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Regulations and other acts

Gouvernement du Québec

O.C. 383-2001, 4 April 2001

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10)

Government and Public Employees Retirement Plan

— Designation of classes of employees and establishment of special provisions pursuant to section 10.1 of the Act

— Amendments

Amendments to the Order respecting the designation of classes of employees and establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under the first paragraph of section 10.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may, notwithstanding any inconsistent provision of the plan, except the provisions of Chapter VII.1 of the Act, establish special provisions with respect to classes of employees it designates;

WHEREAS the Government made Order in Council 245-92 dated 26 February 1992 respecting the designation of classes of employees and the establishment of special provisions pursuant to section 10.1 of the Act;

WHEREAS it is expedient to amend the Order in Council;

WHEREAS, under the second paragraph of section 10.1 of the Act, an order under the first paragraph of that section may have effect 12 months or less before it is made;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Administration and the Public Service, Minister for Administration and the Public Service, Chairman of the Conseil du trésor:

THAT the amendments to the Order respecting the designation of classes of employees and establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan, attached to this Order in Council, be made;

THAT this Order in Council have effect from 1 January 2001.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Amendments to the Order respecting the designation of classes of employees and establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan*

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 10.1)

1. Paragraph 12 of Schedule II to the Order respecting the designation of classes of employees and establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan is amended by adding the following at the end: “, as well as directors general of Class V and higher classes of the other school boards”.

2. This Order shall have effect from 1 January 2001.

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* The Order respecting the designation of classes of employees and establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 245-92 dated 26 February 1992 (1992, *G.O.* 2, 1051), was last amended by Order in Council 1470-2000 dated 20 December 2000 (2001, *G.O.* 2, 7). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

Gouvernement du Québec

O.C. 395-2001, 4 April 2001

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Automotive services industry — Lanaudière-Laurentides — Amendments

CONCERNING the Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions

WHEREAS the Government made the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (R.R.Q., 1981, c. D-2, r. 44);

WHEREAS the M.C.Q. Mouvement Carrossiers Québec has petitioned the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour for an amendment to be made to that Decree;

WHEREAS under section 10 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Decree may order that certain persons or associations be treated as contracting parties;

WHEREAS the contracting parties within the meaning of the Decree have petitioned the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour for certain amendments to be made to the Decree;

WHEREAS sections 2, 6.1 and 6.2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) authorize the Government to decree the extension of a collective agreement and to amend an extension decree at the request of the contracting parties by making, where applicable, the amendments it deems appropriate;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, the draft of the amendment Decree was published in Part 2 of the *Gazette officielle du Québec* of 8 November 2000 and, on the same date, in a French language newspaper and an English language newspaper and, on 11 and 12 November 2000, in two other French language newspapers, with a notice that it could be made by the Government on the expiry of the 45-day period following that publication;

WHEREAS it is expedient to make that draft Decree without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour:

THAT the Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions*

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 2, 6.1 and 10)

1. Paragraph 1 of section 1.02 of the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions is amended by adding, at the end, the following name:

“M.C.Q. Mouvement Carrossiers Québec”;

2. Section 4.03 of the Decree is amended by substituting the words “pump attendants, washers and employees” for the word “employees”.

3. Section 6.01 of the Decree is amended by substituting, for the second paragraph, the following:

“After an agreement between the employee and the employer, when a statutory general holiday coincides with a non working day, it may be taken within the 15 days preceding or following that holiday.”.

4. Schedule 1 of the Decree is amended, under the heading “Région des Laurentides”, by substituting the words “Brownsburg-Chatham” for the words “village de Brownsburg”.

5. This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

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* The Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (R.R.Q., 1981, c. D-2, r. 44) was last amended by the regulation made by Order in Council No. 1385-99 dated 8 December 1999 (1999, *G.O.* 2, 4617). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

Notice

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Regulation to amend the Statutes of the Comité conjoint des matériaux de construction

The Minister of State for Labour, Employment and Social Solidarity and Minister of Labour, Mr. Jean Rochon, hereby gives notice in accordance with section 19 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the "Regulation to amend the Statutes of the Comité conjoint des matériaux de construction", adopted by that joint committee at its meeting held on 25 January 2001, was approved with amendments, on her recommendation under Order in Council No. 396-2001 dated 4 April 2001.

In consequence thereof, that regulation comes into force on the date of its approval by the Government.

ROGER LECOURT,
Deputy Minister

Gouvernement du Québec

O.C. 396-2001, 4 April 2001

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Matériaux de construction — Statutes of the Comité conjoint — Amendments

CONCERNING the Regulation to amend the Statutes of
the Comité conjoint des matériaux de construction

WHEREAS, in accordance with section 16 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Comité conjoint des matériaux de construction was formed for the purpose of overseeing and ascertaining compliance with the Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r. 34) and the Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., 1981, c. D-2, r. 35);

WHEREAS, in accordance with section 18 of that Act, the committee adopted for the purposes of its internal management, the Statutes of the Comité conjoint des matériaux de construction, approved by the Government under Order in Council No. 1674-74 dated 8 May 1974;

WHEREAS the Comité conjoint des matériaux de construction adopted the "Regulation to amend the Statutes of the Comité conjoint des matériaux de construction" at its meeting held on 25 January 2001;

WHEREAS, in accordance with section 19 of the Act, that regulation must be approved, with or without amendment, by the Government;

WHEREAS it is expedient to approve that regulation with amendments;

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

THAT the Regulation to amend the Statutes of the Comité conjoint des matériaux de construction, attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Statutes of the Comité conjoint des matériaux de construction*

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 18 and 19)

1. Section 2.00 of the Statutes of the Comité conjoint des matériaux de construction is amended by substituting the word "Laval" for the word "Montréal".

2. The following is substituted for section 4.01:

"4.01. Members

The committee is composed of 12 members designated as follows:

(a) for the employer party:

six members named by l'Association de la construction du Québec, of whom at least three are professional employers governed by the Decree respecting the non-structural metalwork industry in the Montréal region and at least one is a professional employer governed by the Decree respecting the building materials industry;

* The Statutes of the Comité conjoint des matériaux de construction, approved under Order in Council No. 1674-74 dated 8 May 1974, were amended by the regulations approved under Orders in Council No. 4669-74 dated 18 September 1974 and No. 2842-78 dated 6 September 1978.

(b) for the union party:

(1) three members named by la Fédération de la Métallurgie-CSN;

(2) two members named by the United Steel workers of America (FTQ-CTC);

(3) one member named by l'Union des carreleurs et métiers connexes, Local 1 (FTQ-CTC).”.

3. Section 6.00 is revoked.

4. This Regulation comes into force on the date of its approval by the Government.

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Notice

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Regulation to revoke the Regulation respecting the sous-comité du décret de la serrurerie et la menuiserie métallique (number 5)

The Minister of State for Labour, Employment and Social Solidarity and Minister of Labour, Mr. Jean Rochon, hereby gives notice in accordance with section 19 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the “Regulation to revoke the Regulation respecting the sous-comité du décret de la serrurerie et la menuiserie métallique (number 5)”, adopted by that joint committee at its meeting held on 25 January 2001, was approved without amendment, upon his recommendation under Order in Council No. 397-2001 dated 4 April 2001.

In consequence thereof, that regulation comes into force on the date of its approval by the Government.

ROGER LECOURT,
Deputy Minister

Gouvernement du Québec

O.C. 397-2001, 4 April 2001

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Serrurerie et menuiserie métallique (number 5) — Sous-comité du décret — Abrogation

CONCERNING the Regulation to revoke the Regulation respecting the sous-comité du décret de la serrurerie et la menuiserie métallique (number 5)

WHEREAS, in accordance with section 16 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Comité conjoint des matériaux de construction was formed for the purpose of overseeing and ascertaining compliance with the Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r. 34) and the Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., 1981, c. D-2, r. 35);

WHEREAS, in accordance with section 18 of that Act, the committee adopted for the purposes of its internal management, the Regulation respecting the sous-comité du décret de la serrurerie et la menuiserie métallique (number 5), approved by the Government under Order in Council No. 1675-74 of 8 May 1974;

WHEREAS the Comité conjoint des matériaux de construction adopted the “Regulation to revoke the Regulation respecting the sous-comité du décret de la serrurerie et la menuiserie métallique (number 5)”, at its meeting held on 25 January 2001;

WHEREAS, in accordance with section 19 of that Act, that regulation must be approved, with or without amendment, by the Government;

WHEREAS it is expedient to approve that regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour:

THAT the Regulation to revoke the Regulation respecting the sous-comité du décret de la serrurerie et la menuiserie métallique (number 5), attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to revoke the Regulation respecting the sous-comité du décret de la serrurerie et la menuiserie métallique (number 5)*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 18 and 19)

1. The Regulation respecting the sous-comité du décret de la serrurerie et la menuiserie métallique (number 5) is revoked.

2. This Regulation comes into force on the date of its approval by the Government.

4193

Notice

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Regulation to revoke the Regulation respecting the sous-comité de sécurité sociale (serrurerie et menuiserie métallique) (number 7)

The Minister of State for Labour, Employment and Social Solidarity and Minister of Labour, Mr. Jean Rochon, hereby gives notice in accordance with section 19 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Regulation to revoke the Regulation respecting the sous-comité de sécurité sociale (serrurerie et menuiserie métallique) (number 7), adopted by that joint committee at its meeting held on 25 January 2001, was approved without amendments, upon his recommendation, under Order in Council No. 398-2001 dated 4 April 2001.

In consequence thereof, this Regulation comes into force on the date of its approval by the Government.

ROGER LECOURT,
Deputy Minister of Labour

Gouvernement du Québec

O.C. 398-2001, 4 April 2001

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

**Serrurerie et menuiserie métallique (number 7)
— Sous-comité de sécurité sociale
— Abrogation**

CONCERNING the Regulation to revoke the Regulation respecting the sous-comité de sécurité sociale (serrurerie et menuiserie métallique) (number 7)

WHEREAS, in accordance with section 16 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Comité conjoint des matériaux de construction was formed for the purpose of overseeing and ascertaining compliance with the Decree respecting the building materials industry in the Montréal region (R.R.Q., 1981, c. D-2, r. 34) and the Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., 1981, c. D-2, r. 35);

WHEREAS, in accordance with section 18 of that Act, the committee adopted for purposes of its internal management, the Regulation respecting the sous-comité de sécurité sociale (serrurerie et menuiserie métallique) (number 7), approved by the Government under Order in Council No. 1676-74 dated 8 May 1974;

WHEREAS the Comité conjoint des matériaux de construction adopted the “Regulation to revoke the Regulation respecting the sous-comité de sécurité sociale (serrurerie et menuiserie métallique) (number 7)”, at its meeting held on 25 January 2001;

WHEREAS, in accordance with section 19 of that Act, that Regulation must be approved, with or without amendment, by the Government;

WHEREAS it is expedient to approve that Regulation without amendment;

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

THAT the Regulation to revoke the Regulation respecting the sous-comité de sécurité sociale (serrurerie et menuiserie métallique) (number 7), attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

* The Regulation respecting the sous-comité du décret de la serrurerie et la menuiserie métallique (number 5), approved by Order in Council No. 1675-74 dated 8 May 1974, has not been amended since that date.

**Regulation to revoke the Regulation
respecting the sous-comité de sécurité
sociale (serrurerie et menuiserie
métallique) (number 7)***

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 18 and 19)

1. The Regulation respecting the sous-comité de sécurité sociale (serrurerie et menuiserie métallique) (number 7) is revoked.

2. This Regulation comes into force on the date of its approval by the Government.

4194

* The Regulation respecting the sous-comité de sécurité sociale (serrurerie et menuiserie métallique) (number 7), approved under Order in Council No. 1676-74 dated 8 May 1974, has not been amended since that date.

Draft Regulations

Draft Regulation

An Act respecting financial services cooperatives (2000, c. 29)

Acquisition of shares by certain financial services cooperatives

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

The purpose of the draft Regulation is to provide for the cases in which certain financial services cooperatives may acquire all or part of the shares of a legal person.

The draft Regulation should have a positive effect on businesses and in particular on small and medium-sized businesses by increasing the capacity of a federation to finance such businesses particularly through holding companies and intermediary holding companies.

Further information may be obtained by contacting Maurice Lalancette, Director, Direction de la réglementation et du suivi du secteur financier, ministère des Finances, 700, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5A9; tel. (418) 646-7420.

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 Finance, 12, rue Saint-Louis, 1^{er} étage, Québec (Québec) G1R 5L3.

PAULINE MAROIS,
Minister of Finance

Regulation respecting the acquisition of shares by certain financial services cooperatives

An Act respecting financial services cooperatives (2000, c. 29, s. 599, 1st par., subpars. 13 and 14)

1. A financial services cooperative may acquire, directly or through a legal person or partnership it controls, all or part of the shares of a trust company and an insurance company.

A legal person or partnership controlled by the cooperative that holds the shares of a legal person carrying on activities similar to those of the cooperative may also acquire all or part of the shares of a trust company and an insurance company.

For the purposes of this section and sections 3, 5 and 6, “financial services cooperative” means a federation or the Caisse centrale Desjardins du Québec.

2. A financial services cooperative that is a federation may acquire all or part of the shares of a holding company established under the laws of Québec for the sole purpose of acquiring all or part of:

(1) the securities of a legal person or partnership whose activities are the acquisition, rental or administration of immovables or other exclusively commercial or industrial activities;

(2) the shares of other holding companies established under the laws of Québec for the sole purpose of acquiring all or part of the securities referred to in paragraph 1.

3. A financial services cooperative may acquire shares in holding companies established under laws other than those of Québec for the purpose of acquiring all or part of:

(1) the shares of legal persons or partnerships that carry on activities similar to those of the cooperative, specifically a bank, investment bank, savings company and a legal person or partnership established for the purpose of carrying on activities related to mutual funds;

(2) the shares of other holding companies established for the purpose of acquiring shares in the legal persons or partnerships referred to in section 1 and in paragraph 1 of this section.

4. A financial services cooperative that is a federation may acquire 30% to 50% of the assets or the voting rights attached to the shares of holding companies established under the laws of Québec, where all of the following conditions apply:

(1) the holding company is established for the sole purpose of acquiring all or part of the securities of a legal person or partnership whose activities are exclusively commercial or industrial;

(2) the holding company is controlled by a legal person from the same group.

The voting rights attached to the shares of the holding company may enable the financial services cooperative to elect more than one-third of the directors of that holding company.

5. A financial services cooperative may acquire, directly or through a legal person or a partnership it controls, 30% to 50% of the assets or the voting rights attached to the shares of a legal person carrying out a joint venture, where all of the following conditions apply:

(1) the financial services cooperative has entered into a business partnership with respect to the joint venture;

(2) the partners in the joint venture control it;

(3) the principal activities of the joint venture are one or more of the following:

(a) the provision of financial products and services, including their production and distribution;

(b) the transport of valuables;

(c) payment systems and services;

(d) payroll services;

(e) the development and marketing of computer applications or systems or telecommunications that relate to the activities of financial institutions;

(f) management, consulting and supply services that relate to the activities of financial institutions.

The voting rights attached to the shares of a legal person carrying out a joint venture may enable the financial services cooperative to elect more than one-third of the directors of that legal person.

6. A financial services cooperative may also acquire shares, directly or through a legal person or a partnership it controls, where:

(1) for a period not exceeding one year, it acquires 30% to 50% of the shares of a legal person;

(2) for a period not exceeding one year, it acquires all or part of the shares of a legal person whose activities are exclusively commercial or industrial.

The voting rights attached to the shares of the legal person referred to in subparagraphs 1 and 2 of the first paragraph may enable the financial services cooperative

to elect more than one-third of the directors of that legal person.

7. The provisions of the first paragraph of section 475 of the Act respecting financial services cooperatives do not apply:

(1) to the acquisition by a holding company of the shares of another holding company referred to in paragraph 2 of section 2;

(2) to the acquisition of shares of a legal person whose activities are exclusively commercial or industrial;

(3) to the acquisition of shares of a legal person carrying out a joint venture, made in accordance with section 5;

(4) to the acquisition of shares of a legal person, made in accordance with section 6.

8. This Regulation comes into force on the date of coming into force of sections 468 to 475, subparagraphs 13 and 14 of the first paragraph of section 599 and section 689 of the Act respecting financial services cooperatives.

4198

Draft Regulation

An Act respecting childcare centres and childcare services
(R.S.Q., c. C-8.2)

Childcare centres — 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 childcare centres, 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 amend the provisions of the Regulation dealing with the compulsory training that a person recognized as a home childcare provider must acquire so that a safety component may be added to that training.

The draft Regulation prescribes certain transitional rules for persons recognized as home childcare providers who have completed or are about to complete their training.

Further information may be obtained by contacting Ghislaine Montpetit, Direction du soutien à la qualité des services, 600, rue Fullum, Montréal (Québec) H2K 4S7, telephone: (514) 873-6105; fax: (514) 864-2170.

Any interested person having comments to make on the matter is asked to send them in writing to the Minister for Child and Family Welfare, 1050, des Parlementaires, 7^e étage, Québec (Québec) G1R 5Z8 before the expiry of the 45-day period following this publication.

LINDA GOUPIL,
Minister of Child and Family Welfare

Regulation to amend the Regulation respecting childcare centres*

An Act respecting childcare centres and childcare services
(R.S.Q., c. C-8.2, s. 73, par. 17)

1. Section 45 of the Regulation respecting childcare centres is amended by inserting the word “safety,” before the word “health” in subparagraph 3 of the first paragraph.

2. The following is added after section 109:

“**109.1.** A person recognized as a home childcare provider between (*enter the date two years before the date of coming into force of this Regulation*) and (*enter the date one year before the date of coming into force of this Regulation*) and who has not yet completed the training program provided for in section 45 has until (*enter the date one year after the date of coming into force of this Regulation*) to acquire the training provided therein in matters of safety.

A person recognized as a home childcare provider who, on (*enter the date of coming into force of this Regulation*) has completed the training program provided for in section 45 as it read on (*enter the date of the day preceding the date of coming into force of this Regulation*), must, within the scope of the refresher course required in section 46, acquire no later than (*enter the date one year after the date of coming into force of this Regulation*) the training provided in matters of safety.

* The Regulation respecting childcare centres made by Order in Council 1069-97 dated 27 August 1997 (1997, *G.O.* 2, 4368) was last amended by Order in Council 974-2000 dated 16 August 2000 (2000, *G.O.* 2, 4408). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

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

4197

Draft Regulation

An Act respecting financial services cooperatives
(2000, c. 29)

Investments of a security fund

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting investments of a security fund, 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 prescribe the authorized investments of a security fund.

To date, study of the matter has shown no impact on businesses and in particular on small and medium-sized businesses.

Further information may be obtained by contacting Maurice Lalancette, Director, Direction de la réglementation et du suivi du secteur financier, Ministère des Finances, 700, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5A9; tel. (418) 646-7420.

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 Finance, 12, rue Saint-Louis 1^{er} étage, Québec (Québec) G1R 5L3.

PAULINE MAROIS,
Minister of Finance

Regulation respecting investments of a security fund

An Act respecting financial services cooperatives
(2000, c. 29, ss. 517 and 599, 1st par., subpar. 17)

1. A security fund may invest in the following:

- (1) demand deposits;
- (2) day loans;

(3) demand loans guaranteed by securities having a credit rating at least equivalent to an R-1L or A rating according to the criteria of the Dominion Bond Rating Service Limited;

(4) deposit certificates whose term does not exceed five years;

(5) guaranteed investment certificates issued by a bank or institution registered with the Régie de l'assurance-dépôts du Québec, other than a credit union that is a member of the fund, or with the Canada Deposit Insurance Corporation;

(6) negotiable and insubordinate debt securities issued by a bank listed in Schedule 1 or Schedule 2 to the Bank Act (S.C., 1991, c. 46) and having a credit rating at least equivalent to an R-1L or A rating according to the criteria of the Dominion Bond Rating Service Limited;

(7) securities issued or guaranteed irrevocably and unconditionally by the Gouvernement du Québec or the Government of Canada;

(8) securities issued or guaranteed irrevocably and unconditionally by the Government or a hydroelectric corporation of a Canadian province other than Québec and having a credit rating at least equivalent to an R-1L or A rating according to the criteria of the Dominion Bond Rating Service Limited;

(9) securities issued or guaranteed irrevocably and unconditionally by the Government of the United States of America;

(10) securities issued by a legal person established in the public interest incorporated under the Statutes of Québec;

(11) negotiable and subordinate debt securities, issued by a bank listed in Schedule 1 or Schedule 2 to the Bank Act (S.C., 1991, c. 46) and having a credit rating at least equivalent to an R-1L or A rating according to the criteria of the Dominion Bond Rating Service Limited;

(12) negotiable debt securities issued by a legal person established in the private interest and having a credit rating at least equivalent to an R-1L or A rating according to the criteria of the Dominion Bond Rating Service Limited;

(13) mutual funds of Canadian or American money markets;

(14) mutual funds of Canadian or American bond or mortgage markets;

(15) mutual funds of shares issued on the Canadian market or on the market of another country that is a member of the Organisation for Economic Co-operation and Development;

(16) subordinate shares or debt securities issued by credit unions whose capital base does not reach the amount prescribed in the standards of the federation;

(17) derivatives;

(18) shares issued on the Canadian market or on the market of another country that is a member of the Organisation for Economic Co-operation and Development; and

(19) hedge funds.

2. The security fund may not make investments that exceed a value representing 30% of its assets according to its most recent auditing in subordinate shares or debt securities issued by the credit unions of its group.

3. The security fund may not make investments that exceed a value representing 5% of its assets according to its most recent auditing in securities issued by the same legal person and referred to in paragraphs 11, 12 and 18 of section 1.

4. The security fund may not make investments that exceed a value representing 25% of its assets according to its most recent auditing in securities referred to in paragraphs 11, 12, 15 and 18 of section 1 and in securities of mutual funds of Canadian or American bond or mortgage markets.

For the purposes of this section, the mutual funds of bond markets are those made up of bonds issued by legal persons established in the private interest.

5. A security fund may not make investments in legal persons or corporations controlled by the federation or the credit unions of its group.

Notwithstanding the foregoing, the security fund may carry out the transactions referred to in paragraphs 1, 2 and 17 of section 1 with a bank, the Caisse centrale Desjardins or the Fédération des caisses Desjardins du Québec, where it is part of the same group as those credit unions.

6. This Regulation will come into force on the date of coming into force of sections 487 to 547, subparagraph 17 of the first paragraph of section 599 and section 689 of the Act respecting financial services cooperatives.

Draft Regulation

Medical Act
(R.S.Q., c. M-9)

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

Physicians

— **Acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians (pharmacists)**

— **Amendments**

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Collège des médecins du Québec, at its meeting held on February 23, 2001, adopted the Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians.

In accordance with section 95 of the Professional Code, the Regulation has been transmitted to the Office des professions du Québec for examination after which it will be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment at the expiry of 45 days following this publication.

The purpose of the Regulation is to allow pharmacists to prescribe medication required for the purpose of emergency oral contraception under the following conditions:

— The act is done by a pharmacist who holds a certificate delivered by the Ordre des pharmaciens du Québec attesting to his successful completion of the professional training requirements determined by regulation passed by the Bureau of such order.

— The pharmacist shall personally fill the prescription.

According to the Collège des médecins du Québec:

1° this regulation will allow the women of Québec easier and simpler access to emergency oral contraception. This medication needs to be taken as soon as possible, preferably within 24 hours of unprotected sexual intercourse, during which time it is not always possible to consult a physician and obtain a prescription. In summary, it is a measure that will prevent unwanted pregnancies and abortions as pharmacists having received the appropriate training will, within the required time frame, be able to prescribe and deliver the medication.

This measure fits within Québec's program of increased access to emergency oral contraception as put forth by the ministère de la Santé et des Services sociaux;

2° this regulation will have no impact on small and medium businesses or others.

Additional information with respect to the draft Regulation may be obtained by contacting M^e Luc Bigaouette, counsel, Assistant Secretary General, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8, telephone: (514) 933-4441 or 1-888-MÉDECIN; fax: (514) 933-5374.

Any person having comments to make on the text reproduced below is asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order that has adopted the Regulation, namely the Collège des médecins du Québec, as well as to interested persons, departments and bodies.

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

Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians*

Medical Act
(R.S.Q., c. M-9, s. 19, 1st par., subpar. b)

1. The Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians is amended at section 1.01 by the addition, after paragraph *s*, of the following:

“*t*) “pharmacist”: any person entered on the roll of the Ordre professionnel des pharmaciens du Québec.”

* The recent amendments to the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, adopted on September 18, 1981 (1982, *G.O.* 2, 21) were introduced by the regulation approved by Order in council 1417-2000 of December 6, 2000 (2000, *G.O.* 2, 7338). For previous amendments, see the *Tableau des modifications et Index Sommaire*, Quebec Official Publisher, 2000, updated to February 1st, 2000.

2. This regulation is amended by adding, after section 5.11, the following section:

“5.12. Pharmacists may do the acts listed in schedule E, subject to Division II.”.

3. This regulation is amended by adding after schedule D the following schedule:

“SCHEDULE E

Act consisting in:	Conditions
E. 1.01 Prescribing medication required for the purpose of emergency oral contraception	The act is done by a pharmacist who holds a certificate delivered by the Ordre des pharmaciens du Québec attesting to his successful completion of the professional training requirements determined by regulation passed by the Bureau of such order.
	The pharmacist shall personally fill the prescription.

”.

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

4202

Draft Regulation

An Act respecting the Mouvement Desjardins (2000, c. 77)

Transitional measures or other measures conducive to the application of the Act respecting the Mouvement Desjardins

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting certain transitional measures or other measures conducive to the application of the Act respecting the Mouvement Desjardins, 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 allow the Caisse centrale Desjardins du Québec, before the date of amalgamation provided for in section 689 of the Act respecting financial services cooperatives (2000, c. 29), to forecast the capital stock, the conversion of certain

shares and new by-laws of the Caisse centrale Desjardins du Québec that will continue as a financial services cooperative from that date.

To date, study of the matter has shown no impact on businesses and in particular on small and medium-sized businesses.

Further information may be obtained by contacting Maurice Lalancette, Director, Direction de la réglementation et du suivi du secteur financier, ministère des Finances, 700, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5A9; tel. (418) 646-7420.

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 Finance, 12, rue Saint-Louis, 1^{er} étage, Québec (Québec) G1R 5L3.

PAULINE MAROIS,
Minister of Finance

Regulation respecting certain transitional measures or other measures conducive to the application of the Act respecting the Mouvement Desjardins

An Act respecting the Mouvement Desjardins (2000, c. 77, s. 69)

1. The Caisse centrale Desjardins du Québec, constituted under chapter 46 of the Statutes of 1979, replaced by chapter 113 of the Statutes of 1989 and its amendments shall establish by resolution of the board of directors and before the date of coming into force of section 689 of the Act respecting financial services cooperatives (2000, c. 29):

(1) the capital stock of the Caisse centrale Desjardins du Québec which will continue as a financial services cooperative from the date of coming into force of section 689 of the Act respecting financial services cooperatives, in accordance with sections 10 and 72 of the Act respecting the Mouvement Desjardins (2000, c. 77);

(2) the conversion of cooperative shares into qualifying shares or capital shares.

The Caisse centrale Desjardins du Québec shall transmit a certified true copy of the resolution to the Inspector General of Financial Institutions, who shall deposit a copy of the resolution in the register instituted under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45).

2. The Caisse centrale Desjardins du Québec shall establish by resolution of its board of directors before the date of coming into force of section 689 of the Act respecting financial services cooperatives the new by-laws of the Caisse centrale Desjardins du Québec that are to apply as of that date.

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

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Notices

Notice

Ecological Reserves Act
(R.S.Q., c. R-26.1)

Proposed Mont-Saint-Pierre Ecological Reserve

— **Plan of the reserve**

— **Abrogation**

Notification is hereby given in accordance with section 4 of the Ecological Reserves Act that the Minister of the Environment has repealed the plan of the proposed Mont-Saint-Pierre Ecological Reserve, located in the Haute-Gaspésie regional county municipality, for which a notification had been published in the *Gazette officielle du Québec* of March 7, 1998. The Mont-Saint-Pierre Ecological Reserve being made under Order in Council 24-2001 dated January 17, 2001, the plan of the proposed ecological reserve is repealed in order for the prohibitions provided for in section 6 of the Act to cease to apply to the land that is not part of the Mont-Saint-Pierre Ecological Reserve.

DIANE JEAN,
Deputy Minister

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

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