

Gazette officielle du Québec

Part 2 Laws and Regulations

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Regulations and other acts

M.O., 2001-017

Order of the Minister responsible for Wildlife and Parks dated 31 July 2001

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

Hunting

— **Amendments**

Regulation to amend the Regulation respecting hunting

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING paragraph 1 of section 54.1 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) which provides that the Société de la faune et des parcs du Québec may make regulations on the matters set forth therein;

CONSIDERING the second paragraph of section 56 of the Act which provides that the Société de la faune et des parcs du Québec may, by regulation, allow hunting on the conditions it determines;

CONSIDERING the fifth paragraph of section 56 of the Act which provides that a regulation made by the Société under this section must be submitted to the Minister for approval;

CONSIDERING section 164 of the Act which provides that a regulation made by the Société under sections 54.1 and 56 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING that the Regulation respecting hunting, which prescribes the conditions for hunting any animal or any class of animals, was made by Minister's Order 99021 dated 27 July 1999;

CONSIDERING that, by resolution No. 01-46 adopted by the board of directors on July 24, 2001, the Société made the Regulation to amend the Regulation respecting hunting, attached hereto;

ORDERS :

THAT the Regulation to amend the Regulation respecting hunting, attached hereto, be approved.

Québec, 31 July 2001

GUY CHEVRETTE,
Minister responsible for Wildlife and Parks

Regulation to amend the Regulation respecting hunting*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 54.1, par. 1 and s. 56, 2nd par.)

1. Section 13 of the Regulation respecting hunting is amended by substituting “or parts of areas, parts of territories, wildlife sanctuaries or controlled zones” for “or parts of areas, wildlife sanctuaries or controlled zones” in the third paragraph.

2. Section 17 is amended by inserting “except the territory shown on the plan in Schedule XLV,” after “2,” in the first and second paragraphs.

3. Schedule II is amended by adding the following after paragraph *iii* of section 3 :

“iv. in the part of territory

Part of territory	Number of licences
shown on the plan in Schedule XLV	29 ”.

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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* The Regulation respecting hunting, made by Minister's Order 99021 dated 27 July 1999 (1999, *G.O.* 2, 2451), was last amended by the Regulations approved by Minister's Orders 2001-006 dated 26 January 2001 (2001, *G.O.* 2, 1137), 2001-009 dated 4 April 2001 (2001, *G.O.* 2, 1954) and 2001-014 dated 19 June 2001 (2001, *G.O.*, 2, 3449). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

M.O., 2001-018**Order of the Minister responsible for Wildlife and Parks dated 31 July 2001**

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

**Trapping activities and fur trade
— Amendments**

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

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING the second, third and fourth paragraphs of section 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provide that the Société de la faune et des parcs du Québec may make regulations on the matters contained therein;

CONSIDERING the fifth paragraph of section 56 of that Act, which provides that a regulation made by the Société under that section must be submitted to the Minister for approval;

CONSIDERING section 164 of that Act, which provides in particular that a regulation made by the Société under section 56 of that Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the making of the Regulation respecting trapping activities and the fur trade by Minister's Order No. 99026 dated 31 August 1999, which prescribes in particular trapping periods;

CONSIDERING that the Société adopted the Regulation to amend the Regulation respecting trapping activities and the fur trade, attached hereto, by resolution of the board of directors No. 01-47 dated July 24, 2001;

ORDERS:

THAT the Regulation to amend the Regulation respecting trapping activities and the fur trade, attached hereto, be approved.

Québec, 31 July 2001

GUY CHEVRETTE,
Minister responsible for Wildlife and Parks

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

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 56, 2nd, 3rd and 4th pars.)

1. Section 7 of the Regulation respecting trapping and the fur trade is amended by deleting the second paragraph.

2. Section 11 is amended by substituting the word "Plaisance" for the words "l'Île-d'Anticosti".

3. Schedule III is amended:

(1) by deleting in the first column as regards FAMU 19, "(Note 2)" and by deleting at the end of the Schedule "Note 2: In the Plaisance Wildlife Sanctuary (FAMU 19), only the trapping of muskrat, beaver and American mink is permitted.".

(2) by adding in the first column as regards FAMU 17 "(Note 1)" and by substituting at the end the Schedule "74, 76 and 77" for "74 and 76" in Note 1.

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

4482

Gouvernement du Québec

O.C. 897-2001, 31 July 2001

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

**Childcare centres
— Amendments**

WHEREAS, under paragraph 17 of section 73 of the Act respecting childcare centres and childcare services (R.S.Q., c. C-8.2), the Government may make regulations, for the whole or part of the Québec territory,

* The Regulation respecting trapping activities and the fur trade, made by Minister's Order No. 99026 dated 31 August 1999 (1999, *G.O.* 2, 2992) was last amended by the Regulations approved by Minister's Orders 2000-024 dated 11 July 2000 (2000, *G.O.* 2, 4054), 2001-010 dated 4 April 2001 (2001, *G.O.* 2, 2053) and 2001-013 dated 19 June 2001 (2001, *G.O.* 2, 3450).

— establishing standards of qualification for persons working in a childcare centre, a day care centre, a nursery school, a stop over centre or providing home childcare and prescribing the requirements they must satisfy;

WHEREAS the Government made the Regulation respecting childcare centres by Order in Council 1069-97 dated 20 August 1997;

WHEREAS it is expedient to amend the Regulation;

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 childcare centres was published in Part 2 of the *Gazette officielle du Québec* of 18 April 2001 with a notice that it could be made upon the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Child and Family Welfare:

THAT the Regulation to amend the Regulation respecting childcare centres, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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 30 August 1999 and 30 August 2000 and who has not yet completed the training program provided for in section 45 has until 30 August 2002 to acquire the training provided therein in matters of safety.

A person recognized as a home childcare provider who, on 30 August 2001 has completed the training program provided for in section 45 as it read on 29 August 2001, must, within the scope of the refresher course required in section 46, acquire no later than 30 August 2002 the training provided in matters of safety.”.

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

4478

Gouvernement du Québec

O.C. 920-2001, 31 July 2001

Building Act
(R.S.Q., c. B-1.1)

New residential buildings — Guarantee plan — Amendments

Regulation to amend the Regulation respecting the guarantee plan for new residential buildings

WHEREAS, under subparagraph 19.3 of the first paragraph of section 185 and section 192 of the Building Act (R.S.Q., c. B-1.1), the Régie du bâtiment du Québec may make regulations pertaining to financial guarantees applicable to the new residential building sector and the contents of the regulations may vary according to the classes of persons or contractors and buildings to which they apply;

WHEREAS, at its meeting held on 14 June 2000, the Board made the Regulation to amend the Regulation respecting the guarantee plan for new residential buildings;

* 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.

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting the guarantee plan for new residential buildings was published in Part 2 of the *Gazette officielle du Québec* of 4 October 2000 with a notice that it could be approved by the Government upon the expiry of 45 days from that publication;

WHEREAS the comments have been examined;

WHEREAS, at its meeting held on 14 February 2001, the Board made the Regulation to amend the Regulation respecting the guarantee plan for new residential buildings, with amendments;

WHEREAS, under section 189 of the Building Act, every regulation of the Board is subject to approval by the Government which may approve it with or without amendment;

WHEREAS it is expedient to approve the 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 amend the Regulation respecting the guarantee plan for new residential buildings, attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the guarantee plan for new residential buildings*

Building Act
(R.S.Q., c. B-1.1, s. 185, 1st par., subpar. 19.3 and s. 192)

1. Section 2 of the Regulation respecting the guarantee plan for new residential buildings is amended

(1) by substituting the following for clause *b* of subparagraph 2 of the first paragraph:

“(b) a multifamily building of combustible construction;

(c) a multifamily building of noncombustible construction comprising no more than four private portions stacked one above the other;”;

(2) by substituting the following for the second paragraph:

“For the purposes of this Regulation, the terms “combustible construction” and “noncombustible construction” have the meaning given to them in the National Building Code—Canada 1995 (NRCC 38726E) including the revisions of July 1998 and November 1999 issued by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada.”.

2. The heading of Subdivision 3 of Division I of Chapter IV is amended by substituting “of More than Five Private Portions” for “of a Building Height of Less than 4 Stories and Comprising More than 5 Private Units”.

3. Section 87 is amended by substituting “of more than five private portions” for “of a building height of less than 4 stories and comprising more than 5 private units” in the part preceding paragraph 1.

4. The schedule to this Regulation is amended by substituting “of combustible construction and multifamily building of noncombustible construction comprising no more than four private portions stacked one above the other” for “of a building height of less than 4 stories” at the end of the table.

5. Only those buildings on which construction work was not started before 30 August 2001 and for which no preliminary contract or contract of enterprise was entered into before that date shall be covered by the guarantee.

6. This Regulation comes into force on 30 August 2001.

4479

* The Regulation respecting the guarantee plan for new residential buildings was approved by Order in Council 841-98 dated 17 June 1998 (1998, *G.O.* 2, 2510) and has not been amended since.

Gouvernement du Québec

O.C. 921-2001, 31 July 2001

Building Act
(R.S.Q., c. B-1.1)

Building contractors and owner-builders — **Professional qualification** — **Amendments**

Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders

WHEREAS, under subparagraph 17 of the first paragraph of section 185 and section 192 of the Building Act (R.S.Q., c. B-1.1), the Régie du bâtiment du Québec may make regulations on the matters mentioned therein and the content of those regulations may vary according to the classes of persons or contractors to which they apply;

WHEREAS, at its meeting of 14 June 2000, the Régie made the Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders was published in Part 2 of the *Gazette officielle du Québec* of 4 October 2000 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS the comments received have been taken into consideration;

WHEREAS on 14 February 2001 the Régie made the Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders, without amendment;

WHEREAS, under section 189 of the Building Act, every regulation of the Board is subject to approval by the Government which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation, with 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 amend the Regulation respecting the professional qualification of building contractors and owner-builders, attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders*

Building Act
(R.S.Q., c. B-1.1, s. 185, 1st par., subpar. 17 and s. 192)

1. The following section is added after section 51.2 of the Regulation respecting the professional qualification of building contractors and owner-builders:

“51.3. Any general contractor who, on 30 August 2001, holds a licence on which is indicated subcategory 4041 or 4042 is authorized to carry out or cause to be carried out construction work in respect of residential buildings included in subcategory 3032 and for which the preliminary contract or the contract of enterprise was signed before 30 August 2001 or which began before that date.”.

2. Schedule A to the Regulation is amended

(1) by inserting, before the definition of “storey”, the following definitions:

““combustible construction”: a combustible construction within the meaning of the National Building Code – Canada 1995 (NRCC 38726E) including the revisions of July 1998 and of November 1999 issued by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada;

* The Regulation respecting the professional qualification of building contractors and owner-builders, approved by Order in Council 876-92 dated 10 June 1992 (1992, *G.O.* 2, 2926), was last amended by the Regulation approved by Order in Council 1017-99 dated 1 September 1999 (1999, *G.O.* 2, 2914). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

“noncombustible construction”: a noncombustible construction within the meaning of the National Building Code – Canada 1995 (NRCC 38726E) including the revisions of July 1998 and of November 1999 issued by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada;”;

(2) by substituting “of combustible construction or of a multifamily building of noncombustible construction comprising no more than four private portions stacked one above the other,” for “of a building height of less than 4 stories,” in subcategory “3032 Contractor – new residential buildings covered by a guarantee plan, Class A”.

3. This Regulation comes into force on 30 August 2001.

4480

Gouvernement du Québec

O.C. 924-2001, 9 August 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 to the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001), the Government made the Regulation respecting income support by Order in Council 1011-99 dated 1 September 1999;

WHEREAS it is expedient to amend the Regulation;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting income support was published in Part 2 of the *Gazette officielle du Québec* of 6 June 2001, p. 2556, with notification that it could be made by the Government upon the expiry of a 45-day period from that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of 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, par. 13 and s. 160)

1. The Regulation respecting income support is amended by substituting the following for Division 2 in Schedule II:

“DIVISION 2 RATES

§ 2.1. General

2.1.1 The rates provided for in this Division apply for one lens, except for the replacement of two contact lenses.

2.1.2 The rates provided for in this Division for one bifocal lens apply to a round bifocal lens.

2.1.3 The cylinder must always be calculated in minus terms (-) to determine to which category a spherical or spherico-cylindrical lens belongs.

* 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), 205-2001 dated 7 March 2001 (2001, *G.O.* 2, 1379) and 450-2001 dated 25 April 2001 (2001, *G.O.* 2, 2165 and 708-2001 dated 13 June 2001 (2001, *G.O.* 2, 2809). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

§ 2.2. Lenses

Spherical power	Cylindrical power	Unifocal lens	Bifocal lens
Plano to 4.00		\$14.50	\$29.00
Plano to 4.00	-0.25 to -3.00	\$19.00	\$35.50
Plano to 4.00	-3.25 to -6.00	\$26.00	\$42.00
4.25 to 10.00		\$19.50	\$34.00
4.25 to 10.00	-0.25 to -3.00	\$27.50	\$46.00
4.25 to 10.00	-3.25 to -6.00	\$34.50	\$53.00
10.25 to 12.00		\$30.50	\$71.50
10.25 to 12.00	-0.25 to -3.00	\$37.50	\$77.50
10.25 to 12.00	-3.25 to -6.00	\$41.00	\$83.50

§ 2.3. Supplements

Prism 1.00 to 7.00 dioptries:	\$6.00
Prism 7.25 to 10.00 dioptries:	\$9.00
Compensatory prism:	\$25.00
Spherical exceeding 12.00 dioptries:	\$14.00
Cylindrical exceeding 6.00 dioptries:	\$11.00
Addition exceeding 4.00 dioptries:	\$9.00
Fresnel lens:	\$14.00
Safety mineral lens (dependent child only):	\$4.00
Hard coating for organic lenses (dependent child only):	\$4.00
High index unifocal lens (1.6 or more) if there is a correction of at least	
8.00 dioptries:	\$22.00

§ 2.4. Contact lenses

Purchase or replacement when the correction required is at least 0.50 dioptries:	
Spherical lens	\$62.50 each
Toric lens	\$65.00 each
Replacement for accidental breakage, damage or loss:	
1 lens	\$50.00
2 lenses	\$95.00

§ 2.5. Frames

Purchase	\$50.00
Replacement for accidental breakage or loss (adults)	\$40.00 ^o .

2. This Regulation comes into force on 1 September 2001.

4483

Gouvernement du Québec

O.C. 925-2001, 9 August 2001

An Act respecting the Régie de l'énergie
(R.S.Q., c. R-6.01)

Tenor of a supply plan and the intervals at which it is to be submitted

Regulation respecting the tenor of a supply plan and the intervals at which it is to be submitted

WHEREAS under subparagraph 7 of the first paragraph of section 114 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01), as amended by paragraph 3 of section 51 of the Act to amend the Act respecting the Régie de l'énergie and other legislative provisions (2000, c. 22), the Régie may make regulations determining the form and tenor of a resource plan and the intervals at which such a plan is to be submitted;

WHEREAS under section 115 of the Act respecting the Régie de l'énergie, regulations made under section 114 must be submitted to the Government for approval;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 14 March 2001 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS the Régie de l'énergie has submitted to the Government an amended regulation for approval;

WHEREAS it is expedient to approve the Regulation respecting the tenor of a supply plan and the intervals at which it is to be submitted, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources:

THAT the Regulation respecting the tenor of a supply plan and the intervals at which it is to be submitted, attached to this Order in Council, be approved with amendments.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the tenor of a supply plan and the intervals at which it is to be submitted

An Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01, s. 114, 1st par., subpar. 7, and 2nd par.; 2000, c. 22, s. 51)

DIVISION I TENOR

1. The supply plan that any holder of exclusive electric power or natural gas distribution rights must prepare and submit to the Régie de l'énergie for approval shall contain the following information:

(1) the economic, demographic and energy-producing context in which the holder of rights operates;

(2) data on demand and supply covering at least 10 years in the case of electric power distributors and at least 3 years in the case of natural gas distributors, describing:

(a) the anticipated needs of their markets, specifying the contribution of energy efficiency programs still in effect or committed to, broken down by consumption sector and by final use or by consumption characteristic, including in particular a sensitivity analysis and a comparison of the forecasts of the previous plan with actual data observed over the duration of the previous plan;

(b) the characteristics of existing supply contracts, including in particular interruptible power or volume contracts, making it possible to establish their contribution towards meeting their markets' needs, including needs resulting from the application of criteria based on the safety of supplies and, in the case of a natural gas distributor, the characteristics related to the transportation and storage of natural gas; and

(c) the characteristics of the additional supplies required to meet the needs of their markets, including needs resulting from the application of criteria based on the safety of supplies and, in the case of a natural gas distributor, the characteristics related to the transportation and storage of natural gas.

(3) the objectives that the holder of rights intends to achieve and the strategy he intends to apply, over the next 3 years in the case of electric power distributors and over the next year in the case of natural gas distributors, with respect to the additional supplies required and identified in subparagraph *c* of paragraph 2, and the characteristics of the contracts he intends to enter into, indicating, among other things,

(a) the various products, tools or measures contemplated;

(b) the risks inherent in the sources of supply chosen;

(c) the measures he intends to take to mitigate the impact of those risks;

(d) if applicable, the measures he intends to take to have at his disposal an adequate transmission capacity.

(4) the progress and results achieved by the previous supply plan.

2. A supply plan shall include technical data, a description of the adopted hypotheses and applied methodologies, the reasons for choosing them and a definition of the technical terms used.

3. Municipal systems and the Coopérative régionale d'électricité de Saint-Jean-Baptiste de Rouville are exempted from the application of this Regulation if all their supplies planned for the next 3 years come from Hydro-Québec carrying on its distribution activities.

Notwithstanding the foregoing, they remain subject to this Regulation if part of their supplies for the next 3 years does not come from Hydro-Québec carrying on its distribution activities. In that case, the data referred to in paragraph 2 of section 1 shall be submitted so as to cover at least 5 years.

DIVISION II INTERVALS

4. The first supply plan shall be submitted no later than 1 November 2001 in the case of Hydro-Québec carrying on its distribution activities and, as for other distributors, no later than one year after 30 August 2001.

The supply plan referred to in section 1 shall subsequently be submitted annually not later than 1 August in the case of a natural gas distributor or in the case of an electric power distributor every 3 years no later than 1 November of the year during which it must be submitted.

5. Not later than 1 November of the first and second year following the filing of the supply plan referred to in section 1, electric power distributors shall submit a sup-

ply plan concerning the progress of the said plan and stating the results achieved and the sufficiency of their supplies on the basis of the criteria defined in subparagraphs *b* and *c* of paragraph 2 of section 1.

6. Within no more than 30 days after any major event disturbing the holder of rights' supplies, the latter shall submit a supply plan for approval describing the nature of the event, the related risks and the measures already taken or to be taken by the holder of rights to rectify the situation.

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

4485

Gouvernement du Québec

O.C. 927-2001, 9 August 2001

Transport Act
(R.S.Q., c. T-12)

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

Montréal's international airports, Jean-Lesage International Airport and the ports of Montréal and Québec

— Temporary increase in the number of buses used for the transportation of tourists

Regulation respecting the temporary increase in the number of buses used for the transportation of tourists passing through Montréal's international airports, Jean-Lesage International Airport and the ports of Montréal and Québec

WHEREAS, under paragraph *c* of section 5 of the Transport Act (R.S.Q., c. T-12), the Government may, by regulation, determine what activities require a permit for the transport of persons, provide exceptions to the activities requiring a permit as regards types of persons transported, the kinds of services, the means of transport or transport systems used and the territory or distance covered, and prescribe conditions for the carrying on of such an activity or the availing of such an exception and fix the duration of such exception;

WHEREAS, under paragraph 18 of section 618 of the Highway Safety Code (R.S.Q., c. C-24.2) the Government may, by regulation, provide, subject to the conditions it determines, other cases of total or partial exemption from registration;

WHEREAS it is expedient to temporarily authorize the holders of a permit for chartered bus transportation to provide their services to groups of persons passing through Montréal's international airports, Jean-Lesage International Airport and the ports of Montréal and Québec and to provide a temporary exemption from registration for owners of buses from outside Québec and an exemption from obtaining a permit for leasing those buses;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft of the Regulation to promote a temporary increase in the number of buses used for the transportation of tourists to Montréal's international airports, Jean-Lesage International Airport, the Port of Montréal and the Port of Québec was published in Part 2 of the *Gazette officielle du Québec* of 20 June 2001, with a notice that it could be made by the Government after the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting the temporary increase in the number of buses used for the transportation of tourists passing through Montréal's international airports, Jean-Lesage International Airport and the ports of Montréal and Québec, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the temporary increase in the number of buses used for the transportation of tourists passing through Montréal's international airports, Jean-Lesage International Airport and the ports of Montréal and Québec

Transport Act
(R.S.Q., c. T-12, s. 5, par. *c*)

Highway Safety Code
(R.S.Q., c. C-24.2, s. 618, par. 18)

1. Any holder of a permit for chartered transportation service with a category 1 bus within the meaning of section 2 of the Bus Transport Regulation made by Order in Council 1991-86 dated 19 December 1986 is authorized to provide chartered services from 1 Septem-

ber to 31 October of each year for the transportation of persons if using buses of the same category, where the following conditions are met:

(1) the tourists transported have passed through or will pass through at the end of their trip to Québec, either one of Montréal's international airports, Jean-Lesage International Airport, the port of Montréal or the port of Québec; and

(2) the driver has in his possession a copy of the charter contract, which must comply with section 52 of the Bus Transport Regulation and on which the price of the trip may be deleted.

2. No permit shall be required to lease a bus for the chartered transportation services referred to in section 1 where the lessee holds a permit for chartered transportation services.

3. No other transportation permit shall be required from the holder of a permit for chartered transportation to provide sightseeing bus service under the conditions provided for in section 1, except the condition provided for in paragraph 2 of that section, in the carrying out of a service contract with a travel agency; that contract must be kept aboard the bus.

4. The owner of a bus referred to in section 57 of the Regulation respecting road vehicle registration made by Order in Council 1420-91 dated 16 October 1991 is also exempt from the registration required by that section, from 1 September to 31 October of each year, where the following conditions are met:

(1) the bus is used in accordance with section 1;

(2) the bus is issued a valid registration certificate by another administrative authority, it is insured in accordance with sections 84 and 87.1 of the Automobile Insurance Act (R.S.Q., c. A-25);

(3) the bus has the mechanical inspection certificate and the inspection sticker referred to in section 203 of the Regulation respecting safety standards for road vehicles made by Order in Council 1483-98 dated 27 November 1998.

The provisions of the first paragraph shall also apply, *mutatis mutandis*, to the owner of a bus registered in an American state that entered into a reciprocal commercial vehicle registration agreement with Québec.

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

Draft Regulations

Draft Regulation

Plant Protection Act
(R.S.Q., c. P-39.01)

Plant protection — 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 Plant Protection Regulation, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to add the blueberry maggot to the list of destructive insects referred to in the Plant Protection Act.

To date, study of the matter has revealed no significant impact of an economic nature on the public or businesses.

Further information may be obtained by contacting Alain Garneau, Direction des services technologiques, 200, chemin Sainte-Foy, 9^e étage, Québec (Québec) GIR 4X6; tel.: (418) 380-2100, extension 3567, fax: (418) 380-2162.

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 Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) GIR 4X6.

MAXIME ARSENAU,
Minister of Agriculture, Fisheries and Food

Regulation to amend the Plant Protection Regulation *

Plant Protection Act
(R.S.Q., c. P-39.01, s. 3)

1. Section 1 of the Plant Protection Regulation is amended by adding the following at the end of the list of destructive insects:

“14. Blueberry maggot *Rhagoletis mendax* (Curran)”.

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

4476

Draft Regulation

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

Engineers — Code of Ethics — Amendments

Notice is hereby given, pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre professionnel des ingénieurs du Québec made the “Regulation amending the Code of ethics of Engineers” at its meeting of 24 April 2001.

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

The purpose of this regulation is to stipulate, among other things, the terms and conditions for the exercise of the rights of access to and correction concerning documents held by members of the Ordre des ingénieurs du Québec. Furthermore, this regulation stipulates conditions and obligations relating to advertising by members of the Ordre and regulates the business names of partnerships of engineers. This regulation thus has a direct impact on the members of the Ordre, since they must for the benefit of their clients observe certain rules which, under the terms of section 87 of the Professional Code, are to be contained in the Code of Ethics of Engineers. For citizens, this regulation will help improve relations between engineers and their clients.

The draft Regulation will have no impact on businesses, including small businesses.

* The Plant Protection Regulation, made by Order in Council 1366-96 dated 6 November 1996 (1996, *G.O.* 2, 4703) has not been amended since it was made.

Additional information may be obtained from M^{re} Louise Laurendeau, Ordre des ingénieurs du Québec, 2020, rue University, 18^e étage, Montréal, Québec H3A 2A5; tel. (514) 845-6141, extension 129 or 1 800 461-6141, extension 129.

Anyone wishing to comment is requested to do so by submitting his or her comments before the end of the 45-day period to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec, Québec G1R 5Z3. The Office will convey these comments to the Minister responsible for the application of laws governing professions; they may also be conveyed to the professional order which adopted the regulation and to interested persons, ministries and organizations.

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

Regulation amending the Code of ethics of engineers*

Professional Code
(R.S.Q., c. C-26, s. 87, par. 4 and 5)

1. The Code of Ethics of Engineers is amended by the replacement of subdivision 7 of division III with the following:

“§7. *Access to and correction of records and release of documents*

3.07.01. Beyond the specific rules prescribed by law, an engineer must act, with diligence and no later than thirty (30) days following receipt thereof, on any request made by his client for the purposes of:

1° examining documents concerning him in any record established in his respect;

2° obtaining copies of documents concerning him in any record established in his respect.

3.07.02. An engineer who agrees to a request contemplated in section 3.07.01 shall give the client access to the documents in his presence or in the presence of a person authorized by him.

In the case of a request contemplated in subparagraph 1° of section 3.07.01, when the period of consultation exceeds one (1) day, an engineer may charge his client a reasonable fee representing the administrative costs incurred by him.

In a similar fashion, an engineer may, with respect to a request contemplated in subparagraph 2° of section 3.07.01, charge his client a reasonable fee not exceeding the cost of transmission, transcription or reproduction of a copy.

An engineer charging such fees shall, before they are incurred, inform his client of the approximate amount he will be asked to pay. An engineer has the right of retention concerning payment of such fees.

3.07.03. An engineer who, in applying the second paragraph of section 60.5 of the Professional Code, refuses to allow his client access to information contained in any record established in his respect, must furnish his client with the reasons for such refusal in writing.

3.07.04. Beyond the specific rules prescribed by law, an engineer must act, with diligence and no later than thirty (30) days following receipt thereof, on any request made by his client for the purposes of:

1° correcting information that is inaccurate, incomplete or ambiguous with regard to the purposes for which it was collected, in any document concerning him that is contained in any record established in his respect;

2° placing his written comments in the record established in his respect.

3.07.05. An engineer who agrees to a request contemplated in section 3.07.04 shall give his client without charge a copy of the document or portion thereof showing the client that the information has been corrected, or, as the case may be, a certificate indicating that the written comments from the client have been placed in the record.

Upon receipt of a request in writing from the client, an engineer shall send, without charge to the client, a copy of such information or certificate to any person from whom an engineer received such information and to whom such information was given.

3.07.06. An engineer agrees to act with diligence on any request in writing made by his client for the purpose of taking back a document or item which the client had left with him.

* The Code of Ethics of Engineers (R.R.Q., 1981, c I-9, r. 3) was amended by a regulation approved by order-in-council 1182-83 of June 8, 1983 (1983, *G.O.* 2, 2767) and by a regulation approved by order-in-council 2566-84 of November 21, 1984 (1984, *G.O.* 2, 5953).

The engineer indicates in the record established in respect of his client, as the case may be, the reasons for the client's request.

3.07.07. An engineer may require that a request contemplated in sections 3.07.01, 3.07.04 or 3.07.06 be submitted to his professional domicile during the usual hours of work.”.

2. This Code is amended by the addition, at the end, of the following division:

**“DIVISION V
OBLIGATIONS RELATIVE TO PROFESSIONAL
ADVERTISING AND PROMOTION AND THE
BUSINESS NAMES OF PARTNERSHIPS OF
ENGINEERS**

§1. Advertising and promotion

5.01.01 An engineer may not in any way and under any circumstances make false, misleading or incomplete advertising with respect to his professional activities and services.

5.01.02 The information that an engineer provides in his advertising or promotion must be of a nature to help the public make an informed choice. Such advertising or promotion must be done with integrity and favour professionalism.

5.01.03 In all representation he may make, an engineer must give his name and professional title.

5.01.04 An engineer shall not in his representation or advertising:

1° invade a person's privacy;

2° undermine a person's reputation;

3° compare the quality of his services with that of the services offered or rendered by other engineers;

4° discredit, denigrate or disparage the services offered or rendered by other engineers.

5.01.05 In addition to the obligations mentioned in section 5.01.04, an engineer shall not attribute to himself experience, professional or academic qualifications or particular qualities unless he is able to justify them.

5.01.06 An engineer shall ensure that the persons working with him in any capacity in the practice of his profession comply with the rules concerning advertising.

5.01.07 An engineer who, in his advertising, mentions fees or prices shall do so in a manner that can be understood by the public, which has no particular knowledge of the practice of engineering or the professional services covered by the advertising, and shall:

1° keep them in effect for the period mentioned in the advertising or, if no period is specified, for a period of ninety (90) days following the last publication or broadcast;

2° specify the nature and extent of the services included in such fees or prices;

3° indicate whether or not certain fees are included in such fees or prices;

4° indicate what additional services may be required which are not included in such fees or prices.

5.01.08 In the case of advertising offering a special price or a discount, an engineer shall specify how long such special price or discount is valid, as the case may be. This period may be less than ninety (90) days.

5.01.09 An engineer shall keep a copy of all advertising for a period of three (3) years following the date of its last broadcast or publication. On request, this copy shall be given to the syndic.

§2. Business names of partnerships of engineers

5.02.01 The business name of a partnership of engineers includes only the names of the engineers who are practising their profession together. It may not include the name of a deceased or retired associate engineer for more than one (1) year, unless he or his legal representatives had made an agreement in writing to the contrary.

5.02.02 When an associate engineer withdraws from a partnership to practise alone, to join another partnership or another business or to hold a position that is incompatible with the practice of the profession, his name must be eliminated from the business name within thirty (30) days of his withdrawal, unless there is a written agreement to the contrary.

In all cases, the agreement may not stipulate a period of more than one (1) year.

5.02.03 The business name of a partnership of engineers may end with the words “and associates” when the names of at least two associates are not included in the business name.

5.02.04 An engineer practising in a partnership is jointly responsible with the other professionals for following the rules concerning advertising, unless he can establish that the advertising was done without his knowledge or consent and in spite of the provisions made to ensure compliance with such rules.”

3. This regulation repeals the “Regulation Respecting Advertising by Engineers” (R.R.Q., 1981, c. I-9, r. 10).

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

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

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