooks, eyelets, rivets or snaps. Threading or cutting zippers. Trimming or pinking bottoms. Sewing labels or tickets. Operations performed on military garments: sewing inside pockets, making flaps, collars, wristbands or epaulets; sewing patch pockets which have been previously creased with die machine, making general repairs, making button holes; sewing buttons; bar tacking.

(2.3) Hand operations

**Class**

C Fitting, sorting, matching and cutting with shears or electric knife garment parts or linings to be sewn which have been blocked by the cutter or the trimmer. Basting or stitching edges of body or other parts of garment. Underbasting of facing to front. Shaping. Basting topcollar. Examining general tailoring and busheling. Basting canvas, facing, lining, pleats, yokes or vents. Trimming and tacking armholes. Basting undercollar or topcollar to neck or topcollar to undercollar. Preparing armholes: basting lining or cloth, shoulder seams or crease of lining.

D Employees performing any other operation not enumerated in classes C and E.

E Sewing on labels or tickets. Thread marking or chalking. Pulling basting or cleaning. Marking buttons. Separating, numbering, sorting or assembling cut parts to be sewn. Turning garments or small parts. Trimming canvas, linings or small parts. Tacking fronts for shaping. Examining military garments. Fusing by automatic machine. General hand or floor help.

(3) Trousers

(3.1) Machine, hand and pressing operations

**Class**

C Making pockets, which includes: sewing on beesoms, welts, flaps, patches or tabs and sewing second stitch on back pocket. Tacking pockets, which includes: positioning pocket, closing opening of pocket and tacking corners on regular or slant-type pockets. Seaming or raising seams on inside or outside leg seams or sewing seat seam. Stitching lining or waistband. Sewing lining to waistband. Sewing braid. Sewing cloth or elastic waistband on trousers. Operating the feed-off arm machine or die-cutting equipment. Stitching flies. Making repairs by machine. Fitting and separating. Pressing legs or top of trousers.

D (a) employees performing any other operation not listed in classes C and E;

(b) underpressing: employees who open or press seams, parts or any other pressing required for the assembling of trousers;

(c) employees performing the following operations defined in class C, on boys' trousers: making pockets, tacking pockets, seaming, stitching lining, sewing lining, sewing waistband or stitching flies;

(d) operating an automatic sewing machine.

E Operating Soabar machine. Sewing buttons, labels or tickets. Making loops. Setting hooks and eyelets. Threading or cutting zippers. Separating, sorting, pairing, numbering or chalking. Turning and creasing parts by die machine. Trimming or pinking bottoms. Cleaning or brushing. Fusing by automatic machine. General hand or floor help.

**§1.2 Table 2 – Children's clothing**

Part I – Minimum hourly rates for operations performed in the manufacture of children's clothing

Classification of operations described in Part II of this Table	Wage scale
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<b>Class</b>	<b>As of 2000 07 01</b>
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AY	\$10.57
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BY	\$9.71
----	--------

CY	\$8.55
----	--------

DY	\$7.90
----	--------

EY	\$7.10
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Part II - Classification of operations performed in the manufacture of children's clothing

**Class**

AY	Tracing outline of patterns on paper or cloth. Toppressing with steam press machine.
----	--

BY	Marking or cutting linings or trimmings.
----	--

CY	Piling. Underpressing or steam blowing. Making samples or general repairs. Sewing on sleeves or collars. Sewing facings to fronts.
----	--



DY Joining or raising seams on outer-shell of garment. Basting or stitching edges of fronts or small pieces. Making collars or sleeves. Operating felling machine, automatic welt-pocket machine, double-needle machine, automatic long seamer machine or photomarking machine. Making buttonholes or eyelets. Sewing zipper to fronts, facing or lining. Sewing fur to collar or sleeves. Sewing sleeves to body before side seams are closed. Sewing sleeve bottom, tape or canvas to fronts. Making or tacking pockets. Making linings or closing bottom of garments. Trimming and tacking armholes.

EY Making trimmings, undercollars, hoods, loops or small parts. Marking buttons or buttonholes. Sewing buttons, labels, piping, ribbons or pads. Trimming or turning garments or small parts. Examining, hand finishing, cleaning or brushing garments. Operating Soabar machine. Separating or thread marking. Bar tacking or serging. Tacking pads, loops or buttonholes. Taping shoulders or armholes. Fusing by automatic machine. General hand or floor help.

### §1.3 Table 3 – Jean clothing

Part I – Minimum hourly rates for operations performed in the manufacture of jean clothing

Classification of operations described in Part II of this Table

Class	As of 2000 07 01
AJ	\$9.55
BJ	\$7.60
CJ	\$7.35
DJ	\$7.15
EJ	Minimum hourly wage

Part II - Classification of operations performed in the manufacture of jean clothing

(1) Cutting and trimming operations

#### Class

AJ Marking patterns on paper or cloth.

BJ Piling. Operating automatic cutting machine or photomarking machine.

EJ Operating Soabar machine. Sorting. Numbering. General hand or floor help.

(2) Pressing operations

#### Class

BJ Pressing a completely sewn garment by steam press or on dummy.

(3) Machine and hand operations

#### Class

CJ Joining by safety stitch machine. Making or tacking pockets by plain machine. Sewing side pockets by folder or automatic sewing machine. Sewing patch pockets or elastic waistband. Sewing waistband by special banding machine. Sewing zipper. Stitching down flies. Operating welt-pocket machine or double-needle machine. Stitching down front edges. Sewing garment form or facing to front. Making general repairs. Closing garment shell to shell. Sewing on sleeves. Joining or raising outer parts of garment. Making linings. Making, raising or sewing collars, wristbands, epaulettes or small parts. Making sleeves. Making or sewing flies. Making trimmings, pleats or corners of waistbands. Preparing or closing pockets. Operating the feed-off arm machine. Making samples.

DJ With a special machine, serging, felling, hemming, making buttonholes, loops or bar tacking. Sewing buttons or labels. Underpressing or steam blowing.

EJ Cutting threads, cleaning, sorting or examining. Operating Soabar machine. Setting rivets or snaps. Operating washing, drying or embroidering machines. General hand or floor help.

**DIVISION 2**  
TABLE OF APPRENTICE WAGES

Scale	As of 2000 07 01
First 12 months	Minimum hourly wage
13 to 16 months	\$6.95
17 to 20 months	\$7.75
21 to 24 months	\$8.40
25 to 28 months	\$9.30
29 to 32 months	\$10.55
From 33 months	\$11.85

**SCHEDULE V**  
(s. 26)

MINIMUM WAGE IN THE LEATHER GLOVE  
INDUSTRY

**Table 1 – MINIMUM HOURLY RATES**

1.1 The minimum hourly rate is determined by zone and as of 1 July 2000 for each occupational category listed below.

The employee shall be paid at the minimum hourly rate corresponding to the employee's occupational category as soon as the required months of service in the progression period have been completed.

Occupational category	Zone I	Zone II
(1) general hand, examiner, operator	\$9.58	\$9.38
(2) labourer	\$10.13	\$9.93
(3) cutter, Class B, shipper	\$10.28	\$10.08
(4) turner	\$10.43	\$10.18
(5) presser	\$10.48	\$10.23
(6) cutter, Class A	\$10.53	\$10.28

1.2 For the purposes of section 1.1, zones I and II shall be as follows:

(1) **Zone I:** the administrative region 06 includes the territory described and defined under Order in Council 2000-87 dated 22 December 1987, amended by Orders in Council 1399-88 dated 14 September 1988, 1389-89, dated 23 August 1989, 965-97 dated 30 July 1997 and 1437-99 dated 15 December 1999;

(2) **Zone II:** the total Québec territory less the territory referred to in Zone I.

**DIVISION 2**

**Table 2 – PROGRESSION PERIOD**

2.1 The progression period is a wage scale applicable during the period between the time the employee is integrated into an occupational category provided for in Table 1 of Division I and the time the minimum hourly rate for that category is reached.

An employee who belongs to one of the occupational categories listed in section 1.1 is entitled, according to the months worked and as of 1 July 2000, to the minimum hourly wage increased by the amounts in the following table. After the first increase, the amounts prescribed shall be added to the employee's increased hourly rate.

(1) from the 4th month	\$0.25
(2) from the 7th month	\$0.50
(3) from the 10th month	\$0.50
(4) from the 13th month	\$0.50
(5) from the 16th month	\$0.50
(6) from the 19th month	\$0.50
(7) from the 22nd month	\$0.50
(8) from the 25th month	\$0.50
(9) from the 28th month	\$0.50
(10) from the 31st month	\$0.50

The expression "minimum hourly wage" means the minimum wage payable to the employee for the hours in a standard workweek according to the Regulation respecting labour standards as it reads at the time of its application.

**DIVISION 3**  
ADDITIONAL AMOUNT

3.1 An employee who has completed three months of uninterrupted service with the same employer shall receive, for each hour of work and for all hours paid with respect to statutory holidays or annual vacation, an additional amount of \$0.16.

Gouvernement du Québec

## O.C. 679-2000, 1 June 2000

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

### Registration system or keeping of a register — Amendments

Regulation to amend the Regulation respecting a registration system or the keeping of a register

WHEREAS under paragraph 3 of section 29 of the Act respecting labour standards (R.S.Q., c. N-1.1), the Commission may, by regulation, require an employer or a category of employers to have a system of registration or to keep a register;

WHEREAS under paragraph 3.1 of that section, enacted by section 1 of Chapter 57 of the Statutes of 1999, the Commission des normes du travail may, by regulation, require an employer or every employer of a category of clothing industry employers to transmit to the Commission a report containing the information deemed useful in the application of the Act;

WHEREAS the Commission des normes du travail made the Regulation to amend the Regulation respecting a registration system or the keeping of a register;

WHEREAS under section 32 of the Act respecting labour standards, the Regulation is submitted to the approval of the Government;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting a registration system or the keeping of a register was published in Part 2 of the *Gazette officielle du Québec* of 5 April 2000 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT the Regulation to amend the Regulation respecting a registration system or the keeping of a register, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting a registration system or the keeping of a register\*

An Act respecting labour standards  
(R.S.Q., c. N-1.1, s. 29, pars. 3 and 3.1; 1999, c. 57)

1. The title of the Regulation respecting a registration system or the keeping of a register is amended by adding the words “and report transmittal” at the end.

2. The following paragraph is added at the end of section 1:

“(r) in the case of an employee under 18 years of age, his date of birth.”.

3. The following is inserted after section 1:

“1.1 Section 1 does not apply in respect of an employer in the clothing industry that, had it not expired, would be subject to the Decree respecting the men’s and boy’s shirt industry (R.R.Q., 1981, c. D-2, r. 11), the Decree respecting the women’s clothing industry (R.R.Q., 1981, c. D-2, r. 26), the Decree respecting the men’s clothing industry (R.R.Q., 1981, c. D-2, r. 27) or the Decree respecting the leather glove industry (R.R.Q., 1981, c. D-2, r. 32).

Notwithstanding the foregoing, any employer referred to in the first paragraph shall keep a registration system or a register containing the information required in paragraph r of section 1 and, depending on its sector of activity, the information provided for in Schedule I.”.

4. The following is added after section 2:

“3. Any employer referred to in section 1.1 shall transmit to the Commission des normes du travail, for the period running from 1 July 2000 to 1 July 2002, a monthly report in writing, indicating for each employee:

(1) the surname, given name, address and social insurance number;

(2) the classification or qualification;

(3) for each week, the number of regular working hours, the overtime and the total number of hours;

\* The Regulation respecting a registration system or the keeping of a register (R.R.Q., 1981, c. N-1.1, r. 6) was amended once by the Regulation approved by Order in Council 901-99 dated 4 August 1999 (1999, G.O. 2, 2719).

- (4) the total of the weekly and monthly gains;
- (5) the hourly rate; and
- (6) the indemnities paid for holidays, as severance pay, for annual vacation and any other indemnity or benefit with a financial value.

The report shall be transmitted for the preceding month no later than on the 10th of each month.

It shall nevertheless be transmitted even if no work was performed.”

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

## SCHEDULE I

(s. 1.1)

### DIVISION I

INFORMATION REQUIRED FROM AN EMPLOYER THAT, HAD IT NOT EXPIRED, WOULD BE COVERED BY THE DECREE RESPECTING THE MEN'S AND BOY'S SHIRT INDUSTRY (R.R.Q., 1981, c. D-2, r. 11) OR THE DECREE RESPECTING THE LEATHER GLOVE INDUSTRY (R.R.Q., 1981, c. D-2, r. 32)

#### §1. For each employee and each pay period:

- (1) his surname, given name, address, social insurance number, the identification and nature of his employment and the first date of service with that employer;
- (2) the number of working hours per day and, for each day, the exact time at which the work was begun, interrupted, resumed and finished;
- (3) the total number of hours worked per week;
- (4) the overtime;
- (5) the number of work days per week;
- (6) the wage rate;
- (7) the nature and amount of the premiums, severance pay and other allowances or commissions paid;
- (8) the gross wage;
- (9) the nature and amount of the deductions;
- (10) the net wage;

- (11) the working period corresponding to the payment;
- (12) the date of payment;
- (13) the reference year;
- (14) the duration of the vacation;
- (15) the date on which he goes on his annual paid vacation; and
- (16) the date on which the employee was granted a paid statutory general holiday or another holiday, including compensatory holidays related to paid statutory general holidays.

#### §2. Other information:

(1) an employer that, had it not expired, would be covered by the Decree respecting the leather glove industry and that entrusts work to home workers shall enter the following information in the register:

- (a) the surname, given name and address of each home worker;
- (b) the date on which the work is delivered to each home worker;
- (c) the kind of work, the description and quantity of clothes to be prepared by each home worker; and
- (d) the piece rate paid to each home worker;

(2) where a single shop prepares clothes included and not included in the scope of the Decree respecting the men's and boy's shirt industry or the scope of the Decree respecting the leather glove industry, the employer shall keep separate registers containing the information required in Subdivision I, both for included and excluded clothes, unless the employer grants the conditions of employment imposed by regulation to all production workers;

(3) the employer shall register each of his employees, including home workers, within 5 days of the hiring date by completing an employee's registration card containing: his surname, given name, address, age, experience in the industry, with respect to each employment held and his current classification;

The registration card shall bear the signature of the employer and of the employee and shall be received by the Commission within 5 days of the hiring date. The employer shall ask the Commission for the required registration cards;

(4) an employer that, had it not expired, would be covered by the Decree respecting the leather glove industry and that wishes to have work performed at home shall enter the following information in the register:

(a) his surname, given name and address or, in the case of a partnership, those of the partners or, in the case of a legal person, those of its officers or designated agents;

(b) his principal place of business;

(c) the surnames, given names and places of business of the owners of the merchandise from whom the employer accepts work to be performed at home;

(d) a written document from each owner of merchandise attesting that he entrusts the employer with work to be performed at home;

(5) where work is entrusted to a home worker, his employer shall file with the Commission a sample of each garment design and shall complete a working form stating the garment design, quantity and price paid for each clothing garment design to be prepared; furthermore, each piece of clothing shall identify the owner of the merchandise;

(6) an employer that has work performed by a contractor shall enter in his register the following information: the garment design, the description, quantity and price paid to the contractor for each garment design, as well as any trade mark used; and

(7) the contracting employer shall enter the following information for each employer providing him with work: the garment design, the description, quantity and price paid to him for each garment design, as well as any trade mark used.

## **DIVISION II**

**INFORMATION REQUIRED FROM AN EMPLOYER THAT, HAD IT NOT EXPIRED, WOULD BE COVERED BY THE DECREE RESPECTING THE WOMEN'S CLOTHING INDUSTRY (R.R.Q., 1981, c. D-2, r. 26)**

### **§1. For each employee and each pay period:**

(1) his surname, given name, address, social insurance number, his qualification or classification, the exact time at which the work was begun, interrupted, resumed and finished each day, the nature of the work and the wage paid, with the mode and time of payment;

(2) the annual vacation, the holidays and the severance pay, with the following details:

(a) the first date of service with the employer;

(b) the duration of his annual vacation;

(c) the scheduled date of his going on vacation;

(d) the amount paid for his annual vacation and the date of payment;

(e) the amount paid for each holiday; and

(f) the amount paid as severance pay.

### **§2. Other information**

(1) with respect to work entrusted to home workers, the register shall contain the following information:

(a) the surname, given name and address of each home worker;

(b) the delivery date of the work;

(c) the kind of work, the description and quantity of clothes to be prepared; and

(d) the piece rate for the home work determined in accordance with the regulatory provisions;

(2) where a single shop prepares clothes included and not included in the scope of the Decree respecting the women's clothing industry prescribed by regulation, the employer shall keep separate registers containing the information required in Subdivision I, both for included and excluded clothes, unless the employer grants the conditions of employment imposed by regulation to all production workers;

(3) the employer shall register each of his employees, including home workers, within 3 days of the hiring date by completing an employee's registration card containing: his surname, given name, address, social insurance number, age, experience in the industry with respect to each employment held and his current classification;

The registration card shall bear the signature of the employer and of the employee and must be received by the Commission des normes du travail within 3 days of the hiring date of the employee;

(4) an employer that wishes to have work performed at home shall enter the following information in the register:

(a) his surname, given name and address or, in the case of a partnership, those of the partners or, in the case of a legal person, those of its officers or designated agents;

(b) his principal place of business;

(c) the surnames, given names and places of business of all the owners of the merchandise from whom the employer accepts work to be performed at home; and

(d) a written document from each owner of merchandise attesting that he entrusts the employer with work to be performed at home;

(5) where work is entrusted to a home worker, his employer shall file with the Commission a sample of each garment design and shall complete a working form stating the garment design, quantity and price paid for each garment design to be prepared; furthermore, each piece of clothing shall identify the owner of the merchandise;

(6) an employer that has work performed by a contractor shall enter in his register the following information: the garment design, the description, quantity and price paid to the contractor for each garment design, as well as any trade mark used;

(7) the contracting employer shall enter the following information for each employer providing him with work: the garment design, description and price paid to him for each garment design, as well as any trade mark used; and

(8) Any employer who carries out for others work included in the scope of the Decree respecting the women's clothing industry prescribed by regulation or has it carried out shall record on a form the following particulars:

(a) the name, address and phone number of the firm that gave or received work;

(b) the dates when work was received or given, completed or sent back; and

(c) the cutting sheet number and the identification number of the merchandise owner, the style, type, quantity and amount paid for each garment.

The form shall be submitted to the Commission on or before the 10th of each month and cover the preceding month, even if no work was carried out.

**DIVISION III**  
**INFORMATION REQUIRED FROM AN EMPLOYER WHO, HAD IT NOT EXPIRED, WOULD BE COVERED BY THE DECREE RESPECTING THE MEN'S CLOTHING INDUSTRY (R.R.Q., 1981, c. D-2, r. 27)**

**§1. For each employee and each pay period:**

(1) his surname, given name, address, social insurance number, the nature of his work, his qualification and the first date of service with that employer;

(2) the number of working hours per day and, for each day, the exact time at which work was begun, interrupted, resumed and finished;

(3) the total number of hours worked per week;

(4) the overtime;

(5) the number of work days per week;

(6) the wage rate;

(7) the nature and amount of the premiums, severance pay and other allowances or commissions paid;

(8) the gross wage;

(9) the nature and amount of the deductions made;

(10) the net wage;

(11) the working period corresponding to the payment;

(12) the date of payment;

(13) the reference year;

(14) the duration of the vacation;

(15) the date on which he goes on his annual paid vacation; and

(16) the date on which the employee took a paid statutory general holiday or another holiday, including compensatory holidays related to paid statutory general holidays.

§2. *Other information:*

(1) where a single shop prepares clothes included and not included in the scope of the Decree respecting men's clothing industry prescribed by regulation, the employer shall keep separate registers containing the information required in Subdivision I, both for included and excluded clothes, unless the employer grants the conditions of employment imposed by regulation to all production workers;

(2) the employer shall send in writing to the Commission the names and addresses of the contractors to whom he entrusted work within 5 days of awarding the contract.

3672

Gouvernement du Québec

**O.C. 680-2000, 1 June 2000**

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

**Contribution rates**

WHEREAS, under paragraph 7 of section 29 of the Act respecting labour standards (R.S.Q., c. N-1.1), amended by section 1 of chapter 57 of the Statutes of 1999, the Commission des normes du travail may, by regulation, fix contribution rates;

WHEREAS, under section 39.0.2 of the Act respecting labour standards, amended by section 2 of chapter 57 of the Statutes of 1999, every employer of certain sectors of the clothing industry shall pay a supplementary contribution;

WHEREAS the Commission des normes du travail has adopted the Regulation respecting contribution rates;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation respecting contribution rates was published in Part 2 of the *Gazette officielle du Québec* of 5 April 2000 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT the Regulation respecting contribution rates, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

**Regulation respecting contribution rates**

An Act respecting labour standards  
(R.S.Q., c. N-1.1, s. 29, par. 7, s. 39.0.2; 1999, c. 57, s. 1 and 2)

1. The contribution rate provided for in the first paragraph of section 39.0.2 of the Act respecting labour standards (R.S.Q., c. N-1.1) is 0.08 %.

2. The supplementary contribution rate provided for in the second paragraph of section 39.0.2 of that Act, amended by section 2 of chapter 57 of the Statutes of 1999, is 0.12 %.

3. This Regulation replaces the Regulation respecting the levy under the Act respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 4).

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

3673

Gouvernement du Québec

**O.C. 705-2000, 7 June 2000**

An Act respecting the ministère de la Santé et des Services sociaux  
(R.S.Q., c. M-19.2)

**Agreement on Social Security for Students and Participants in Cooperation Programs between the Government of Québec and the Government of the French Republic**  
— **Implementation of the memorandum**

Regulation respecting the implementation of the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs between the Gouvernement du Québec and the Government of the French Republic

WHEREAS Décret 1560-98 dated 16 December 1998 approved the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs between the Gouvernement du Québec and the Government of the French Republic and authorized the Minister of International Relations to be the sole signatory to that Agreement;

WHEREAS the Memorandum of Agreement was entered into at Québec on 19 December 1998;

WHEREAS the Memorandum of Agreement replaces the Protocole d'entente entre le gouvernement du Québec et le gouvernement de la République française relatif à la protection sociale des étudiants et des participants à la coopération signed on 2 June 1986 and implemented by the Regulation made by Order in Council 1318-86 dated 27 August 1986;

WHEREAS, under section 10 of the Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2), the Minister of Health and Social Services may, according to law, enter into agreements with any government, one of its departments, with an international organization or with an agency of that government or organization for the purposes of allowing, on a basis of reciprocity,

(a) any person not resident in Québec who stays in Québec temporarily to benefit, on the conditions determined therein, from all or part of the health services and social services provided for in the Acts the application of which is entrusted to the Minister;

(b) any person resident in Québec, who stays in a foreign country, to benefit, on the conditions determined therein, from health services and social services determined under the agreements.

WHEREAS, under that provision, the agreements may set out the terms and conditions applicable to the repayment of the costs of the health services and social services;

WHEREAS, under that provision, the Government may adopt such regulations as it may consider necessary for the implementation of such an agreement;

WHEREAS, under section 19 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1), the Minister of International Relations is responsible for negotiating and implementing international agreements and for administering the programs resulting therefrom;

WHEREAS, under Order in Council 1118-93 dated 11 August 1993, proposed regulations and regulations respecting the implementation of reciprocal agreements in matters of social security entered into by the Gouvernement du Québec are excluded from the application of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, to make the provisions of the Memorandum of Agreement relating to industrial accidents and occupational diseases effective, the Commission de la

santé et de la sécurité du travail may, in accordance with section 170 and subparagraph 39 of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), make a regulation taking the necessary measures for their implementation;

WHEREAS, under section 224 of that Act, the Regulation must be submitted to the Government for approval;

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

THAT the Regulation respecting the implementation of the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs between the Gouvernement du Québec and the Government of the French Republic, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

## **Regulation respecting the implementation of the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs between the Gouvernement du Québec and the Government of the French Republic**

An Act respecting the Ministère de la Santé et des Services sociaux  
(R.S.Q., c. M-19.2, s. 10)

1. The following Acts and the Regulations made thereunder apply to any person referred to in the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs signed on 19 December 1998 between the Gouvernement du Québec and the Government of the French Republic and appearing in Schedule I:

- (1) Hospital Insurance Act  
(R.S.Q., c. A-28);
- (2) Health Insurance Act  
(R.S.Q., c. A-29);
- (3) The Act respecting the Régie de l'assurance-maladie du Québec  
(R.S.Q., c. R-5);



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

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

2. Those Acts and Regulations apply in the manner provided for in the Memorandum of Agreement and in the Administrative Arrangement for the implementation of the Agreement signed on 21 December 1998 and appearing in Schedule II.

3. This Regulation replaces the Regulation respecting implementation of the Protocole d'entente entre le Gouvernement du Québec et le Gouvernement de la République française relatif à la protection sociale des étudiants et des participants à la coopération, made by Order in Council 1318-86 dated 27 August 1986 and the Regulation respecting implementation of the Protocole d'entente entre le Gouvernement du Québec et le Gouvernement de la République française relatif à la protection sociale des étudiants et des participants à la coopération (Amendment), made by Order in Council 1179-87 dated 29 July 1987.

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

## SCHEDULE I

(s. 1)

### MEMORANDUM OF AGREEMENT ON SOCIAL SECURITY FOR STUDENTS AND PARTICIPANTS IN COOPERATION PROGRAMS

BETWEEN

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF THE FRENCH REPUBLIC

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF THE FRENCH REPUBLIC,

CONSIDERING that Québec and France have established a number of cooperation programs resulting in frequent transfers of persons between their territories;

Wishing to facilitate the participation of their respective nationals in those exchange programs,

Resolved to ensure that participants in cooperation programs and students receive certain social security benefits provided for in their respective legislation,

HAVE AGREED AS FOLLOWS:

## PART I GENERAL

### ARTICLE 1 DEFINITIONS

In this Agreement, unless the context dictates otherwise,

“France” means the European and overseas departments; (*France*)

“French nationals” means persons of French nationality; (*ressortissants français*)

“Québec nationals” means Canadian citizens subject to the legislation referred to in subparagraph 1(a) of Article 2; (*ressortissants québécois*)

“France-Québec cooperation programs” means the exchange programs between France and Québec referred to in the Administrative Arrangement; (*coopération franco-québécoise*)

“competent authority” means the Québec minister or the French minister responsible for applying the legislation referred to in Article 2; (*autorité compétente*)

“competent institution” means the Québec department or agency or the French social security agency responsible for administering legislation referred to in Article 2; (*institution compétente*)

“legislation” means present or future laws, regulations, statutory provisions and any other application measures relating to the social security sectors and plans referred to in Article 2; (*législation*)

“studies” means studies at one of the educational institutions listed in the Administrative Arrangement in accordance with the requirements set out therein; (*études*)

“government employees” means the French government employees or civil servants and the Québec government employees taking part in France-Québec cooperation programs, receiving a salary paid by the sending government and retaining the complete coverage of their own social security plans while carrying out their duties in the territory of the receiving Party; (*fonctionnaires*)

“unpaid training period” means

— where benefits are covered by the French plan under provisions of the Agreement, a training period during which the enterprise or the agency where it is served, or a third party, does not pay any benefits, or pays living and accommodation expenses up to the amount established in the Administrative Arrangement,

— where the benefits are covered by the Québec plan under the Agreement, a training period for which a person does not receive any salary but may receive a bursary or an allowance; (*stage non rémunérée*)

“dependants” means

a spouse or dependants according to Québec legislation; (*personnes à charge*)

and, as the case may be,

persons deriving rights from an insured person according to French legislation; (*ayants droit*)

and any term not defined in the Agreement has the meaning given to it under the applicable legislation.

## ARTICLE 2 SCOPE

1. The Agreement applies:

(a) with respect to Québec,

— to legislation relating to health insurance, hospital insurance and other health services and to industrial accidents and occupational diseases; and

— for the purposes of paragraphs 2 and 5 of Article 4, to legislation respecting prescription drug insurance; and

(b) with respect to France, to the various legislation applying to the coverage of health care and maternity risks and industrial accident and occupational disease risks.

2. The Agreement also applies to any Act or Regulation that amends, extends or replaces the legislation referred to in paragraph 1, unless the interested contracting Party notifies the other contracting Party of its objections within three months of the date of the official publication of the said Act or Regulation.

3. The Agreement does not apply to any Act or Regulation covering a new area of social security unless the Agreement is amended to that effect.

## ARTICLE 3 EQUAL TREATMENT

Failing a provision to the contrary in this Agreement, the persons referred to in Chapters 1 and 2 of Part II shall be entitled, throughout the actual duration of their studies, required training period or cooperation program activity within the territory of one of the Parties, to receive the benefits in kind provided for under the legislation of that Party, under the same conditions as insured persons residing within that territory or, as the case may be, maintaining a domicile there.

## PART II BENEFITS

### CHAPTER I HEALTH CARE AND MATERNITY BENEFITS

#### ARTICLE 4 STUDENTS

1. Québec nationals pursuing their studies in France who are not otherwise in that country or insured by virtue of their professional activity, or dependants of persons covered by social security, shall be entitled, within French territory, together with their accompanying dependants, to health and maternity insurance benefits in kind provided by the French institution on behalf of the competent Québec institution.

2. French nationals pursuing their studies in Québec who are neither residents nor deemed to be residents within the meaning of the Health Insurance Act, nor dependants of such residents, shall be entitled, within Québec, together with their accompanying dependants, to health insurance, hospital insurance, prescription drug insurance and other health care benefits in kind provided by the Québec institution on behalf of the competent French institution.

3. Persons referred to in paragraph 1 or 2 who are serving an unpaid training period required by their studies in a territory outside the territories of the Parties or, with respect to persons referred to in paragraph 2, in French territory, shall be entitled to be reimbursed for expenses relating to care received in the territory where they are serving their training period. The reimbursement shall be made by the institution of the territory where they are pursuing their studies on behalf of the competent institution and under the conditions provided for in the Administrative Arrangement.

4. French or Québec nationals who, while pursuing studies in the territory of the Party to whose legislation they are subject, serve an unpaid training period re-

quired by those studies in the territory of the other Party shall be entitled throughout the training period, together with their dependants accompanying them, to the benefits in kind referred to in paragraph 1 or 2, excluding prescription drug insurance, which shall be provided by the institution of the Party in whose territory the training period is served, on behalf of the affiliated institution, in accordance with the legislation it is applying.

5. French or Québec nationals taking part in an exchange program between institutions of higher learning in France and Québec shall be entitled, in the receiving country, together with their accompanying dependants, to the benefits in kind referred to in paragraph 1 or 2 which shall be provided by the institution in the receiving country, on behalf of the affiliated institution, in accordance with the legislation it is applying.

#### **ARTICLE 5** STUDENTS STAYING TEMPORARILY OUTSIDE QUÉBEC

1. French nationals referred to in paragraphs 2 to 5 of Article 4 who stay temporarily outside Québec during their studies or training period in Québec shall be entitled, together with their accompanying dependants, to be reimbursed for expenses relating to care received during that temporary stay in accordance with the terms and conditions provided for under the Administrative Arrangement.

2. Paragraph 1 also applies to temporary stays outside Québec between two terms of study in Québec.

3. The Québec institution shall make the reimbursement referred to in paragraph 1 on behalf of the French institution.

#### **ARTICLE 6** GOVERNMENT EMPLOYEES

The French and Québec government employees defined in Article 1 shall be entitled throughout their duties in the receiving country, together with their accompanying dependants, to benefits in kind provided by the institution in the receiving country, on behalf of the affiliated institution, in accordance with the legislation it is applying.

#### **ARTICLE 7** SALARIED AND UNSALARIED PARTICIPANTS

1. Salaried and unsalaried participants in France-Québec cooperation programs shall be subject to the Entente entre le Gouvernement du Québec et le Gouvernement de la République française en matière de

sécurité sociale entered into on 12 February 1979, as amended.

2. Participants referred to in paragraph 1 and their accompanying dependants shall be entitled to the benefits in kind provided for under the legislation applicable in the territory where they are temporarily residing, throughout the period of their salaried or unsalaried activity in that territory, regardless of the expected duration of that activity.

#### **ARTICLE 8** UNPAID TRAINEES

Where they are among the categories of trainees defined in the Administrative Arrangement, French or Québec nationals serving unpaid training periods under France-Québec cooperation programs shall be entitled, throughout their training period, to benefits in kind provided by the institution in the receiving country, on behalf of the institution in the sending country, in accordance with the legislation it is applying.

#### **ARTICLE 9** HOLDERS OF A TRAINING BURSARY

Québec nationals holding a bursary received from the French or the Québec Government to serve a training period in France under a France-Québec cooperation program and whose activity does not meet the requirements for entitlement to social security shall be entitled to coverage under the social security system as described in the Administrative Arrangement.

#### **ARTICLE 10** EXTENSION OF RIGHTS

In the event of a pregnancy or where it is determined that moving persons referred to in the Agreement would likely compromise their health or medical treatment and where their condition requires care beyond the time initially specified for their stay in the receiving country, the provisions of this Agreement shall continue to apply to those persons for as long as the health professional in Québec, or the *Caisse* on the opinion of the consulting physician in France, deems it advisable.

#### **CHAPTER 2** INDUSTRIAL ACCIDENT OR OCCUPATIONAL DISEASE BENEFITS

#### **ARTICLE 11** NON-APPLICATION OF RESIDENCE CLAUSES

Provisions in the legislation of one of the Parties respecting industrial accidents and occupational diseases

that restrict the rights of foreign nationals or that disqualify them because of their residence or their domicile shall not be applied against the nationals of the other Party.

**ARTICLE 12**  
STUDENTS WHO SUFFER AN INDUSTRIAL  
ACCIDENT OR OCCUPATIONAL DISEASE  
DURING A REQUIRED TRAINING PERIOD

1. French or Québec nationals who, while pursuing their studies in the territory of one of the Parties, serve an unpaid training period in an enterprise or an agency located in that territory or outside that territory as part of their study program shall be entitled, in the event of an industrial accident or occupational disease, to the benefits in kind and cash benefits provided for under the legislation applicable to the educational institution.

2. Notwithstanding the provisions of paragraph 1 above, where the training period is served in the territory of the other Party:

(a) benefits in kind shall be provided on behalf of the institution of the first Party by the institution of the second Party in accordance with the legislation the latter Party is applying; and

(b) cash benefits shall be paid by the institution where the educational institution is located.

**ARTICLE 13**  
BENEFITS IN THE EVENT OF A TEMPORARY OR  
PERMANENT TRANSFER OF RESIDENCE

1. French or Québec nationals referred to in Article 12 who suffer an industrial accident or occupational disease recognized as such under the legislation of one of the Parties shall continue to be entitled to the benefits provided for under that legislation when they transfer their residence to the territory of the other Party.

2. The institution where the person resides shall provide the benefits in kind on behalf of the competent institution.

**CHAPTER 3**  
COMMON PROVISIONS

**ARTICLE 14**  
RESPONSIBILITY FOR PAYMENT OF BENEFITS

1. The affiliated institution or the competent institution of one Party shall reimburse the institution of the other Party for the benefits in kind that the latter has provided on its behalf.

2. The status of dependants shall be established by the legislation that is applied by the institution responsible for the payment of benefits.

3. The competent authorities of the Parties may, in the Administrative Arrangement, waive in whole or in part the reimbursement provided for in paragraph 1.

**PART III**  
TRANSITIONAL AND FINAL PROVISIONS

**ARTICLE 15**  
TRANSITIONAL PROVISIONS

1. The provisions of Article 8 apply to training periods served from the date of coming into force of this Agreement.

2. Notwithstanding the provisions of paragraph 1, Articles 12 and 13 apply to events posterior to the date of coming into force of this Agreement that occur during a training period started before that date.

3. For persons already in one of the situations described in Articles 4 and 5 when this Agreement comes into force, the provisions of Article 14 relating to responsibility for the payment of benefits apply to benefits provided from the date of coming into force of this Agreement.

**ARTICLE 16**  
COMING INTO FORCE

1. This Agreement revokes and replaces the Protocole d'Entente entre le Gouvernement du Québec et le Gouvernement de la République française relatif à la protection sociale des étudiants et des participants à la coopérations, signed on 2 June 1986.

2. This Agreement shall remain in force for one year from the date of its coming into force. It shall be renewed automatically from year to year unless notice of termination is given at least three months prior to the end of the calendar year underway. The Agreement shall then terminate at the end of the said year.

3. If this Agreement is terminated, the stipulations of this Agreement shall continue to apply to vested rights, notwithstanding any restrictive provisions contained in the legislation in question with respect to an insured person's stays outside the country.

4. The Parties shall notify each other of the completion of its internal procedures required for the coming into force of this Agreement which shall take effect on the first day of the second month following the date the last notification is received.

Done in duplicate at Québec, on 19 December 1998.

For the Gouvernement  
du Québec:

\_\_\_\_\_  
MME LOUISE BEAUDOIN,  
*Ministre des Relations  
internationales*

For the Government of  
the French Republic:

\_\_\_\_\_  
M. CHARLES JOSSELIN,  
*Ministre délégué à la  
Coopération et à la Francophonie*

## SCHEDULE II

(s. 2)

ADMINISTRATIVE ARRANGEMENT FOR THE  
IMPLEMENTATION OF THE MEMORANDUM OF  
AGREEMENT ON SOCIAL SECURITY FOR  
STUDENTS AND PARTICIPANTS IN  
COOPERATION PROGRAMS SIGNED ON  
19 DECEMBER 1998

BETWEEN

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF THE FRENCH REPUBLIC

Resolved to implement the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs signed on 19 December 1998 between the Gouvernement du Québec and the Government of the French Republic, and thereby facilitate exchanges between Québec and France, the competent authorities represented by

### For Québec:

Yves Chagnon, Director, Direction des équivalences et des ententes de sécurité sociale, Ministère des Relations avec les citoyens et de l'Immigration,

### For France:

Jean-Louis Rey, head of the Division des affaires européennes et internationales, Direction de la sécurité sociale, Ministère de l'Emploi et de la Solidarité,

Louis Ranvier, responsible for international matters, Direction des exploitations, de la politique sociale et de l'emploi, Ministère de l'Agriculture et de la Pêche,

have agreed to the following provisions:

## ARTICLE 1 DEFINITIONS

In this Administrative Arrangement,

(a) the term "Agreement" means the Memorandum of Agreement on Social Security for Students and Participants in Cooperation Programs between the Gouvernement du Québec and the Government of the French Republic, signed at Québec on 19 December 1998; (*Protocole*)

(b) other terms shall have the meaning assigned to them in Article 1 of the Agreement.

## ARTICLE 2 STUDIES

For the purposes of Articles 4, 5 and 12 of the Agreement, the following persons are deemed to be pursuing studies:

(a) in France, persons enrolled at institutions of higher learning: universities, *grands établissements*, engineering schools, business schools, *grandes écoles*, preparatory courses for those schools (*classes préparatoires*), special technology college departments (*Sections de techniciens supérieurs*), recognized by the minister or ministers responsible for higher learning, as well as persons enrolled in *première* or *terminale* of secondary school (*lycée*) and private educational institutions under contract which prepare for the general or technological *baccalauréat*;

(b) in Québec, persons enrolled full time in a program leading to a diploma in an educational institution at the college or university level recognized by the department responsible for higher learning;

(c) in Québec and in France, persons enrolled at an abovementioned institution of higher learning, college or university in the territory of one Party and who, under an exchange program between educational institutions, undertake part of their studies for a period less than or equal to an academic year in the territory of the other Party.

## ARTICLE 3 HEALTH CARE FOR STUDENTS PURSUING STUDIES IN THE TERRITORY OF THE OTHER PARTY

1. Québec students referred to in paragraph 1 of Article 4 of the Agreement shall, before leaving Québec, apply to the Régie de l'assurance-maladie du Québec (RAMQ) for a form attesting to their entitlement and the

entitlement of their dependants under the Québec social security system. The form shall be renewed yearly.

Upon their arrival in France, they shall submit the form to and register with the Caisse primaire d'assurance maladie (CPAM) of their place of residence.

2. French students referred to in paragraph 2 of Article 4 of the Agreement shall, before leaving France, apply to their Caisse d'assurance maladie for a form attesting to their current status as an insured person or dependant of an insured person and that of any dependant accompanying them.

Upon their arrival in Québec, they shall register with the RAMQ by submitting the said form, together with the certificate of acceptance for study issued by the Ministère des Relations avec les citoyens et de l'Immigration, proof of their French nationality and an attestation that they are enrolled in full-time studies.

The registration covers participation in the prescription drug insurance plan without payment of a premium.

Periodically, and at least once a year, the RAMQ shall ensure that the persons in question are still enrolled as full-time students, have not interrupted their studies, and that the dependants indicated on the initial form are still living with them.

The RAMQ shall notify the French liaison agency of any change relating to dependants, including the arrival of a new dependant.

3. For the purposes of paragraph 3 of Article 4 of the Agreement,

(a) the unpaid training period shall not last longer than six months;

(b) the reimbursement provided for shall be made

— by the Québec institution, according to the rates applicable to Québec residents who reside temporarily outside Québec for their studies,

— by the French institution, according to the tariffs applicable to the payment of costs for care received abroad by persons insured under the French plan.

#### **ARTICLE 4**

##### **HEALTH CARE FOR STUDENTS TAKING PART IN EXCHANGES BETWEEN INSTITUTIONS OF HIGHER LEARNING AND FOR STUDENTS SERVING A REQUIRED TRAINING PERIOD AS PART OF THEIR STUDIES**

1. For the purposes of paragraph 4 of Article 4 of the Agreement, the students in question shall apply to their own institution for the issuance of a form attesting to their entitlement to benefits which shall be submitted to the RAMQ in Québec or to the CPAM in France in order to obtain health care coverage.

If the form cannot be submitted, the institution that is to provide the benefits, or the student in question, shall apply to the competent institution of the other Party for the issuance of the form.

The name and address of the agency insuring the student or trainee against industrial accidents and occupational diseases must appear on the form referred to in the first paragraph.

In the event of such an accident or disease, that agency shall be notified in order to confirm acceptance.

2. For the purposes of paragraph 5 of Article 4 of the Agreement, the students in question shall apply to their own institution for the issuance of a form attesting to their participation in an interuniversity exchange program and their entitlement to benefits which shall be used for registration with the RAMQ or the CPAM, as the case may be, in order to obtain coverage for benefits in kind. French students in Québec shall also submit a certificate of acceptance issued by the Ministère des Relations avec les citoyens et de l'Immigration.

#### **ARTICLE 5**

##### **HEALTH CARE FOR STUDENTS DURING TEMPORARY STAYS OUTSIDE QUÉBEC**

For the purposes of Article 5 of the Agreement, French nationals returning to Québec shall apply for reimbursement on the form provided for that purpose by the RAMQ, which shall reimburse the cost of health care received outside Québec

(a) where the students stayed in France, at the rates applicable to Québec residents who reside temporarily outside Québec for their studies,

(b) where the students stayed in a territory outside the territories of the Parties, at the rates applicable to residents who holiday outside Québec.

Such reimbursements shall be made only for care received during the period of the authorized temporary residence for studies in Québec.

#### **ARTICLE 6** FRANCE-QUÉBEC COOPERATION PROGRAMS

For the purposes of Articles 6 to 9 of the Agreement, France-Québec cooperation programs refer to the following exchange programs between France and Québec:

- Commission permanente de coopération franco-québécoise;
- Office Franco-Québécois pour la Jeunesse;
- Association Québec-France and Association France-Québec;
- Association pour la coopération technique, industrielle et économique (ACTIM); and
- any other agency authorized for that purpose by both governments.

#### **ARTICLE 7** DEFINITION OF UNPAID TRAINING PERIODS FOR THE FRENCH PARTY

Training periods completed in France by Québec trainees or training periods completed in Québec by French trainees for which compensation of no more than one thousand Canadian dollars or its equivalent is granted for accommodation and living expenses shall be deemed by the French Party to be unpaid training periods and, as such, shall exempt the persons in question from participating in the corresponding social security plan and paying the related contributions and premiums.

#### **ARTICLE 8** TRAINEE CATEGORIES

For the purposes of Article 8 of the Agreement, the following are the trainee categories referred to therein:

- trainees taking part in Office Franco-Québécois pour la Jeunesse (OFQJ) activities undergoing on-the-job training as part of their study program;
- participants in OFQJ activities serving a training period under the training and work program.

#### **ARTICLE 9** HEALTH CARE FOR PARTICIPANTS IN FRANCE- QUÉBEC COOPERATION PROGRAMS

1. For the purposes of Article 6 of the Agreement, government employees shall apply to their own institution for the issuance of a form attesting to their entitlement to benefits. The form shall be submitted to the RAMQ in Québec or to the CPAM in France in order to obtain health care coverage.

The same procedure shall be followed by the unpaid trainees referred to in Article 8 of the Agreement.

If the form cannot be submitted, the institution that is to provide the benefits, or the person in question, shall apply to the competent institution of the other Party for the issuance of the form.

2. For the purposes of Article 9 of the Agreement, the specific social security coverage for the Québec trainees in question shall be provided by the Centre international des étudiants et stagiaires (CIES).

#### **ARTICLE 10** PERIOD OF COVERAGE

Where Article 4 and paragraph 1 of Article 9 of this Arrangement apply, the period during which benefits may be provided shall be the period indicated on the forms referred to in those articles, except where the period has been extended under Article 10 of the Agreement.

Notwithstanding the foregoing, where the person in question was unable, before his return to the territory of the competent Party, to apply to the institution of the other Party for reimbursement of the costs incurred during the period of validity of the said forms, the person may apply to the latter Party for reimbursement.

#### **ARTICLE 11** PROCEDURE FOR AN EXTENSION OF ENTITLEMENT

Persons referred to in Article 10 of the Agreement shall apply to the institution providing the benefits to obtain an extension of benefits beyond the time initially specified. Should the institution providing the benefits not receive an application for extension before the end of the specified term, it may grant the extension retroactively. If it agrees to do so, the institution shall notify the liaison agency for France and the competent institution for Québec.

**ARTICLE 12**  
INDUSTRIAL ACCIDENT OR OCCUPATIONAL  
DISEASE VICTIMS

1. For the purposes of Articles 12 and 13 of the Agreement:

(a) with respect to the competent institution,

— the Commission de la santé et de la sécurité du travail (CSST) shall be the Québec institution;

— the Caisse de sécurité sociale to which the educational institution is attached shall be the French institution;

(b) with respect to the institution of the place of residence,

— the Commission de la santé et de la sécurité du travail (CSST) shall be the Québec institution; and

— the Caisse primaire d'assurance maladie where the training period is served shall be the French institution.

2. Persons referred to in Article 13 of the Agreement who transfer their residence shall apply to the competent institution for an attestation of continuance of entitlement to benefits in the territory of their new residence. The institution of the place of residence may also apply to the competent institution for the attestation. Any limit to the period of coverage must be indicated on the attestation.

**ARTICLE 13**  
REIMBURSEMENT BETWEEN INSTITUTIONS

1. Benefits in kind provided by the institution of one Party on behalf of the institution of the other Party, for the purposes of Articles 4, 5, 6, 8, 10, 12, paragraph 2, and 13 of the Agreement, shall be reimbursed on the basis of real costs incurred by the institution of the first Party according to the individual statements of expenses that it submits. Notwithstanding the foregoing, with respect to hospitalization expenses in Québec, reimbursement shall be made on the basis of average costs.

2. Where the French institution provides the benefits, the liaison agency shall consolidate the said individual statements of expenses every six months.

Liaison agencies shall send each other the individual statements of expenses every year, together with a summary report.

3. Each affiliated or competent institution, as the case may be, shall pay the amounts owed to the other

affiliated or competent institution within six months following the date the individual statements of expenses and the summary report are received.

4. The competent authorities of both parties may establish mutually acceptable alternative reimbursement bases to those provided under this Article.

**ARTICLE 14**  
LIAISON AGENCIES

Each Party has designated the following liaison agencies:

(a) in Québec, the Direction des équivalences et des ententes de sécurité sociale of the Ministère des Relations avec les citoyens et de l'Immigration;

(b) in France, the Centre de sécurité sociale des travailleurs migrants.

**ARTICLE 15**  
PROTECTION OF PRIVACY

Any information provided by either Party shall be used solely for the purposes of implementing the provisions of the Agreement.

**ARTICLE 16**  
FORMS

Model forms required to implement the procedures and formalities shall appear as schedules to a supplementary administrative arrangement.

**ARTICLE 17**  
COMING INTO FORCE

1. This Administrative Arrangement comes into force on the same date as the Agreement.

2. This Administrative Arrangement revokes and replaces the Administrative Arrangement respecting the Detailed Application of the Protocol of Agreement Signed June 2, 1986 by the Gouvernement du Québec and the Gouvernement de la République Française regarding Social Security for Student and Cooperation Program Participants, signed at Paris on 4 June 1986.

Done in duplicate at Montréal, on 21 December 1998.

For the Québec Party:

YVES CHAGNON

For the French Party:

JEAN-LOUIS REY

LOUIS RANVIER



Gouvernement du Québec

**O.C. 707-2000, 7 June 2000**

An Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001)

**Income support  
— Amendment**

Regulation to amend the Regulation respecting income support

WHEREAS in accordance with the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001), the Government made the Regulation respecting income support by Order in Council 1011-99 dated 1 September 1999;

WHEREAS it is expedient to amend the Regulation;

WHEREAS under sections 10, 12 and 13 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting income support was published in Part 2 of the *Gazette officielle du Québec* of 3 May 2000, p. 2143, with a notice that it could be made by the Government upon the expiry of 20 days following that publication;

WHEREAS the 20-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Social Solidarity:

THAT the Regulation to amend the Regulation respecting income support, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting income support\***

An Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001, s. 156, par. 12 and s. 160)

1. Section 36 of the Regulation respecting income support is amended by substituting the amounts “\$81.42”, “\$64.25” and “\$57.83” for the amounts “\$65.41”, “\$48.75” and “\$42.50”.

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

3660

**M.O., 2000-014**

**Order of the Minister responsible for Wildlife and Parks dated 4 May 2000**

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

CONCERNING the Lavigne Controlled Zone

THE MINISTER FOR WILDLIFE AND PARKS,

GIVEN that the Lavigne Controlled Zone was established in accordance with section 81.2 of the Wildlife Conservation Act (R.S.Q., c. C-61), by the Regulation respecting the Lavigne Controlled Zone (R.R.Q., 1981, c. C-61, r. 125);

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

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

\* The Regulation respecting income support, made by Order in Council 1011-99 dated 1 September 1999 (1999, *G.O.* 2, 2881), was last amended by the Regulations made by Orders in Council 339-2000 dated 22 March 2000 (2000, *G.O.* 2, 1840), 546-2000 dated 3 May 2000 (2000, *G.O.* 2, 2206) and 637-2000 dated 24 May 2000 (2000, *G.O.* 2, 2535). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

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

GIVEN that under section 104 of that Act, amended by section 17 of Chapter 29 of the Acts of 1998 and by section 85 of Chapter 40 of the Acts of 1999, the Minister may, after consultation with the Minister of Natural Resources, establish controlled zones on land in the domain of the State for the development, harvesting and conservation of wildlife or a species of wildlife;

GIVEN that under section 191.1 of that Act, amended by section 27 of Chapter 29 of the Acts of 1998, regulations made by the Government under section 104 of that Act before January 1, 1987, continue to be in force until, as of June 17, 1998, they are replaced or repealed by an order of the Minister;

CONSIDERING that it is expedient to alter the territory of the Lavigne Controlled Zone;

CONSIDERING that it is expedient to replace the Regulation respecting the Lavigne Controlled Zone;

ORDERS THAT:

The territory, the map of which appears in Schedule 1 attached to this Order, is established as a controlled zone under the name “ Lavigne Controlled Zone “;

This Order be substituted for the Regulation respecting the Lavigne Controlled Zone (R.R.Q., 1981, c. C-61, r. 125);

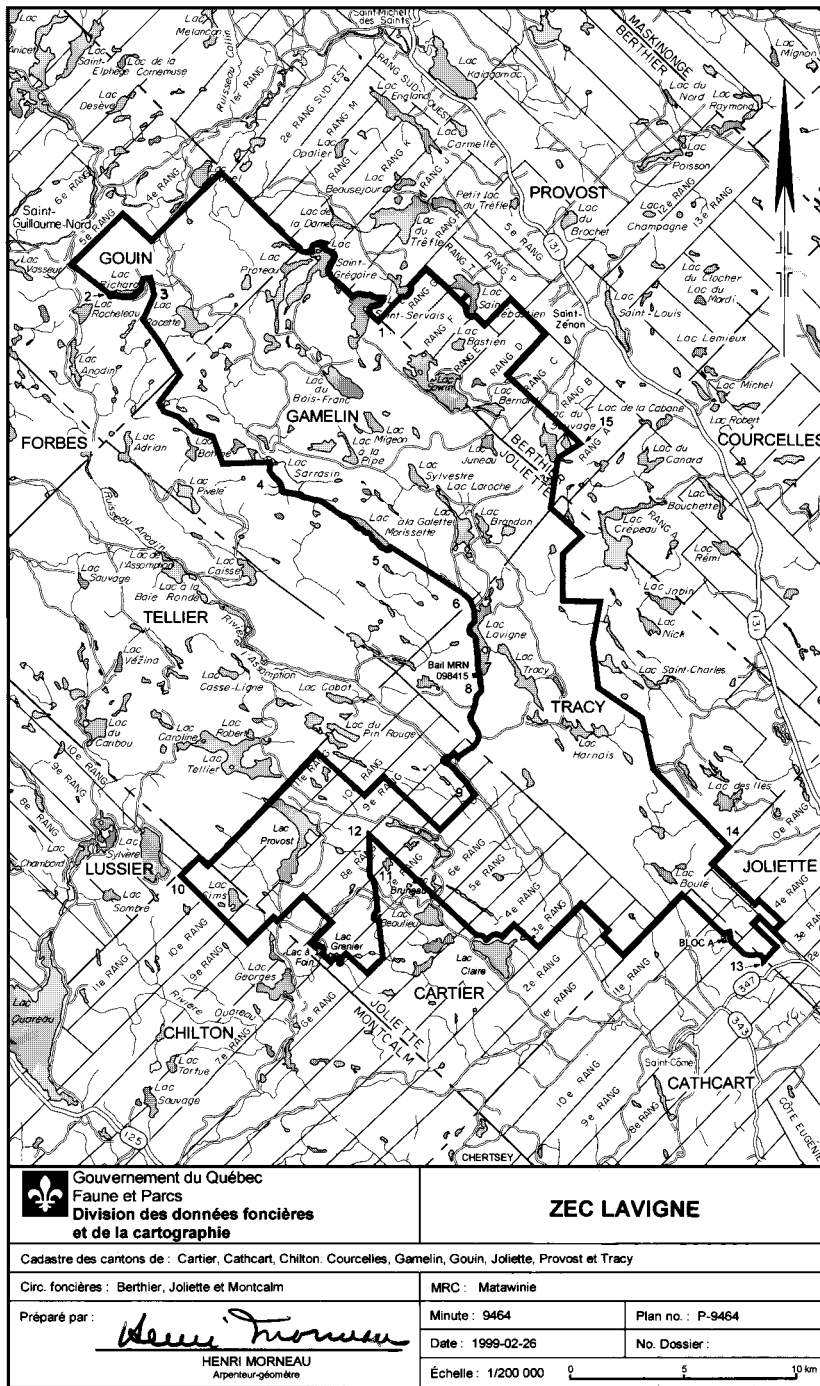
This Order come into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.



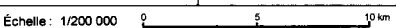
Québec, 4 May 2000

GUY CHEVRETTE,  
*Minister for Wildlife and Parks*

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SCHEDULE 1



 Gouvernement du Québec Faune et Parcs Division des données foncières et de la cartographie		<b>ZEC LAVIGNE</b>	
Cadastre des cantons de : Cartier, Cathcart, Chilton, Courcelles, Gamelin, Gouin, Joliette, Provost et Tracy			
Circ. foncières : Berthier, Joliette et Montcalm		MRC : Matawinie	
Préparé par :  HENRI MORNEAU Arpentier-géomètre		Minute : 9464	Plan no. : P-9464
		Date : 1999-02-26	No. Dossier :
		Échelle : 1/200 000 	

**M.O. 2000****Order of the Minister of Education dated 12 June 2000 concerning the Regulation to amend the Regulation respecting teaching licences**

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

THE MINISTER OF EDUCATION,

CONSIDERING subparagraph 1 of the first paragraph of section 456 of the Education Act (R.S.Q., c. I-13.3), which allows the Minister of Education to establish, by regulation, a classification of teaching licences, the nature and term of such licences, and the requirements and procedure applicable to their issuance or renewal, as the case may be, including the documents and information to be furnished;

CONSIDERING that the Minister of Education adopted the Regulation respecting teaching licences by Minister's Order dated 19 August 1997;

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING section 458 of that Act, which prescribes that a draft copy of the regulation provided for in section 456 shall be submitted before passage to the Conseil supérieur de l'éducation for preliminary examination;

CONSIDERING that the draft Regulation to amend the Regulation respecting teaching licences, attached to this Order, has been submitted to the Conseil supérieur de l'éducation, which gave its opinion on 25 February 2000;

CONSIDERING the publication of the draft of the Regulation to amend the Regulation respecting teaching licences, attached to this Order, in Part 2 of the *Gazette officielle du Québec* of 26 April 2000 with a notice that it could be made upon the expiry of 45 days following that date, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING that no comments were received;

CONSIDERING that it is expedient to make the aforementioned draft Regulation without amendment;

## ORDERS:

THAT the Regulation to amend the Regulation respecting teaching licences, attached to this Order, be made.

Québec, 12 June 2000

FRANÇOIS LEGAULT,  
*Minister of Education*

**Regulation to amend the Regulation respecting teaching licences\***

Education Act  
(R.S.Q., c. I-13.3, s. 456, par. 1)

1. The following is substituted for section 1 of the Regulation respecting teaching licences:

“1. A teaching licence for the preschool, elementary or general secondary level is issued in the form of either a teaching diploma or a teaching permit.”.

2. Section 2 is revoked.

3. Section 3 is amended by substituting “Schedules I to III” for “its Schedules”.

4. The following is inserted after section 5:

“5.1. A special teaching diploma for the Cree and Kativik school boards is issued to a person who has successfully completed a teacher training program listed in Schedule III and a probationary teaching period.”.

5. Section 6 is amended by substituting the following for the part preceding subparagraph a of paragraph 2:

“(2) he holds a teaching licence obtained outside Québec and has successfully completed”.

6. The following is inserted after section 6:

“6.1. A special teaching permit for the Cree and Kativik school boards is issued to a person who has successfully completed a program listed in Schedule III.”.

\* The Regulation respecting teaching licences was made by the Order of the Minister of Education dated 19 August 1997 (1997, *G.O.* 2, 4399).

7. The following is substituted for sections 7 and 8:

“7. The probationary period is compulsory for a holder of a teaching permit who teaches in institutions that fall under the following categories:

(1) educational institutions set up under the Education Act (R.S.Q., c. I-13.3) or under the Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., I-14);

(2) private educational institutions governed by the Act respecting private education (R.S.Q., c. E-9.1);

(3) educational institutions listed in Schedule IV.

8. The purpose of the probationary period is to verify the person’s teaching skills.

The probationary period focuses on:

(1) teaching activities, that is, those pertaining to the objectives set forth in the curricula, teaching strategies and the measurement and evaluation of learning;

(2) classroom management, that is, the development of a rapport both with the individual student and with groups, the maintenance of an atmosphere and environment conducive to learning and to respect for all manner of individual differences; and

(3) other educational tasks, in particular the establishment of interpersonal relations with all the students and other persons involved in the educational institution and with the parents, as well as any cooperation necessary with educators for the implementation of appropriate services.”

8. The following is substituted for section 9:

“9. The probationary period shall be completed in the institutions referred to in section 7.”

9. The following is substituted for section 10:

“10. The probationary period consists of 1200 hours of teaching.

It shall be reduced to no less than 600 hours and end when the objective referred to in section 8 has been reached if, during the probationary period, the person has taught a minimum of 200 hours within a continuous 12-month period, in educational institutions of the same school board, in the same private educational institution or in the same educational institution referred to in Schedule IV.”

10. Section 11 is amended by substituting “, by the private educational institution or by the educational institution referred to in Schedule IV.” for “or the private educational institution.”

11. The following is substituted for section 13:

“13. Where the school board, the private educational institution, or the educational institution referred to in Schedule IV concludes that the objective of the probationary period of teaching has been reached, it shall issue an attestation to that effect to the person concerned. A certified copy of the attestation shall be sent to the Minister.”

12. The following is substituted for section 14:

“14. Where the school board, the private educational institution or the educational institution referred to in Schedule IV concludes that the objective of the probationary period has not been reached, it shall advise the person concerned in writing. The grounds for the decision shall accompany the failure notice. A certified copy of that notice shall be sent to the Minister.”

13. The following is substituted for section 16:

“16. Notwithstanding the provisions of Chapter IV, the teaching permit shall expire at the end of the time limit provided for in section 15 if the holder of the permit does not exercise his right to a second probationary period.”

14. The following is inserted after section 16:

“16.1. A teaching licence may not be issued to a person who has not exercised his right to a second probationary period within the prescribed time limit, or a person who has failed a second probationary period.”

15. The following is substituted for the title of Division II in the French version:

“LA LANGUE D’ENSEIGNEMENT”

16. Section 17 is revoked.

17. Section 18 is amended by substituting the words “his training with respect to an application for a teaching licence” for the words “its training”.

18. Section 19 is revoked.

19. The following is substituted for the title of Division III in the French version:

“ LA RÉSIDENCE”.

20. The following is substituted for section 21:

“21. A teaching diploma is issued only to a Canadian citizen or a permanent resident within the meaning of the Immigration Act (Revised Statutes of Canada (1985), chapter I-2).”.

21. The following is inserted after section 21:

“21.1. A teaching permit is issued only to a Canadian citizen or a permanent resident within the meaning of the Immigration Act or to the holder of a certificate of acceptance issued under the Act respecting immigration to Québec (R.S.Q., c. I-0.2) authorizing the holder to work in Québec.”.

22. The following is substituted for section 24:

“24. The Minister shall renew a teaching permit for five-year periods, where the holder files an application for renewal in accordance with the procedure set out in section 26.”.

23. Section 25 is revoked.

24. Section 26 is amended

(1) by inserting the word “certified” before the word “copy” in paragraph 3;

(2) by inserting the word “certified” before the word “copy” in paragraph 6;

(3) by substituting the words “a certified copy of his diploma and of his transcript” for the words “an official transcript” in paragraph 7;

(4) by deleting paragraph 9; and

(5) by substituting the following for paragraph 10:

“(10) a certified copy of his certificate of Canadian citizenship, of the landing record attesting his permanent resident status or of his certificate of acceptance authorizing him to work in Québec, as the case may be.”.

25. Section 27 is amended

(1) by substituting the word “nature” for the word “forme” in paragraph 3 of the French text;

(2) by revoking paragraph 4;

(3) by substituting the words “he received his teacher training” for “he is authorized to teach” in paragraph 5;

(4) by substituting the following for paragraph 6:

“(6) the training program by virtue of which the teaching licence was issued and, if applicable, the specialty and the university where the program was completed;”;

(5) by substituting the following for paragraph 7:

“(7) the term of the teaching permit;” and

(6) by adding the following at the end of the section:

“(8) the name of the school boards where the holder is authorized to teach, in the case of a special teaching diploma or of a special teaching permit for the Cree and Kativik school boards.”.

26. Schedules I to IV to this Regulation are substituted for Schedules I and II.

27. The teaching licences issued between 11 September 1997 and 29 June 2000 shall be deemed issued without restrictions with respect to language and academic level.

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

**SCHEDULE I**

(s. 3, 4)

## TEACHER TRAINING PROGRAMS ACCREDITED SINCE 1994

<b>University</b>	<b>Program name</b>	<b>Credits</b>
UNIVERSITÉ BISHOP'S	Bachelor of Education (I-STEP; plan de formation intégrée en enseignement secondaire)	135
	B.A. in Educational Studies – Bachelor in Education	135
UNIVERSITÉ CONCORDIA	B.A. Specialization in Early Childhood and Elementary Education	120
	BFA Specialization in Art Education	120
	Bachelor of Education. Specialization in Teaching English as a Second Language	120
UNIVERSITÉ LAVAL	Baccalauréat en enseignement secondaire	126
	Baccalauréat en enseignement des arts plastiques	120
	Baccalauréat en éducation musicale	124
	Baccalauréat en enseignement de l'éducation physique	126
	Baccalauréat en enseignement de l'anglais langue seconde	120
	Baccalauréat en enseignement au préscolaire et au primaire	125
UNIVERSITÉ MCGILL	Baccalauréat en sciences de l'éducation, enseignement secondaire général (option à deux (2) matières)	120
	Baccalauréat en sciences de l'éducation, enseignement préscolaire et primaire	120
	Bachelor of Education. Major in Physical Education	120
	Bachelor of Education in Music	120
	Baccalauréat en sciences de l'éducation, enseignement du français langue seconde	120
	Baccalauréat en sciences de l'éducation, enseignement de l'anglais langue seconde	120
UNIVERSITÉ DE MONTRÉAL	Baccalauréat en enseignement secondaire	126
	Baccalauréat en éducation préscolaire et en enseignement primaire	124
	Baccalauréat en éducation option «orthopédagogie»	124
	Baccalauréat en éducation option «Éducation physique et santé»	126
	Baccalauréat en éducation option «Français langue seconde»	125

<b>University</b>	<b>Program name</b>	<b>Credits</b>
UNIVERSITÉ DE SHERBROOKE	Baccalauréat en enseignement au secondaire	120
	Baccalauréat en enseignement au préscolaire et au primaire	120
	Baccalauréat en adaptation scolaire et sociale	120
	Baccalauréat d'enseignement en éducation physique et à la santé	120
	Baccalauréat en enseignement de l'anglais langue seconde	120
UNIVERSITÉ DU QUÉBEC EN ABITIBI-TÉMISCAMINGUE	Baccalauréat d'enseignement secondaire	120
	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire	120
	Baccalauréat en enseignement en adaptation scolaire	120
UNIVERSITÉ DU QUÉBEC À CHICOUTIMI	Baccalauréat d'enseignement au secondaire	120
	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire	120
	Baccalauréat en enseignement en adaptation scolaire et sociale	120
	Baccalauréat en enseignement des arts	120
	Baccalauréat en enseignement de l'éducation physique et à la santé	120
	Baccalauréat en enseignement des langues secondes	123
UNIVERSITÉ DU QUÉBEC À HULL	Baccalauréat d'enseignement au secondaire	120
	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire	120
	Baccalauréat en orthopédagogie	120
	Baccalauréat en enseignement des arts	120
	Baccalauréat en enseignement des langues secondes	120
UNIVERSITÉ DU QUÉBEC À MONTRÉAL	Baccalauréat d'enseignement au secondaire	120
	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire (formation initiale)	120
	Baccalauréat en enseignement en adaptation scolaire et sociale	120
	Baccalauréat en arts visuels (concentration enseignement)	120
	Baccalauréat en art dramatique (concentration enseignement)	120
	Baccalauréat en danse (concentration enseignement)	120
	Baccalauréat en musique (concentration enseignement)	120
	Baccalauréat d'intervention en activité physique. Profil enseignement de l'éducation physique et de la santé	120
	Baccalauréat en enseignement du français langue seconde	120
	Baccalauréat en enseignement de l'anglais langue seconde	120



<b>University</b>	<b>Program name</b>	<b>Credits</b>
UNIVERSITÉ DU QUÉBEC À RIMOUSKI	Baccalauréat d'enseignement au secondaire général	120
	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire	120
	Baccalauréat en enseignement en adaptation scolaire	120
UNIVERSITÉ DU QUÉBEC À TROIS-RIVIÈRES	Baccalauréat d'enseignement au secondaire	126
	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire	120
	Baccalauréat d'enseignement en adaptation scolaire	120
	Baccalauréat en enseignement des arts	120
	Baccalauréat en enseignement de l'activité physique et santé	120
	Baccalauréat en enseignement des langues secondes (anglais et espagnol)	120
	Certificat en éducation musicale	36

## **SCHEDULE II**

(s. 3, 6)

### **TEACHER TRAINING PROGRAMS ACCREDITED BEFORE 1994**

<b>University</b>	<b>Program name</b>	<b>Credits</b>
UNIVERSITÉ BISHOP'S	Diploma in Education (Part I)	45
	Diploma in Education (Part II)	45
UNIVERSITÉ CONCORDIA	Bachelor of Arts in Early Childhood Education	90
	Certificate in Education	30
	Master in the Teaching of Mathematics	45
	Diploma in Art Education	30
	Bachelor of Education (Teaching of English as a Second Language)	90
UNIVERSITÉ LAVAL	Baccalauréat en enseignement au préscolaire et au primaire	90
	Baccalauréat en enseignement secondaire	90
	Certificat de pédagogie pour l'enseignement secondaire	30
	Baccalauréat en enseignement des arts plastiques	90
	Baccalauréat en éducation musicale	96
	Baccalauréat en éducation physique	96
Baccalauréat en enseignement de l'anglais, langue seconde	90	

<b>University</b>	<b>Program name</b>	<b>Credits</b>
UNIVERSITÉ MCGILL	Bachelor of Education (Major Program)	90
	Bachelor of Education (Major in Physical Education)	90
	Bachelor of Education (Major Program) (Teaching of French as a Second Language)	90
	Bachelor of Education (Major Program) (Teaching of English as a Second Language)	90
UNIVERSITÉ DE MONTRÉAL	Baccalauréat ès sciences avec majeure en éducation et mineure en éducation préscolaire et enseignement primaire	93
	Baccalauréat ès sciences en éducation physique	101
	Baccalauréat ès sciences avec majeure en éducation et mineure en orthopédagogie	93
UNIVERSITÉ DE SHERBROOKE	Baccalauréat en activité physique	90
UNIVERSITÉ DU QUÉBEC EN ABITIBI-TÉMISCAMINGUE	Baccalauréat d'enseignement en administration (7768)	90
UNIVERSITÉ DU QUÉBEC À CHICOUTIMI	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire	90
	Baccalauréat d'enseignement en biologie	90
	Baccalauréat d'enseignement en chimie	90
	Baccalauréat d'enseignement en histoire	90
	Baccalauréat d'enseignement en mathématiques	90
	Baccalauréat d'enseignement en études françaises	90
	Certificat en sciences de l'éducation (cheminement général)	30
	Baccalauréat d'enseignement des arts	90
	Baccalauréat d'enseignement en éducation physique	90
	Baccalauréat d'enseignement en anglais, langue seconde	90
	Baccalauréat d'enseignement en adaptation scolaire	90
	Certificat d'enseignement en adaptation scolaire	30
	Baccalauréat d'enseignement en sciences religieuses	90
UNIVERSITÉ DU QUÉBEC À HULL	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire	90
	Certificat en sciences de l'éducation (cheminement général)	30
	Baccalauréat en orthopédagogie	90
	Baccalauréat d'enseignement en administration	90

<b>University</b>	<b>Program name</b>	<b>Credits</b>
UNIVERSITÉ DU QUÉBEC À MONTRÉAL	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire (formation initiale)	90
	Baccalauréat en enseignement du français, langue première	90
	Baccalauréat en enseignement des langues secondes	90
	Baccalauréat d'enseignement moral et religieux	90
	Baccalauréat d'enseignement en histoire	90
	Baccalauréat d'enseignement en mathématiques	90
	Baccalauréat d'enseignement en adaptation scolaire et sociale (formation initiale)	90
	Baccalauréat d'enseignement en sciences	90
	Baccalauréat en information scolaire et professionnelle	90
	Baccalauréat en arts visuels, concentration enseignement	90
	Baccalauréat en danse	90
	Baccalauréat en art dramatique, option enseignement	90
	Baccalauréat d'enseignement en activité physique	90
	Baccalauréat en musique	90
UNIVERSITÉ DU QUÉBEC À RIMOUSKI	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire	90
	Baccalauréat d'enseignement en français au secondaire	90
	Baccalauréat d'enseignement en géographie	90
	Baccalauréat d'enseignement en mathématiques	90
	Baccalauréat d'enseignement en adaptation scolaire et sociale	90
UNIVERSITÉ DU QUÉBEC À TROIS-RIVIÈRES	Baccalauréat d'éducation au préscolaire et d'enseignement au primaire	90
	Baccalauréat d'enseignement en études françaises	90
	Baccalauréat d'enseignement secondaire	90
	Certificat en éducation	30
	Baccalauréat d'enseignement en arts plastiques	90
Baccalauréat en éducation musicale	90	

University	Program name	Credits
	Baccalauréat d'enseignement en études anglaises	90
	Baccalauréat d'enseignement de la morale et de la religion catholiques au secondaire	90
	Baccalauréat en théologie	90
	Baccalauréat d'enseignement en activité physique	90
	Baccalauréat d'enseignement en adaptation scolaire	90
	Certificat en éducation musicale	30

**SCHEDULE III**

(s. 3, 5.1, 6.1)

## ACCREDITED TEACHER TRAINING PROGRAMS FOR THE CREE AND KATIVIK SCHOOL BOARDS

University	Program name	Credits
UNIVERSITÉ MCGILL	Certificate in Native and Northern Education	45
	Certificate in Education for First Nations and Inuit	60
UNIVERSITÉ DU QUÉBEC EN ABITIBI-TÉMISCAMINGUE	Certificat de 1 <sup>er</sup> cycle d'enseignement au préscolaire et au primaire en milieu nordique	42
UNIVERSITÉ DU QUÉBEC À CHICOUTIMI	Certificat en enseignement en milieu amérindien	48

**SCHEDULE IV**

(s. 7, 10, 11, 13, 14)

## SPECIAL EDUCATIONAL INSTITUTIONS UNDER AGREEMENT WITH THE MINISTER FOR THE PURPOSE OF RECOGNIZING HOURS OF TEACHING WITH RESPECT TO THE PROBATIONARY PERIOD

Centres d'orientation et de formation pour immigrants (COFI)

Institut de tourisme et d'hôtellerie du Québec

Kahnawake Education Center: Kateri School  
Karonhianonha School  
Kahnawake Survival School

École Weymontachie

École Mohawk Kanehsatake

École Wejgwapniag

École Amik Wiche

Step-by-Step Early Learning Center

**M.O., 2000-013****Order of the Minister responsible for Wildlife and Parks dated 4 May 2000**

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

CONCERNING the Rouge-Matawin Wildlife Reserve

THE MINISTER FOR WILDLIFE AND PARKS,

GIVEN that the Rouge-Matawin Wildlife Reserve was established in accordance with section 81.2 of the Wildlife Conservation Act (R.S.Q., c. C-61), by the Regulation respecting the Rouge-Matawin Wildlife Reserve (R.R.Q., 1981, c. C-61, r. 80) amended by regulations made by Order in Council 735-83 dated April 13, 1983, Order in Council 1312-84 dated June 6, 1984, Order in Council 569-87 dated April 8, 1987, Order in Council 1729-90 dated December 12, 1990 and Order in Council 1017-97 dated August 13, 1997;

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

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

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

GIVEN that under section 111 of that Act, amended by section 18 of Chapter 29 of the Acts of 1998 and by section 85 of Chapter 40 of the Acts of 1999, the Minister may, after consultation with the Minister of Natural Resources, establish wildlife reserves on lands in the domain of the State for the conservation, development and utilization of wildlife;

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

CONSIDERING that it is expedient to alter the territory of the Rouge-Matawin Wildlife Reserve;

CONSIDERING that it is expedient to replace the Regulation respecting the Rouge-Matawin Wildlife Reserve;

ORDERS THAT:

The territory, the map of which appears in Schedule 1 attached to this Order, is established as a wildlife reserve under the name "Rouge-Matawin Wildlife Reserve";

This Order is substituted for the Regulation respecting the Rouge-Matawin Wildlife Reserve (R.R.Q., 1981, c. C-61, r. 80);

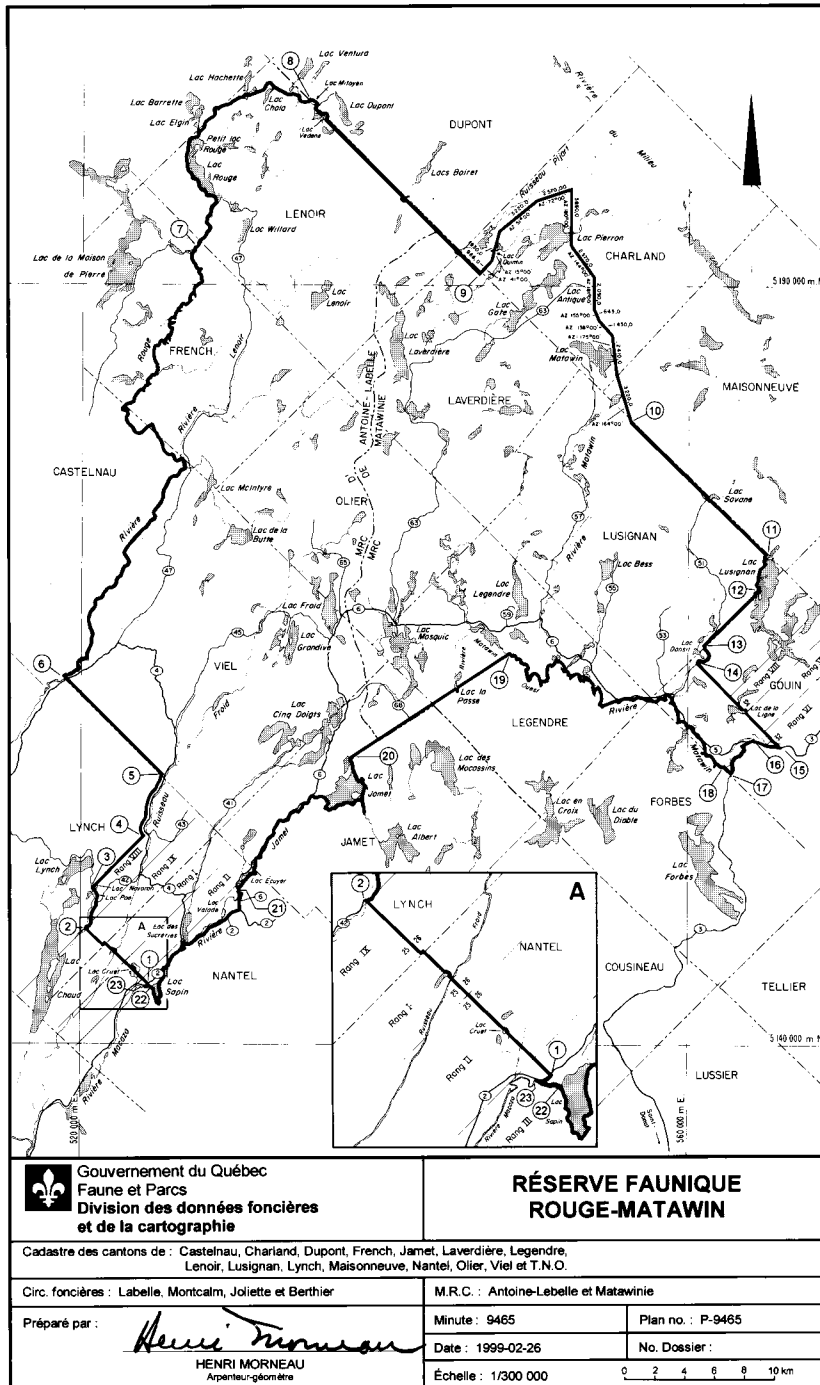
This Order comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.


Québec, 4 May 2000

GUY CHEVRETTE  
*Minister for Wildlife and Parks*

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SCHEDULE 1



 **Gouvernement du Québec**  
**Faune et Parcs**  
**Division des données foncières**  
**et de la cartographie**

**RÉSERVE FAUNIQUE**  
**ROUGE-MATAWIN**

Cadastré des cantons de : Castelnau, Charland, Dupont, French, Jamet, Laverdière, Legendre, Lenoir, Lusignan, Lynch, Maisonneuve, Nantel, Olier, Viel et T.N.O.

Circ. foncières : Labelle, Montcalm, Joliette et Berthier

M.R.C. : Antoine-Labelle et Matwinie

Préparé par :   
**HENRI MORNEAU**  
 Arpenteur-géomètre

Minute : 9465  
 Date : 1999-02-26  
 Échelle : 1/300 000

Plan no. : P-9465  
 No. Dossier :  
 0 2 4 6 8 10 km

TECHNI-CARTE INC.

## Draft Regulations

### Draft Rules

An Act respecting racing  
(R.S.Q., c. C-72.1)

#### Rules respecting Standardbred horse racing — 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 “Rules amending the Rules respecting Standardbred horse racing” the text of which appears below, may be enacted by the Régie des alcools, des courses et des jeux 45 days after publication hereof.

#### The Association

Under the draft rules, the holder of a racing licence (the association) be required to conclude a contract with an accredited laboratory to administer a new test to detect alkaline agents used in the doping of race horses according to prescribed standards, to assume all costs involved, and to provide the results of the analysis to the Régie, which will decide on the appropriate administrative measures. The purpose of the new test is to analyse the blood plasma of an annual average of two horses taking part in each race held in a race track in order to determine its free carbon dioxide (TCO<sub>2</sub>) concentration.

The association shall have an autopsy performed on the carcass of any horse that dies after starting in a race and forward the results of this autopsy under confidential cover to the owner of the horse and to the Régie.

Under the draft rules, an association be prohibited from selling, exchanging or reimbursing to a minor a receipt attesting a bet on a race.

Under the draft rules, the prohibition imposed on members of the board of directors of an association to race their horses in their race track will apply only when they are involved in the preparation, holding or outcome of the races.

The association shall publish in its printed program the names of the stable and the breeder of a horse declared in a race as well as the name of the substitute trainer of the horse. It shall also inform the public before the holding of a race of any change to a horse’s equipment, including the shoes and hobbles.

#### Racing Officials

Under the draft rules, the trainer shall inform the equipment judge of the changes made to the equipment of his horse and the association shall inform the public before the start of the race.

Under the draft rules, the president of racing judges may cancel the holding of a race when he is of the opinion that its holding or its continuation may endanger human life or health or cause serious or irreparable damage to property.

The draft rules provide that the starting judge follow the progress of a race from the mobile starting gate and report to the racing judges.

It also gives racing judges a discretionary power whether or not to disqualify a horse that leaves its racing strip. However, these judges may not disqualify a horse that left its racing strip following an interference or a collision of which the horse was the victim.

#### Participants

The draft rules provide that the stable name of a legal person be made up, if this name is a registered number, of this registered number and the name of the administrator designated by the board of directors of this legal person.

Under the draft rules, the trainer shall:

- (1) establish with respect to any horse a training program compatible with its capacities;
- (2) provide the owner of the horse who asks for it all information concerning the training activities of his horse;
- (3) not induce a person to claim a horse that he trains;
- (4) inform the equipment judge if, between two races, he changes his horse’s equipment including shoes and hobbles;
- (5) equip with handholds the bridle reins of a horse taking part in a race;
- (6) when it is included on the “Veterinarian List”, demonstrate to racing judges before a race that his horse is able to take part.

As well, it provides that the driver shall not:

(1) claim the horse from the owner who confided it to him unless he himself was an owner of it within the last 30 days or a period of 30 days has passed since he drove it;

(2) drive a horse other than his own in a race in which his horse takes part;

(3) drive a horse in any other way during a race other than by keeping one hand on each handhold of the reins, except in the last straightaway of a race;

(4) drive a horse during a race by snapping the reins.

Under the draft rules, the movements of a driver stimulate a horse by using his whip during a race would be restricted.

The driver shall slow the gait of his horse and proceed to the paddock when, after its start, a race is cancelled by the president of racing judges.

An allowance of 25 % of the claiming price is proposed for mares and fillies five years and over that take part in a claiming race.

The draft aims to allow the owner of a horse to enter it in a race if he has a certificate that his horse has undergone a Coggins test with negative results within the previous 24 months. However, the owner shall submit this certificate at least one hour before the start of the race in which his horse is taking part.

A licence holder chosen to undergo drug testing shall provide a urine sample of at least 30 millilitres.

#### The Use of Alkaline Agents in the Doping of Race Horses

The rules in effect call for blood samples to be taken from race horses and analysed at the Régie's expense. These rules determine that a horse may not participate in a race held by a holder of an "A", "B" or "C" category racing licence when the hydrogen potential (pH) in the blood exceeds 7.43, the concentration of bicarbonate ( $\text{HCO}_3$ ) exceeds 38 millimoles per litre of blood and the concentration of sodium (Na) exceeds 147 millimoles per litre of blood.

Under the draft rules, in order to determine the normal physiological condition of a horse, the present test would be modified by measuring only the concentration of bicarbonate ( $\text{HCO}_3$ ) and lowering the control stan-

dard from 38 millimoles per litre of blood to 37 millimoles per litre of blood.

When a result is positive before the race, the rules provide that the horse be automatically withdrawn from the race and may not be declared or participate for a period of 30 days. When a result is positive after the race, the horse shall be disqualified and may not be declared or participate in a race for a period of 30 days.

Under the draft rules, a new more effective test will be set up to stop the use of alkaline agents in the doping of race horses. The new test consists in determining the concentration of free carbon dioxide ( $\text{TCO}_2$ ) in the blood plasma of race horses. The Régie will assume that a horse is not in a normal physiological state when the concentration of free carbon dioxide ( $\text{TCO}_2$ ) is equal to or greater than the internationally recognized standard of 37 millimoles per litre of blood plasma.

In addition to leading to the disqualification of the horse from the race and its ineligibility to take part in a race for a period of 30 days from its disqualification, a positive result on this test and the bicarbonate test will result, for a first violation over the last three years, in the suspension of the horse trainer licence for a period of 75 days. Any subsequent offence during a period of three years will also lead to incremented administrative measures which may include revocation of the licence.

The draft rules provide the possibility for the trainer to determine at the time of the quarantine of his horse that because of a physiological abnormality particular to his horse the concentration of free carbon dioxide ( $\text{TCO}_2$ ) observed is physiologically normal. The Régie will determine the concentration of free carbon dioxide ( $\text{TCO}_2$ ) applicable to this horse, as the case may be.

Finally, under the draft rules, various administrative requirements would be relaxed, in particular, to facilitate the work of the race secretary and various standards of a technical and administrative nature.

To date, study of the draft rules reveals that the race tracks in Montreal, Quebec City, Trois-Rivières and Aylmer will have to assume the costs involved in the new detection test at the rate of roughly \$20 per blood plasma sample analysed. Assuming that 440 racing programs are held annually with an average of 10 races per program and that two horses per race are subject to testing, the Régie calculates that the Quebec race tracks will have to assume the recurrent yearly expenses of \$176,000.



Additional information may be obtained by contacting:

M<sup>e</sup> Marc Lajoie, Lawyer, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, Québec (Québec) G1K 3J3, Telephone: (418) 644-0815, fax: (418) 643-8884.

Any interested person with comments to make on this topic is asked to submit them in writing before the end of this 45 day period to M<sup>e</sup> Artur J. Pires, Secretary of the Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, Québec (Québec) G1K 3J3.

SERGE LAFONTAINE,  
*Chairman*

## Rules amending the Rules respecting Standardbred horse racing\*

An Act respecting racing  
(R.S.Q., c. C-72.1, s. 103, 1st para., par. (1), par. (2), subpar. k, par. (3) and par. (21))

1. Section 1 of the Rules respecting Standardbred horse racing is amended:

(1) by the deletion of paragraphs (22) and (30);

(2) by the replacement of paragraph (40) by the following:

“(40) “declaration” means the receipt by the race secretary of a declaration form, duly completed, in order that a horse may participate in a specific race;”.

2. Section 6 of these rules is amended by the addition at the end of the second paragraph of the words “In case of a tie vote, the president shall decide.”.

3. Section 12 of these rules is amended by the replacement of the words “or because it chokes or suffers from epistaxis” by the words “, because it chokes, falls or suffers from epistaxis ».

4. Section 13 of these rules is amended by the replacement of the third and fourth paragraphs by the following:

“A horse may be declared in a race but may not start before the expiry of a 30 day period from the date that horse is declared on the “Veterinarian’s List”, unless its trainer presents to the racing judges a certificate from a Régie veterinarian that it is fit to start in this race.

At the expiry of that period, the horse’s name shall be deleted from the “Veterinarian’s List”.”.

5. Section 14 of these rules is amended by the replacement in the second paragraph of the words “2 hours and 30 minutes” by the words “2 hours”.

6. Section 20 of these rules is amended by the addition, at the end of the first paragraph, of the following paragraph:

“(6) follow the progress of the race from his starting gate and report his observations to the racing judges.”.

7. Section 32 of these rules is repealed.

8. Section 34 of these rules is amended by the replacement of paragraph (8) by the following:

“(8) the names of the owner, the stable, the breeder, the trainer and the driver of each of the horses participating in each race;”.

9. Section 35 of these rules is amended by the replacement of the number “3” by the number “2”.

10. Section 41 of these rules is amended by the replacement of the number “72” by the number “48”.

11. These rules are amended by the insertion, after section 41, of the following:

“**41.1** An association shall conclude, for the entire term of its racing licence, a contract with a laboratory to carry out analyses of the blood plasma of an annual average of two horses taking part in each race on the racing programs that it holds in order to determine the concentration of free carbon dioxide (TCO<sub>2</sub>).

This contract must provide that the laboratory have the equipment needed to determine the concentration of free carbon dioxide (TCO<sub>2</sub>) in the blood plasma. These tests must be carried out by a chemist who is a member of the Ordre des chimistes du Québec or under his supervision according to generally accepted practices.

\* The most recent amendments to the Rules respecting Standardbred horse racing, adopted by the Régie des loteries et courses at its session of September 19, 1990 (1990, G.O. 2, 3611), were introduced by the Rules amending the Rules respecting Standardbred horse racing, adopted by the Régie des alcools, des courses et des jeux at its session of May 27, 1999 (1999, G.O. 2, 2442). For previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated February 1, 2000.

The contract must also provide that the owners and employees of the laboratory, their spouses or their dependants are not owners or operators of a race track or owners or trainers of a racehorse.

Furthermore, this contract must provide that the laboratory undertakes to:

(1) take blood samples from the jugular vein of each designated horse within 30 minutes preceding the race or at least 90 minutes after the end of the race;

(2) collect the blood samples in at least two separator tubes for each horse designated;

(3) centrifuge the blood samples within 20 minutes from their withdrawal and preserve them in a refrigerator until they are shipped to the laboratory;

(4) send the centrifuged blood samples to the laboratory in an insulated container;

(5) communicate the results of the analysis to the Régie;

(6) take security measures to ensure the integrity of the chain of possession of the samples.

**41.2** An association shall have autopsies carried out, at its own expense, by an independent third party on the carcass of any horse that dies after starting a race. The association must provide under confidential cover the owner of the horse and the Régie with results of the autopsy showing in particular the reason for the death of the horse.

**41.3** An association may not sell, exchange or reimburse a minor for a receipt attesting a bet on a race. The association must display the present rule in plain view near the window where bets are made and must publish it in its printed program.”

**12.** Section 42 of these rules is amended by the replacement of the second paragraph by the following:

“The stable name shall be the same as that appearing on the Declaration of Registration issued by the Inspecteur général des institutions financières in accordance with the provisions of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45). When the name is a registered number, the stable name shall be this number and the name of an administrator designated by the board of directors of the legal person.”

**13.** Section 45 of the rules is amended by the addition, in the first paragraph after the words “that trainer”, of the words “and his replacement”.

**14.** These rules are amended by the addition, after section 47, of the following sections:

**47.1** For each horse he trains, the trainer shall establish a training program compatible with its abilities.

**47.2** The trainer shall provide the horse owner who makes the request with all information concerning the training activities of his horse.

**47.3** A trainer may not induce a person to claim on a horse he trains.

**47.4** When a trainer’s horse takes part in a race, a trainer who holds a driver’s licence may not drive in this race a horse other than the one that he trains.

**47.5** The trainer shall equip with handholds the bridle reins of a horse taking part in a race.”.

**15.** Section 52 of these rules is amended by the deletion of the second paragraph.

**16.** Section 53 of these rules is amended by the replacement in the first paragraph of the words “12 months” by the words “24 months”.

**17.** Section 59 of these rules is amended by the insertion, after the first paragraph, of the following:

“The first paragraph shall not apply to a member of the board of directors of a legal person or a society that holds a racing licence unless this member is involved in the preparation, holding or outcome of races.”.

**18.** Section 67 of these rules is amended:

(1) by the replacement, in the second paragraph, of the word “first” by the words “in one of the first three places”;

(2) by the replacement, in the third paragraph, of the word “first” by the words “in one of the first three places”.

**19.** These rules are amended by the addition, after section 69, of the following:

**69.1** A driver may not claim for a horse he drives unless a period of 30 days has passed since he drove him.

However, a driver may claim for a horse of which he was an owner within the last 30 days.

**69.2** When a horse belonging to a driver takes part in a race, a driver may not drive a horse other than his own in this race.”.

**20.** Section 92 of these rules is repealed.

**21.** Section 94 of these rules is amended:

(1) by the replacement of the third paragraph by the following:

“Where the minimum number of declarations is not reached, the race may be cancelled. However, the declaration period may be extended or the conditions of participation modified by the race secretary, after notifying the participants, in order to attain the minimum number of declarations for this race to be held. He shall then grant preference to the horse already declared.”;

(2) by the deletion of the fourth paragraph.

**22.** Section 97 of these rules is amended by the deletion of the words “conducted by the race secretary”.

**23.** Section 105 of these rules is amended, in the first paragraph, by the insertion after the words “secretary”, of the words “or sends him a facsimile,”.

**24.** Section 107 of these rules is repealed.

**25.** Section 109 of these rules is amended by the replacement in subparagraph (1) of the third paragraph, of the table by the following:

“

Age of horse	Colts, geldings, stallions, spayed mares	Fillies and mares
2 years of age	75 % of the claiming price	100 % of the claiming price
3 years of age	50 % of the claiming price	75 % of the claiming price
4 years of age	25 % of the claiming price	50 % of the claiming price
5 years and over	0 % of the claiming price	25 % of the claiming price

”.

**26.** Section 130 of these rules is amended by the replacement, in the second paragraph, of the number “45” by the number “60”.

**27.** Section 135 of these rules is repealed.

**28.** Section 136 of these rules is amended by the deletion of the second paragraph.

**29.** Section 141 of these rules is amended:

(1) by the replacement, in the first paragraph, of the number “90” by the number “30”;

(2) by the replacement, in the second paragraph, of the number “30” by the number “15”.

**30.** Section 159 of these rules is amended by the replacement of the third paragraph by the following:

“The dates and hours of receipt of a nomination or a sustainment of nomination made by mail, courier service or telecopier are the following:

(1) the date and hour of the post-mark for mail;

(2) the date and hour of receipt by the messenger, in the case of courier service;

(3) the date and hour of receipt by the person designated to receive it, in the case of telecopier.

The date and hour of receipt of a payment made by mail are those of the post-mark. The date and hour of receipt of a payment made by messenger are those of receipt by the messenger.”.

**31.** Section 165 of rules is amended by the deletion of the second paragraph.

**32.** Sections 168 to 172 of these rules are repealed.

**33.** Section 190 of these rules is amended:

(1) by the deletion of the first paragraph;

(2) by the replacement, in the second paragraph, of the words “The declaration form” by the words “A horse may be declared in a race using a declaration form provided by the association. This form shall be signed by the owner of the horse, by the owner’s agent or by the trainer of the horse and submitted to the race secretary.”;

(3) by the replacement, in the third paragraph, of the words “deposits a declaration form in the declaration box” by the word “completes a declaration form”.

**34.** Section 191 of these rules is amended by the replacement of the words “in the declaration box” by the words “with the race secretary”.

**35.** Section 193 of these rules is amended par the replacement of the second paragraph by the following:

“A horse may be declared in a race only if its owner, the owner’s agent or its trainer holds the certificate referred to in section 53 and this person must file it with the race secretary at least one hour before the start of the race in which that horse takes part.”

**36.** Section 194 of these rules is replaced by the following:

“**194.** Before the list of declared horses is posted by the race secretary, no one may disclose the names of the horses declared to anyone”.

**37.** Section 200 of these rules is repealed.

**38.** Section 208 of these rules is amended by the replacement of the words, “before 10:00 on the day of this race”, by the words “before midnight on the day preceding this race”.

**39.** Section 216 of these rules is amended by the addition, after the words “lowest claiming price” of the words, “or lowest winnings.”.

**40.** Section 217 of these rules is amended by the replacement of the first paragraph by the following:

“**217.** Where no horses start on the second line, the horse with the lowest winnings shall take the first position and the others shall take the following positions to the right of the first horse based on their respective winnings.”.

**41.** Section 218 of these rules is amended by the addition, at the end of subparagraph (2) of the second paragraph, after the words “at the same price” of the words “or whose winnings are the same”.

**42.** The rules are amended by the insertion, after section 221, of the following:

“**221.1** Subject to sections 216 to 220, starting positions following the withdrawal of a horse that was to take part in the race shall be determined as follows:

(1) when a horse starting on the first line is withdrawn, its withdrawal shall have no impact on the position of horses starting on the second line;

(2) when a horse is withdrawn from either starting line, the horses that are outside the starting position of the withdrawn horse shall fill the gap by moving towards the inside of the racing strip.”.

**43.** Section 226 of these rules is amended:

(1) by the deletion of subparagraph (3) of the first paragraph;

(2) by the insertion, after the third paragraph, of the following:

“The president of the racing judges alone shall decide whether a race may be cancelled before or after it starts, if he is of the opinion that holding it or continuing it is likely to endanger human life or health or cause serious or irreparable damage to property. The racing judges shall then prepare a report on the incident.

When a race is cancelled after its start, the decision shall be immediately shown on the display board, announced to the public and communicated to drivers by means of a blinking light and an audible signal. Any driver able to do so shall slow down the gait of his horse and proceed to the paddock. A horse is deemed not to have started in such a race.”.

**44.** Section 227 of these rules is repealed.

**45.** Section 228 of these rules is amended by the deletion of the words “During a race meeting of more than five days.”.

**46.** Section 232 of these rules is amended in the first paragraph:

(1) by the deletion, in subparagraph (1.1), of the word “ falls”;

(2) by the replacement of subparagraph (10) by the following:

“(10) the results of the analysis of the blood sample taken under section 345.3 are positive;”;

(3) by the deletion of subparagraph (12).

**47.** Section 233 of these rules is repealed.

**48.** Section 234 of these rules is amended by the deletion of paragraph (4).

**49.** Section 240 of these rules is repealed.

**50.** Section 243 of these rules is amended:

(1) by the replacement, in the first paragraph, of the words “apply for permission in writing to the racing judges at least 90” by the words “inform the equipment judge at least 45”;

(2) by the addition, after the first paragraph, of the following:

“The trainer shall inform the equipment judge at least 45 minutes before the starting time of the race with pari mutuel in which this horse is taking part of any change to the shoeing of a horse made between two races.”;

(3) by the replacement of the second paragraph by the following:

“The association shall inform the public of this change as soon as possible by an announcement or notice before the beginning of the race with pari mutuel in which this horse is taking part.”.

**51.** Section 261 of these rules is amended by the addition at the end of the following paragraphs:

“(3) the horse is subject, under section 345.1 to the taking of a blood sample which when analysed might show a concentration of free carbon dioxide ( $\text{TCO}_2$ ) equal to or greater than 37 millimoles per litre of blood plasma;

(4) the horse is subject, under section 345.3 to the taking of a blood sample which when analysed might show a concentration of bicarbonate ( $\text{HCO}_3$ ) equal to or greater than 37 millimoles per litre of blood.”.

**52.** Section 267 of these rules is amended by the deletion of the words “or trainer”.

**53.** These rules are amended by the insertion, after section 267, of the following:

“**267.1** A trainer shall fulfil the following obligations:

(1) he shall ensure that his horse participates in the parade, unless exempted by the racing judges;

(2) he shall not delay the parade.”.

**54.** Section 279 of these rules is amended by the addition, after the second paragraph, of the following:

“He shall not use a whip to stimulate a horse either by raising the elbow of the arm holding the whip above shoulder height or by moving the hand holding the whip behind him. Furthermore, any movement of the whip may be executed only between the shafts of the sulky.”.

**55.** Section 283 of these rules is replaced by the following:

“**283.** The driver shall, during a race, keep a hand on each handhold of the reins, except in the last straight-away of a race.

The driver shall not snap his reins during a race.”.

**56.** Section 285 of these rules is amended by the replacement of the fourth paragraph by the following:

“Where, during a race, a wheel of a horse’s sulky leaves a racing strip that does not have a continuous hub rail, the racing judges may disqualify that horse, unless the horse left the racing strip following an interference or a collision of which the horse was a victim. When racing judges disqualify a horse for leaving the racing strip, they shall determine the position order of the horses.”.

**57.** Section 304 of these rules is amended by the addition, at the end, of the following paragraph:

“The person must provide a sample of at least 30 millilitres.”.

**58.** Section 310 of these rules is amended by the deletion, at the end of the second paragraph, of the words “, except in the case of a two-in-three race.”.

**59.** These rules are amended by the repeal of sections 322 and 323.

**60.** Sections 345.1, 345.2 and 345.3 are replaced by the following:

“**345.1** During the 30 minutes period preceding the time at which a horse is to start in a race or at least 90 minutes after the end of the race in which a horse takes part, the person authorized by the board pursuant to subparagraph (4) of the first paragraph of section 90 of the Act shall take blood samples to determine the concentration of free carbon dioxide ( $\text{TCO}_2$ ) or bicarbonate ( $\text{HCO}_3$ ).

This person prepares a report establishing the chain of possession of the sample.

**345.2** Subject to section 345.9, blood analysis results are positive if the bicarbonate ( $\text{HCO}_3$ ) concentration or free carbon dioxide ( $\text{TCO}_2$ ) is equal to or greater than 37 millimoles per litre of blood or blood plasma, as the case may be.

**345.3** Where the result of the first blood sample is positive for the concentration of bicarbonate ( $\text{HCO}_3$ ), the authorized person shall take a second sample.”.

**61.** Section 345.4 of these rules is amended by the deletion of paragraphs (2) and (3).”

**62.** Section 345.5 of these rules is repealed.

**63.** Section 345.7 of these rules is replaced by the following:

“**345.7** The isolation of a horse shall take place under surveillance on the premises of an association for a period of at most 72 hours during which the concentration of bicarbonate ( $\text{HCO}_3$ ) or free carbon dioxide ( $\text{TCO}_2$ ) shall be measured.”

**64.** Section 345.9 of these rules is replaced by the following:

“**345.9** Where the analyses done on a horse placed in isolation show that, due to a physiological trait specific to that horse, the bicarbonate ( $\text{HCO}_3$ ) concentration or free carbon dioxide ( $\text{TCO}_2$ ) observed is physiologically normal for this horse, the board shall determine new criteria for that horse for the application of section 345.2.”

**65.** The rules are amended by the insertion, after section 345.10, of the following:

“**345.11** When under section 345.1 blood samples must be taken from a horse, racing judges shall disqualify this horse in the following circumstances:

(1) blood samples could not be taken from this horse after the race in which it took part;

(2) analysis results show a concentration of free carbon dioxide ( $\text{TCO}_2$ ) equal to or greater than 37 millimoles per litre of blood plasma;

(3) the results of the analysis carried out in accordance with the provisions of section 345.3 indicate, after the race, a concentration of bicarbonate ( $\text{HCO}_3$ ) equal to or greater than 37 millimoles per litre of blood;

(4) there has been an exchange or substitution with respect to the taking of the sample.

**345.12** When a horse is withdrawn for the purposes of subsection (10) of section 232 or disqualified for the purposes of section 345.11, this horse may not take part in a race nor be declared before the end of a period of 30 days from of the date of its disqualification or withdrawal, unless the trainer or the owner of the horse determines at the time of its quarantine that the result of the analysis is physiologically normal for this animal.

The Régie shall then determine the new parameters to be considered for this horse and terminate its ineligibility to be declared or to take part in a race.”

**66.** Section 362 of these rules is amended in the first paragraph:

(1) by the replacement of “32 to 39” by “33 to 39”;

(2) by the addition after “of section 47,” of “of sections 47.1 to 47.5”;

(3) by the deletion of the number “135”;

(4) by the deletion of the number “200”;

(5) by the addition, after “222 to 224,” of “of the fifth paragraph of section 226, of sections”;

(6) by the replacement of “234 to 241” by “234 to 239, 241”.

**67.** The rules are amended by the insertion, after section 364, of the following:

“**364.1** Any violation of the provisions of paragraphs (3) and (4) of section 261 shall lead to the following administrative measures:

(1) for a first violation committed during the three years preceding this violation, the suspension of all or a part of the privileges related to the holder’s licence for a period of 75 days plus the prohibition of access to any race track or any area of any race track throughout the period of this suspension;

(2) for a second violation committed during the three years preceding this violation, the suspension of all or a part of the privileges connected to the holder’s licence for a period of 180 days plus the prohibition of access to any race track or any area of any race track throughout the period of this suspension;

(3) for a third violation committed during the three years preceding this violation, the revocation of the holder’s licence with prohibition from submitting a new application for a licence before the expiry of a one-year period;

(4) for a fourth violation committed during the three years preceding this violation, the revocation of the holder’s licence with prohibition from submitting a new application for a licence before the expiry of a two-year delay.”

68. The present rules shall come into force on the fifteenth day following their publication in the *Gazette officielle du Québec*.

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## Municipal Affairs

Gouvernement du Québec

### **O.C. 644-2000, 1 June 2000**

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

Amalgamation of Ville de Marieville and Paroisse de Sainte-Marie-de-Monnoir

WHEREAS each of the municipal councils of Ville de Marieville and Paroisse de Sainte-Marie-de-Monnoir 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 objections were sent to the Minister of Municipal Affairs and Greater Montréal and the Minister did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application with the amendment proposed by the Minister of Municipal Affairs and Greater Montréal which was approved by the applicant municipalities' councils;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs and Greater Montréal:

THAT the application be granted and that a local municipality be constituted through the amalgamation of Ville de Marieville and Paroisse de Sainte-Marie-de-Monnoir, on the following conditions:

1. The name of the new town shall be "Ville de Marieville".

2. The description of the territory of the new town shall be the description drawn up by the Minister of Natural Resources on 27 January 2000; 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 territory of the new town shall be part of the territory of Municipalité régionale de comté de Rouville.

5. A provisional council shall hold office until the first general election. It shall be composed of all the members of the two councils existing at the time of the coming into force of this Order in Council. The quorum shall be half the members in office plus one. The current mayors shall alternate as mayor and deputy mayor of the provisional council for two equal periods. The mayor of the former Paroisse de Sainte-Marie-de-Monnoir shall act as mayor of the provisional council of the new town 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 municipality of origin of the council member whose seat has become vacant.

By-law 523-5 of the former Ville de Marieville respecting the elected municipal officers' salary shall apply to the elected municipal officers of the new town until the new council decides otherwise.

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 Rouville.

6. The first sitting of the provisional council shall be held in the basement of Église Saint-Nom-de-Marie.

7. The first general election shall be held on 5 November 2000. The second general election shall be held in November 2004.

The council of the new town shall be composed of seven members, that is, a mayor and six councillors. The councillors' seats shall be numbered from 1 to 6 from the first general election.

8. For the first general election, the only persons eligible for seats 1, 2 and 3 are the persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if such election were an election of the members of the council of

the former Ville de Marieville, and the only persons eligible for seats 4, 5 and 6 are the persons who would be eligible under that Act if such election were an election of the members of the council of the former Paroisse de Sainte-Marie-de-Monnoir.

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

9. Pierre Dionne, director general of the former Ville de Marieville, shall act as director general and treasurer of the new town.

Marie-Claude Thibeault, clerk of the former Ville de Marieville, shall act as first clerk of the new town.

Francine Guertin, employee of the former Paroisse de Sainte-Marie-de-Monnoir, shall act as deputy treasurer and deputy clerk 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 must be accounted for separately as if those 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 the one during which this Order in Council comes into force.

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

— 5.1 % shall be used for the benefit of the ratepayers of the sector made up of the territory of the former Ville de Marieville;

— 94.9 % shall be used for the benefit of the ratepayers of the sector made up of the territory of the former Paroisse de Sainte-Marie-de-Monnoir.

For the first five complete fiscal years following the coming into force of this Order in Council, those amounts

shall be used, in the proportion referred to in the first paragraph, for reducing taxes applicable to all the taxable immovables in the sector made up of the territory of each of the former municipalities.

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

13. The working fund of the new town shall be constituted of the working funds of the former municipalities as they exist at the end of the last fiscal year for which the former municipalities adopted separate budgets.

Moneys borrowed from the working fund of each former municipality shall be repaid out of the general fund of the new town.

14. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used for the benefit of the ratepayers in the sector made up of the territory of that former municipality. It may be used for carrying out public works in that sector, for reducing taxes applicable to all the taxable immovables of that sector or for repaying debts charged to all that sector.

15. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets will remain charged to all the taxable immovables in the sector made up of the territory of that former municipality.

16. Any tax imposed under the following by-laws shall be replaced by a tax imposed on all the taxable immovables of the new town on the basis of their value as it appears in the assessment roll in effect each year:

— by-laws 456, 580, 635, 658, 676 and 703 of the former Ville de Marieville;

— by-law 408-91 of the former Paroisse de Sainte-Marie-de-Monnoir.

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

17. The repayment in principal and interest of the loan contracted under by-law 650 of the former Ville de Marieville shall be made as follows:

— 10 % of the repayment of the loan shall be charged to all the taxable immovables of the new town;

— 72.7 % of the repayment of the loan shall be charged to the taxable immovables in the sector made up of the territory of the former Ville de Marieville;

— 2.5 % of the repayment of the loan shall be charged to the users of the waterworks system of the former Ville de Marieville;

— 14.8 % of the repayment of the loan shall be charged to the users of the sewer system of the former Ville de Marieville.

Taxes imposed under this section are imposed on the basis of the value of the taxable immovables as it appears on the assessment roll in effect each year.

The taxation clauses of that by-law shall be amended accordingly.

18. The repayment in principal and interest of the loan contracted under by-law 773-99 of the former Ville de Marieville shall be made as follows.

— 42.09 % of the repayment of the loan shall be charged to all the taxable immovables of the new town;

— 14.69 % of the repayment of the loan shall be charged to the taxable immovables in the sector made up of the territory of the former Ville de Marieville;

— 6.23 % of the repayment of the loan shall be charged to the users of the waterworks system of the former Ville de Marieville;

— 34.65 % of the repayment of the loan shall be charged to the users of the sewer system of the former Ville de Marieville;

— 2.34 % of the repayment of the loan shall be charged to the immovables that may use the sewer system of the former Ville de Marieville.

Taxes under this section are based on the value of the taxable immovables as it appears on the assessment roll in effect each year.

The taxation clauses of that by-law shall be amended accordingly.

19. The annual repayment of instalments in principal and interest of all loans made under by-laws adopted by a former municipality before the coming into force of this Order in Council and not referred to in sections 16,

17 and 18 shall remain charged to the sector made up of the territory of the former municipality that made them, in accordance with the taxation clauses of those by-laws. If the new town decides to amend the taxation clauses of those by-laws in accordance with the law, those amendments may only affect the taxable immovables in the sector made up of the territory of the former municipality that adopted the by-law.

20. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new town in order to replace all the zoning and subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to the whole territory of the new town, provided that such a by-law comes into force within four years of the coming into force of this Order in Council.

Such a by-law must be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the whole territory of the new town.

21. A municipal housing bureau is incorporated under the name of “Office municipal d’habitation de la Ville de Marieville”.

That municipal bureau shall succeed to the municipal housing bureau of the former Ville de Marieville, 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, shall apply to the municipal housing bureau of the new Ville de Marieville 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 former municipal housing bureau of Ville de Marieville.

22. For the first three complete fiscal years following the coming into force of this Order in Council, the new town shall reduce the rate of the surtax on non-residential immovables in the sector made up of the territory of the former Paroisse de Sainte-Marie-de-Monnoir. The rate of the surtax shall be reduced as follows:

— 80 % for the first fiscal year;

— 70 % for the second fiscal year;

— 50 % for the third fiscal year.

23. Any debt or gain that may result from legal proceedings, for an act performed by a former municipality, shall be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

24. In accordance with the Order in Council concerning the withdrawal of the territory of Paroisse de Sainte-Marie-de-Monnoir from the jurisdiction of the Cour municipale commune de la Ville de Mont-Saint-Hilaire, which will be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale commune de la Ville de Mont-Saint-Hilaire will no longer have jurisdiction over the territory of the former Paroisse de Sainte-Marie-de-Monnoir.

In accordance with the Order in Council concerning the extension of the territorial jurisdiction of the Cour municipale commune de Marieville, which will be made under the Act respecting municipal courts, the Cour municipale commune de Marieville will have jurisdiction over the territory of the new town.

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

26. This Order in Council will come into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

#### OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW VILLE DE MARIEVILLE, IN MUNICIPALITÉ RÉGIONALE DE COMTÉ DE ROUVILLE

The current territory of Paroisse de Sainte-Marie-de-Monnoir and Ville de Marieville, in Municipalité régionale de comté de Rouville, comprising in reference to the cadastres of Paroisse de Sainte-Marie-de-Monnoir and Village de Marieville, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, autoroutes, railway rights-of-way, islands, 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 222 of the cadastre of Paroisse de Sainte-Marie-de-Monnoir with the centre line of Ruisseau Saint-Louis (shown on the original); thence, successively, the following lines and demarcations: southeasterly, part of the dividing line between the cadastre of Paroisse de Sainte-Marie-de-Monnoir and the cadastres of the parishes of Saint-Jean-Baptiste and Saint-Césaire

to the dividing line between the cadastres of the parishes of Sainte-Marie-de-Monnoir and Sainte-Angèle, that line crossing Ruisseau-Saint-Louis Est and Branche-du-Rapide roads, and Rang des Soixante and Rang des Dix-Terres that it meets; successively southerly, southwesterly and southeasterly, part of the dividing line between the latter cadastres to the apex of the eastern angle of Lot 119 of the cadastre of Paroisse de Sainte-Marie-de-Monnoir, that line crossing Route 112 and Chemin Rang de la Côte-Double that it meets in its first segment, Chemin du Vide in its second segment and Autoroute des Cantons-de-l'Est in its last segment; in reference to the latter cadastre, southwesterly, the southeastern line of Lot 119, that line crossing the right-of-way of a railway that it meets (Lot 137A); southeasterly, the northeastern limit of the right-of-way of a public road shown on the original (Chemin Rang de l'Église) to its meeting point with the northeasterly extension of the southeastern line of Lot 299; southwesterly, the said extension and southeastern line of the said lot; southeasterly, the northeastern limit of the right-of-way of a public road shown on the original (Chemin du Ruisseau-Barré) to its meeting point with the northeasterly extension of the southeastern line of Lot 300; southwesterly, the said extension and the southeastern line of the said lot; successively northwesterly and southwesterly, part of the dividing line between the cadastres of the parishes of Sainte-Marie-de-Monnoir and Sainte-Grégoire to the dividing line between the cadastres of the parishes of Sainte-Marie-de-Monnoir and Notre-Dame-de-Bonsecours, that line crossing Chemin Rang du Grand-Bois that it meets in its first segment; northerly, part of the dividing line between the latter cadastres to the apex of the northwestern angle of Lot 420 of the cadastre of Paroisse de Sainte-Marie-de-Monnoir; in reference to that cadastre, easterly, the northern line of the said lot, that line crossing Autoroute des Cantons-de-l'Est that it meets; northerly, the western limit of the right-of-way of a public road shown on the original (Chemin Ashby Nord) to the southwestern line of Lot 416; northwesterly, the southwestern line of the said lot and its extension to the northern limit of the right-of-way of Chemin Rang de la Petite-Savane bordering to the south Lot 410; easterly, the northern limit of the right-of-way of the said road to the western line of Lot 342; in a general northerly direction, the broken line bordering to the west lots 342, 343, 343A, 344, 346, 347, 348, 349, 350, 351, 345 (railway), 353, 354, 357 and 358, that line extended across Route 112 that it meets; successively easterly and northerly, the northern and western lines of Lot 358; in a general northerly direction, the broken line bordering to the west lots 360, 361, 245A, 245, 244, 243, 242, 241, 240, 239, 237, 236, 235 and 234 then the extension of the western line of the latter lot to the centre line of a public road shown on the original (Chemin des Quarante); easterly, the centre line of the said road to its meeting

point with the southerly extension of the western line of Lot 232; successively northerly and westerly, the said extension and western line of the said lot and the southern line of the said lot; in a general northerly direction, the broken dividing line bordering to the west lots 232 in declining order to 224; easterly, part of the northern line of Lot 224 to the northwestern line of Lot 223; successively northeasterly, westerly, and again northeasterly and easterly, the northwestern, northern, northwestern and northern lines of the said lot, then the extension of the last segment to the centre line of Ruisseau Saint-Louis (shown on the original); finally, in a general northerly direction, the centre line of the said brook to the starting point.

The said limits define the territory of the new Ville de Marieville, in Municipalité régionale de comté de Rouville.

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

Charlesbourg, 27 January 2000

Prepared by: JEAN-FRANÇOIS BOUCHER,  
*Land surveyor*

M-256/1

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Gouvernement du Québec

### **O.C. 645-2000, 1 June 2000**

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

Amalgamation of Municipalité de L'Île-du-Havre-Aubert and Village de L'Île-d'Entrée

WHEREAS each of the municipal councils of Municipalité de L'Île-du-Havre-Aubert and Village de L'Île-d'Entrée 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 was sent to the Minister of Municipal Affairs and Greater Montréal, and the Minister did not consider it advisable to request that the Com-

mission 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;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs and Greater Montréal;

THAT the application be granted and that a local municipality be constituted through the amalgamation of Municipalité de L'Île-du-Havre-Aubert and Village de L'Île-d'Entrée, on the following conditions:

1. The name of the new municipality shall be "Municipalité de L'Île-du-Havre-Aubert".

2. The territory of the new municipality shall be the territory drawn up by the Minister of Natural Resources on 24 January 2000; that description is attached as a Schedule to this Order in Council.

3. The new municipality shall be governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

4. The new municipality shall be part of Municipalité régionale de comté des Îles-de-la-Madeleine.

5. Until the first general election, the new municipality shall be governed by a provisional council made up of all the council members of the former Municipalité de L'Île-du-Havre-Aubert, the mayor of the former Village de L'Île-d'Entrée and two council members of that former village chosen by a drawing of lots before the beginning of the first sitting of the provisional council. For every councillor's seat that becomes vacant on the provisional council, an additional vote shall be allotted to the mayor of the former municipality of origin of the vacant seat. In the case where one of the mayor's seats becomes vacant, the rights of the mayor shall be exercised by a councillor chosen by and among the provisional council members of the mayor's municipality of origin and that councillor's seat shall be deemed vacant.

The quorum of the provisional council shall be the majority of the members in office.

The mayor of the former Municipalité de L'Île-du-Havre-Aubert shall act as mayor of the new municipality until the mayor elected in the first general election begins his term.

The mayors of the former municipalities shall continue to sit on the council of Municipalité régionale de

comté des Îles-de-la-Madeleine until the mayor elected in the first general election begins his term, and they shall have the same number of votes as they had before the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held in the public hall of the Centre Multifonctionnel in the former Municipalité de L'Île-du-Havre-Aubert.

7. Jean-Yves Lebreux shall act as director general and secretary-treasurer of the new municipality.

8. For the purposes of the first general election, the council of the new municipality shall include a mayor and six councillors and its territory shall be divided into two electoral districts. The first district, comprising seat 1, shall be made up of the territory of the former Village de L'Île-d'Entrée, and the second, comprising seats 2 to 6, shall be made up of the territory of the former Municipalité de L'Île-du-Havre-Aubert.

9. The first general election shall be held on the first Sunday of the fourth month following that in which this Order in Council comes into force, unless that Sunday corresponds to the first Sunday of July or August, in which case the first general election shall be held on the third Sunday of September 2000. The second general election shall be held in 2004.

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 and the expenditures and revenues shall be accounted for separately. Any amounts paid by the gouvernement du Québec under the Programme d'aide financière au regroupement municipal shall be reserved as revenue to the budget of the new municipality for the first fiscal year following that for which separate budgets were adopted.

11. A municipal housing bureau shall be incorporated under the name "Office municipal d'habitation de la Municipalité de-L'Île-du-Havre-Aubert".

That municipal bureau shall succeed to the municipal housing bureau of the former Municipalité de L'Île-du-Havre-Aubert. 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, shall apply to the municipal housing bureau of the new municipality 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 to which it succeeds.

12. The amounts reserved for specific purposes from the surplus accumulated by the former Municipalité de L'Île-du-Havre-Aubert at the end of the last fiscal year for which separate budgets were adopted shall be used for those specific purposes and for the exclusive benefit of the taxable immovables located in the sector made up of the territory of that former municipality.

Any balance or surplus accumulated on behalf of that former municipality or any surplus accumulated on behalf of the former Village de L'Île-d'Entrée at the end of the last fiscal year for which separate budgets were adopted shall be used for the benefit of the ratepayers of the sector made up of the territory of the former municipality that accumulated the surplus, that is, for the purposes of carrying out works in that sector or repaying loans contracted by that municipality.

13. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which separate budgets were adopted shall be charged to all the taxable immovables in the sector made up of the territory of that former municipality.

14. Any debt or gain that may result from legal proceedings for an act performed by a former municipality shall be charged or credited to all the taxable immovables in the sector made up of the territory of that former municipality.

15. From the first fiscal year following that for which separate budgets were adopted, a working fund for the new municipality shall be constituted from the working fund of the former Municipalité de L'Île-du-Havre-Aubert and repayment of moneys borrowed from that fund shall be made through a special tax imposed on all the taxable immovables located in the sector made up of the territory of that former municipality.

16. The annual repayment of instalments in principal and interest of the loans contracted under by-laws adopted by a former municipality before the coming into force of this Order in Council shall remain charged to the sector made up of the territory of the former municipality which contracted them, in accordance with the taxation clauses provided for in those by-laws. If the new municipality decides to amend the taxation clauses of those by-laws in accordance with the law, those amendments may only affect the taxable immovables located in that sector.

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

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

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OFFICIAL DESCRIPTION OF THE LIMITS OF THE  
TERRITORY OF THE NEW MUNICIPALITÉ DE  
L'ÎLE-DU-HAVRE-AUBERT, IN MUNICIPALITÉ  
RÉGIONALE DE COMTÉ DES ÎLES-DE-LA-  
MADELEINE

The current territory of Municipalité de L'Île-du-Havre-Aubert and Village de L'Île-d'Entrée, in Municipalité régionale de comté des Îles-de-la-Madeleine, comprising Havre-Aubert, Le Corps-Mort and Entrée islands and made up of the lots or parts of lots, blocks or parts of blocks and their present and future subdivisions of the cadastres of L'Île-du-Havre-Aubert, L'Île-du-Corps-Mort and L'Île-d'Entrée as well as roads, routes, watercourses and the part of Golfe Saint-Laurent included within a radius of 3.22 kilometres (2 miles) from the shores of the said islands; the northern boundary of the territory coincides with the line bounding to the north lots 2389, 972 and 973 of the cadastre of L'Île-du-Havre-Aubert, that line being extended in route 199, Baie du Havre aux Basques and Golfe Saint-Laurent to the lines located 3.22 kilometres (2 miles) from the shore.

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

Charlesbourg, 24 January 2000

Prepared by: JEAN-FRANÇOIS BOUCHER,  
*Land Surveyor*

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## Parliamentary committees

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### Committee on Labour and the Economy

#### General consultation

#### **Bill 136, An Act to amend the Forest Act and other legislative provisions**

The Committee on Labour and the Economy has been instructed to hold public hearings beginning on 6 September 2000 in pursuance of a general consultation on Bill 136, An Act to amend the Forest Act and other legislative provisions, for which purpose it shall refer in particular to the following documents: *Mise à jour du régime forestier - Document d'information* (Revision of the forest management system - information paper) and *Les forêts en héritage* (Our forest heritage).

Individuals and organizations who wish to express their views on this matter must submit a brief to the above Committee. The Committee will select the individuals and organizations it wishes to hear from among those who have submitted a brief.

Briefs must be received by the committees secretariat not later than 18 August 2000. Every brief must be accompanied by a concise summary of its contents, and both documents must be submitted in 25 copies printed on letter-size paper. Those who wish to have their brief forwarded to the press gallery must provide an additional 20 copies.

Briefs, correspondence and requests for information should be addressed to: Ms. Nancy Ford, Clerk of the Committee on Labour and the Economy, Édifice Honoré-Mercier, 835, boulevard René-Lévesque Est, bureau 3.29, Québec (Québec) G1A 1A3.

Telephone: (418) 643-2722  
Facsimile: (418) 643-0248  
E-Mail: nford@assnat.qc.ca



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## Notices

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### Notice

Ecological Reserves Act  
(R.S.Q., c. R-26.1)

#### **Proposed Coleraine Ecological Reserve — Plan of the reserve**

Notification is hereby given in accordance with section 4 of the Ecological Reserves Act that the Minister of the Environment has drawn up the plan of the proposed Coleraine Ecological Reserve which he intends to establish within the regional county municipality of L'Amiante.

Specifically, the proposed reserve of some 400 hectares comprises lot B-2 of Block « B », lot A-4 of Block « A », parts of lot B-1 of Bloc « B », parts of subdivision 1 of lot B-3 of Block « B », parts of lot A-1 and parts of lot A-3 of Block « A », part of lot 237 and part of lot 238 of the Coleraine Township cadastre, Thetford registration division, Saint-Joseph-de-Coleraine municipality.

A copy of the plan of the proposed ecological reserve can be obtained for a fee from the Direction du patrimoine écologique et du développement durable of the Ministère de l'Environnement, 675, boulevard René-Lévesque Est, 4<sup>e</sup> étage, boîte 21, Québec (Québec) G1R 5V7.

DIANE JEAN,  
*Deputy Minister*

3661



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## Erratum

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Erratum

### **O.C. 621-2000, 24 May 2000**

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

Regulation to amend the Regulation respecting the  
scale of fees and duties related to the development of  
wildlife

*Gazette officielle du Québec*, 31 May 2000, Volume 32,  
number 22, Part 2, page 2320.

The items 5 and 9, Schedule IV, page 2326 of Regula-  
tion to amend the Regulation respecting the scale of  
fees and duties related to the development of wildlife  
should read as follows:

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“5. Duchénier	
River and stream	\$10,00 / day
Elsewhere	\$13,48 / day
	\$65,20 / 7 day”

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“9. Mastigouche	
Lac au Sorcier	\$10,00 / day
Elsewhere	\$13,48 / day
	\$65.20 / 7 days”.

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

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(An Act respecting racing, R.S.Q., c. C-72.1)		
Teaching licences . . . . .	2664	M
(Education Act, R.S.Q., c. I-13.3)		
Wildlife Reserve — Rouge-Matawin . . . . .	2673	N
(An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)		

