

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. 1252-2001, 17 October 2001

An Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1)

Lands in the public domain

— Sale, lease and granting of immovable rights — Amendments

Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain

WHEREAS under subparagraphs 3 and 7 of the first paragraph of section 71 of the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) the Government may, by regulation, determine the general conditions and the rules for computing the prices, rentals, fees or other costs regarding sales, leases, exchanges, gratuitous transfers, occupation licences and the granting of any other right and establish the rules and conditions under which persons may have access to and stay on any land, and specify the circumstances under which access to or staying on the land may be prohibited;

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

WHEREAS following that publication, no comments were made;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain, attached to this Order in Council, be made

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain*

An Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1, s. 71, subpars. 3 and 7)

1. The title and section 1 of the Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain are amended by substituting the words “domain of the State” for the words “public domain”.

2. The following paragraph is added at the end of section 10:

“A person who applies for regularization under section 19.1 shall also have priority in purchasing the land covered by his application.”

3. The following is inserted after section 19:

“**19.1** The Minister may sell land to a person who applies for regularization within two years of the filing of a cadastral renovation plan and who would have qualified for a title under section 40.1 of the Act during the preparation of the renovation plan, or to the person’s successor.

The sale price shall be 1% of the market value of the land.”

4. The following Division is inserted after section 36:

“DIVISION V.1 SPECIAL CONDITIONS APPLYING TO CAMPSITES

36.1 This Division does not apply to lands leased by the Minister for the operation of a campsite.

36.2 No one may camp on lands in the domain of the State on the same site for more than seven months in a single year. For the purposes of this section, the expression “same site” includes any other site located within a 1 kilometre radius of the first site.

* The Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain, made by Order in Council 231-89 dated 22 February 1989 (1989, *G.O.* 2, 1483), was amended by the Regulation made by Order in Council 308-99 dated 31 March 1999 (1999, *G.O.* 2, 400).

36.3 No one may set up equipment in the right of way of a road or trail or in a loading and unloading zone on lands in the domain of the State.

No one may park a vehicle in the right of way of a trail or in a loading and unloading zone, nor park a vehicle in a way that hampers the traffic in the right of way of a road.

36.4 Any person camping on lands in the domain of the State shall clean the site and restore the premises to their original condition before leaving. The person shall also bring his garbage back with him when leaving.”.

5. The numbers “and 36.2 to 36.4” are inserted after the number “33” in section 48.

6. The last sentence is struck out in section 1 of Schedule 1.

7. The following is substituted for sections 2 and 4 of Schedule 1 :

“2. The fees payable for the sale of a parcel of land shall be \$200.

3. The fees payable for the other transactions shall be as follows :

(1) \$200 for the lease of a parcel of land, for exchanging an occupation permit for a lease, for an exchange, the granting of a servitude, the striking out or alteration of a restrictive clause, a quittance or a release and for permission by the Minister to alienate ;

(2) \$100 for the granting of a right of way ;

(3) \$50 for any change in a lease resulting from a mistake on the lessee’s part, and an application for altering the area of the parcel of land leased ;

(4) \$35 for the transfer of a lease ;

(5) \$25, including exigible taxes, for registration for a drawing of lots.

4. A person who has omitted or neglected to inform the Minister of a change of address shall reimburse the Minister for the expenses incurred by the Minister to trace the new address of that person upon the renewal of a right or upon an application for payment.”.

8. 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. 1253-2001, 17 October 2001

An Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1)

Land for public use — Gratuitous transfer

Regulation respecting gratuitous transfer of land for public use

WHEREAS under subparagraphs 3 and 6 of the first paragraph of section 71 of the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1), the Government may, by regulation, determine the general conditions and the rules for computing the prices, rentals, fees or other costs regarding sales, leases, exchanges, gratuitous transfers, occupation licences and the granting of any other right and prescribe the purposes of public utility for which a gratuitous transfer of land under the authority of the Minister may be made ;

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

WHEREAS following such publication, no comments were made ;

WHEREAS it is expedient to make the Regulation with amendments ;

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

THAT the Regulation respecting gratuitous transfer of land for public use, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting gratuitous transfer of land for public use

An Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1, s. 71, subpars. 3 and 6)

1. This Regulation applies to lands in the domain of the State and to buildings, improvements and movables located on those lands that come under the authority of the Minister of Natural Resources under section 3 of the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1).

2. The Minister may gratuitously transfer land or grant a servitude to a municipality where it is required for the purposes of a public highway, municipal administrative services, port installations or airport facilities, a waste elimination site such as a sanitary landfill site or an incinerator, waste water treatment, protection of a drinking water reservoir or for water supply or sewer systems.

3. The Minister may gratuitously transfer land or grant a servitude to a local municipality where it is required for the development of roads or public transport, public housing, public security, social services, municipal parks, gardens, green spaces, for heritage preservation and for cultural or non-profit recreational purposes.

In this section, “local municipality” excludes the James Bay Regional Zone Council.

4. A metropolitan community and the Kativik Regional Government may benefit from sections 2 and 3 within the jurisdiction assigned to them by law.

5. The Minister may gratuitously transfer land or grant a servitude to a non-profit organization that takes over the management of port installations and airport facilities following a retrocession granted by the Government of Canada to the Gouvernement du Québec.

6. Where the transfer or servitude is granted to a local municipality, the land must be located within its territorial boundaries or within those of a neighbouring local municipality to the extent permitted by law.

7. The Minister may gratuitously transfer land to an intermunicipal board where it is required for the development of a park, garden or green space, or for non-profit recreational purposes.

8. The Minister may gratuitously transfer land where it is required for the non-profit operation of a cemetery.

9. The transferee or the acquirer of a servitude shall pay the registration fees prescribed by the Regulation respecting fees for attestation, registration and research in the Terrier made by Order in Council 235-89 dated 22 February 1989, the administration fees and the fees for the preparation and deposit of survey plans and documents prescribed for the sale of land or granting of a servitude by the Regulation respecting the sale, lease and granting of immovable rights on lands in the public domain made by Order in Council 231-89 dated 22 February 1989, as they read at the time of their application, and the fees for the notarial deed.

10. This Regulation replaces the Regulation respecting gratuitous transfer of land for uses of public utility made by Order in Council 232-89 dated 22 February 1989.

11. 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. 1261-2001, 24 October 2001

An Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001)

Elected municipal officers — Maximum annual remuneration

Regulation to amend the Regulation respecting the maximum annual remuneration of elected municipal officers

WHEREAS under section 32 of the Act respecting the remuneration of elected municipal officers (R.S.Q., c. T-11.001), amended by section 194 of Chapter 25 of the Statutes of 2001, the Government may, by regulation, fix the maximum amount of the total remuneration which any member of the council of a local municipality is entitled to receive for all duties performed by him within the municipality, a mandatory body of the municipality or a supramunicipal body;

WHEREAS that Regulation may create classes of municipalities, bodies or positions and fix a different maximum for each of them;

WHEREAS the Government made the Regulation respecting the maximum annual remuneration of elected municipal officers by Order in Council 1672-92 dated 25 November 1992;

WHEREAS it is expedient to amend the regulation;

WHEREAS, in accordance with sections 10 and 12 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting the maximum annual remuneration of elected municipal officers was published in the *Gazette officielle du Québec* of 3 October 2001 on pages 5643 and 5644 with a notice that it could be made by the Government upon the expiry of 10 days following that publication and that any interested person could send his comments in writing to the Minister of Municipal Affairs and Greater Montréal before the expiry of such 10-day period;

WHEREAS comments justifying amendments to that draft Regulation were received within that deadline;

WHEREAS under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS in November 2001, the first general elections will be held in the several new cities including Montréal, Québec, Longueuil, Gatineau, Lévis, Sherbrooke, Saguenay and Trois-Rivières and because of the impact of the remuneration on the budgets of the new cities, which should be adopted in November 2001, it is necessary that the new municipalities know the maximum remuneration applicable as soon as possible before they fix the remuneration of their elected municipal officers;

WHEREAS the Government is of the opinion that the urgency due to these circumstances justifies the coming into force of the Regulation on the date of its publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Greater Montréal:

THAT the Regulation to amend the Regulation respecting the maximum annual remuneration of elected municipal officers, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the maximum annual remuneration of elected municipal officers*

An Act respecting the remuneration of elected municipal officers
(R.S.Q., c. T-11.001, s. 32; 2001, c. 25, s. 194)

1. Section 1 of the Regulation respecting the maximum annual remuneration of elected municipal officers is amended

(1) by inserting the words “or the council of a borough” after the words “of a municipality” in the part preceding paragraph 1;

(2) by inserting the words “or borough council” after the words “within the municipality” in the part preceding paragraph 1;

(3) by substituting the amount “\$137 000” for the amount “111 915 \$” in paragraph 1;

(4) by substituting the following for paragraphs 2 to 4:

“(2) for the mayor of a municipality of 500 000 people or more: \$130 000;

(3) for the mayor of a municipality whose population ranges from 300 000 to 499 999: \$125 500;

(4) for the mayor of a municipality whose population ranges from 100 000 to 299 999: \$118 000;

(4.1) for the mayor of a municipality whose population ranges from 50 000 to 99 999: \$97 000;

(4.2) for any member of the executive committee or chairman or vice-chairman of a select committee of a metropolitan community: \$103 135;

(4.3) for any member of the executive committee or chairman or vice-chairman of a select committee of a municipality of 50 000 people or more: 90% of the maximum annual amount payable to the mayor of the municipality;

(4.4) for any warden elected in accordance with section 210.29.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9): \$65 000;”;

* The Regulation respecting the maximum annual remuneration of elected municipal officers, made by Order in Council 1672-92 dated 25 November 1992 (1992, *G.O.* 2, 5081) has not been amended since it was made.

(5) by striking out the word “other” in paragraph 5;

(6) by inserting the words “, the council of a borough or the council of a metropolitan community” after the word “municipality” in paragraph 5;

(7) by adding the following paragraph after paragraph 5:

“Where a person is governed by more than one subparagraph of the first paragraph, the highest remuneration shall apply.”.

2. The following is inserted after section 1:

“1.1. The maximum annual amount of the total remuneration which any member of the council of the Communauté urbaine de Montréal or a member of the council of the Communauté urbaine de Québec who is not governed by any of subparagraphs 1 to 4.2 of the first paragraph of section 1 shall be \$103 135 and \$94 350, respectively.”.

3. The following is substituted for section 3:

“3. Section 1 has effect as of 1 January 2001 in respect of any person who is a member of the council of the Communauté urbaine de Montréal on the date of coming into force of this Regulation, or who has been a member of the council of that community since 1 January 2001.”.

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

4636

M.O., 2001

Order of the Minister of Municipal Affairs and Greater Montréal concerning the Regulation to amend the Regulation respecting the aggregate taxation rate

An Act respecting municipal taxation
(R.S.Q., c. F-2.1)

THE MINISTER OF MUNICIPAL AFFAIRS AND GREATER
MONTRÉAL,

CONSIDERING paragraph 3 of section 263 of the Act respecting municipal taxation (R.S.Q., c. F-2.1) that allows the Minister of Municipal Affairs and Greater Montréal to specify the kinds of taxes, compensations and modes of tariffing that are to be taken into account in establishing the aggregate taxation rate of a local municipality;

CONSIDERING the making by the Minister of Municipal Affairs of the Regulation respecting the aggregate taxation rate by the Minister’s Order dated 30 June 1992;

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the publication of the draft Regulation to amend the Regulation respecting the aggregate taxation rate in Part 2 of the *Gazette officielle du Québec* of 6 June 2001;

ORDERS

THAT the Regulation to amend the Regulation respecting the aggregate taxation rate, attached to this Minister’s Order, be made.

Québec, 17 October 2001

LOUISE HAREL,
Minister of Municipal Affairs and Greater Montréal

Regulation to amend the Regulation respecting the aggregate taxation rate*

An Act respecting municipal taxation
(R.S.Q., c. F-2.1, s. 263, par. 3)

1. Section 1 of the Regulation respecting the aggregate taxation rate is amended

(1) by substituting the following for the first paragraph:

“1. For the purposes of establishing the aggregate taxation rate of a local municipality for a fiscal year, where that rate is defined in section 234 or 244.41 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), the receipts taken into account are those provided for in the budget of the municipality for the year concerned and coming from

(1) municipal property taxes imposed or to be imposed for that fiscal year; and

* The Regulation respecting the aggregate taxation rate, made by Minister’s Order dated 30 June 1992 (1992, *G.O.* 2, 3315), was last amended by the Regulation made by Minister’s Order dated 8 May 1995 (1995, *G.O.* 2, 1429).

(2) taxes other than property taxes, compensations and modes of tariffing that the municipality imposes or will impose to any person for that year because that person is the owner, lessee or occupant of an immovable.”;

(2) by substituting the word “Act” for the words “Act respecting municipal taxation (R.S.Q., c. F-2.1)”;

(3) by adding the following after the third paragraph:

“The part of the receipts from the general property tax that is established in accordance with section 1.1, where the municipality has, under section 244.29 of the Act, fixed or intends to fix for the fiscal year in question a rate specific to the category provided for in section 244.33 of the Act shall not be taken into account.”.

2. The Regulation is amended by inserting the following after section 1:

“1.1. The part of the receipts from the general property tax that is not taken into consideration for the purposes of establishing the standardized aggregate taxation rate, in the circumstance contemplated in the fourth paragraph of section 1, is the difference obtained by subtracting from the amount provided for in subparagraph 1 the amount provided for in subparagraph 2 of the first paragraph:

(1) the amount from which the other amount is subtracted is the amount of the receipts that come from the imposition of the tax on units of assessment belonging to any of the categories provided for in sections 244.33 and 244.34 of the Act respecting municipal taxation;

(2) the amount that is subtracted from the other amount is the amount of the receipts that would come from the imposition of the tax on units of assessment referred to in subparagraph 1 of the first paragraph if the basic rate provided for in section 244.38 of the Act were applied, or, where the municipality has fixed or intends to fix a rate specific to the category provided for in section 244.35 of the Act, the average rate established in accordance with the second paragraph.

The average rate is obtained by dividing the amount provided for in subparagraph 1 by the amount provided for in subparagraph 2 of the second paragraph:

(1) the amount to be divided is the amount of the receipts that meet the following requirements:

(a) they derive from the imposition of a tax on units of assessment in respect of which all or part of the basic rate provided for in section 244.38 of the Act or the rate specific to the category provided for in section 244.35 of the Act is used to establish the amount of the tax;

(b) they result from the application of all or part of a rate referred to in clause a;

(2) the divisor amount is the amount of the taxable values of the units of assessment referred to in clause a of subparagraph 1 of the second paragraph, as determined by taking into account, in the case of a unit in respect of which only a percentage of a rate referred to in that clause is applied, solely the corresponding percentage of its taxable value.

The rules provided for in section 235 or 244.41 of the Act for the purposes of establishing the taxable property assessment shall apply, *mutatis mutandis*, for the purposes of establishing the divisor amount.”.

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

4627

M.O., 2001

Order of the Minister of Municipal Affairs and Greater Montréal concerning the Regulation to amend the Regulation respecting the form or minimum content of various documents relative to municipal taxation

An Act respecting municipal taxation
(R.S.Q., c. F-2.1)

THE MINISTER OF MUNICIPAL AFFAIRS AND GREATER
MONTRÉAL,

CONSIDERING paragraph 2 of section 263 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), amended by section 135 of chapter 25 of the Statutes of 2001, that allows the Minister of Municipal Affairs and Greater Montréal to prescribe the form or content of various documents;

CONSIDERING the making by the Minister of Municipal Affairs of the Regulation respecting the form or minimum content of various documents relative to municipal taxation, by the Minister’s Order dated 30 June 1992;

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the publication of the draft Regulation to amend the Regulation respecting the form or minimum content of various documents relative to municipal taxation in Part 2 of the *Gazette officielle du Québec* of 27 June 2001 ;

ORDERS

THAT the Regulation to amend the Regulation respecting the form or minimum content of various documents relative to municipal taxation, attached to this Minister's Order, be made.

Québec, 17 October 2001

LOUISE HAREL,
Minister of Municipal Affairs and Greater Montréal

Regulation to amend the Regulation respecting the form or minimum content of various documents relative to municipal taxation*

An Act respecting municipal taxation
(R.S.Q., c. F-2.1, s. 263, par. 2)

1. Section 2 of the Regulation respecting the form or minimum content of various documents relative to municipal taxation is amended

(1) by substituting “business establishment” for “place of business” in the part preceding paragraph 1 ;

(2) by substituting “establishment” for “place” in paragraphs 1 and 8; and

(3) by substituting “establishment” for “place” in paragraphs 6, 7, 9 and 10.

2. Section 4 is amended by substituting “business establishment” for “place of business”.

3. Section 5 is amended by adding the following after paragraph 13 :

“(14) an indication that the unit is referred to in the fourth paragraph of section 244.13 or 244.25 of the Act as well as the information required under section 61 of the Act if the role must indicate the information separately in respect of part of the unit ;

(15) an indication that the unit belongs to the group described in section 244.31 of the Act or to any other category among those provided for in sections 244.34 to 244.36 of the Act ;

(16) the number of each class among those listed in sections 244.32 and 244.54 of the Act of which the unit forms part ;

(17) an indication that the unit is referred to in section 244.51 of the Act ;

(18) an indication that the unit is referred to in section 244.52 of the Act as well as the information required under section 61 of the Act if the role must indicate the information separately in respect of part of the unit.”

4. The following is substituted for section 6 :

“6. If the notice of assessment contains a category number referred to in paragraph 5 or a class number referred to in paragraph 16 of that section, it must include a section or a schedule that explains, either generally with examples or specifically, how the unit of assessment was determined to belong to the category or class in question.”

5. Section 7 is amended by substituting “business establishment” and “business” for “place of business” and “business” respectively.

6. Section 8 is amended

(1) by substituting “business establishment” and “establishment” for “place of business” and “place” respectively in paragraph 3 ;

(2) by substituting “business establishment” for “place of business” in paragraph 4 ;

(3) by inserting the following after paragraph 5 :

“(5.1) in the case of the general property tax, where a number of specific rates have been fixed under section 244.29 of the Act, the name of each rate that applies in whole or in part to establish the tax imposed on the unit of assessment in question ;” and

* The Regulation respecting the form or minimum content of various documents relative to municipal taxation, made by Minister's Order dated 30 June 1992 (1992, *G.O.* 2, 3319), was last amended by the Regulation made by Minister's Order dated 5 October 1999 (1999, *G.O.* 2, 3687). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

(4) by inserting the following after paragraph 7.2:

“(7.2.1) in the case of the surtax or tax on non-residential immovables imposed on a unit of assessment referred to in the fourth paragraph of section 244.13 or 244.25 of the Act, or on a part of a unit referred to in that paragraph, the percentage of the rate of surtax or tax applicable to the unit or part of the unit, that is, 20%.”

7. Section 9 is amended by inserting “or 5.1” after the number “5”.

8. Section 10 is amended

(1) by substituting “business establishment” for “place of business”; and

(2) by inserting “a section or” after “contain”.

9. The following is inserted after section 10:

“**10.1.** Where under section 244.58 of the Act the information referred to in paragraph 7 of section 8 means, rather than a single tax rate, the combination that applies in the calculation of the general property tax imposed on the unit of assessment and that is made up of either one of the specific rates fixed under section 244.29 of the Act and part of another of those rates or of parts of a number of those rates,

(1) the account must indicate each rate included in whole or in part in the combination; and

(2) the account must indicate, with respect to each specific rate of which only a part is included in the combination, the percentage that part represents.

If the indicated percentage applies because the unit of assessment forms part of the classes listed in sections 244.32 and 244.54 of the Act, because it is referred to in section 244.51 of the Act or because the unit or a part of the unit is referred to in section 244.52 of the Act, the account must either contain an explanation correlating the percentage with the indication on the notice of assessment in respect of the unit in accordance with one of paragraphs 16 to 18 of section 5 or include a schedule containing the explanation.”

10. Section 11.1 is amended

(1) by inserting “or 7.2.1” after “7.2”; and

(2) by inserting “or 14” after “13”.

11. Section 11.2 is amended by inserting “a section or” after “contain” in the part preceding paragraph 1.

12. Section 12 is amended

(1) by inserting “, 244.59” after “244.15”; and

(2) by inserting “a section or” after “contain”.

13. The following form is substituted for the form provided for in Schedule II:

Gouvernement du Québec
Ministère des Affaires municipales et de la Métropole

GEOGRAPHIC CODE: _____ APPLICATION NUMBER: _____

APPLICATION FOR REVIEW OF THE ROLL OF RENTAL VALUES

MUNICIPALITY: _____ ROLL IN QUESTION: _____
(City, village, parish, etc., to whose roll of rental values the application pertains) 3 years of the triennial roll

IMPORTANT : Unless otherwise indicated, fill in all the white boxes in Sections 1 to 4 legibly, following the directions given in brackets. If necessary, see the additional instructions on the reverse.

1. IDENTIFICATION OF THE BUSINESS ESTABLISHMENT

• ADDRESS: _____ Postal code: _____
(Number(s), name of the street, avenue, road, etc., where the business establishment is located)

• CADASTRAL NUMBER(S): _____
(Only if it is a site without a building or a building without an address)

• FILE: _____ • TOTAL VALUE: \$ _____
(File number entered on the roll and on the notice of assessment) (Rental value entered on the roll and on the notice of assessment)

2. IDENTIFICATION OF THE APPLICANT

• SURNAME AND GIVEN NAME(S): _____

• SAME ADDRESS AS THE BUSINESS ESTABLISHMENT? Yes No
(Postal address of the applicant)

• THE APPLICANT IS: The sole occupant of the business establishment.
 One of the co-occupants of the business establishment with _____ other(s).
 The mandatory of the occupant of the business establishment, whose name is: _____
 Other (please specify): _____

3. ORIGIN, SUBJECT OF AND GROUNDS FOR THE REVIEW REQUESTED

• ORIGIN OF THE APPLICATION: 1. Roll of rental values as deposited Notice of correction *ex officio*
(Check only one of the 4 boxes. See details on the reverse if necessary) 2. Notice of alteration 3. Alteration not made by the assessor

• I REQUEST A REVIEW OF THE ENTRIES ON OR OMISSIONS FROM THE ROLL CONCERNING (check at least one of the 3 boxes):
 The rental value of the business establishment Other entry Other entry
(Conclusion sought with respect to the value. For information only, you may indicate the figure which, in your opinion, corresponds to the rental value of the business establishment in question) Actual value according to the applicant

• GROUNDS INVOKED (See reverse)

4. SIGNATURE OF THE APPLICANT OR OF HIS MANDATORY

(Signature of the applicant or of his mandatory) (Name of signatory)

(Date of signature)

Note : The date on which the application for review is signed is not deemed proof of its filing. Only the date entered in Section 5 is deemed valid in this respect.

- File this form, duly filled out, at the location indicated on your notice of assessment.
- If you wish to file your application for review by registered mail, please follow the directions given on the reverse.

5. CERTIFICATION OF OFFICIAL IN RECEIPT OF THE APPLICATION (For official use only)

• CONFIRMATION OF THE ENTRIES ON THE ROLL

POSSESSION Code	UTILIZATION Code	DWELLINGS Number	OTHER PREMISES Number	File matches the roll? Yes <input type="checkbox"/> No <input type="checkbox"/>	Division	Section	Location	CD	Building	Premises
T	U	N	P							

Rental value matches the roll? Yes No \$ _____

• SUM RECEIVED: \$ _____ • APPLICATION AND SUM RECEIVED ON THE: _____
(This document constitutes the applicant's receipt) (Signature of official)

NOTE : STEPS FOLLOWING APPLICATION

- Your application for review will be processed by the assessor of the organization responsible for the roll of rental values of the municipality on which territory the business establishment in question is located.
- The assessor must advise you in writing of his conclusion at the latest on _____
Year Month Day In his reply, the assessor will either :
 - propose an alteration to the roll of rental values or
 - inform you that no alteration will be proposed.
- If you AGREE with the assessor on the alterations to be made to the roll of rental values, you have 30 days following the sending of the assessor's reply to enter into a written agreement with the assessor. You may enter into an agreement earlier than the final date indicated above.
- If you DISAGREE with the assessor on the alterations to be made, you have 60 days following the sending of the assessor's reply to lodge an appeal with the Administrative Tribunal of Québec, based on the same subject as your application for review (see details on the reverse). Once you have lodged an appeal, you may no longer enter into an agreement with the assessor.
- If you DO NOT RECEIVE A WRITTEN REPLY from the assessor, you have 30 days after the final date indicated above to lodge an appeal with the Administrative Tribunal of Québec, based on the same subject as your application for review (see details on the reverse).

APPLICATION FOR REVIEW OF THE ROLL OF RENTAL VALUES : EXPLANATORY NOTES

The Act respecting Municipal Taxation (sections 124 to 138.4) makes provision for an administrative review of the entries contained on the roll of rental values. Any true application for review will receive a written reply from the assessor. The applicant and the assessor may enter into an agreement with respect to the alterations to be made to the roll. Failing an agreement, the Act shall grant an appeal, before the Administrative Tribunal of Québec, to any person who has first filed an application for review.

DEFINITIONS

- **Business establishment :** immovable or part of an immovable where a person carries out a business or administrative activity, for profit-making or non-profit-making purposes, and which is entered on the roll of rental values under a single file number.
- **Roll of rental values :** public document containing certain entries prescribed by regulation, for each of the business establishments situated on the territory of a municipality.
- **Market date :** the date on which market conditions are considered in order to establish the rental value of all the business establishments entered on the roll of rental values of a municipality.

RIGHT TO APPLY FOR A REVIEW

- A person who has an interest in contesting the accuracy, existence or absence of an entry on the roll of rental values relative to a business establishment of which he or another person is the occupant may file an application for review with the municipal body responsible for assessment in question.
- A person bound to pay tax or compensation to the municipality which uses the roll of rental values is deemed to have the interest required to file an application for review.

ORIGIN OF THE APPLICATION FOR REVIEW (and time limits applicable)

The Act makes provision for 4 situations which give the right to apply for a review and sets time limits for each situation :

Situation which may lead to the filing of an application for review

Time limit set for filing the application

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Deposit of the roll of rental values, followed by the sending of a notice of assessment to the person carrying out an activity 2. Alteration to the roll made by certificate, followed by the sending of a notice of assessment 3. Notice of correction <i>ex officio</i> addressed by the assessor to the person carrying out an activity, to inform him of a planned correction 4. Failure by the assessor to make an alteration to the roll, despite an event occurring that should have led to such an alteration | <ul style="list-style-type: none"> • Whichever date is later : <ul style="list-style-type: none"> - prior to 1 May following the coming into force of the roll of rental values ; - 60 days following the sending of the notice of assessment (120 days if the notice relates to a business establishment whose value is equal to or greater than \$100,000). • Whichever date is later : <ul style="list-style-type: none"> - prior to 1 May following the coming into force of the roll of rental values ; - 60 days following the sending of the notice of alteration. • Whichever date is later : <ul style="list-style-type: none"> - prior to 1 May following the coming into force of the roll of rental values ; - 60 days following the sending of the notice of correction <i>ex officio</i>. • In the course of the financial year in which the event justifying an alteration occurs or prior to the end of the following financial year. |
|---|--|

GROUND S INVOKED

- The Act stipulates that the application for review must state briefly the grounds invoked. These are the arguments that the applicant wishes the assessor to consider at the time of review.
- For example, the defects of a business establishment (breakage, construction defects, etc.), nuisances (noise, pollution, flooding, etc.), as well as its financial situation (loss of rent, high expenses, leases of comparable business establishments), are valid grounds to invoke in support of the application for review.
- **The amount of taxes to be paid does not constitute grounds justifying an alteration to the roll of rental values.**
- If the space provided on the form is insufficient, additional documents may be attached to explain the grounds invoked.

CONDITIONS

For an application to be admissible to the municipal body responsible for the assessment, it must satisfy, in addition to the time limits given above, the following conditions :

- **Be made on the form prescribed for this purpose.** This document is the prescribed form. Additional explanatory documents may be attached to the completed form if necessary.
- **Be filed at the location determined** by the municipal body responsible for assessment for the purposes of the administrative review of the rental value, or be sent by registered mail.
- **Be accompanied by the sum of money determined** and applicable to the business establishment in question, if prescribed by a regulation of the municipal body responsible for assessment.

FILING OF THE APPLICATION BY REGISTERED MAIL

The Act permits the filing of an application for review by registered mail. The same time limits and conditions apply as for filing an application in person. The following directions are, however, important :

- **Copies 1 and 2 of the form must be mailed.** The first copy will be forwarded to the assessor ; the second will be returned to the applicant after certification by the official responsible for receipt of applications for review. The applicant keeps copy 3.
- **The day of sending of the application is deemed to be the date of filing.** It is therefore important that the applicant retain proof of dispatch in case of dispute.

APPEAL

Any person who has filed an application for review and who has not entered into an agreement with the assessor may lodge an appeal with the immovable property division of the Administrative Tribunal of Québec, based on the same subject as the application for review. To be valid, such an appeal must be made :

- by filing a motion at the secretariat of the Tribunal or at an office of the Court of Québec (a copy of the application for review which was previously filed may be required) ;
- within 60 days of the date of sending of the assessor's reply or, if the assessor has not sent a reply, within 30 days of the final date shown on the front of this application form.

14. Schedule IV is amended

(1) by substituting “business establishment” for “place of business” in the first and second paragraphs of part 1;

(2) by substituting “business establishments” for “places of business” in the third paragraph of part 1;

(3) by substituting “business establishment” for “place of business” in the first paragraph of part 2;

(4) by substituting “business establishment” for “place of business” in the second paragraph of part 2;

(5) by striking out “or the school board” in the fourth paragraph of part 2;

(6) by substituting “business establishments” for “places of business” in the first paragraph of part 3; and

(7) by substituting “business establishment” for “unit of assessment” in paragraph 3 of part 4.

15. The form provided for in Schedule II to the Regulation respecting the form or minimum content of various documents relative to municipal taxation before its replacement by section 13 of this Regulation may continue to be used to file applications for review of a roll of rental values.

16. This Regulation comes into force on the 15th day following the date of its publication in the *Gazette officielle du Québec*.

4628

M.O., 2001

Order of the Minister of Municipal Affairs and Greater Montréal concerning the Regulation to amend the Regulation respecting the maximum taxable value of certain rectories

Act respecting municipal taxation
(R.S.Q., c. F-2.1)

THE MINISTER OF MUNICIPAL AFFAIRS AND GREATER
MONTRÉAL,

CONSIDERING paragraph 9 of section 263 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), amended by section 89 of chapter 54 of the Statutes of 2000, that allows the Minister of Municipal Affairs and Greater Montréal to fix the value which, multiplied by the median proportion of the roll, constitutes the maximum non-taxable value of a rectory;

CONSIDERING the making by the Minister of Municipal Affairs of the Regulation respecting the maximum taxable value of certain rectories, by the Minister’s Order dated 7 June 1989;

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the publication of the draft Regulation to amend the Regulation respecting the maximum taxable value of certain rectories in Part 2 of the *Gazette officielle du Québec* of 30 May 2001;

ORDERS

THAT the Regulation to amend the Regulation respecting the maximum taxable value of certain rectories, attached to this Minister’s Order, be made.

Québec, 17 October 2001

LOUISE HAREL,
Minister of Municipal Affairs and Greater Montréal

Regulation to amend the Regulation respecting the maximum taxable value of certain rectories*

An Act respecting municipal taxation
(R.S.Q., c. F-2.1, s. 263, par. 9; 2000, c. 54, s. 89)

1. The title of the Regulation respecting the maximum taxable value of certain rectories is amended by inserting the word “non-” before the word “taxable”.

2. The words “non-taxable value” are substituted for the words “taxable value” in section 1.

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

4629

* The Regulation respecting the maximum taxable value of certain rectories, made by Minister’s Order dated 7 June 1989 (1989, *G.O.* 2, 2367), has not been amended since it was made.

Draft Regulations

Draft Regulation

General and Vocational Colleges Act
(R.S.Q., c. C-29)

General and vocational college

- By-laws or policies
- 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 the by-laws or policies that a general and vocational college must adopt, the text of which appears below, may be made by the Minister of Education upon the expiry of 21 days following this publication.

Under section 12 of the Regulations Act, the proposed regulation may be made at the expiry of a shorter period than the 45 days provided for in section 11 of the Act, because of the urgency due to the following circumstances:

— the provisions introduced by the Regulation require that the general and vocational colleges adopt by-laws, in accordance with those provisions, before 1 January 2002;

— the time limits applicable to the publication of the draft Regulation would not allow for the provisions to be taken into account in due time.

The purpose of the draft Regulation is to require from the general and vocational colleges that they adopt a by-law promoting academic success. Such a regulation shall provide measures to guide students who fail courses in a collegial study program.

Study of the draft Regulation has shown no impact on businesses to this day.

Further information may be obtained by contacting Guy Demers, Director General, Direction générale de l'enseignement et de la recherche, 1035, rue De La Chevrotière, 18^e étage, Québec (Québec) G1R 5A5, telephone: (418) 643-6671.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 21-day period, to the Minister of Education, 1035, De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

FRANÇOIS LEGAULT,
Minister of Education

Regulation to amend the Regulation respecting the by-laws or policies that a general and vocational college must adopt*

General and Vocational Colleges Act
(R.S.Q., c. C-29, s. 18.0.2)

1. The Regulation respecting the by-laws or policies that a general and vocational college must adopt is amended by inserting the following after section 4:

“4.1. A college must adopt a by-law to promote academic success.

The by-law must provide measures to guide the full-time student who fails repetitively or who fails more than one course during a single academic term.

The by-law must also prescribe that the full-time student who, during a single academic term, fails half or more of the courses for which he is registered shall commit in writing to comply with the conditions set by the college for the continuation of his studies. Penalties, including dismissal, must be provided for where the student fails to comply with his commitments.

For the purposes of the by-law, the failures of a student who justifies with supporting documents that such failures of the specified academic term are due to serious reasons such as illness or the death of his spouse or family member shall not be taken into account.”.

* The Regulation respecting the by-laws or policies that a general and vocational college must adopt was made by Order of the Minister of Education dated 18 January 1994 (1994, G.O. 2, 1039) and has not been amended since.

2. The Regulation is amended by inserting the following after section 6:

“6.1. The by-law referred to in section 4.1 must come into force before 1 January 2002 or, where applicable, in the three months following the coming into force of the letters patent establishing a college.”.

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

4630

Draft Regulation

General and Vocational Colleges Act
(R.S.Q., c. C-29)

General and vocational college must charge — Tuition fees

Notice is hereby given, in accordance with sections 10 and 12 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the tuition fees and special fees which a general and vocational college must charge, the text of which appears below, may be made by the Government upon the expiry of 21 days following this publication.

Under section 12 of the Regulations Act, the proposed regulation may be made at the expiry of a shorter period than the 45 days provided for in section 11 of the Act, because of the urgency due to the following circumstances:

— the provisions of the Regulation must be applicable from the winter term of the 2001-2002 academic year;

— the time limits applicable to the publication of the draft Regulation would not allow for the provisions to be taken into account in due time.

The purpose of the draft Regulation is to revoke, for the future, the rules respecting the determination and payability of the special fees which a general and vocational college must charge.

Study of the draft Regulation has shown no impact on businesses to this day.

Further information may be obtained by contacting Guy Demers, Director General, Direction générale de l'enseignement et de la recherche, 1035, rue De La Chevrotière, 18^e étage, Québec (Québec) G1R 5A5, telephone: (418) 643-6671.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 21-day period, to the Minister of Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

FRANÇOIS LEGAULT,
Minister of Education

Regulation respecting the tuition fees which a general and vocational college must charge

General and Vocational Colleges Act
(R.S.Q., c. C-29, s. 24.4)

DIVISION I STATUS OF STUDENT

1. For the purposes of section 24 of the Vocational Colleges Act, a full-time student is:

(1) a student who, in any of his last two academic terms, was registered for at least four courses in a program of college studies or for courses totalling at least 180 periods of instruction in such a program and who has a maximum of three courses left to complete in order to graduate from that program;

(2) a student affected by a major functional deficiency within the meaning of the Regulation respecting financial assistance for students, made by Order in Council 844-90 dated 20 June 1990 and who, for that reason, carries on a program of college studies on a part-time basis within the meaning of the Act respecting financial assistance for education expenses (R.S.Q., c. A-13.3).

A student deemed to be a full-time student under subparagraph 1 of the first paragraph may only have such a status granted to him for a single academic term unless he justifies, with supporting documents, that during that academic term, he could not completely devote himself to his studies because of serious reasons such as an illness or the death of his spouse or family member or that he cannot complete the program of studies because a required course is not offered until the following academic term.

DIVISION II TUITION FEES

2. The tuition fees payable under the first paragraph of section 24.2 of the Act are \$2 per period of instruction.

3. The tuition fees collected for a course in a program of college studies shall be reimbursed in full where a student withdraws from the course not later than on the date determined by the Minister of Education pursuant to section 29 of the College Education Regulations, made by Order in Council 1006-93 dated 14 July 1993, as amended.

DIVISION III PENALTIES

4. A student who fails to pay all or part of the fees payable under section 2 or who delays payment thereof shall not be awarded credits for any of the courses for which he was registered for as long as the failure to pay or delayed payment persists.

DIVISION IV FINAL

5. This Regulation replaces the Regulation respecting the tuition fees and special fees which a general and vocational college must charge made by Order in Council 1016-97 dated 13 August 1997.

Notwithstanding the foregoing, the Regulation, as it read before being replaced, remains applicable to a student regarding any course failed before 20 September 2001.

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

4635

Draft Regulation

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

Animal

— Possession and sale — 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 possession and sale of an animal, 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 authorize the sale of hare meat throughout the year.

To that end, the draft Regulation proposes that hare meat that is processed or prepared by the holder of a hare meat preparation permit or a hare meat canning permit issued under the Food Products Act (R.S.Q., c. P-29) amended by Chapter 26 of the Statutes of 2000 may be merchandised year-round on the condition that the hare has been legally hunted.

To date, study of the matter has revealed no impact on the public. Businesses, especially small and medium-sized businesses, that is, wholesalers and food retailers will be able to sell processed or prepared hare meat products year-round.

Further information may be obtained by contacting 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, extension 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 possession and sale of an animal*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 69; 2000, c. 48, s. 11)

1. Section 1 of the Regulation respecting the possession and sale of an animal is amended by adding the following after the third paragraph:

“The sale of snowshoe hare meat that has been legally hunted is permitted year-round provided that it comes from the holder of a hare meat preparation permit or a canned hare meat permit issued under the Food Products Act (R.S.Q., c. P-29) amended by Chapter 26 of the Statutes of 2000.”

* The Regulation respecting the possession and sale of an animal made by Order in Council 536-98 dated 22 April 1998 (1998, *G.O.* 2, 1639) was last amended by the Regulation made by Order in Council 254-99 dated 24 March 1999 (1999, *G.O.* 2, 425).

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

4631

Draft Regulation

Medical Act

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

Professional Code

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

Physicians

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

— Amendments

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau du Collège des médecins du Québec, adopted the Regulation to amend the Regulation respecting the acts contemplated by section 31 of the Medical Act which may be done by classes of persons other than physicians at its meeting held on 27 April 2001.

The Regulation has been sent to the Office des professions du Québec who shall examine it pursuant to section 95 of the Professional Code. It will then be submitted to the Government with the recommendation of the Office, which pursuant to the same section, may approve it with or without amendment upon the expiry of 45 days following this publication.

The Regulation was adopted following a request made by the Ordre des infirmières et infirmiers auxiliaires du Québec and by the Ordre des technologistes médicaux du Québec and after consultation with the Office.

According to the Collège des médecins du Québec,

(1) the purpose of the Regulation is to allow the addition of a paragraph in the existing sections 5.06 and 5.07 respecting nursing assistants and medical technologists in order to exclude such persons from the scope of those sections at the time of coming into force of the Regulation or after that date;

(2) the Regulation has no impact on small and medium-sized businesses or others.

Further information on the proposed Regulation may be obtained by contacting M^e Luc Bigaouette, assistant-secretary general of the Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; telephone (514) 933-4441 or 1 888 633-3246; fax (514) 933-3112.

Any person having comments to make is asked to send them, before the expiry of the 45-day period following this publication, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. These comments will be forwarded by the office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order that adopted the Regulation, as well as to interested persons, departments and agencies.

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

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

Medical Act

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

1. Section 5.06 of the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians is amended by adding the following at the end:

“Notwithstanding the foregoing, the first paragraph does not apply to a person who is a nursing assistant as of (*enter the date of coming into force of this Regulation*)”.

2. Section 5.07 is amended by adding the following at the end:

* The Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, adopted on 18 September 1981 (1982, *G.O.* 2, 22) was last amended by the Regulation approved by Order in Council 1417-2000 dated 6 September 2000 (2000, *G.O.* 2, 5606). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

“Notwithstanding the foregoing, the first paragraph does not apply to a person who is a medical technologist as of (*enter the date of coming into force of this Regulation*).”.

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

4626

Draft Regulation

Nurses Act
(R.S.Q., c. I-8)

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

Nurses

— **Acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses**

— **Amendment**

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau de l'Ordre des infirmières et infirmiers du Québec, at its meeting held on 20 and 21 June 2001, adopted the Regulation to amend the Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses.

The Regulation was forwarded to the Office des professions du Québec who will examine it pursuant to section 95 of the Professional Code. It will then be submitted, with the recommendation of the Office, to the Government who may approve it with or without amendment, pursuant to the same section, after the expiry of 45 days following this publication.

The Regulation was adopted following a request by the Ordre des infirmières et infirmiers auxiliaires du Québec and after consultation with the Office.

According to the Ordre des infirmières et infirmiers du Québec:

(1) the purpose of the proposed Regulation is to clarify the significance of section 5.03 of the Regulation by excluding from the application of that provision the persons who are auxiliary nurses at the time of the coming into force of the Regulation or after that date; and

(2) the Regulation has no impact on small and medium-sized businesses or others.

Further information on the proposed Regulation may be obtained by contacting M^e Claudette Ménard, advocate and director of legal services for the Ordre des infirmières et infirmiers du Québec, 4200, boulevard Dorchester Ouest, Westmount (Québec) H3Z 1V4, telephone: (514) 935-2501 or 1 800 363-6048; fax: (514) 935-1799.

Any person having comments to make is asked to send them, before the expiry of a 45-day period from this publication, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be sent by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order which adopted the Regulation as well as to interested persons, departments and bodies.

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

Regulation to amend the Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses*

Nurses Act
(R.S.Q., c. I-8, s. 12, 1st par., subpar. a)

1. Section 5.03 of the Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses is amended by adding the following at the end:

“Notwithstanding the foregoing, the first paragraph does not apply to a person who is a nursing assistant as of (*enter the date of coming into force of this Regulation*).”.

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

4625

* The Regulation respecting the acts contemplated in section 36 of the Nurses Act which may be performed by classes of persons other than nurses (R.R.Q., 1981, c. I-8, r. 1) has not been amended.

Draft Regulation

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

Commission des transports du Québec — Procédure

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 procedure of the Commission des transports du Québec, the text of which appears below, may be adopted by the Commission des transports du Québec upon the expiry of a time limit of 45 days effective from this publication.

These amendments are further to the adoption, on June 21, 2001, of the Act to amend the Transport Act and the Act respecting owners and operators of heavy vehicles. They propose a non-discriminatory system of access to information and allow the same quality of information regarding the files of legal and natural persons to be provided to members of the public who deal with the Commission des transports du Québec.

Additional information may be obtained regarding this regulation by contacting M^e Natalie Lejeune, Secretary and Director of Legal Services, Commission des transports du Québec, 545, boulevard Crémazie Est, bureau 1000, Montréal (Québec) H2M 2V1, by phone at (514) 873-6304 or by fax at (514) 873-5947.

Any person who has comments regarding this matter is asked to transmit them in writing, before this time limit expires, to M^e Natalie Lejeune, Secretary and Director of Legal Services, Commission des transports du Québec, 545, boulevard Crémazie Est, bureau 1000, Montréal (Québec) H2M 2V1. These comments will be analyzed by the Commission des transports du Québec.

NICOLE POUPART,
*President of the Commission
des transports du Québec*

Regulation to amend the Regulation respecting the procedure of the Commission des transports du Québec *

Transport Act
(R.S.Q., c. T-12, a. 48)

1. The Regulation respecting the procedure of the Commission des transports du Québec is amended by the insertion, after section 44, of the following division and sections:

“DIVISION V.1 FILES OF THE COMMISSION

44.1. Upon receipt of an application, the Commission assigns it a number and opens a file, if necessary.

44.2. The numbers are assigned consecutively in chronological order.

44.3. The Commission maintains an up-to-date list in Québec and Montréal of all the applications filed with it.

44.4. The Commission sets up and maintains a filing system of all applications and all related documents are deposited therein.

44.5. Repealed.

44.6. A document issued by the Commission or included in its files, except for a permit certificate, is authentic when it is certified and signed by the secretary, a director or a lawyer of the Commission.

44.7. The public may have access, during normal business hours, to the list of applications filed.

44.8. A person, on request, may have access to and obtain a copy of any public document.

44.9 The following information from the Bulk Trucking Register is public, in addition to that of the Registre des propriétaires et des exploitants de véhicules lourds: the operator's number in the Registre des propriétaires et des exploitants de véhicules lourds, the operator's number in the Bulk Trucking Register, the number of trucks recorded in the register and their registration number, the number of the broker and the brokerage zone where the operator is a member and, as the case may be, the sticker number assigned to the operator.

* The Regulation respecting the procedure of the Commission des transports du Québec was adopted by the Commission on October 19, 1998 (1998, G.O. 2, 6006). It was amended by the Regulation published on February 9, 2000 (2000, G.O. 2, 1025).

44.10. The following information from the list of truckers is public, in addition to that of the Registre des propriétaires et des exploitants de véhicules lourds: the trucker's number in the Registre des propriétaires et des exploitants de véhicules lourds.

44.11. The following information from the Commission's files is public, in addition, as the case may be, to that of the Registre des propriétaires et des exploitants de véhicules lourds: as the case may be, the applicant's number in the Registre des propriétaires et des exploitants de véhicules lourds and the information he provides to the Commission in support of his application in matters where the Commission exercises discretionary power.

Also public is information concerning membership contracts for brokerage services and the director's hiring contract, an applicant's knowledge, experience and skills, information of a similar nature concerning the applicant's human resources, the list of shareholders or members of an applicant and their participation in the company, its fleet of vehicles, information of a similar nature contained in the contracts and letters of credit or support produced and the confidential part of its annual report of operations or financial statements.”.

2. This regulation replaces sections 104 to 114 of the Rules of practice and rules for the internal management of the Commission des transports du Québec, decreed by Order-in-Council 147-82 of January 20, 1982, maintained in force by subsection 1° of section 56 of the Regulation respecting the procedure of the Commission des transports du Québec published in the *Gazette officielle du Québec* of November 11, 1998.

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

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