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Laws and Regulations

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Summary

Table of Contents
Regulations and other acts
Draft Regulations
Municipal Affairs
Index

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Table of Contents

Page

Regulations and other acts

500-2002	Commission des relations du travail — Procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners	2319
501-2002	Services automobiles — Région de Québec — Levy (Amend.)	2322
502-2002	Industrie de l'automobile — Montréal et district — Constitution and regulations of the Comité paritaire (Amend.)	2323
527-2002	Health Insurance Act — Regulation (Amend.)	2325

Draft Regulations

Cinema Act — Manner to affix the attestation of a filing certificate		2327
Occupational health and safety — Industrial and commercial establishments		2328

Municipal Affairs

477-2002	Corrections to Order in Council 1012-2001 dated 5 September 2001 respecting the Amalgamation of Ville de Grand-Mère, Ville de Shawinigan and Ville de Shawinigan-Sud, Municipalité de Lac-à-la-Tortue, Village de Saint-Georges and the parishes of Saint-Gérard-des-Laurentides and Saint-Jean-des-Piles	2331
486-2002	Corrections to Order in Council 123-2002 dated 13 February 2002 respecting the designation of cour municipale commune de la Ville de Saguenay	2332

Regulations and other acts

Gouvernement du Québec

O.C. 500-2002, 24 April 2002

Labour Code
(R.S.Q., c. C-27)

Commission des relations du travail — Recruiting and selection of persons declared to be qualified for appointment as commissioners

Regulation respecting the procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners to the Commission des relations du travail

WHEREAS, under section 137.13 of the Labour Code (R.S.Q., c. C-27), enacted by section 63 of the Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions (2001, c. 26), the Government shall establish by regulation a recruiting and selection procedure according to which persons are declared qualified to be appointed commissioners of the Commission des relations du travail;

WHEREAS, under section 137.15 of the Labour Code, enacted by section 63 of the Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions, the Government may determine by regulation the validity period of a certificate of qualifications;

WHEREAS, under section 137.16 of the Labour Code, enacted by section 63 of the Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions, the Government may determine by regulation in which cases, subject to which conditions and to what extent the members of a selection committee shall receive a remuneration and determine subject to which conditions and to what extent they shall be reimbursed for the expenses incurred in the exercise of their functions;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation respecting the procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners to the Commission des relations du travail, attached to this Order in Council, was published in the *Gazette officielle du Québec* of 13 February 2002;

WHEREAS sections 137.13, 137.15 and 137.16 of the Labour Code, enacted by section 63 of the Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions came into force on 13 February 2002 under Order in Council 132-2002 dated 13 February 2002;

WHEREAS it is expedient to make the Regulation respecting the procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners to the Commission des relations du travail, attached to this Order in Council;

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

THAT the Regulation respecting the procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners to the Commission des relations du travail, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners to the Commission des relations du travail

Labour Act
(R.S.Q., c. C-27, ss. 137.13, 137.15, 137.16; 2001,
c. 26, s. 63)

DIVISION I NOTICE OF RECRUITMENT

1. Where it is expedient to draw up a list of persons declared to be qualified for appointment as commissioners to the Commission des relations du travail, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif shall publish a notice of recruitment in a publication circulated throughout Québec, inviting interested persons to apply for the position of commissioner of the Commission.

2. The notice shall give

- (1) a brief description of the duties of a commissioner;
- (2) the main place where a commissioner could be assigned to perform his duties;
- (3) in essence, the selection conditions and criteria prescribed by the Act and this Regulation and, where applicable, the professional qualifications, training and particular experience sought by the Commission;
- (4) in essence, the system of confidentiality applicable to the selection procedure and an indication that the selection committee may hold consultations about the applications; and
- (5) the deadline and address for applying.

3. A copy of the notice shall be sent to the Minister of Labour and to the president of the Commission.

DIVISION II
APPLICATIONS

4. A person who wishes to apply shall forward his résumé and the following information:

- (1) his name, home address and telephone number and, if applicable, office address and telephone number;
- (2) his date of birth;
- (3) the nature of the activities that he has carried out and through which he has acquired the relevant experience;
- (4) where applicable, proof that he has the qualifications indicated in the notice, when they were acquired and the years of experience the person worked in such qualifications;
- (5) any condemnation for a criminal or indictable offence or any disciplinary decision, as well as the nature of the offence or fault in question and the imposed sentence or disciplinary penalty;
- (6) any condemnation for a penal offence, the nature of the offence in question and the sentence imposed and whether one can reasonably believe that such offence is likely to question the integrity or impartiality of the Commission or of the applicant, to interfere with his ability to perform his duties or to ruin the trust of the public in the office holder;
- (7) where applicable, the names of his employers or partners over the past ten years;

(8) where applicable, whether he has applied for a position of commissioner of the Commission in the past three years;

(9) a summary of the reasons for his interest in performing the duties of commissioner of the Commission.

The person shall also provide a written statement in which he agrees to a verification with a disciplinary body, any professional order of which he is or was a member, his employers over the last ten years, police authorities and, where applicable, in which he agrees that the persons or partnerships referred to in section 14 may be consulted.

DIVISION III
FORMATION OF A SELECTION COMMITTEE

5. Following publication of the notice of recruitment, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif shall form a selection committee, designate a chair and appoint to it

- (1) the chair of the Commission or, after consulting him, another commissioner of the Commission;
- (2) a person of the legal community; and
- (3) two persons of the labour relations community.

6. Where his impartiality could be questioned, a member of the committee shall withdraw in respect of an applicant, particularly in the following situations:

- (1) the member is or was the applicant's spouse;
- (2) the member is related to the applicant by birth or marriage, to the degree of first cousin inclusively;
- (3) the member is or was an employer, employee or a partner of the applicant in the last ten years; notwithstanding the foregoing, a member who is in the public service shall withdraw in respect of an applicant only if he is or was the employee or immediate superior of the applicant.

Where a member of the committee has withdrawn, is absent or unable to act, the decision shall be made by the other members.

7. Before taking office, the members of the committee shall take the following oath: "I, (full name), declare under oath that I will neither reveal nor make known, without due authorization to do so, anything whatsoever of which I may gain knowledge in the exercise of my office."

The oath shall be taken before a member of the staff of the Ministère du Conseil exécutif or the Ministère du Travail empowered to administer oaths.

The writing evidencing the oath shall be sent to the Associate Secretary General.

8. A person may be appointed to more than one committee at the same time.

9. Travel and accommodation expenses of the committee members shall be reimbursed in accordance with Décret 2500-83 concernant les règles sur les frais de déplacement des présidents, vice-présidents et membres d'organismes gouvernementaux, dated 30 November 1983, as amended.

In addition to the reimbursement of their expenses, the committee members who are neither commissioners of the Commission nor employees of a government department or agency are entitled to fees of \$100 per half-day of sitting.

DIVISION IV OPERATION OF THE SELECTION COMMITTEE

10. The list of applicants and their records shall be sent to the chair of the selection committee.

11. The committee shall analyze the applicants' records and shall retain those who, in its opinion, meet the eligibility requirements and any additional evaluative measures applied in consideration of the positions to be filled or the large number of applicants.

12. The chair of the committee shall inform the short-listed applicants of the date and place of their interview with the committee and shall inform the other applicants that they were turned down and, as a result, will not be called to a meeting.

13. The committee's report shall list the applicants that were turned down, giving reasons therefor.

DIVISION V CONSULTATIONS AND SELECTION CRITERIA

14. The committee may, on any matter in an applicant's record or any aspect of an application or of the applications as a whole, consult with

(1) any person who has been, in the last ten years, an employer, partner, immediate superior or first-line superior of the applicant;

(2) any legal person, partnership or professional association of which the applicant is or was a member.

15. The selection criteria that the committee shall take into account in determining an applicant's qualifications are

(1) the applicant's personal and intellectual qualities;

(2) the applicant's experience and the relevancy of that experience in relation to the duties of the Commission;

(3) the extent of the applicant's knowledge or skills in view of the required professional qualifications, training or particular experience stated in the notice of recruitment;

(4) the applicant's ability to carry out judicial functions;

(5) the applicant's judgment, open-mindedness, perceptiveness, level-headedness, decision-making and expressive abilities;

(6) the applicant's conception of the duties of a commissioner of the Commission.

DIVISION VI REPORT OF THE SELECTION COMMITTEE

16. Committee decisions shall be made by a majority vote of its members. In case of a tie-vote, the chair of the committee shall have a casting vote.

17. Promptly and not later than 30 days after an application therefor by the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif, the committee shall submit a report including

(1) the names of the applicants with whom the committee met and whom it declared qualified to be appointed as commissioners to the Commission, their profession and the particulars concerning their work place;

(2) any comments that the committee considers expedient, especially with respect to the particular characteristics or qualifications of the applicants considered qualified.

That report shall be submitted to the Associate Secretary General and to the Minister of Labour.

18. The committee shall declare qualified a number of applicants normally corresponding to at least twice the number of vacant positions, unless it cannot do so.

19. A member of the committee may register his dissent with respect to all or part of the report.

DIVISION VII REGISTER OF CERTIFICATES OF QUALIFICATIONS

20. The Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif shall write to the applicants to inform them whether or not they have been declared qualified to be appointed as commissioners to the Commission.

21. The Associate Secretary General shall keep the register of certificates of qualifications up-to-date and shall enter therein the list of the persons declared qualified to be appointed as commissioners to the Commission.

A certificate of qualifications shall be valid for a period of three years from the date it is entered in the register.

The Associate Secretary General shall strike out an entry upon the expiry of the validity period of the certificate of qualifications, or where the person is appointed as commissioner to the Commission, dies or asks to be withdrawn from the register.

DIVISION VIII RECOMMENDATION

22. As soon as he is notified of a vacant position, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif shall forward a copy of the updated list of persons declared qualified to the Minister of Labour.

23. If the Minister of Labour is of the opinion that he cannot recommend an appointment, considering the list of persons qualified to be appointed as commissioners and in the best interest of carrying out the duties of the Commission, he shall then ask the Associate Secretary General to have a notice of recruitment published, in accordance with Division I.

The committee in charge of assessing the qualifications of applicants who applied after the publication of another notice and of reporting to the Associate Secretary General and to the Minister may be composed of persons previously designated to sit on a preceding committee.

24. The Minister of Labour shall recommend to the Government the name of a person who has been declared qualified to be appointed as commissioner to the Commission, after consultation with the most representative associations of workers and employers' associations.

DIVISION IX CONFIDENTIALITY

25. The names of applicants, the reports of selection committees, the register, the list of applicants declared qualified to be appointed as commissioners to the Commission, as well as any information or document relating to a consultation or decision by a committee, are confidential.

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

Le greffier du Conseil exécutif,
JEAN ST-GELAIS

5011

Gouvernement du Québec

O.C. 501-2002, 24 April 2002

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

Services automobiles de la région de Québec — **Comité conjoint** — **Levy Regulation** — **Amendments**

CONCERNING the Regulation to amend the Levy Regulation of the Comité conjoint sur les services automobiles de la région de Québec

WHEREAS the Comité conjoint sur les services automobiles de la région de Québec levies the amounts needed for the application of the Decree respecting the automotive services industry in the Québec region on the professional employer and the employee under the Levy Regulation of the Comité conjoint sur les services automobiles de la région de Québec, approved by Order in Council No. 51-96 dated 16 January 1996;

WHEREAS the Comité conjoint sur les services automobiles de la région de Québec, at its meeting held on 25 April 2000, approved amendments to that Regulation and adopted a resolution requesting the Minister of Labour to recommend to the Government that the draft Regulation to amend the Levy Regulation of the Comité conjoint sur les services automobiles de la région de Québec, be approved;

WHEREAS under paragraph *i* of section 22 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), any levy regulation must be approved by the Government;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) a copy of the Regulation attached hereto was published in Part 2 of the *Gazette officielle du Québec* of 14 November 2001 and, on the same date, in a French-language newspaper and an English-language newspaper, with a notice that it could be approved by the Government at the expiry of the 45-day period following that publication;

WHEREAS no comment was made with regard to the draft Regulation and no amendment was made thereto;

WHEREAS it is expedient to approve this Regulation;

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

THAT the Regulation to amend the Levy Regulation of the Comité conjoint sur les services automobiles de la région de Québec, attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Levy Regulation of the Comité conjoint sur les services automobiles de la région de Québec*

An Act respecting collective agreement decrees (R.S.Q., D-2, s.22, par. i)

- 1.** Section 1 of the Levy Regulation of the Comité conjoint sur les services automobiles de la région de Québec is amended by substituting the words “the automotive services industry” for the words “garage employees”.
- 2.** Section 2 of the Regulation is amended by substituting “0,35%” for “0,25%”.
- 3.** Section 3 of the Regulation is amended by substituting “0,35%” for “0,25%”.
- 4.** This Regulation comes into force on the fifteenth day following its date of publication in the *Gazette officielle du Québec*.

5012

* The Levy Regulation of the Comité conjoint sur les services automobiles de la région de Québec, approved by Order in Council No. 51-96 of 16 January 1996 (1996, *G.O.* 2, 998), has not been amended since that date.

Notice

Regulation to amend the constitution and regulations of the Comité paritaire de l'industrie de l'automobile de Montréal et du district

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

The Minister of State for Human Resources and Labour and Minister of Labour, Mr. Jean Rochon, hereby gives notice, under section 19 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the “Regulation to amend the constitution and regulations of the Comité paritaire de l'industrie de l'automobile de Montréal et du district”, adopted by that committee at its meeting held on 28 August 2001, was approved with amendments, on his recommendation, by Order in Council No. 502-2002 dated 24 April 2002.

Therefore, that Regulation comes into force on the date of its approval by the Government.

ROGER LECOURT,
Deputy Minister of Labour

Gouvernement du Québec

O.C. 502-2002, 24 April 2002

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

Industrie de l'automobile de Montréal et du district — Comité paritaire — Constitution and regulations — Amendments

CONCERNING the Regulation to amend the constitution and regulations of the Comité paritaire de l'industrie de l'automobile de Montréal et du district

WHEREAS under section 16 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Comité paritaire de l'industrie de l'automobile de Montréal et du district was formed to oversee and ascertain compliance with the Decree respecting the automotive services industry in the Montréal region (R.R.Q., 1981, c. D-2, r.46);

WHEREAS under section 18 of that Act, the committee has adopted, for its internal management, the Regulation respecting the constitution and regulations of the Comité paritaire de l'industrie de l'automobile de Montréal et du district, approved by Order in Council No. 224 dated 22 February 1950;

WHEREAS the Comité paritaire de l'industrie de l'automobile de Montréal et du district adopted the "Regulation to amend the constitution and regulations of the Comité paritaire de l'industrie de l'automobile de Montréal et du district" at its meeting held on 28 August 2001;

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

WHEREAS it is expedient to approve that Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Human Resources and Labour and Minister of Labour:

THAT the Regulation to amend the constitution and regulations of the Comité paritaire de l'industrie de l'automobile de Montréal et du district, attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the constitution and regulations of the Comité paritaire de l'industrie de l'automobile de Montréal et du district*

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

1. The following is substituted for the title of the Regulation respecting the constitution and regulations of the Comité paritaire de l'industrie de l'automobile de Montréal et du district:

"Regulation respecting the constitution of the Comité paritaire de l'industrie des services automobiles de la région de Montréal".

2. The following is substituted for section 1:

* The constitution and regulations of the Comité paritaire de l'industrie de l'automobile de Montréal et du district, approved by Order in Council No. 224 of 22 February 1950, were amended by the Regulations approved by Orders in Council No. 1067 dated 3 November 1954, No. 1975 dated 21 November 1962, No. 576 dated 18 March 1964, No. 256 dated 9 February 1965, No. 770 dated 26 April 1966, No. 2248 dated 23 June 1971, No. 3225-73 dated 5 September 1973, No. 2519-75 dated 18 June 1975, No. 49-79 dated 5 January 1979 and by Order in Council No. 604-2000 dated 17 May 2000 (2000 G.O. 2, 2314).

"SECTION 1 NAME

The name of the committee is "Comité paritaire de l'industrie des services automobiles de la région de Montréal".

3. Section 3 is amended by substituting the words "Decree respecting the automotive services industry in the Montréal region" for the words "Decree respecting garage employees in the Montréal region".

4. Section 4 is amended:

(1) by substituting, in the part preceding paragraph 1, the figure "14" for the word "twelve";

(2) by adding, at the end of paragraph 1, the following subparagraph:

"(f) a member by the Association des carrossiers professionnels du Québec;"

(3) by substituting, in subparagraph *a* of paragraph 2, the word "five" for the word "four".

5. Section 8, paragraph *b* of section 10, sections 11 and 13, the title of Chapter 6 and sections 19, 20 and 22 of that Regulation are amended by substituting the words "director general" for the words "secretary-manager-treasurer" wherever they are found.

6. The following is substituted for section 23:

"23. Quorum

The quorum for a meeting of the committee is eight members, with at least four representatives from the employer group and four representatives from the union group."

7. The following is substituted for the title of Chapter 9:

"Amendment to the regulation respecting the constitution".

8. Section 30 is amended:

(1) by substituting the words "The Regulation respecting the constitution" for the words "This constitution";

(2) by substituting the words "director general" for the words "secretary-manager-treasurer".

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

Gouvernement du Québec

O.C. 527-2002, 1 May 2002

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

Regulation — Amendments

Regulation to amend the Regulation respecting the application of the Health Insurance Act

WHEREAS, under subparagraph *o* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with the Régie de l'assurance maladie du Québec or upon its recommendation, make regulations to determine the number and categories of scholarships or research scholarships, the amount and the mode of payment of the scholarships and the terms and conditions on which a territory is assigned to any recipient of a bursary;

WHEREAS, under subparagraph *p* of the first paragraph of section 69 of the Act, the Government may, on the same conditions, make regulations to prescribe the terms of the engagement to be fulfilled by any scholar in addition to the conditions provided by the Act;

WHEREAS, under the first paragraph of section 88 of the Act, the Minister of Health and Social Services may, in accordance with the Act and the regulations, grant scholarships to persons who agree to furnish insured services as professionals subject to the application of an agreement;

WHEREAS, under the second paragraph of section 88 of the Act, the scholars shall furnish such services, after obtaining a permit to practise one of the health sciences or a specialist's certificate, or after two years of post-doctoral training in general practice, in a territory and for a period fixed by the Minister of Health and Social Services;

WHEREAS the Government made the Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r.1) and it is expedient to amend it;

WHEREAS the Régie de l'assurance maladie du Québec was consulted concerning the amendments;

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

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* or between that date and the one applicable under section 17 of that Act, where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of such publication and the reason justifying such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of such publication and such coming into force:

— the purpose of the proposed amendments is to as quickly as possible make it attractive for physicians to practise in remote areas and, to that end, increase the scholarship amount and allow the Minister to set shorter terms for engagements in remote areas;

— in order to apply to the 2002-2003 academic year, those measures must come into force before 31 May 2002, which is the deadline for mailing scholarship applications for that year;

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

THAT the Regulation to amend the Regulation respecting the application of the Health Insurance Act, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, s. 69, 1st par., subpars. *o* and *p* and s. 88)

1. The Regulation respecting the application of the Health Insurance Act is amended in section 37:

* The Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r.1) was last amended by the Regulation made by Order in Council 1190-2001 dated 3 October 2001 (2001, *G.O.* 2, 5725). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

(1) by substituting “\$20 000” for “10 000 \$” and “for the year” for “during the year” in paragraphs *b* and *c*;

(2) by striking out “general practice—” in paragraphs *b* and *c*;

(3) by substituting “\$15 000” for “10 000 \$” and “for the year” for “during the year” in paragraphs *d* and *e*; and

(4) by striking out “or 41” in paragraph *f*.

2. Sections 38 and 38.1 are revoked.

3. Section 40 is amended by substituting “not exceeding” for “equal to” in paragraph *a*.

4. Section 42 is amended

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

“During the year preceding the year in which a scholarship recipient obtains a permit to practise family medicine or in a field of specialization, the Minister shall send the scholarship recipient a list of the assigned territories and the engagement period for each territory.”;

(2) by substituting “shall make territory preferences” for “shall make his choice of territories” and “of interest” for “of preference” in the second paragraph; and

(3) by substituting the following for the third paragraph:

“During the year in which a scholarship recipient obtains a permit to practise family medicine or in a field of specialization, the Minister shall send the recipient a notice in which the territory assigned for the recipient’s engagement period is indicated.”.

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

Draft Regulations

Draft Regulation

Cinema Act
(R.S.Q., c. C-18.1)

Manner to affix the attestation of a filing certificate — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 170 of the Cinema Act (R.S.Q., c. C-18.1), that the Regulation to amend the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences made by the Régie du cinéma on 21 December 2001, the text of which appears below, may be submitted for approval by the Government upon the expiry of 60 days following this publication.

The purpose of the draft Regulation is to amend the standards for affixing attestations of filing certificates to take into account the appearance of new film products for retail, in particular compilations of films or series on several media marketed as a whole.

Further information on the draft Regulation may be obtained by contacting Mtre. France Dionne, Secretary of the Régie, 455, rue Sainte-Hélène, Montréal (Québec) H2Y 2L3, by telephone at (514) 873-2371, extension 229 or by fax at (514) 873-2142.

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 60-day period, to the Secretary of the Régie at the above address.

JEANNE L. BLACKBURN,
President, Régie du cinéma

Regulation to amend the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences*

Cinema Act
(R.S.Q., c. C-18.1, s. 167, par. 12°)

1. Section 28 of the Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences is amended by substituting the words "an attestation" for the words "the identification sticker".

2. The following section is inserted after section 28:

"**28.1.** Where several films are put together on a single medium or on several media combined in a single package, case, box or similar container, the distributor shall affix the attestation of a certificate issued for each film or the attestation of a certificate that constitutes a compilation of all the films and that bears the classification of the film classified in the most restrictive class."

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

5008

* The Regulation respecting licences to operate premises where films are exhibited to the public, distributor's licences and video material retail dealer's licences, approved by Order in Council 743-92 dated 20 May 1992 (1992, *G.O.* 2, 2745), was last amended by the Regulation approved by Order in Council 867-97 dated 2 July 1997 (1997, *G.O.* 2, 3691).

Draft Regulation

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

Occupational health and safety — Amendment

Industrial and commercial establishments — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), that the Regulation to amend the Regulation respecting occupational health and safety and the Regulation respecting industrial and commercial establishments, the text of which appears below, may be adopted by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval upon the expiry of 60 days following this publication.

The draft Regulation prescribes information that must be contained in the written report that employers must send to the Commission on the form provided by the Commission for that purpose.

In addition, it specifies that the report is to be sent by any means of transmission appropriate to its form.

Lastly, it prescribes the revocation of section 14.1.1 of the Regulation respecting industrial and commercial establishments, which is inconsistent with the proposed provision.

To date, study of the matter has shown little impact on small and medium-sized businesses.

Further information may be obtained by contacting Robert Picher, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2, by telephone at (418) 266-4699 or by fax at (418) 266-4698.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 60-day period, to Alain Albert, Vice-President for Programming and Counselling, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 14^e étage, Montréal (Québec) H3B 3J1.

JACQUES LAMONDE,
*Chair of the Board of Directors
and Chief Executive Officer,
Commission de la santé et de la sécurité
du travail*

Regulation to amend the Regulation respecting occupational health and safety* and the Regulation respecting industrial and commercial establishments**

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpar. 18)

1. The Regulation respecting occupational health and safety is amended by inserting the following after section 4:

“**4.1.** Written report: The written report provided for in section 62 of the Act respecting occupational health and safety must contain the following information, where applicable, on the form provided by the Commission de la santé et de la sécurité du travail:

- (1) the name, sex, age and address of the injured or deceased worker;
- (2) the name of the employer and the address of the establishment where the worker works;
- (3) the name, telephone and fax numbers of the person that the Commission may contact;
- (4) the date, time and place or address of the place of the incident;
- (5) the nature of the work performed by the worker at the time of the incident and, where applicable, the nature of the work the worker usually performs;
- (6) a description of the circumstances of the incident;
- (7) the nature of the injuries suffered by the worker;
- (8) the nature of material damage and the estimated amount of damage; and
- (9) the name of the person who filled out the form.

* The Regulation respecting occupational health and safety was approved by Order in Council 885-2001 dated 4 July 2001 (2001, G.O. 2, 3888) and has not been amended since.

** The Regulation respecting industrial and commercial establishments (R.R.Q., 1981, c. S-2.1, r.9) was last amended by the Regulation respecting occupational health and safety, approved by Order in Council 885-2001 dated 4 July 2001 (2001, G.O. 2, 3888). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

The written report shall be sent to the Commission by any means of transmission appropriate to its form.”

2. Section 14.1.1. of the Regulation respecting industrial and commercial establishments (R.R.Q., c. 1981, c. S-2.1, r.9) is revoked.

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

5007

Municipal Affairs

Gouvernement du Québec

O.C. 477-2002, 24 April 2002

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Corrections to Order in Council 1012-2001 dated 5 September 2001 respecting the Amalgamation of Ville de Grand-Mère, Ville de Shawinigan and Ville de Shawinigan-Sud, Municipalité de Lac-à-la-Tortue, Village de Saint-Georges and the parishes of Saint-Gérard-des-Laurentides and Saint-Jean-des-Piles

WHEREAS, under Order in Council 1012-2001 dated 5 September 2001, Ville de Shawinigan was constituted effective 1 January 2002;

WHEREAS the Order in Council was made under section 125.11 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), enacted by section 1 of chapter 27 of the Statutes of 2000;

WHEREAS, under section 93 of the Order in Council, the polling for the first general election took place on 25 November 2001;

WHEREAS, under section 125.30 of the Act respecting municipal territorial organization, enacted by section 143 of chapter 25 of the Statutes of 2001, the Government may, within six months following the first general election in the new municipality, amend any order made under section 125.27 of the Act;

WHEREAS the Government amended Order in Council 1012-2001 dated 5 September 2001 by Order in Council 1539-2001 dated 19 December 2001;

WHEREAS it is expedient to bring to 21 months, as provided for in section 176.10 of the Act respecting municipal territorial organization, the period during which no application for certification may be made by a group of employees of the city;

WHEREAS it is expedient to correct errors in writing appearing in the English version of Order in Council 1012-2001;

WHEREAS it is expedient to further amend Order in Council 1012-2001;

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

THAT Order in Council 1012-2001 dated 5 September 2001, amended by Order in Council 1539-2001 dated 19 December 2001, be further amended:

(1) by adding “, effective 1 January 2002” at the end of the first paragraph of section 1 in the English text;

(2) by substituting the word “October” for the word “September” in paragraph 7 of section 40;

(3) by substituting the words “des paroisses de Saint-Gérard-des-Laurentides et de Saint-Jean-des-Piles” for the words “de la Paroisse de Saint-Gérard-des-Laurentides” in the first paragraph of section 82 of the French text;

(4) by substituting the following for the first paragraph of section 82 of the English text:

“**82.** For the 2002 fiscal year, with respect to the assessment units of Municipalité de Lac-à-la-Tortue, Paroisse de Saint-Gérard-des-Laurentides, Paroisse de Saint-Jean-des-Piles and Village de Saint-Georges, only one-fifth of the tax rate or surtax on non-residential immovables, if any, shall be applicable; for the 2003 fiscal year, two-fifths of the rate shall be applicable; for the 2004 fiscal year, three-fifths of the rate shall be applicable; for the 2005 fiscal year, four-fifths of the rate shall be applicable; for the subsequent fiscal years, the full tax rate or surtax, if any, shall be applicable.”;

(5) by adding the words “applicable to its territory by, respectively, a new zoning by-law and a new subdivision by-law” after the words “in order to replace all the zoning and subdivision by-laws” in the English text of the first paragraph of section 86;

(6) by substituting the words “and entered into by municipalities” for the words “and entered into exclusively by the municipalities” in the English text of the first paragraph of section 89.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

5009

Gouvernement du Québec

O.C. 486-2002, 24 April 2002

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Corrections to Order in Council 123-2002 dated 13 February 2002 respecting the designation of cour municipale commune de la Ville de Saguenay

WHEREAS, under Order in Council 841-2001 dated 27 June 2001, Ville de Saguenay was constituted on 18 February 2002;

WHEREAS the Order in Council was made in accordance with section 125.11 of the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS, under section 18.4 of the Act respecting municipal courts (R.S.Q., c. C-72.01), enacted by section 31 of chapter 54 of the Statutes of 2000, where more than one municipal court has jurisdiction in the municipalities referred to in the order made pursuant to section 125.11 of the Act respecting municipal territorial organization on the day preceding the date of coming into force of the order, the Government shall designate, on the recommendation of the Minister of Justice, the municipal court to have jurisdiction in the territory of the municipality resulting from the amalgamation;

WHEREAS the operative part of Order in Council 123-2002 dated 13 February 2002 stipulates “That cour municipale commune de la Ville de Saguenay be designated as the common municipal court having jurisdiction in the territory of the new Ville de Saguenay” while it should have read “That cour municipale commune de la Ville de Chicoutimi be designated as the common municipal court having jurisdiction in the territory of the new Ville de Saguenay”;

WHEREAS an obvious clerical error occurred in the operative part of Order in Council 123-2002 dated 13 February 2002 as regards the designation of the municipal court having jurisdiction in the territory of the new Ville de Saguenay;

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

THAT Order in Council 123-2002 dated 13 February 2002 be amended by substituting the following for the operative part:

THAT cour municipale commune de la Ville de Chicoutimi be designated as the common municipal court having jurisdiction in the territory of the new Ville de Saguenay and that the name of the common municipal court be “Ville de Chicoutimi Common Municipal Court”.

5010

Index Statutory Instruments

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

Regulations — Statutes	Page	Comments
Amalgamation of Ville de Grand-Mère, Ville de Shawinigan and Ville de Shawinigan-Sud, Municipalité de Lac-à-la-Tortue, Village de Saint-Georges and the parishes of Saint-Gérard-des-Laurentides and Saint-Jean-des-Piles — Corrections to Order in Council 1012-2001 dated 5 September 2001 (An Act respecting municipal territorial organization, R.S.Q., c. O-9)	2331	
Cinema Act — Manner to affix the attestation of a filing certificate (R.S.Q., c. C-18.1)	2327	Draft
Collective agreement decrees, An Act respecting... — Industrie de l'automobile — Montréal et district — Constitution and regulations of the Comité paritaire . . . (R.S.Q., c. D-2)	2323	M
Collective agreement decrees, An Act respecting... — Services automobiles — Région de Québec — Levy (R.S.Q., c. D-2)	2322	M
Commission des relations du travail — Procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners (Labour Code, R.S.Q., c. C-27)	2319	N
Cour municipale commune de la Ville de Saguenay — Corrections to Order in Council 123-2002 dated 13 February 2002 (An Act respecting municipal territorial organization, R.S.Q., c. O-9)	2332	M
Health Insurance Act — Regulation (R.S.Q., c. A-29)	2325	M
Industrie de l'automobile — Montréal et district — Constitution and regulations of the Comité paritaire (An Act respecting collective agreement decrees, R.S.Q., c. D-2)	2323	M
Labour Code — Commission des relations du travail — Procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners (R.S.Q., c. C-27)	2319	N
Manner to affix the attestation of a filing certificate (Cinema Act, R.S.Q., c. C-18.1)	2327	Draft
Municipal territorial organization, An Act respecting... — Cour municipale commune de la Ville de Saguenay — Corrections to Order in Council 123-2002 dated 13 February 2002 (R.S.Q., c. O-9)	2332	M
Municipal territorial organization, An Act respecting... — Amalgamation of Ville de Grand-Mère, Ville de Shawinigan and Ville de Shawinigan-Sud, Municipalité de Lac-à-la-Tortue, Village de Saint-Georges and the parishes of Saint-Gérard-des-Laurentides and Saint-Jean-des-Piles — Corrections to Order in Council 1012-2001 dated 5 September 2001 (R.S.Q., c. O-9)	2331	

Occupational health and safety — Industrial and commercial establishments ... (An Act respecting occupational health and safety, R.S.Q., c. S-2.1)	2328	Draft
Occupational health and safety, An Act respecting... — Occupational health and safety — Industrial and commercial establishments (R.S.Q., c. S-2.1)	2328	Draft
Services automobiles — Région de Québec — Levy (An Act respecting collective agreement decrees, R.S.Q., c. D-2)	2322	M