

Gazette officielle du Québec

Part 2 Laws and Regulations

Volume 133
7 March 2001
No. 10

Summary

Table of Contents
Acts 2001
Coming into force of Acts
Regulations and other acts
Draft Regulations
Erratum
Index

Legal deposit — 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2001

All rights reserved in all countries. No part of this publication may be translated, used or reproduced by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

Table of Contents

Page

Acts 2001

186	An Act to provide for the maintenance of pharmaceutical services in Québec (modified title)	1295
	List of Bills sanctioned (22 February 2001)	1293

Coming into force of Acts

125-2001	Financial Administration Act — Coming into force of certain provisions	1303
141-2001	Highway Safety Code and other legislative provisions, An Act to amend... — Coming into force of section 20	1303

Regulations and other acts

128-2001	Inspector General of Financial Institutions — Signing of certain documents (Amend.)	1305
133-2001	Professional Code — Psychologues — Standards for equivalence of diplomas and training for the issue of a permit	1306
137-2001	Health services and social services — Determination of a revision date in accordance with the second paragraph of both section 619.8 and section 619.35 of the Act	1309
142-2001	Suspension of the requirement imposed on taxi permit holders to pay an annual contribution to the taxi owners' league of their urban area	1309

Draft Regulations

Bureau d'audiences publiques sur l'environnement — Rules of procedure relating to the conduct of public hearings	1311
Devices which compensate for a physical deficiency	1312
Environmental impact assessment and review	1313
Trapping activities and fur trade	1314

Erratum

120	An Act to amend the Animal Health Protection Act and other legislative provisions and to repeal the Bees Act	1315
-----	--	------

PROVINCE OF QUÉBEC

1st SESSION

36th LEGISLATURE

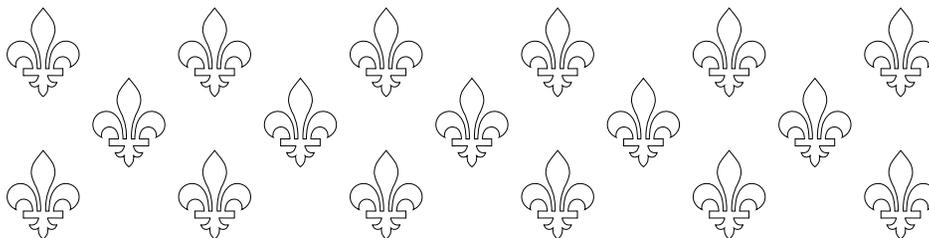
QUÉBEC, 22 FEBRUARY 2001

OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 22 February 2001***

This day, at twenty-nine minutes past seven o'clock in the evening, the Honourable the Administrator of Québec was pleased to sanction the following bill:

186 An Act to provide for the maintenance of pharmaceutical services in Québec (*modified title*)

To this bill the Royal assent was affixed by the Honourable the Administrator of Québec.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 186
(2001, chapter 1)

An Act to provide for the maintenance of pharmaceutical services in Québec

Introduced 22 February 2001
Passage in principle 22 February 2001
Passage 22 February 2001
Assented to 22 February 2001

**Québec Official Publisher
2001**

EXPLANATORY NOTES

This bill orders pharmacists to furnish pharmaceutical services and prescription medications, in accordance with the Health Insurance Act, the Act respecting prescription drug insurance and the applicable instruments thereunder, to persons eligible under the basic prescription drug insurance plan or under a program administered by the Régie de l'assurance maladie du Québec, without reducing, slowing down or modifying their usual professional activities. The bill prohibits pharmacists from participating in concerted action consisting in the pharmacists' becoming non-participating professionals, and renders certain notices of non-participation transmitted to the Board absolutely null.

The bill specifies the obligations incumbent upon the Association québécoise des pharmaciens propriétaires to ensure that normal pharmaceutical services are maintained.

The bill grants the Government the power to determine by order what will stand in lieu of an agreement between the Minister of Health and Social Services and the Association québécoise des pharmaciens propriétaires until 31 March 2002.

The bill also enacts various measures of an administrative, civil or penal nature for the purposes of the application of the Act.

Bill 186

AN ACT TO PROVIDE FOR THE MAINTENANCE OF PHARMACEUTICAL SERVICES IN QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

DIVISION I

INTERPRETATION

1. In this Act,

“Association” means the Association québécoise des pharmaciens propriétaires constituted under the Professional Syndicates Act (R.S.Q., chapter S-40);

“Board” means the Régie de l’assurance maladie du Québec.

DIVISION II

MAINTENANCE OF SERVICES

2. As of 00:01 on 23 February 2001, every pharmacist shall, in accordance with the provisions of the Health Insurance Act (R.S.Q., chapter A-29), the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01) and the applicable instruments thereunder, furnish to persons eligible under the basic prescription drug insurance plan established by the Act respecting prescription drug insurance or under a program administered by the Board under the Act respecting the Régie de l’assurance maladie du Québec (R.S.Q., chapter R-5), pharmaceutical services and medications prescribed by a physician, a resident in medicine, a dentist or a midwife, without reducing, slowing down or modifying his or her usual professional activity.

This section does not apply to pharmacists referred to in section 432 of the Act respecting health services and social services (R.S.Q., chapter S-4.2) working for an institution to which that Act applies.

3. No pharmacist may participate in concerted action consisting in the pharmacist’s becoming a non-participating professional within the meaning of the Health Insurance Act.

Every notice of non-participation concerning a pharmacist transmitted to the Board between 25 January 2001 and 22 February 2001 is absolutely null.

4. The Association is prohibited from undertaking or continuing concerted action that involves a contravention of the first paragraph of section 2 or of section 3 by pharmacists, whether or not the pharmacists are members of the Association.

5. The Association must take the appropriate measures to induce its members to comply with the first paragraph of section 2 and of section 3.

6. No person may, by omission or otherwise, prevent or impede the furnishing of pharmaceutical services or medications.

7. No person may prohibit or hinder a person's access to a place to which that person has a right of access to furnish or receive pharmaceutical services or medications.

8. No person may help or, by encouragement, advice, consent, authorization or order, induce a pharmacist, the Association or any other person to contravene any provision of this division.

DIVISION III

POWER OF THE GOVERNMENT

9. Notwithstanding any inconsistent provision of an Act, regulation or agreement, the Government may determine by order what will stand in lieu of an agreement within the meaning of section 19 of the Health Insurance Act between the Minister of Health and Social Services and the Association.

The provisions of the order may have effect from 1 April 1998 to 31 March 2002.

DIVISION IV

ADMINISTRATIVE AND CIVIL MEASURES

§1. — Deductions

10. From the time the Minister of Health and Social Services informs the Board in writing that the Minister has ascertained that the Association has engaged in an act referred to in section 4 or has failed to take the measures referred to in section 5, no union assessment, special assessment or other amount in lieu thereof required to be withheld by the Board pursuant to an agreement to which the Association is a party and that binds the Board under section 19 of the Health Insurance Act may be deducted by the Board during the year 2001.

§2. — *Reduction of remuneration*

11. Notwithstanding any inconsistent provision of an Act, regulation or agreement, where the Board or an inspector referred to in section 18 ascertains that a pharmacist has contravened the first paragraph of section 2, no remuneration, other than the cost of medications, may be paid by the Board to the pharmacist who is bound by an agreement under section 19 of the Health Insurance Act for pharmaceutical services furnished in the pharmacy where the contravention took place, for the period of the ascertained contravention.

If a payment has been made to a pharmacist despite the provisions of the first paragraph, the Board shall recover the amount of the payment from the pharmacist by set-off or otherwise.

12. The remuneration payable to a pharmacist bound by an agreement under section 19 of the Health Insurance Act for pharmaceutical services furnished by the pharmacist after a period of contravention referred to in section 11, other than the cost of medications, shall be the remuneration normally payable, reduced for each day or part of a day during which the contravention continued, by an amount equal to the quotient obtained by dividing the amount of the remuneration, other than the cost of medications, paid by the Board pursuant to the agreement during the period beginning on 23 January 2001 and ending on 21 February 2001 in respect of the pharmaceutical services furnished in the pharmacy where the contravention took place, by the number of days of operation of that pharmacy during that period.

13. The Board shall withhold the amounts recovered pursuant to the second paragraph of section 11 or deducted pursuant to section 12. It shall inform each pharmacist concerned of the amounts withheld. Amounts are withheld up to 10% of the remuneration payable to the pharmacist per billing period.

Where such amounts cannot be withheld because of a change in the ownership of the pharmacy, the Board shall recover from the pharmacist concerned the amounts owing with accrued interest, if any, by set-off or otherwise.

14. The Board shall remit the sums referred to in section 12 to a registered charity within the meaning of the Taxation Act (R.S.Q., chapter I-3) designated by order of the Government.

15. Any disagreement as to the application of section 11 or section 12 must be referred to arbitration as if it were a dispute resulting from the application of an agreement within the meaning of section 54 of the Health Insurance Act.

In the case of a disagreement as to the application of the first paragraph of section 11, a pharmacist bound by an agreement under section 19 of the Health Insurance Act is entitled to the reimbursement of the amount withheld only if the pharmacist establishes that the pharmacist who allegedly contravened the first paragraph of section 2 complied with that paragraph or was prevented

from complying therewith despite having taken all reasonable measures to do so and that the non-compliance with that paragraph was not part of concerted action.

The person to whom a disagreement referred to in the second paragraph is referred for arbitration may only confirm or set aside the decision of the Board on the basis of that paragraph alone.

§3. — *Civil liability*

16. The Association is liable for any damage caused during a contravention of the first paragraph of section 2 or of section 3 by its members, unless it establishes that the damage is not a result of the contravention or that the contravention is not part of concerted action.

17. Any person who suffers damage by reason of an act performed in contravention of the first paragraph of section 2 or of section 3 may apply to the competent court to obtain compensation.

Notwithstanding article 1003 of the Code of Civil Procedure (R.S.Q., chapter C-25), where a person referred to in the first paragraph brings a class action under Book IX of that Code by way of a motion in accordance with the second paragraph of article 1002 of that Code, the court shall authorize the bringing of the class action if it is of the opinion that the person to whom the court intends to ascribe the status of representative is in a position to adequately represent the members of the group described in the motion.

DIVISION V

INSPECTIONS

18. For the purposes of this Act, a person designated as an inspector by the president or secretary of the Board may

(1) require any relevant information relating to the activities carried on in the pharmacy;

(2) examine and make copies of any bill or other relevant document relating to such activities.

19. Every person is prohibited from hindering the activities of an inspector referred to in section 18 in the exercise of the inspector's duties, from misleading the inspector by concealment or false declarations, from refusing to furnish information or a document the inspector is entitled to require or examine under this Act, or to conceal or destroy such a document.

20. An inspector referred to in section 18 must, on demand, present a certificate signed by the president or secretary of the Board attesting to the inspector's capacity.

DIVISION VI**PENAL PROVISIONS**

21. Every person who contravenes any provision of Division II or of section 19 is guilty of an offence and is liable, for each day or part of a day during which the offence continues, to a fine of

(1) \$100 to \$500 in the case of a natural person other than a person referred to in paragraph 2, 3 or 4;

(2) \$500 to \$1,000 in the case of a pharmacist;

(3) \$2,000 to \$5,000 in the case of a pharmacist bound by an agreement under section 19 of the Health Insurance Act;

(4) \$7,000 to \$35,000 in the case of an executive, employee or representative of the Association; and

(5) \$25,000 to \$125,000 in the case of the Association.

22. In penal proceedings under this Act, the status of pharmacist may be proved by the deposit of a copy, certified true by the secretary of the Order or by any other person designated for that purpose by the Order, of the roll of the Ordre des pharmaciens du Québec or of an extract therefrom. In addition, the status of pharmacist bound by an agreement under section 19 of the Health Insurance Act may be proved by the deposit of a copy of the pharmacist's registration card kept by the Board, certified true by the secretary of the Board or by any other person designated for that purpose by the president of the Board.

In such proceedings, the number and nature of the professional services furnished by a pharmacist within the scope of an agreement under section 19 of the Health Insurance Act in a particular period may be proved by the deposit of a copy, certified true by the secretary of the Board or by any other person designated for that purpose by the president of the Board, of an extract from a register maintained by the Board indicating the number and nature of the professional services furnished by the pharmacist during that period.

23. In penal proceedings under this Act, proof that a contravention of a provision of Division II was committed by a pharmacist in a pharmacy is proof, in the absence of any evidence to the contrary, that the contravention took place with the consent or authorization or on the order of the pharmacist or of each of the members of the partnership of pharmacists who or that is the owner of the pharmacy, of the pharmacist who manages the pharmacy or of the pharmacist who supervises the pharmacy pursuant to section 28, 29 or 30 of the Pharmacy Act (R.S.Q., chapter P-10).

24. The Board may disclose to the Attorney General any information obtained for the enforcement of the Health Insurance Act, the Act respecting

prescription drug insurance or the Act respecting the Régie de l'assurance maladie du Québec if such information is required for the purposes of penal proceedings under this Act.

DIVISION VII

FINAL PROVISIONS

25. This Act prevails over any inconsistent provision of the Health Insurance Act, the Act respecting prescription drug insurance or the applicable instruments thereunder.

26. The Minister of Health and Social Services is responsible for the administration of this Act.

27. Division II of this Act ceases to have effect on the date determined by order of the Government.

28. The provisions of this Act come into force on 22 February 2001.

Coming into force of Acts

Gouvernement du Québec

O.C. 125-2001, 21 February 2001

Financial Administration Act (2000, c. 15) — Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Financial Administration Act

WHEREAS the Financial Administration Act (2000, c. 15) was assented to on 16 June 2000;

WHEREAS under section 168 of the Act, its provisions come into force on the date or dates fixed by the Government;

WHEREAS Order in Council 1303-2000 dated 8 November 2000 fixed 15 November 2000 as the date of coming into force of sections 1 to 14 of the Financial Administration Act (2000, c. 15), sections 20 to 32, sections 46 to 57, sections 77 to 163, sections 165 and 166 except to the extent where the latter replaces sections 8, 22, 36 to 36.2, 47, 48, 49.6, 59 to 69.0.7, 69.5 and Division IX including sections 83 to 85 of the Financial Administration Act (R.S.Q., c. A-6), and section 167 of the new Act;

WHEREAS it is expedient to fix 1 March 2001 as the date of coming into force of certain other provisions of the new Act;

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

THAT 1 March 2001 be fixed as the date of coming into force of sections 67, 68 and 69 of the Financial Administration Act (2000, c. 15) and section 166 of that Act to the extent that it replaces sections 59, 68 and 69 of the Financial Administration Act (R.S.Q., c. A-6).

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

4126

Gouvernement du Québec

O.C. 141-2001, 21 February 2001

An Act to amend the Highway Safety Code and other legislative provisions (1999, c. 66) — Coming into force of section 20

COMING INTO FORCE of section 20 of the Act to amend the Highway Safety Code and other legislative provisions

WHEREAS the Act to amend the Highway Safety Code and other legislative provisions (1999, c. 66) was assented to on 13 December 1999;

WHEREAS, under paragraph 2 of section 37 of the Act, sections 8 to 10, 12, 13, 15, 18, 20, 22 to 24, 26 and 29 to 31 come into force on the date or dates to be fixed by the Government;

WHEREAS the Government fixed 1 April 2000 as the date of coming into force of sections 8, 9, 12, 13, 22 to 24, 30 and 31 of the Act by Order in Council 212-2000 dated 1 March 2000;

WHEREAS the Government fixed 14 December 2000 as the date of coming into force of the provisions of section 18, paragraph 1 of section 26 and section 29 of the Act by Order in Council 1341-2000 dated 15 November 2000;

WHEREAS it is expedient to fix 1 March 2001 as the date of coming into force of section 20 of the Act;

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

THAT section 20 of the Act to amend the Highway Safety Code and other legislative provisions (1999, c. 66) come into force on 1 March 2000.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

4130

Regulations and other acts

Gouvernement du Québec

O.C. 128-2001, 21 February 2001

An Act respecting the Inspector General of Financial Institutions
(R.S.Q., c. I-11.1)

Inspector General of Financial Institutions

— Signing of certain documents

— Amendments

Regulation to amend the Regulation respecting the signing of certain documents of the Inspector General of Financial Institutions

WHEREAS under section 29 of the Act respecting the Inspector General of Financial Institutions (R.S.Q., c. I-11.1), the Government may, by regulation, determine the cases in which a member of the personnel of the Inspector General may sign a document and bind the Inspector General;

WHEREAS by Order in Council 311-83 dated 23 February 1983, the Government made the Regulation respecting the signing of certain documents of the Inspector General of Financial Institutions;

WHEREAS the administrative structure of the Inspector General of Financial Institutions has been changed;

WHEREAS certain positions identified in the Regulation no longer reflect the new administrative structure;

WHEREAS it is expedient to amend the Regulation;

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

THAT the Regulation to amend the Regulation respecting the signing of certain documents of the Inspector General of Financial Institutions, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the signing of certain documents of the Inspector General of Financial Institutions*

An Act respecting the Inspector General of Financial Institutions
(R.S.Q., c. I-11.1, s. 29)

1. The following is substituted for sections 3 to 5 of the Regulation respecting the signing of certain documents of the Inspector General of Financial Institutions:

“3. The Director of Administrative Services and the Director of Information Resources are authorized to sign:

- (1) service and leasing contracts up to \$5 000;
- (2) purchase contracts up to \$25 000.

3.1 The Director General of Standards and Organization Services is authorized to sign:

- (1) service and leasing contracts up to \$10 000;
- (2) purchase contracts up to \$50 000.

4. The Assistant Director of Administrative Services is authorized to sign:

- (1) service and leasing contracts up to \$2 000;
- (2) purchase contracts up to \$15 000.

5. The Head of the Service des ressources humaines, the Head of the Service des revenus et du budget and the Head of the Service des communications et des ressources matérielles are authorized to sign purchase contracts up to \$2 500.”

* The Regulation respecting the signing of certain documents of the Inspector General of Financial Institutions, made by Order in Council 311-83 dated 23 February 1983 (1983, *G.O.* 2, 1086), was last amended by the Regulation made by Order in Council 688-99 dated 16 June 1999 (1999, *G.O.* 2, 1697). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

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

4127

Gouvernement du Québec

O.C. 133-2001, 21 February 2001

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

Psychologues

— Equivalence of diplomas and training for the issue of a permit by the Ordre

Regulation regarding standards for equivalence of diplomas and training for the issue of a permit by the Ordre professionnel des psychologues du Québec

WHEREAS, under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

WHEREAS the Bureau of the Ordre professionnel des psychologues du Québec made the Regulation regarding standards for equivalence of diplomas and training for the issue of a permit by the Ordre professionnel des psychologues du Québec in replacement of the Regulation respecting standards for equivalence of diplomas for the issue of a permit by the Ordre professionnel des psychologues du Québec, approved by Order in Council 1835-94 dated 21 December 1994 and the Regulation respecting standards for equivalence of training for the issue of a permit by the Ordre professionnel des psychologues du Québec, approved by Order in Council 1836-94 dated 21 December 1994;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published as a draft in Part 2 of the *Gazette officielle du Québec* of 7 June 2000 with a notice that it could be submitted for approval to the Government upon the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec has made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation regarding standards for equivalence of diplomas and training for the issue of a permit by the Ordre professionnel des psychologues du Québec, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation regarding standards for equivalence of diplomas and training for the issue of a permit by the Ordre professionnel des psychologues du Québec

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

1. The Secretary of the Ordre professionnel des psychologues du Québec shall send a copy of this Regulation to a candidate who applies for recognition of a diploma issued by a teaching establishment located outside Québec or for recognition of a training equivalence.

In the present Regulation

“diploma equivalence”: means recognition by the Bureau of the Order that a diploma issued by a teaching establishment located outside Québec attests that the level of a candidates knowledge and skills is equivalent to that acquired by the holder of a diploma recognized as providing the right to a permit.

“training equivalence”: means the recognition by the Bureau of the Order that a candidates training demonstrates that he has acquired the level of knowledge and skills equivalent to that acquired by the holder of a diploma recognized as providing the right to a permit.

2. The candidate wishing to have a diploma equivalence or a training equivalence recognized must provide the Secretary with the following documents in support of his application, along with the file examination fees set out in Paragraph 8 of Section 86.0.1 of the Professional Code (R.S.Q., c. C-26)

1. his academic record, including an official transcript of his marks, a description of course content and the number of hours of courses taken;
2. copies of all diplomas earned, certified as true by the teaching establishments that issued them;
3. an attestation by the university-level teaching establishment having issued any diploma that the candidate has successfully completed all required internships, training periods and practical work;
4. an attestation of the candidate's participation in any internship or any training activity, the description of the internship activities or the training activities, including, notably, the number of hours of the internship or of the training activity, the number of hours of supervision and the supervisor's qualifications;
5. an attestation and a description of the candidate's pertinent work experience, including a description of his functions and responsibilities and the number of work hours carried out with or without supervision, and when applicable, an outline of the supervisor's qualifications.

In the present Regulation

“internship”: means placement in a professional working environment under the supervision of at least one psychologist having a minimum of 5 years of practical experience in a field in which the internship is undertaken or of at least one professional working in psychology or a related field and whose expertise and experience are deemed by the committee to be equivalent to those of a psychologist with the same minimum qualifications;

“training period”: means a period of activity enabling a student to familiarize himself with the practice of the profession of psychologist with a variety of client groups, that is, with children, adolescents, adults and elderly persons, and with the use of various methods of evaluation and treatment (individual, group and community) under the supervision of at least one psychologist having a minimum of 5 years of practical experience in the field in which the training period is undertaken or of at least one professional working in psychology and whose expertise and experience are deemed by the committee to be equivalent to those of a psychologist with the same minimum qualifications;

“practical work”: means general activities designed to complement or further explore the topics that have been taught, and including, in particular, laboratory work.

3. Any document sent in support of an application for recognition of a diploma or training equivalence and drafted in a language other than English or French shall be accompanied by an English or French translation of its content, attested to by a declaration under oath of the person who did the translation.

4. The Secretary shall forward to the committee set up by the Bureau to evaluate applications of diploma or training equivalences the documents that must be provided pursuant to Section 2, so that the committee may make an appropriate recommendation.

At the first meeting following the date of the receipt of the recommendation, the Bureau shall decide, in compliance with the present Regulation, if it recognizes the diploma or training equivalence and it will inform the candidate of its decision, in writing, within the next 30 days.

5. A candidate who holds a diploma in psychology issued by a university-level teaching establishment located outside Québec may benefit from a diploma equivalence if he or she demonstrates the following

1. that the diploma in psychology was earned upon completion of an under-graduate and graduate, or under-graduate and postgraduate program of university-level studies including a total of 135 course credits, internships, training periods and practical work;

2. he has taken, in a university Department and within the framework of the programs of study having led to the acquisition of his diploma, a minimum of 105 credits pertaining to the following subject areas and distributed as follows

- (a) a minimum of 30 course credits, including at least 6 credits in each of the following areas

- Biological bases of behaviour, including psychophysiology, comparative psychology, neuropsychology, sensation, psychopharmacology;

- Cognitive and affective bases of behaviour, including learning, memory, perception, cognition, thinking, motivation, emotion;

- Social bases of behaviour, including social psychology, cultural or ethnic group processes, sexual roles, theory of organization and systems;

- Individual and developmental bases of behaviour; including theory of the personality, human development, individual differences, psychopathology;

(b) a minimum of three course credits in each of the following categories:

- History and systems in psychology;
- Statistical analysis techniques;
- Psychometry;
- Scientific method;
- Ethics;

(c) a minimum of 48 course credits in the areas of evaluation, diagnostics and psychological intervention;

3. completion of at least 600 hours of internship, training periods and practical work, including at least 250 hours of direct contact with clients and at least 125 hours of supervision during internship and training periods.

For the purposes of the application of this section, “credit” means the quantitative value attributed to the activities of a student within the framework of a teaching program, practical training, or research; when the activity is a formal course, a credit represents 15 hours of teaching.

6. Subject to Section 7, the candidate who holds a diploma in psychology issued by a university-level teaching establishment located outside Québec and whose training program, upon completion, is accredited by the Canadian Psychological Association or the American Psychological Association is granted a diploma equivalence.

7. Despite Sections 5 and 6, when the diploma involved in an application for equivalence has been earned 5 or more years previous to the date of the application, the diploma equivalence shall be refused if the knowledge acquired by the candidate no longer corresponds, based on developments in the profession, to the knowledge currently taught.

However, the diploma equivalence shall be recognized if the training and work experience acquired by the candidate have made it possible for him to achieve the required level of knowledge and skills.

8. A candidate is granted a training equivalence if he demonstrates that he has acquired

1. knowledge and skills equivalent to that acquired by the holder of a diploma recognized by the Government by virtue of the first paragraph of Section 184 of the Code

2. pertinent work experience in psychology of a minimal duration of 5 years.

In the application of the candidates training equivalence, the Bureau takes the following factors into account

1. the nature of the candidates experience and the number of years of experience in psychology;

2. the fact that the candidate holds one or more diplomas earned in Québec or elsewhere;

3. the nature and content of courses taken by the candidate; 4. the nature and content of training periods and other ongoing training activities;

4. the nature and content of training periods and other ongoing training activities;

5. the total number of years of education.

9. Within 30 days following its decision to refuse recognition of the diploma or training equivalence, the Bureau shall inform the candidate in writing and shall indicate which study programs, internships or examinations must be successfully completed, given the candidates current level of knowledge, for the equivalence to be recognized.

10. The candidate who receives the information outlined in section 9 may ask to be heard by the Bureau, provided he submits to the Secretary a request in writing, outlining the motives justifying the request, within 30 days of the date on which the decision to deny the diploma or training equivalence is mailed.

The Bureau has 45 days from the date of receipt of the request for a hearing to hear the candidate and, if applicable, to review its decision. To this end, the Secretary summons the candidate in writing, by registered or certified post, at least 10 days before the date of the hearing.

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

11. The present Regulation replaces the Regulation respecting standards for equivalence of diplomas for the issue of a permit by the Ordre professionnel des psychologues du Québec, approved under the December 21, 1994 Decree n° 1835-94 and the Regulation on the standards for equivalence of training for the issue of a permit by the Ordre professionnel des psychologues du Québec, approved under the December 21, 1994 Decree n° 1836-94.

However, an application for a diploma or training equivalence shall be decided on the basis of the replaced regulations where a committee referred to these Regulations has sent a recommendation to the administrative committee of the Order in respect of that application before the date of coming into force of this Regulation.

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

4128

Gouvernement du Québec

O.C. 137-2001, 21 February 2001

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

Determination of a revision date in accordance with the second paragraph of both section 619.8 and section 619.35 of the Act respecting health services and social services (R.S.Q., c. S-4.2)

WHEREAS, pursuant to the fourth paragraph of section 183 of the Act respecting health services and social services, (R.S.Q., c. S-4.2), the organization plan of an institution must be reviewed at least once every three years;

WHEREAS, pursuant to the third paragraph of section 184 and the eighth paragraph of section 186 of the Act, the medical and dental staffing plan of an institution must be reviewed at least once every three years and shall continue in force until the regional board decides on its revision;

WHEREAS, pursuant to the fifth paragraph of section 377 of the Act, the medical staffing plan of a regional board must be reviewed at least every three years and shall continue in force until the Minister of Health and Social Services decides on its review;

WHEREAS the second paragraph of both section 619.8 and section 619.35 of the Act provide that the Government shall fix the date from which every institution or regional board, whichever the case may be, must undertake the revision of its plan in accordance with sections 183 to 187 or 377 of the Act;

WHEREAS it is expedient to fix 1 March 2001 as the date from which every institution or regional board must undertake the revision of its plan;

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

THAT 1 March 2001 be fixed as the date from which every institution must undertake the review of its organization plan and medical and dental staffing plan in accordance with sections 183 to 187 of the Act respecting health services and social services and every regional board must undertake the review of its medical staffing plan in accordance with section 377 of the Act.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

4129

Gouvernement du Québec

O.C. 142-2001, 21 February 2001

An Act respecting transportation by taxi (R.S.Q., c. T-11.1)

**Taxi owners' league of their urban area
— Suspension of the requirement imposed on taxi permit holders to pay an annual contribution**

Suspension of the requirement imposed on taxi permit holders to pay an annual contribution to the taxi owners' league of their urban area

WHEREAS under section 49 of the Act respecting transportation by taxi (R.S.Q., c. T-11.1), one taxi owners' league must be established in each urban area and recognized by the Commission des transports du Québec;

WHEREAS under section 50 of that Act, the principal functions of a recognized league are to represent taxi permit holders in an urban area and to promote their interests, especially by improving and promoting transportation by taxi and establishing social benefits; the league shall also promote the quality of service provided to the public;

WHEREAS under the first paragraph of section 52 of that Act, amended by section 321 of chapter 40 of the Statutes of 1999, to finance its activities, a recognized league may, by by-law approved by the majority of votes of the taxi permit holders who vote at a special meeting held for such purpose, fix the annual contribution;

WHEREAS under the first paragraph of section 54 of that Act, a person is required to pay the contribution for each permit he obtains or renews;

WHEREAS under the second paragraph of that section, the Government may suspend the requirement where it sees fit;

WHEREAS it is expedient to suspend as of 21 February 2001 the requirement for the taxi permit holders of an urban area to pay the annual contribution of the taxi owners' league established on their territory;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the requirement to pay the annual contribution of the taxi owners' league established under the first paragraph of section 52 of the Act, imposed on taxi permit holders under the first paragraph of section 54 of the Act respecting transportation by taxi (R.S.Q., c. T-11.1), be suspended as of 21 February 2001 for each permit they obtain or renew.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

4131

Draft Regulations

Draft Amendment

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

Bureau d'audiences publiques sur l'environnement — Rules of procedure relating to the conduct of public hearings — 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 to amend the Rules of procedure relating to the conduct of public hearings, the text of which appears below, may be approved by the Government upon the expiry of 60 days following this publication.

The purpose of those amendments is to replace the advertisement of the second part of the hearing in a public notice by an advertisement in a press release and on the Bureau's Internet site, to delete the mention of the Bureau's offices, to broaden the scope of reasons for adjourning hearings and ways of publicizing adjournments, and to change the title of section 29.

Furthermore, the amendments will allow one or more members of the commission to conduct the sittings where the Bureau is required to hold a public hearing under a provision other than the third paragraph of section 31.3 of the Environment Quality Act.

Further information may be obtained by contacting M^c Jean-Claude Dallaire, at the Bureau d'audiences publiques sur l'environnement, 575, rue Saint-Amable, bureau 2.10, Québec (Québec) G1R 6A6; tel. (418) 643-7447, fax: (418) 643-9474, E-mail: jean-claude.dallaire@bape.gouv.qc.ca.

Any interested person having comments to make on those amendments is asked to send them in writing, before the expiry of the 60-day period, to the undersigned, at the Bureau d'audiences publiques sur l'environnement, 575, rue Saint-Amable, bureau 2.10, Québec (Québec) G1R 6A6.

ANDRÉ HARVEY,
*President of the Bureau d'audiences
publiques sur l'environnement*

Rules to amend the Rules of procedure relating to the conduct of public hearings*

Environment Quality Act
(R.S.Q., c. Q-2, s. 6.6)

1. Section 5 of the Rules of procedure relating to the conduct of public hearings is amended

(1) by substituting the words "the notice published in the newspapers to announce the first part of the hearing defined in Division VII" for the words "notices published in the newspapers to announce each of the two parts of the hearing prescribed in Division V"; and

(2) by adding the following paragraph:

"The Bureau announces both parts of the hearing provided for in Division V by posting it on its Internet site and by issuing a press release."

2. The following is substituted for section 8:

"8. Continuous period of consultation: After publication of the notice referred to in section 5 and until the end of the hearing, the file remains available for consultation by the public in the offices of the Bureau and in a locality where the project is likely to be carried out."

3. The following is substituted for section 17:

"17. Adjournment of hearing: The hearing may be adjourned for any reason deemed valid by the commission; the new date is then announced on the Internet site of the Bureau, in a press release or by a notice on the door of the room where the hearing was supposed to be held."

4. The title "**Right to rectify the facts**" is substituted for "**Right to rebuttal**" as the title of section 29.

5. Section 33 is amended

(1) by striking out the words " , except for public hearing mandates entrusted by the Minister before 30 December 1980"; and

* The Rules of procedure relating to the conduct of public hearings (R.R.Q., 1981, c. Q-2, r. 19) have not been amended since they were approved.

(2) by adding the following paragraph:

“Notwithstanding the foregoing, section 31 of these Rules does not apply to that hearing, since the sittings may be conducted by one or more members of the commission.”.

6. The Rules will come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*, once they have been approved by the Government.

4134

Draft Regulation

Health Insurance Act
(R.S.Q., c. A-29; 1999, c. 89)

Devices which compensate for a physical deficiency — 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 draft Regulation, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation proposes to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act. Under the draft Regulation, written prescriptions from specialists in geriatrics for persons in their care undergoing treatment or follow-up treatment would be accepted by the Régie de l'assurance maladie du Québec in the same manner and on the same conditions as prescriptions from general practitioners or specialists in pediatrics.

The hospital or rehabilitation centre in which a physician practises geriatric medicine would have to be designated by the regional board of health and social services, that designation having to be approved by the Minister. The other conditions and circumstances have already been provided for in the Regulation.

The medical prescription made under this Regulation would apply to any insured device: an orthosis, prosthesis, ambulation aid, a standing aid, locomotor assist or posture assist. Included are wheel chairs, positioning bases, strollers, orthomobiles, and posture assists.

Study of the matter shows that the proposed amendments will better meet the requirements of the elderly. In fact, representations to that effect have already been made by the Fédération des médecins spécialistes du Québec.

Further information on the draft Regulation may be obtained within the 45-day period from M^e Jean-L. Lefebvre, at the Régie de l'assurance maladie du Québec, 1125, chemin Saint-Louis, 8^e étage, Sillery (Québec) G1S 1E7, by telephone: (418) 682-5172 or by fax: (418) 643-7312.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for Health and Social Services and Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

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

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, s. 3, 5th par. and s. 69, 1st par., subpar. *h*; 1999, c. 89, s. 2 and s. 37, par. 1)

1. Sections 26 and 68 of the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act are amended by adding the words “or in geriatrics” after the word “pediatrics” in subparagraph 2 of the second paragraph of both sections.

2. Section 29 is amended by inserting the words “or in geriatrics” after the word “pediatrics”.

3. Section 71 is amended by adding the words “or in geriatrics” after the word “pediatrics”.

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

4125

* The Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act, made by Order in Council 612-94 dated 27 April 1994 (1994, *G.O.* 2, 1589), was last amended by the Regulation made by Order in Council 1047-2000 dated 30 August 2000 (2000, *G.O.* 2, 4544). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

Draft Regulation

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

Environmental impact assessment and review — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and with section 124 of the Environment Quality Act, that the Regulation to amend the Regulation respecting environmental impact assessment and review, the text of which appears below, may be made by the Government upon the expiry of 60 days following this publication.

The purpose of the draft Regulation is to specify which projects for the treatment of residual hazardous materials intended for elimination shall be subject to the environmental impact assessment and review procedure. All treatment projects would be subject to the procedure, except where residual hazardous materials are treated in the year they are produced on the production site and residual hazardous materials are treated for the purposes of reclamation, re-use or recycling. To that end, it is proposed that the Regulation respecting environmental impact assessment and review be amended to specify that any process by which 50% or more of the mass of residual hazardous materials to be treated results in materials that must be eliminated by final deposit or incineration is considered a treatment for elimination purposes. It is also proposed that any enterprise which treats residual hazardous materials in the year and on the site of production may be exempted from the assessment and review procedure. This would also apply to an enterprise which, in the same field of activity, produces residual hazardous materials on more than one site in Québec and treats the materials produced on one site on another site in the year following production.

Further information may be obtained by contacting Louis Germain, Head, Service des projets industriels, Direction des évaluations gouvernementales, Ministère de l'Environnement, Édifice Marie-Guyart, 6^e étage, boîte 83, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7, by telephone at (418) 521-3933, by fax at (418) 644-8222 or by e-mail at louis.germain@menv.gouv.qc.ca.

Any interested person having comments to make on the draft Regulation to amend the Regulation respecting environmental impact assessment and review is asked to send them in writing, before the expiry of the 60-day period, to the Minister of the Environment, Édifice Marie-Guyart, 30^e étage, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7.

PAUL BÉGIN,
Minister of the Environment

Regulation to amend the Regulation respecting environmental impact assessment and review*

Environment Quality Act
(R.S.Q., c. Q-2, s. 31.9, 1st par., subpar. a)

1. The Regulation respecting environmental impact assessment and review is amended in section 2

(1) by adding “or of materials resulting from the treatment of residual hazardous materials” at the end of the first subparagraph of subparagraph *v* of the first paragraph; and

(2) by substituting the following for subparagraph *w* of the first paragraph:

“(w) the installation or use of facilities used in whole or in part for the treatment of residual hazardous materials, within the meaning of section 5 of the Regulation respecting hazardous materials, for the purpose of elimination by final deposit or incineration.

For the purposes of this paragraph, any process through which the equivalent of 50% or more of the mass of residual hazardous materials to be treated results in materials that must be eliminated by final deposit or incineration is considered a treatment for elimination purposes.

This subparagraph does not apply to an enterprise which treats residual hazardous materials produced on its site in the year following their production or to an enterprise which, in the same field of activity, produces residual hazardous materials on more than one site in Québec and which treats the materials produced on one of those sites on another site in the year following their production;”.

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

4123

* The Regulation respecting environmental impact assessment and review (R.R.Q., 1981, c. Q-2, r. 9) was last amended by the Regulation made by Order in Council 1031-2000 dated 30 August 2000 (2000, *G.O.* 2, 4509). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

Draft Regulation

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

Trapping activities and fur trade — Amendments

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

The purpose of the draft Regulation is to harmonize the trapping requirements for non-residents with the requirements prescribed for residents and the registration requirements for black-bear trapping with the requirements for big game hunting. The draft Regulation also deals with the requirements for transferring exclusive rights leases to assistant trappers.

To that end, the draft Regulation proposes to allow non-residents to trap on their own property even if it is located outside the fur-bearing animal management unit (FAMU) specified on their general trapping licence. The draft Regulation prescribes that a bear that has been trapped may be registered with a person authorized to do so by the Société de la faune et des parcs du Québec. It also specifies that a lease may be transferred to an assistant trapper if, at the time of the application for transfer, the assistant trapper has trapped for at least three consecutive years on the property specified in the lease.

To date, study of the matter has revealed no impact on businesses, including small and medium-sized businesses. The requirements for trappers will be simplified and non-residents will not require a second licence to trap on their own property if it is located outside the FAMU specified on their licence. As for the requirements for residents, bears that have been trapped may be registered with a person, partnership or association authorized to do so by the Société de la faune et des parcs du Québec. In addition, the lease transfer requirements have been relaxed for assistant trappers.

Further information may be obtained by contacting: Serge Bergeron, Société de la faune et des parcs du Québec, Direction des territoires fauniques et de la réglementation, 675, boulevard René-Lévesque Est, 11^e étage, boîte 96, Québec (Québec) G1R 5V7. Telephone: (418) 521-3880, extension 4078. Fax: (418) 646-5179. Internet: serge.bergeron@fapaq.gouv.qc.ca

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister responsible for Wildlife and Parks, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

GUY CHEVRETTE,
Minister responsible for Wildlife and Parks

Regulation to amend the Regulation respecting trapping activities and the fur trade*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 97, par. 2 and s. 162, pars. 9 and 16)

1. The Regulation respecting trapping activities and the fur trade is amended by striking out “if it is located within the perimeter of the FAMU mentioned on his general trapping licence” in paragraph 1 of section 13.

2. Section 22 is amended

(1) by substituting “, a person, partnership or association authorized by the Société de la faune et des parcs du Québec under section 56.1 of the Act” for “a wildlife conservation officer or any person appointed for that purpose at a control station” and by adding “; he must also pay the registration fees provided for in the Regulation respecting the scale of fees and duties related to the development of wildlife” after the word “punched”;

(2) by adding the following after the first paragraph:

“Notwithstanding the first paragraph, the holder of a trapping licence who captures a black bear shall, at a wildlife conservation officer’s request, have the officer register it immediately.”

3. Section 30 is amended by adding “or three consecutive assistant trapper’s licences authorizing him to trap on the territory described in the lease” after “of the lessee” in the first paragraph.

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

4124

* The Regulation respecting trapping activities and the fur trade was made by Order in Council 1027-99 dated 8 September 1999 (1999, *G.O.* 2, 2915). It has not been amended since it was made.

Erratum

Bill 120

(2000, chapter 40)

An Act to amend the Animal Health Protection Act and other legislative provisions and to repeal the Bees Act

Due to an error in the execution of the motion to renumber Bill 120 of 2000, duly adopted by the National Assembly on 7 November 2000, the text of section 50 of the Act to amend the Animal Health Protection Act and other legislative provisions and to repeal the Bees Act (2000, chapter 40), published in issue number 49 of the *Gazette officielle du Québec*, Part 2, p. 5441, is published anew and shall read as follows:

“**50.** The provisions of this Act come into force on 15 November 2000, except the provisions of section 4, section 14 to the extent that it introduces section 22.5, sections 15 to 18 and sections 28 to 33 which come into force on the date or dates to be fixed by the Government.”.

4133

Index Statutory Instruments

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

Regulations — Statutes	Page	Comments
Animal Health Protection Act and other legislative provisions and to repeal the Bees Act, An Act to amend the... (2000, Bill 120)	1315	Erratum
Bureau d'audiences publiques sur l'environnement — Rules of procedure relating to the conduct of public hearings (Environment Quality Act, R.S.Q., c. Q-2)	1311	Draft
Conservation and development of wildlife, An Act respecting the... — Trapping activities and fur trade (R.S.Q., c. C-61.1)	1314	Draft
Determination of a revision date in accordance with the second paragraph of both section 619.8 and section 619.35 of the Act (An Act respecting health services and social services, R.S.Q., c. S-4.2)	1309	N
Devices which compensate for a physical deficiency (Health Insurance Act, R.S.Q., c. A-29; 1999, c. 89)	1312	Draft
Environment Quality Act — Bureau d'audiences publiques sur l'environnement — Rules of procedure relating to the conduct of public hearings (R.S.Q., c. Q-2)	1311	Draft
Environment Quality Act — Environmental impact assessment and review (R.S.Q., c. Q-2)	1313	Draft
Environmental impact assessment and review (Environment Quality Act, R.S.Q., c. Q-2)	1313	Draft
Financial Administration Act — Coming into force of certain provisions (R.S.Q., c. A-6; 2000, c. 15)	1303	
Health Insurance Act — Devices which compensate for a physical deficiency (R.S.Q., c. A-29; 1999, c. 89)	1312	Draft
Health services and social services, An act respecting... — Determination of a revision date in accordance with the second paragraph of both section 619.8 and section 619.35 of the Act (R.S.Q., c. S-4.2)	1309	N
Highway Safety Code and other legislative provisions, An Act to amend... — Coming into force of section 20 (1999, c. 66)	1303	
Inspector General of Financial Institutions — Signing of certain documents (An Act respecting the Inspector General of Financial Institutions, R.S.Q., c. I-11.1)	1305	M
Inspector General of Financial Institutions, An Act respecting the... — Signing of certain documents (R.S.Q., c. I-11.1)	1305	M
List of Bills sanctioned (22 February 2001)	1293	

Maintenance of pharmaceutical services in Québec, An Act to provide for the... (2001, Bill 186)	1295	
Professional Code — Psychologues — Standards for equivalence of diplomas and training for the issue of a permit (R.S.Q., c. C-26)	1306	N
Psychologues — Standards for equivalence of diplomas and training for the issue of a permit (Professional Code, R.S.Q., c. C-26)	1306	N
Suspension of the requirement imposed on taxi permit holders to pay an annual contribution to the taxi owners' league of their urban area (An Act respecting transportation by taxi, R.S.Q., c. T-11.1)	1309	N
Transportation by taxi, An Act respecting... — Suspension of the requirement imposed on taxi permit holders to pay an annual contribution to the taxi owners' league of their urban area (R.S.Q., c. T-11.1)	1309	N
Trapping activities and fur trade (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	1314	Draft