

Gazette officielle du Québec

Part 2 Laws and Regulations

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Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 450-2001, 25 April 2001

An Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001)

Income support — Amendments

Regulation to amend the Regulation respecting income support

WHEREAS in accordance with the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001), the Government made the Regulation respecting income support by Order in Council 1011-99 dated 1 September 1999;

WHEREAS it is expedient to amend the Regulation;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as prescribed in section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 13 of that Act, the reason justifying the absence of prior publication shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication:

— the amendments made by the Regulation attached to this Order in Council result from the 2.5% increase in the employment insurance benefits granted to persons whose capacity for employment is not severely limited, in accordance with the announcement made in the 2001-2002 Budget Speech, and those amendments must come into force on 1 June 2001;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting income support, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting income support*

An Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001, s. 156, pars. 8 and 11, and s. 160)

1. The Regulation respecting income security is amended in section 23 by substituting the amounts “\$501” and “\$776” for the amounts “\$489” and “\$757”, respectively.

2. The amounts “\$137”, “\$106” and “\$234” are substituted for the amounts “\$134”, “\$103” and “\$237”, respectively, in section 25.

3. The amounts “\$106”, “\$233”, “\$321” and “\$183” are substituted for the amounts “\$103”, “\$245”, “\$340” and “\$179”, respectively, wherever they appear in section 32.

4. The amount “\$106” is substituted for the amount “\$103” in section 33.

5. This Regulation comes into force on 1 June 2001.

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* The Regulation respecting income support, made by Order in Council 1011-99 dated 1 September 1999 (1999, *G.O.* 2, 2881), was last amended by the Regulations made by Orders in Council 1427-2000 dated 6 December 2000 (2000, *G.O.* 2, 5724), 1428-2000 dated 6 December 2000 (2000, *G.O.* 2, 5726), 15-2001 dated 11 January 2001 (2001, *G.O.* 2, 445) and 205-2001 dated 7 March 2001 (2001, *G.O.* 2, 1379). 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. 455-2001, 25 April 2001

Financial Administration Act
(R.S.Q., c. A-6)

Minister of Finance
— Signing of documents with regard to certain
financial transactions

Signing of documents on behalf of the Minister of Finance with regard to certain financial transactions

WHEREAS under the fourth paragraph of section 36.1 of the Financial Administration Act (R.S.Q., c. A-6), any document relating to a transaction to which the section applies may be signed in the name of the Minister by any person designated by the Government;

WHEREAS it is expedient to designate persons for that purpose;

WHEREAS Government designated persons for that purpose by Order in Council 974-98 dated 21 July 1998;

WHEREAS it is necessary to replace Order in Council 974-98 dated 21 July 1998;

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

THAT any of the following persons be authorized to sign on behalf of the Minister of Finance any document relating to options and futures contracts, currency exchange agreements, interest rate exchange agreements and any other instrument or contract of a financial nature determined by the Government:

- (1) the Deputy Minister of Finance;
- (2) the Assistant Deputy Minister, Financing, Debt Management and Financial Transactions;
- (3) the Director General, Banking and Financial Transactions;
- (4) the Director, Long-Term Financing;
- (5) the Director, Treasury Operations;
- (6) the Director, Loan Contracting;

(7) the Director, Risk Management;

(8) the Director, Back Offices;

THAT upon written approval of the characteristics, terms and conditions of a transaction referred to in the first paragraph of the operative part by a person referred to in that paragraph, any of the following persons be authorized to sign, on behalf of the Minister of Finance, any document respecting that transaction:

(1) the Delegate General of Québec, the Economic Affairs Counsellor, the Public Affairs Counsellor or the Finance Counsellor at the Délégation Générale du Québec in London;

(2) the Delegate General of Québec, the Administration Counsellor or the Economic Services Counsellor at the Délégation Générale du Québec in New York;

(3) the Delegate General of Québec, the Secretary General, the Senior Political Affairs Counsellor or the Director of Economic Affairs at the Délégation Générale du Québec in Paris;

(4) the Delegate General of Québec, the Director of Economic Affairs or the Administration Attaché at the Délégation Générale du Québec in Tokyo;

(5) the Delegate General of Québec, the Director of Economic Affairs, the Director of the Political Affairs Service, the Director of the Communications and Public Affairs Services or the Director of the Cooperation and Cultural Affairs Services at the Délégation Générale du Québec in Brussels;

(6) the representative of Québec at the Québec Government Office in Munich;

(7) the representative of Québec at the Québec Government Office in Ottawa;

(8) the representative of Québec at the Québec Government Office in Toronto;

THAT this Order in Council replace Order in Council 974-98 dated 21 July 1998.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 457-2001, 25 April 2001

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

Alcoholic beverages

— Terms of sale by holders of a grocery permit

— Amendments

Regulation to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit

WHEREAS under paragraph 1 of section 37 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13), amended by section 20 of Chapter 8 of the Statutes of 1999, the Government, upon the recommendation of the Minister of Industry and Trade and the Minister of Public Security, may make regulations determining the conditions or modalities of purchase, making, bottling, keeping, handling, storing, sale or shipping of alcoholic beverages;

WHEREAS under paragraph 7 of section 37 of the Act, the Government may, in the same manner, make regulations determining which wines and alcoholic beverages made or bottled by the Corporation or a brewer's, cider maker's or wine maker's permit holder, other than alcohol and spirits, may be sold by grocery permit holders;

WHEREAS under paragraph 8 of section 37 of the Act, the Government may, in the same manner, make regulations determining, for grocery permit holders, the conditions and modalities of supplying, marketing and fixing the retail price of alcoholic beverages contemplated in paragraph 7 of that section;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit was published in Part 2 of the *Gazette officielle du Québec* of 30 August 2000 with a notice that it could be submitted to the Government which could make it upon the expiry of 45 days following that publication;

WHEREAS by Order in Council 218-2001 dated 8 March 2001, the Minister of Finance shall act in the stead of the Minister of Industry and Trade as provided for in the Act respecting the Société des alcools du Québec;

WHEREAS it is expedient to make the Regulation with amendment;

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

THAT the Regulation to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit*

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13, s. 37, pars. 1, 7, 8 and 10; 1999, c. 8, s. 20)

1. The Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit is amended in section 2 by substituting the following for paragraph 2:

“(2) wines bottled in Québec bearing the mark of origin of the Société des alcools du Québec, provided that there are not more than 8 brand-sizes;”.

2. Section 3 is amended

(1) by deleting the words “a person authorized by the Société des alcools du Québec to sell alcoholic beverages under paragraph *h* of section 17 of the Act respecting the Société des alcools du Québec, or with” in subparagraph 5 of the first paragraph;

(2) by adding the following paragraph at the end:

“In addition, the holder of a wine maker's permit may market a proprietary brand in association with the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec.”.

* The Regulation respecting the terms of sale of alcoholic beverages by holders of a grocery permit, made by Order in Council 2165-83 dated 19 October 1983 (1983, *G.O.* 2, 3668), was last amended by the Regulation made by Order in Council 1797-91 dated 18 December 1991 (1992, *G.O.* 2, 16). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

3. Section 4 is amended

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

“The holder of a wine maker’s permit that wishes to market a proprietary brand in association with the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec shall file with the Corporation an additional declaration indicating his intention and attesting that he holds the rights to use the brand. The permit holder shall also have the declaration recorded in the register of proprietary brands kept by the Corporation.”;

(2) by inserting the words “provided that those brands and brand names of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec” after the words “recorded in the register and” in the second paragraph;

(3) by substituting the word “third” for the word “second” in the third paragraph.

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

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Gouvernement du Québec

O.C. 458-2001, 25 April 2001

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

Wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit — Amendments

Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit

WHEREAS under paragraph 1 of section 37 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13), amended by section 20 of Chapter 8 of the

Statutes of 1999, the Government, upon the recommendation of the Minister of Industry and Trade and the Minister of Public Security, may make regulations determining the conditions or modalities of purchase, making, bottling, keeping, handling, storing, sale or shipping of alcoholic beverages;

WHEREAS under paragraph 7 of section 37 of the Act, the Government may, in the same manner, make regulations determining which wines and alcoholic beverages made or bottled by the Corporation or a brewer’s, cider maker’s or wine maker’s permit holder, other than alcohol and spirits, may be sold by grocery permit holders;

WHEREAS under paragraph 8 of section 37 of the Act, the Government may, in the same manner, make regulations determining, for grocery permit holders, the conditions and modalities of supplying, marketing and fixing the retail price of alcoholic beverages contemplated in paragraph 7 of that section;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit was published in Part 2 of the *Gazette officielle du Québec* of 30 August 2000 with a notice that it could be submitted to the Government which could make it upon the expiry of 45 days following that publication;

WHEREAS under Order in Council 218-2001 dated 8 March 2001, the Minister of Finance shall act in the stead of the Minister of Industry and Trade as provided for in the Act respecting the Société des alcools du Québec;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker's permit*

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13, s. 37, pars. 1, 7, 8 and 10; 1999, c. 8, s. 20)

1. Section 3 of the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker's permit is amended by substituting the words "the following expression: "liqueur wine" for the words "one of the following expressions: "liqueur wine", "Canadian port" or "Canadian sherry".

2. The following paragraph is added after the first paragraph of section 6:

"Notwithstanding the first paragraph, where wine is bottled under a proprietary brand in association with the brand name of a person authorized to sell alcoholic beverages under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec, that brand name shall appear on the main label of the wine container, but the typeface used shall not be larger than that used for the proprietary brand. The name and address of the authorized person may appear on the main label with or without the name and address of the holder of a wine maker's permit."

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 1 which will come into force on the date of the first anniversary of the coming into force of this Regulation.

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* The Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker's permit, made by Order in Council 2166-83 dated 19 October 1983 (1983, *G.O.* 2, 3671), was last amended by the Regulation made by Order in Council 1797-91 dated 18 December 1991 (1992, *G.O.* 2, 16). 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. 469-2001, 25 April 2001

An Act respecting liquor permits (R.S.Q., c. P-9.1)

Alcoholic beverages — Promotion, advertising and educational programs — Amendments

Regulation to amend the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages

WHEREAS under paragraph 12 of section 114 of the Act respecting liquor permits (R.S.Q., c. P-9.1), the Régie des alcools, des courses et des jeux may, in plenary session, make regulations establishing standards, limits, restrictions, prohibitions and an approval procedure relating to promotion, advertising and educational programs in respect of alcoholic beverages applicable in whole or in part to persons or categories of persons determined by regulation;

WHEREAS under paragraph 12.1 of section 114 of the Act, the board may in the same manner make regulations controlling the giving of alcoholic beverages by the Société des alcools du Québec and by the holder of a permit issued under the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13);

WHEREAS at its plenary session of 5 April 2000, the board made a draft Regulation to amend the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) a draft Regulation to amend the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages was published in Part 2 of the *Gazette officielle du Québec* of 30 August 2000 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS at its plenary session of 24 November 2000, the board made that Regulation with amendment;

WHEREAS it is expedient to approve the Regulation with amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages*

An Act respecting liquor permits
(R.S.Q., c. P-9.1, s. 114, pars. 12 and 12.1)

1. The following paragraph is added at the end of section 1 of the Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages:

“In addition, in this Regulation,

“distributor” means any person authorized by the Société des alcools du Québec under subparagraph *h* of the first paragraph of section 17 of the Act respecting the Société des alcools du Québec (R.S.Q., c. S-13); (*distributeur*)

“manufacturer” means the Corporation, in respect of the alcoholic beverages it bottles under its own name, a holder of a permit issued under the Act respecting the Société des alcools du Québec, any other supplier of alcoholic beverages to the Corporation and an agent or representative of those persons; (*fabricant*)

“permit holder” means a person holding a permit issued under the Act respecting liquor permits (R.S.Q., c. P-9.1); (*titulaire de permis*)”

“tasting” means a promotional activity at which a manufacturer serves alcoholic beverages in a small quantity for the sole purpose of tasting the beverage. (*dégustation*)

* The Regulation respecting promotion, advertising and educational programs relating to alcoholic beverages, made by Order in Council 1529-91 dated 6 November 1991 (1991, *G.O.* 2, 4466) was last amended by the Regulation made by Order in Council 610-94 dated 27 April 1994 (1994, *G.O.* 2, 1588). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

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

“No advertising, including audio, video, printed or computerized advertising, may indicate the grape variety or the mark of origin of a table wine sold by the holder of a grocery permit under a proprietary brand.”

3. The fourth paragraph of section 6 is deleted.

4. The third paragraph of section 12 is deleted.

5. Sections 13 and 14 are revoked.

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

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Gouvernement du Québec

O.C. 470-2001, 25 April 2001

An Act respecting the determination of the causes and circumstances of death
(R.S.Q., c. R-0.2)

Transportation, custody and preservation of dead bodies — Tariff

Tariff of costs for the transportation, custody and preservation of dead bodies

WHEREAS under subparagraphs 3 and 4 of the first paragraph of section 168 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2), the Government may, by regulation, after consultation with the Chief Coroner, adopt tariffs establishing the costs of transporting, keeping and preserving dead bodies and the cost of any other service required for the administration of the Act;

WHEREAS under the second paragraph of that section, the Government may also, by regulation, determine in which cases, on what conditions and to which categories of persons the tariffs apply;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Tariff attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 31 January 2001 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the Chief Coroner was consulted;

WHEREAS it is expedient to make the Tariff without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Public Security:

THAT the Tariff of costs for the transportation, custody and preservation of dead bodies, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Tariff of costs for the transportation, custody and preservation of dead bodies

An Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2, s. 168, 1st par., subpars. 3 and 4 and 2nd par.)

1. The rates paid to the carrier referred to in section 1 of the Regulation respecting the identification, transportation, preservation or keeping, custody and return or remittal of dead bodies, objects and documents, made by Order in Council 907-92 dated 17 June 1992, for the transportation of a body which the coroner or another authorized person takes possession of are as follows:

(1) \$83 for each return trip made by the carrier within the limits of Ville de Montréal or of Ville de Québec;

(2) in all other cases, \$64 for each return trip plus \$0.75 per kilometre travelled;

(3) \$50 for each additional body transported during the same trip.

2. The carrier shall be paid \$15 per hour per employee, up to a maximum of \$120 per employee, for any wait sustained by the employee during the examination of the body or when taking possession of the body if the wait exceeds one hour.

3. The morgue designated under paragraph 2 of section 32 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2) shall be paid \$25 for each 24-hour period, or part thereof, of custody or preservation of the body.

4. The designated morgue shall be paid \$25 each time the coroner or a person authorized by the coroner visits the morgue during the period of custody or preservation of the body.

5. The carrier shall be reimbursed for living expenses in accordance with Directive 7-74 of the Conseil du trésor entitled Règles sur les frais de déplacement du personnel engagé à honoraires.

6. The rates paid to the carrier referred to in section 1 of the Regulation respecting the identification, transportation, preservation or keeping, custody and return or remittal of dead bodies, objects and documents, made by Order in Council 907-92 dated 17 June 1992, for the transportation of a body which the coroner or another authorized person takes possession of are as follows:

(1) \$83 for each return trip made by the carrier within the limits of the Communauté urbaine de Montréal or of the Communauté urbaine de Québec;

(2) in all other cases, \$64 for each return trip plus \$0.75 per kilometre travelled;

(3) \$50 for each additional body transported during the same trip.

7. This Tariff replaces the Tariff respecting coroners' investigations and inquests, made by Order in Council 1376-83 dated 22 June 1983.

8. This Tariff comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 1 which will come into force on 1 January 2002.

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Gouvernement du Québec

O.C. 471-2001, 25 April 2001

Highway Safety Code
(R.S.Q., c. C-24.2)

Reciprocal agreement on driver's licence exchange

Regulation respecting a reciprocal agreement on driver's licence exchange between the Société de l'assurance automobile du Québec and the National Police Agency of the Republic of Korea

WHEREAS under section 65 of the Highway Safety Code (R.S.Q., c. C-24.2), no person may drive a road vehicle on a public highway or other roads described in the Code unless he holds a driver's licence of the class appropriate to the driving of that vehicle;

WHEREAS under section 629 of that Code, the Société de l'assurance automobile du Québec may, according to

law, enter into an agreement with any government, department, or body respecting any matter referred to in the Code;

WHEREAS under section 24 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1), no public agency may, without the prior written authorization of the Minister of International Relations, conclude any agreement with a foreign government or any of its departments;

WHEREAS the Minister of International Relations authorized the Société de l'assurance automobile du Québec to sign an agreement with the National Police Agency of the Republic of Korea;

WHEREAS on 23 November 2000, the Société de l'assurance automobile du Québec and the National Police Agency of the Republic of Korea signed a reciprocal agreement on the exchange of driver's licences;

WHEREAS under section 631 of the Code, the Government may, by regulation, adopt the necessary measures to give effect to an agreement under section 629 of the Code and the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to such a regulation;

WHEREAS it is expedient to make that Regulation to give effect to the Agreement entered into by the Société de l'assurance automobile du Québec and the National Police Agency of the Republic of Korea;

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

THAT the Reciprocal agreement on driver's licence exchange between the Société de l'assurance automobile du Québec and the National Police Agency of the Republic of Korea on the exchange of driver's licences take effect;

THAT the Regulation respecting a reciprocal agreement on driver's licence exchange between the Société de l'assurance automobile du Québec and the National Police Agency of the Republic of Korea, attached to this Order in Council, be made.

JEAN-ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting a reciprocal agreement on driver's licence exchange between the Société de l'assurance automobile du Québec and the National Police Agency of the Republic of Korea

Highway Safety Code
(R.S.Q., c. C-24.2, s. 631)

1. The Highway Safety Code (R.S.Q., c. C-24.2) and its attendant regulations apply to the holder in Québec of a driver's licence issued by the National Police Agency of the Republic of Korea.

2. Provisions of the Code and its attendant regulations apply in accordance with the reciprocal agreement on driver's licence exchange between the Société de l'assurance automobile du Québec and the National Police Agency of the Republic of Korea, which is appended hereto.

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

APPENDIX

RECIPROCAL AGREEMENT ON DRIVER'S LICENCE EXCHANGE

BETWEEN

THE SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC

AND

THE NATIONAL POLICE AGENCY OF THE REPUBLIC OF KOREA

The Société de l'assurance automobile du Québec

hereinafter referred to as the "SAAQ"

AND

The National Police Agency of the Republic of Korea

hereinafter referred to as the "NPA"

Also referred to hereunder as the Parties

WHEREAS the SAAQ and the NPA issue driver's licences authorizing residents of Québec and of Korea respectively to drive motor vehicles within the borders of their respective territories ;

WHEREAS the SAAQ and the NPA require that anyone residing in their respective territories and driving on a public highway hold a valid driver's licence ;

WHEREAS the Parties wish to facilitate the exchange of driver's licences for holders of a valid licence issued by one of the Parties who settle in the territory of the other Party ;

HAVE AGREED to conclude a reciprocal agreement to ensure that the licences are recognized and to facilitate the exchange of driver's licences under the following conditions.

ARTICLE 1 DEFINITIONS

Under the present agreement :

1.1 "Driver's licence" means a licence issued by one of the Parties and authorizing the holder to drive a motor vehicle on a public highway, subject to the terms and conditions specific to the class of driver's licence and any other related condition and subject to the relevant laws and regulations in force in the territory in question.

"Authority" or "territory" refers to Québec or Korea and "authorities" or "territories" refers to Québec and Korea together.

"Valid" means that at the time a driver's licence issued by one Party is exchanged for a driver's licence issued by the other Party, the original driver's licence has not expired or been revoked, suspended or cancelled by the authority or by the administration or agency acting on behalf of the authority which issued the driver's licence, and that the driver's licence is not subject to any similar restriction which prevents the holder from using it for the intended purpose.

1.2 In the case of the SAAQ :

A class 5 licence is a valid licence issued by the SAAQ authorizing the holder to drive a motor vehicle having two axles and a net weight of less than 4 500 kg, a motor vehicle permanently converted into a dwelling, a tool vehicle and a service vehicle.

1.3 In the case of the NPA :

A class 2 – ordinary vehicles driver's licence is a valid driver's licence issued by the NPA authorizing the holder to drive a sedan, a van/minibus (with a maximum capacity of 9 passengers) and a light truck or van with a load capacity of not more than 4 000 kilograms.

ARTICLE 2 RECOGNITION AND EXCHANGE OF LICENCES

2.1 A resident of Korea who holds a class 2 – ordinary vehicles driver's licence may exchange his licence for a class 5 licence upon settling in Québec without undergoing a proficiency examination or an eye test, upon presentation of a valid licence or a licence that expired within the previous three years, and after paying the fees and insurance premium set by regulation.

If the applicant is at least 25 years old or can prove that he has held a valid driver's licence for the past 24 months at least, the SAAQ shall issue a driver's licence to him; otherwise, he will be issued a probationary licence.

An applicant who wishes to have his driving experience recognized must provide a record of his file from Korea. The licence, and the record of his file must be accompanied by an official English or French translation.

2.2 A Québec resident who holds a valid class 5 driver's licence may exchange that licence for a class 2 – ordinary vehicles licence upon settling in Korea after passing an eye test and a hearing test and paying the attendant fees.

2.3 The restrictions on the original driver's licence are carried over onto the driver's licence issued in exchange, as equivalent codes.

ARTICLE 3 FINAL PROVISIONS

3.1 Samples of the various valid Korean and Québec driver's licences are appended to the present agreement.

Any change by one or the other of the Parties to the driver's licences shown as samples will be communicated to the other Party through diplomatic channels.

3.2 The present agreement does not invalidate the provisions of any law or regulation applicable in the territory of one or the other of the Parties with respect to the right to use a foreign driver's licence.

3.3 The present agreement will be amended in order to take into account any amendments made to the internal law of either Party.

3.4 The present agreement does not affect existing or future reciprocal understandings or agreements made by one or the other of the Parties with any other government.

3.5 The Parties shall help each other apply this agreement and exchange information, when necessary, on licences submitted for the purposes of an exchange.

3.6 Any document or communication provided or transmitted under this agreement shall be in writing and shall be deemed to have been duly provided or transmitted to the Party to which it is addressed at the time it is handed in person, delivered by messenger or registered letter (postage paid) or sent by fax to the following address:

For Québec: Société de l'assurance automobile
du Québec
333, boulevard Jean-Lesage
Québec (Québec) G1K 8J6
Fax: (418) 643-2748
Tel. (418) 528-3390

For Korea: The Consulate General of the Republic
of Korea
1002, rue Sherbrooke Ouest, bureau 2500
Montréal (Québec) H3A 3L6
Fax: (514) 845-8517
Tel. (514) 845-3243

Each Party may change the address to which documents or communications must be sent by sending a written notice to the other Party.

3.7 The present agreement shall come into force once the necessary internal formalities have been carried out, at the date agreed on through an exchange of letters between the Parties.

3.8 A Party may terminate the present agreement by means of a written notice sent to the other Party. The agreement shall end on the ninetieth (90th) day following the sending of the notice.

Made in Montréal on the 23rd day of November 2000, in French and in Korean, both texts being equally valid.

FOR THE SOCIÉTÉ
DE L'ASSURANCE
AUTOMOBILE
DU QUÉBEC

FOR THE NATIONAL
POLICE AGENCY OF THE
REPUBLIC OF KOREA

JEAN-YVES GAGNON,
Chairman and CEO

SANG-TAE LEE,
*Consul General of the
Republic of Korea*

4243

Gouvernement du Québec

O.C. 475-2001, 25 April 2001

An Act respecting the Ministère du Travail
(R.S.Q., c. M-32.2)

Signing of certain deeds, documents and writings

Signing of certain deeds, documents and writings of
the Ministère du Travail

WHEREAS under the second paragraph of section 7 of the Act respecting the Ministère du Travail (R.S.Q., c. M-32.2), no deed, document or writing binds the Minister or may be attributed to him unless it is signed by him, by the Deputy Minister, by a member of the personnel of the department or by the holder of a position, and in the last two cases, only so far as determined by the Government;

WHEREAS under section 9 of the Act, every document or copy of a document emanating from the department or forming part of its records, if signed or certified true by a person referred to in the second paragraph of section 7, is authentic;

WHEREAS by Order in Council 1434-88 dated 21 September 1998, the Government made the Regulation respecting the signing of certain deeds, documents and writings of the Ministère du Travail;

WHEREAS in order to address the new administrative realities of the department, it is expedient to replace the Regulation and to make the new Terms and conditions respecting the signing of certain deeds, documents and writings of the Ministère du Travail;

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

THAT the Terms and conditions respecting the signing of certain deeds, documents and writings of the Ministère du Travail, attached to this Order in Council, be made;

THAT those terms and conditions come into force on the date of their publication in the *Gazette officielle du Québec*;

THAT this Order in Council replace the Regulation respecting the signing of certain deeds, documents and writings of the Ministère du Travail made by Order in Council 1434-88 dated 21 September 1988.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

SCHEDULE

TERMS AND CONDITIONS RESPECTING THE SIGNING OF CERTAIN DEEDS, DOCUMENTS AND WRITINGS OF THE MINISTÈRE DU TRAVAIL

1. The members of the personnel of the Ministère du Travail who perform, on a permanent or interim basis, the functions referred to in this Schedule, are authorized to sign alone and with the same authority as the Minister of Labour the deeds, documents or writings listed after their respective functions under the conditions prescribed by the Financial Administration Act (2000, c. 15).

2. Assistant deputy ministers are authorized to sign, in respect of the sector of activity for which they are responsible:

- (1) supply contracts;
- (2) auxiliary services contracts;
- (3) professional services contracts.

3. A director general or the Labour Commissioner General is authorized to sign, in respect of the unit for which he is responsible:

- (1) supply contracts;
- (2) auxiliary services contracts;
- (3) professional services contracts.

4. A director, the Secretary of the department, or the Assistant Labour Commissioner General is authorized to sign, in respect of the unit for which he is responsible:

- (1) supply contracts less than \$5 000;
- (2) auxiliary services contracts less than \$10 000;
- (3) professional services contracts less than \$25 000.

5. A service head, in respect of the unit for which he is responsible, an administrative assistant to the Deputy Minister, to an assistant deputy minister or to the Labour Commissioner General, in respect of the unit for which he is responsible or in respect of the unit for which their superior is responsible, as the case may be, is authorized to sign:

- (1) supply contracts less than \$500;
- (2) auxiliary services contracts less than \$500;
- (3) professional services contracts less than \$500.

6. The Assistant Deputy Minister for planning, research and administration is authorized to sign, for the whole department:

- (1) supply contracts;
- (2) auxiliary services contracts;
- (3) professional services contracts;
- (4) construction contracts;
- (5) leases.

7. The Director of the Direction des ressources informationnelles is authorized to sign, for all departmental activities related to information technology:

- (1) supply contracts less than \$25 000;
- (2) auxiliary services contracts less than \$25 000;
- (3) professional services contracts less than \$25 000.

8. The Director of the Direction des ressources financières et matérielles, a service head of that branch or the person responsible for supplies is authorized to sign, for the whole department, except those related to information technology:

- (1) supply contracts less than \$25 000;
- (2) auxiliary services contracts less than \$25 000;
- (3) professional services contracts less than \$25 000;

- (4) construction contracts;
- (5) leases.

9. The person responsible for the employee assistance program is authorized to sign, for the whole department, the service contracts provided for in the regulations relating to the Government's employee assistance programs.

10. The Secretary of the department is authorized to certify true every document or copy of a document emanating from the department or forming part of its records, in accordance with section 9 of the Act respecting the Ministère du Travail (R.S.Q., c. M-32.2).

11. The Assistant Deputy Minister for labour relations and construction, the Director of the Bureau d'évaluation médicale, the Assistant Director or the Medical Director of that Bureau is authorized to sign:

(1) a writing designating a member of the Bureau d'évaluation médicale under the first paragraph of section 218 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001);

(2) a writing notifying the parties to the contestation, the Commission de la santé et de la sécurité du travail and the health professionals concerned of the name and address of the designated member, in accordance with the third paragraph of section 218 of the Act.

12. The Assistant Deputy Minister for labour relations and construction, the Director General of the Direction générale des relations du travail, the Director of the Direction de la prévention et des partenariats or the Director of the Direction de l'arbitrage et de la médiation is authorized to sign:

(1) a writing designating a person to promote the establishment or the maintenance of harmonious relations between an employer and his employees or the association representing them under paragraph 1 of section 13 of the Act respecting the Ministère du Travail;

(2) a writing designating a person to act as an arbitrator under section 47.5 of the Labour Code (R.S.Q., c. C-27);

(3) a writing designating a person to act as a conciliator under section 54 of the Code;

(4) a writing notifying the parties that the dispute is being referred to arbitration, in accordance with section 75 of the Code;

(5) a writing designating a person to act as an arbitrator under the first paragraph of section 77 or the first paragraph of section 80 of the Code;

(6) a writing granting an additional delay to an arbitrator and a writing prolonging that delay, in accordance with section 90 of the Code;

(7) a writing designating a person to act as an arbitrator or a mediator-arbitrator under the second paragraph of section 98 of the Code;

(8) a writing designating a person to act as a grievances arbitrator under section 100 of the Code;

(9) a writing designating a person to act as an arbitrator under section 11.4 of the Act respecting collective agreement decrees (R.S.Q. c. D-2);

(10) a writing designating a person to act as a mediator under the first paragraph of section 46 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., c. R-8.2);

(11) a writing designating a person to act as a mediator-arbitrator under section 62 of that Act.

13. The Assistant Deputy Minister for labour relations and construction, the Labour Commissioner General or the Assistant Labour Commissioner General is authorized to sign:

(1) a writing designating a person to act as an investigator under section 47.4 of the Labour Code;

(2) any document concerning the appointment of an investigator under section 109.4 of the Code.

14. The Director General of the Direction générale des relations du travail, the Director of the Direction de la prévention et des partenariats or the Director of the Direction de l'arbitrage et de la médiation is authorized to sign:

(1) a writing designating a person to act, by joint request of the parties, as a mediator under the first paragraph of section 94 of the Labour Code;

(2) a writing granting an additional delay to a mediator, in accordance with the second paragraph of section 94 of the Code;

(3) a writing notifying the parties that the dispute shall be referred to, according to the form of arbitration selected, an arbitrator or a mediator-arbitrator, in accordance with the first paragraph of section 97 of the Code;

(4) a writing enabling a copy of the mediator's report to be forwarded to the arbitrator, in accordance with the third paragraph of section 98 of the Code;

(5) a writing notifying the parties of the date on which the Minister of Labour received the notice according to which a report was made public, in accordance with the second paragraph of section 50 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors.

15. The Assistant Deputy Minister for labour relations and construction or the Director General of the Direction générale des relations du travail is authorized to sign a writing designating a person to act as a conciliator under section 55 of the Labour Code.

16. The Assistant Deputy Minister for labour relations and construction, the Director General of the Direction générale des relations du travail or the Director of the Direction de l'arbitrage et de la médiation is authorized to sign a writing designating a person to act as a mediator under section 99.10 of the Labour Code.

17. The Assistant Deputy Minister for labour relations and construction or the Director of the Direction des décrets is authorized to sign:

(1) a writing requiring any document or information, in accordance with sections 4.1 and 4.6, the first paragraph of section 6.2 and section 23.1 of the Act respecting collective agreement decrees;

(2) a writing notifying the applicant of the Minister of Labour's intention to declare the application inadmissible and the reasons therefor and giving the applicant an opportunity to present observations, and where applicable, to produce documents, in accordance with the second paragraph of section 4.2 of that Act.

18. The Assistant Deputy Minister for labour relations and construction is authorized to sign:

(1) a writing approving a security in the form of an insurance policy under subparagraph *e* of the first paragraph of section 22 of the Act respecting collective agreement decrees;

(2) a writing giving members of a parity committee the opportunity to present observations in writing, in accordance with the first paragraph of section 26.2 of that Act;

(3) a writing designating a person to act as a mediator under section 99 of the Regulation respecting the guarantee plan for new residential buildings approved by Order in Council 841-98 dated 17 June 1998.

4244

Draft Regulations

Draft Regulation

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

Hunting activities — 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 hunting activities, 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 harmonize certain provisions of the Act respecting the conservation and development of wildlife with the Regulation respecting hunting activities as regards the use of terms and to correct certain clerical errors.

The draft Regulation therefore proposes to remove all references to caribou hunting in the southern part of Area 19, since caribou hunting is no longer authorized in 2001 and to make the corrections that will harmonize the use of certain terms.

To date, the study of the matter shows no impact on businesses, including SMBs. Hunters will be prohibited from hunting caribou to protect the decreasing woodland caribou population.

Further information may be requested from :

Mr. 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, ext. 4078
Fax: (418) 646-5179
E-mail: serge.bergeron@fapaq.gouv.qc.ca.

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

GUY CHEVRETTE,
*Minister responsible
for Wildlife and Parks*

Regulation to amend the Regulation respecting hunting activities*

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

1. Section 4 of the Regulation respecting hunting activities is amended by deleting subparagraph *a* of subparagraph 1 of the second paragraph.

2. Section 12 is amended

(1) by substituting “Schedule XII” for “Schedule VII” in subparagraph 1 of the first paragraph ;

(2) by substituting “Caribou, valid for the part of Area 22” for “Caribou, valid for Area 22” in subparagraph 2 of the first paragraph ; and

(3) by deleting subparagraph 4 of the first paragraph.

3. Section 13 is amended by inserting “, except for the southern part shown on the plan in Schedule XVIII” after “Caribou, valid for Area 23 (winter)” in subparagraph 1 of the first paragraph.

4. Section 19 of the French text is amended by substituting “cette personne doit avoir participé” for “ce chasseur doit avoir participé” in the second paragraph.

5. Section 21 is amended

* The Regulation respecting hunting activities made by Order in Council 858-99 dated 28 July 1999 (1999, *G.O.* 2, 2427) was last amended by Order in Council 1175-2000 dated 4 October 2000 (2000, *G.O.* 2, 5151).

(1) by substituting “a person, a partnership or an association authorized by the Société de la faune et des parcs du Québec under section 56.1 of the Act respecting the conservation and development of wildlife amended by section 58 of Chapter 36 of the Statutes of 1999.” for “a conservation officer, a person appointed for that purpose or a person authorized by the Minister under section 56.1 of that Act enacted by section 9 of Chapter 29 of the Statutes of 1998” in the first paragraph; and

(2) by substituting “have the officer register it immediately” for “have it registered immediately” in the second paragraph.

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

4235

Draft Regulation

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

Development of wildlife — Scale of fees and duties — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife, 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 remove all references to caribou hunting licences in the southern part of Area 19 where caribou hunting is no longer permitted.

Further information may be requested from:

Mr. 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, ext. 4078
Fax: (418) 646-5179
E-mail: serge.bergeron@fapaq.gouv.qc.ca

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

GUY CHEVRETTE,
*Minister responsible for
Wildlife and Parks*

Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 162, par. 10)

1. Schedule I to the Regulation respecting the scale of fees and duties related to the development of wildlife is amended by deleting paragraph *a* of section 1.

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

4236

Draft Regulation

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

Hunting — Wearing of a fluorescent orange-coloured garment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

* The Regulation respecting the scale of fees and duties related to the development of wildlife, made by Order in Council 1291-91 dated 18 September 1991 (1991, *G.O.* 2, 3908), was last amended by the Regulation made by Order in Council 621-2000 dated 24 May 2000 (2000, *G.O.* 2, 2320). For previous amendments refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

The draft Regulation proposes to waive the requirement to wear the fluorescent garment when using a crossbow in a restricted hunt in sectors located in a wildlife sanctuary, in a territory where an outfitting operation has exclusive hunting rights or in a controlled zone, and if all the hunters are using a bow or a crossbow or in all locations where only hunting with a bow or crossbow is permitted.

The draft Regulation therefore proposes to exempt hunters using a crossbow from wearing the garment in restricted access sectors located in a wildlife sanctuary and in an outfitting operation where all the hunters use a bow or a crossbow. The draft Regulation introduces this exemption for restricted access sectors where only the bow and the crossbow may be used in a controlled zone and for the parts of unrestricted territory where only hunting with a bow or crossbow is authorized.

To date, study of the matter has shown no impact on the population or businesses, including SMBs.

Further information may be requested from:

Mr. 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, ext. 4078
Fax : (418) 646-5179
E-mail : serge.bergeron@fapaq.gouv.qc.ca

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

GUY CHEVRETTE,
*Minister responsible for
Wildlife and Parks*

Regulation to amend the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting*

An Act respecting the conservation and development of wildlife

(R.S.Q., c. C-61.1, s. 162, par. 18)

1. Section 3 of the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting is amended

(1) by adding “or type 11” after “type 6” and by substituting “Minister’s Order 99021 dated 27 July 1999” for “Order in Council 1383-89 dated 23 August 1989” in paragraph *a*;

(2) by substituting “with a bow or crossbow ” for “with a bow” and “a bow or a crossbow in a wildlife sanctuary or controlled zone” for “a bow in a wildlife sanctuary” in paragraph *c*;

(3) by inserting “or crossbow” after “bow” in paragraph *d*; and

(4) by adding the following paragraph after paragraph *d*:

“(e) to locations where only hunting with a bow or crossbow is authorized.”.

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

4234

* The Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting (R.R.Q., 1981, c. C-61, r. 26) was last amended by the Regulation made by Order in Council 958-97 dated 30 July 1997 (1997, *G.O.* 2, 4297). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

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

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