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^{DU} Québec

Part

2

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Laws and Regulations

Volume 134

Summary

Table of Contents

Acts 2002

Regulations and other acts

Municipal Affairs

Index

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Table of Contents

Page

Acts 2002

List of Bills sanctioned (15 May 2002)	2529
--	------

Regulations and other acts

575-2002	Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française — Implementation of Avenant n° 2	2531
595-2002	Financial assistance for education expenses, An Act respecting... — (Amend.)	2533
603-2002	Medical Act — Acts contemplated in section 31 which may be done by classes of persons other than physicians (Amend.)	2535
	Delimiting areas on land in the domain of the State in view of increased utilization of wildlife resources in a body of water less than 20 hectares in size, located on the territory of the MRC du Haut-Saint-Maurice	2539
	Replacement of Schedule 70 to Order in Council 573-87 dated 8 April 1987 concerning the designation and delimitation of land in the domain of the State	2541
	Saint-Romain Controlled hunting and fishing Zone — Establishment	2543

Municipal Affairs

560-2002	Amalgamation of Ville de Rimouski, Ville de Pointe-au-Père, Municipalité de Mont-Lebel, Village de Rimouski-Est and the parishes of Sainte-Blandine and Sainte-Odile-sur-Rimouski — Corrections to Order in Council 1011-2001 dated 5 September 2001	2545
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PROVINCE OF QUÉBEC

2nd SESSION

36th LEGISLATURE

QUÉBEC, 15 MAY 2002

OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 15 May 2002

This day, at fifteen minutes past ten o'clock in the morning, His Excellency the Lieutenant-Governor was pleased to sanction the following bill:

- 14 An Act to amend the Act respecting the Ministère du Revenu and other legislative provisions as regards the protection of confidential information

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.

Regulations and other acts

Gouvernement du Québec

O.C. 575-2002, 15 May 2002

An Act respecting the Québec Pension Plan
(R.S.Q., c. R-9)

An Act respecting the Ministère de la Santé
et des Services sociaux
(R.S.Q., c. M-19.2)

An Act respecting the Ministère de l'Emploi et de la
Solidarité sociale and establishing the Commission des partenaires du marché du travail
(R.S.Q., c. M-15.001)

An Act respecting the Ministère du Revenu
(R.S.Q., c. M-31)

Implementation of Avenant n° 2

Regulation respecting the implementation of
Avenant n° 2 à l'Entente en matière de sécurité sociale
entre le gouvernement du Québec et le gouvernement
de la République française

WHEREAS Décret 1559-98 dated 16 December 1998 approved Avenant n° 2 à l'Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française and authorized the Minister of International Relations to sign it alone;

WHEREAS the Avenant was entered into on 19 December 1998 in Québec City;

WHEREAS the Avenant must be implemented by regulation to be in force;

WHEREAS, under paragraph 3 of section 5 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail (R.S.Q., c. M-15.001), amended by section 28 of chapter 44 of the Statutes of 2001, in the exercise of his functions the Minister may, in particular, enter into agreements in accordance with the law, with a government other than the Gouvernement du Québec, a department of such a government, an international organization, or a body under the authority of such a government or organization;

WHEREAS, under section 10 of that Act, notwithstanding any other legislative or regulatory provision, where an agreement in the area of income security and social benefits under paragraph 3 of section 5 of that Act extends the coverage of an Act or a regulation to a person defined in the agreement, the Government may, by regulation, enact the measures required to implement the agreement in order to give effect to the agreement;

WHEREAS the Government may, by regulation made under section 96 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), give effect to international fiscal agreements entered into under section 9 of that Act;

WHEREAS, under section 215 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), the Government may make regulations respecting the manner in which that Act shall apply to any case affected by an agreement entered into with another country;

WHEREAS, under section 10 of the Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2), the Government may adopt such regulations as it may consider necessary for the implementation of a reciprocal agreement allowing for the provision of all or part of the health services and social services the application of which is within the competence of the Minister of Health and Social Services;

WHEREAS, under section 19 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1), the Minister shall see to the negotiation and implementation of international agreements and shall administer the programs created under such agreements;

WHEREAS, under Order in Council 1118-93 dated 11 August 1993, proposed regulations and regulations concerning the implementation of reciprocal agreements in matters of social security entered into by the Gouvernement du Québec are excluded from the application of the Regulations Act (R.S.Q., c. R-18.1);

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Health and Social Services and Minister of Health and Social Services, the Minister of State for Social Solidarity and Child and Family Welfare and Minister of Social Solidarity, the Minister of State for International Relations, Minister of International Relations, Minister responsible for La Francophonie and Minister responsible for the Observatoire de la mondialisation and the Minister of Revenue:

THAT the Regulation respecting the implementation of Avenant n° 2 à l'Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the implementation of Avenant n° 2 à l'Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française

An Act respecting the Québec Pension Plan (R.S.Q., c. R-9, s. 215)

An Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2, s. 10)

An Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail (R.S.Q., c. M-15.001, s. 10; 2001, c. 44, s. 28)

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, ss. 9 and 96)

1. The following statutes and the regulations thereunder apply to any person referred to in Avenant n° 2 à l'Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française, entered into at Québec City on 19 December 1998 and attached as Schedule I:

- (1) the Hospital Insurance Act (R.S.Q., c. A-28);
- (2) the Health Insurance Act (R.S.Q., c. A-29);
- (3) an Act respecting the Régie de l'assurance maladie du Québec (R.S.Q., c. R-5);
- (4) an Act respecting health services and social services (R.S.Q., c. S-4.2);
- (5) an Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5); and
- (6) an Act respecting the Québec Pension Plan (R.S.Q., c. R-9).

2. Those statutes and regulations apply as provided for in the Avenant.

3. This Regulation comes into force on 1 July 2002.

SCHEDULE 1

AVENANT N° 2 À L'ENTENTE

ENTRE

LE GOUVERNEMENT DU QUÉBEC

ET

LE GOUVERNEMENT DE LA RÉPUBLIQUE FRANÇAISE

EN MATIÈRE DE SÉCURITÉ SOCIALE

Le gouvernement du Québec et le gouvernement de la République française sont convenus des dispositions suivantes en vue de modifier l'Entente qu'ils ont conclue le 12 février 1979 :

ARTICLE 1^{er}

Au paragraphe 1 de l'article 3 de l'Entente du 12 février 1979, il est introduit un *c* ainsi rédigé :

« *c*) Les travailleurs non salariés lorsqu'ils se rendent, pour l'exercice de leur activité habituelle, sur le territoire de l'autre Partie contractante pour une durée qui n'excède pas un an. ».

ARTICLE 2

Après l'article 3 de la même Entente, il est introduit un article 3bis rédigé comme suit :

«ARTICLE 3bis

Les travailleurs qui exercent simultanément au cours d'une année civile une activité salariée sur le territoire de l'une des Parties et une activité non salariée sur le territoire de l'autre Partie, ou qui exercent au cours d'une année civile une activité non salariée sur le territoire des deux Parties, sont soumis simultanément aux législations des deux Parties.

Par exception à l'alinéa précédent, les travailleurs qui exercent habituellement une activité salariée sur le territoire de l'une des Parties et qui, pour une période inférieure à trois mois, exercent une activité non salariée sur le territoire de l'autre Partie sont exemptés du versement de contributions ou de cotisations au titre de cette dernière activité. Il en est de même lorsqu'ils exercent habituellement une activité non salariée sur le territoire de l'une des Parties et une activité salariée pour une période inférieure à trois mois sur le territoire de l'autre Partie.

Cette exemption de contributions ou de cotisations exclut les travailleurs de la protection du régime qui en aurait été destinataire, sans les priver toutefois du service des prestations prévu par le paragraphe 2 de l'article 11. ».

ARTICLE 3

Au deuxième alinéa de l'article 4 de la même Entente les mots : « à l'article précédent » sont remplacés par les mots : « aux deux articles précédents ».

ARTICLE 4

L'article 11 de la même Entente est ainsi rédigé :

« ARTICLE 11

1. Les travailleurs visés au paragraphe 1^{er} de l'article 3, ainsi que leurs personnes à charge ou ayants droit qui les accompagnent, bénéficient du service des prestations en nature maladie-maternité lors de leur séjour sur le territoire de la Partie où ils sont occupés.

Ces mêmes dispositions sont applicables aux travailleurs ainsi qu'aux personnes à leur charge ou ayants droit qui les accompagnent, qui sont maintenus conformément aux dispositions de l'article 4 de l'Entente à la législation de l'une des deux Parties.

2. Les travailleurs visés à l'alinéa 2 de l'article 3bis, ainsi que leurs personnes à charge ou ayants droit qui les accompagnent, bénéficient du service des prestations en nature maladie-maternité lors de leur séjour sur le territoire de la Partie où ils sont temporairement occupés. ».

ARTICLE 5

L'article 6 de la même Entente est abrogé.

ARTICLE 6

1. L'article 54 de l'Entente est remplacé comme suit :

« La présente Entente, telle que modifiée par l'Avenant n° 1 du 5 septembre 1984 et par l'Avenant n° 2 du 19 décembre 1998, est conclue pour une durée d'une année à partir de la date d'entrée en vigueur de ce dernier Avenant. Elle sera renouvelée tacitement d'année en année sauf dénonciation qui devra être notifiée trois mois avant l'expiration du terme.

En cas de dénonciation, les stipulations de l'Entente modifiée resteront applicables aux droits acquis, nonobstant les dispositions restrictives que les régimes intéressés prévoient pour les cas de séjour à l'étranger d'un assuré. ».

2. Chacune des Parties notifiera à l'autre l'accomplissement des procédures internes requises en ce qui la concerne pour l'entrée en vigueur du présent Avenant qui prendra effet le premier jour du deuxième mois suivant la réception de la dernière notification.

Fait à Québec, le 19 décembre 1998, en double exemplaire.

Pour le gouvernement
du Québec

Pour le gouvernement de la
République française

MME LOUISE BEAUDOIN,
*Ministre des Relations
internationales*

M. CHARLES JOSSELIN,
*Ministre délégué à la
coopération et à
la Francophonie*

5040

Gouvernement du Québec

O.C. 595-2002, 22 May 2002

An Act respecting financial assistance for
education expenses
(R.S.Q., c. A-13.3)

Financial assistance for education expenses — Amendments

Regulation to amend the Regulation respecting financial assistance for education expenses

WHEREAS, under section 57 of the Act respecting financial assistance for education expenses (R.S.Q., c. A-13.3), amended by section 1 of chapter 10 and section 5 of chapter 18 of the statutes of 2001, the Government may make regulations for the carrying out of the Act;

WHEREAS the Government made the Regulation respecting financial assistance for education expenses by Order in Council 844-90 dated 20 June 1990;

WHEREAS it is expedient to further amend the Regulation respecting financial assistance for education expenses;

WHEREAS, under section 23.7 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., c. C-60), the advice of the advisory committee on the financial accessibility of education must be sought on every draft regulation respecting financial assistance programs established by the Act respecting financial assistance for education expenses;

WHEREAS a draft of the Regulation attached to this Order in Council was submitted to the advisory committee on the financial accessibility of education and the advisory committee transmitted its advice on 30 April 2002;

WHEREAS, in accordance with sections 10 and 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 10 April 2002 with a notice that it could be made by the Government upon the expiry of a 21-day period following that publication;

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* where the authority that has made it is of the opinion that the urgency of the situation requires it;

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

— the amendments made to the Regulation respecting financial assistance for education expenses by the Regulation attached to this Order in Council must be taken into account in the processing of the applications for financial assistance already received for the current year of allocation;

WHEREAS it is expedient to make this Regulation with amendments to take into account comments received;

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

THAT the Regulation to amend the Regulation respecting financial assistance for education expenses, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting financial assistance for education expenses*

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3, s. 57; 2001, c. 10, s. 1 and c. 18, s. 5)

1. Section 30 of the Regulation respecting financial assistance for education expenses is amended by substituting the amounts “\$59”, “\$31”, “\$165” and “\$117” for the amounts “\$57”, “\$30”, “\$160” and “\$114”.

2. Section 33 of the Regulation is amended

(1) by substituting the amount “\$56” for the amount “\$54” in the first paragraph; and

(2) by substituting the amount “\$1128” for the amount “\$1098” in the third paragraph.

3. Section 35 is amended by substituting the amount “\$14” for the amount “\$13”.

4. Section 36 is amended by substituting the amounts “\$35” and “\$14” for the amounts “\$34” and “\$13”.

5. Section 42 is amended by substituting the amounts “\$249” and “\$498” for the amounts “\$242” and “\$484” in the first paragraph.

6. Section 50 is amended by substituting the following amounts for those listed respectively in subparagraphs 0.1 to 2 of the first paragraph:

(0.1) “\$12 787”;

(1) “\$12 787”;

(2) “\$13 463”.

7. The following is substituted for section 63:

“**63.** The repayment agreement shall specify the amount of the payments agreed upon by the borrower and the financial institution to repay the principal and interest of any loan granted under the Act.

* The Regulation respecting financial assistance for education expenses, made by Order in Council 844-90 dated 20 June 1990 (1990, *G.O.* 2, 1685), was last amended by the Regulation made by Order in Council 928-2001 dated 22 August 2001 (2001, *G.O.* 2, 4815). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

The rate of interest shall be fixed at the end of the additional period determined in accordance with Schedule IX.

The rate of interest shall again be fixed on the date of the signing of the repayment agreement or on the date on which the exemption period ends as determined in accordance with Schedule IX, whichever falls first. The rate of interest shall vary thereafter in accordance with the method provided for in section 68.”

8. The following is substituted for section 64:

“**64.** The borrower may, at any time from the date of the signing of the repayment agreement, require that the rate of interest applicable to the balance of any loan granted under the Act be the hypothecary interest rate offered by the financial institution for the term chosen by the borrower.

The borrower and the financial institution may agree on a term exceeding that for which a hypothecary interest rate is offered. If such is the case, the applicable rate of interest is the hypothecary interest rate offered for the longest term.

In such a case, the repayment agreement must indicate the applicable rate of interest and the amount and the number of the payments agreed upon by the borrower and the financial institution to repay all of the principal and interest. These conditions may not subsequently be amended except by agreement.”

9. Section 67 is amended by substituting the number “150” for the number “80”.

10. The following is substituted for section 68:

“**68.** The rate of interest applicable to the payment of interest by the borrower to a financial institution shall be equal to the prime business rate, plus 50 basis points. This rate of interest shall fluctuate in keeping with variations in the prime business rate.

The expression “prime business rate” refers to the rate fixed by the Bank of Canada for a given date as the standard to be used by financial institutions and published in its Weekly Financial Statistics.”

11. The following is substituted for section 81.2:

“**81.2.** The amount of financial assistance in the form of a bursary received without entitlement shall bear interest at the annual rate of 9%.

The amount of financial assistance in the form of a loan or bursary received without entitlement through a false declaration shall bear interest at the annual rate of 11%.”

12. Notwithstanding section 9, for the 2002-2003 year of allocation, only 120 basis points shall be added to the rate of bank acceptances in force on the day when the rate of interest is fixed.

13. The provisions introduced by sections 7 to 10 of this Regulation shall not apply to a repayment agreement made before 1 September 2002, unless the repayment agreement was made by a borrower who, pursuant to section 62 of the Regulation respecting financial assistance for education expenses, was not required to sign such an agreement before this date or if the repayment agreement provides that the rate of interest is to be fixed every 5 years from the end of the additional period determined in accordance with Schedule IX of this Regulation. In the latter case, these provisions are applicable, as of 1 September 2002, only on the date on which the rate of interest is thus to be fixed.

14. This Regulation applies from the summer trimester of the 2002-2003 year of allocation.

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

5045

Gouvernement du Québec

O.C. 603-2002, 22 May 2002

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

Physicians

— **Acts which may be done by classes of persons other than physicians**
— **Amendments**

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

WHEREAS, under subparagraph *b* of the first paragraph of section 19 of the Medical Act (R.S.Q., c. M-9), the Bureau of the Collège des médecins du Québec shall by regulation determine among the acts contemplated in section 31 of the Act those which, under certain prescribed conditions, may be done by classes of persons other than physicians;

WHEREAS, in accordance with the second paragraph of section 19 of the Medical Act, the Office des professions du Québec and the Ordre des inhalothérapeutes were consulted prior to the adoption of the Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians;

WHEREAS the Bureau of the Collège adopted the Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 February 2002 with a notice that it could be submitted to the Government which could approve it with or without amendment upon the expiry of a 45-day period following the date of its publication;

WHEREAS, in accordance with section 95 of the Professional Code (R.S.Q., c. C-26), the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

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

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

“(u) “respiratory therapy extern”: any person duly registered in a programme of studies leading to the granting of a diploma which gives access to the permit of the Ordre professionnel des inhalothérapeutes du Québec and who has successfully completed the first two years of said programme.”.

2. This regulation is amended by adding, after section 5.08, the following section:

“**5.08.01** Subject to the second paragraph and to Division II, a respiratory therapy extern can do the acts described in sections C-1.03, C-1.04 and C-1.05 of Schedule C, in a general and specialized hospital center or in a residential and long-term center operated by a health institution, after having successfully completed an orientation and integration programme of at least 15 days so as to familiarize himself with the policies, protocols and directives of such establishment and so as to allow him to do such acts.

The respiratory therapy extern cannot do an act described in sub-paragraph *e* of section C-1.03 or in sub-paragraph *b* of section C-1.04 of schedule C.”.

3. Sections C-1.03, C-1.04 and C-1.05 of Schedule C of this regulation are replaced by the following sections:

* The recent amendments to the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, adopted on September 18, 1981 (1982, *G.O.* 2, 21) were introduced by the regulation approved by Order in council 219-2002 of March, 6, 2002 (2002, *G.O.* 2, 1587). For previous amendments, see the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2002, updated to March 1, 2002.

SCHEDULE C

(ss. 5.04, 5.08 and 5.08.01)

List of acts	Conditions prescribed (An “X” in a column indicates that the condition in the heading for that column is required.)						
Act consisting in	Medical prescription	Remote supervision	Supervision on the premises	Direct supervision	In ah hospital center only	According to protocol	Other conditions
Oxygen treatment C-1.03 Installing and monitoring equipment used in giving oxygen :							<p>The respiratory therapy extern must act under the on the premises supervision of an inhalation therapy technician.</p> <p>The respiratory extern cannot do the act in the following sectors of activity : intensive care including coronary units, operating rooms and recovery rooms, emergency services or departments, neonatology and department of pulmonary function.</p> <p>The respiratory extern cannot execute a protocol which includes a permanent prescription.</p>
(a) nasal cannulas and catheters	X						
(b) masks of any kind	X						
(c) tents and facial tents	X						
(d) oxygen mask nebulizers	X						
(e) any other apparatus that can modify oxygen mask nebulizers	X						The respiratory therapy extern cannot do this act.
Aerosol therapy C-1.04 Giving aerosol therapy :							<p>The respiratory therapy extern must act under the on the premises supervision of an inhalation therapy technician.</p> <p>The respiratory therapy extern cannot do the act in the following sectors of activity : intensive care including coronary units, operating rooms and recovery rooms, emergency services or departments, neonatology and department of pulmonary function.</p> <p>The respiratory therapy extern cannot execute a protocol which includes a permanent prescription..</p>

List of acts	Conditions prescribed (An “X” in a column indicates that the condition in the heading for that column is required.)						
Act consisting in	Medical prescription	Remote supervision	Supervision on the premises	Direct supervision	In ah hospital center only	According to protocol	Other conditions
(a) without positive inspiratory pressure	X	X					
(b) with positive pressure	X	X					The respiratory therapy extern cannot do this act.
Humidification C-1.05 Installing and monitoring special equipment to humidify air inhaled by recipients, as well as special adapters for endotracheal tubes or for the artificial respiration tracheotomy cannulae	X						<p>The respiratory therapy extern acts under the on the premises supervision of an inhalation therapy technician.</p> <p>The respiratory therapy extern cannot do the act in the following sectors of activity: intensive care including coronary units, operating rooms and recovery rooms, emergency services or departments, neonatology and department of pulmonary function.</p> <p>The respiratory therapy extern cannot execute a protocol includes which a permanent prescription.</p>

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

M.O., 2002-006**Order of the Minister responsible for Wildlife and Parks dated 15 May 2002**

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

Delimiting areas on land in the domain of the State in view of increased utilization of wildlife resources in a body of water less than 20 hectares in size, located on the territory of the MRC du Haut-Saint-Maurice

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING that under section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Minister responsible for Wildlife and Parks may delimit, after consultation with the Minister of Natural Resources, areas on land in the domain of the State in view of increased utilization of wildlife resources and secondarily, the practice of recreational activities ;

CONSIDERING that it is expedient to delimit the areas on land in the domain of the State specified in appendix attached to this Order in view of increased utilization of wildlife resources and secondarily, the practice of recreational activities ;

CONSIDERING that the Minister of Natural Resources has been consulted on the issue ;

ORDERS that :

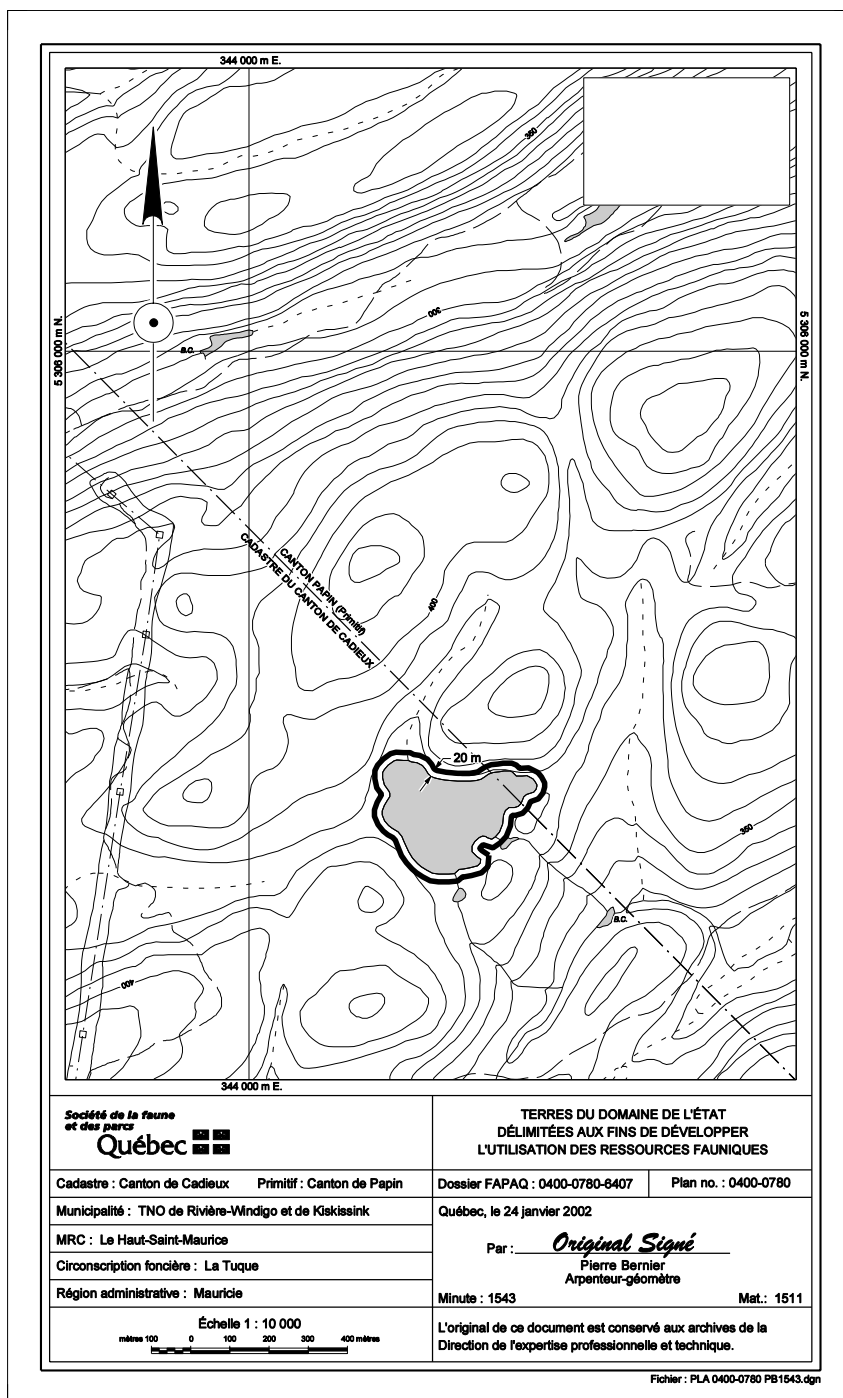
The areas on lands in the domain of the State specified in appendix attached to this Order are delimited in view of increased utilization of wildlife resources and secondarily, the practice of recreational activities ;

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

Québec, 15 May 2002

RICHARD LEGENDRE,
*Minister responsible
for Wildlife and Parks*

SCHEDULE



M.O., 2002-009**Order of the Minister responsible for Wildlife and Parks dated 15 May 2002**

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

Replacement of Schedule 70 to Order in Council 573-87 dated 8 April 1987 concerning the designation and delimitation of land in the domain of the State

THE MINISTER RESPONSIBLE FOR WILDLIFE AND PARKS,

CONSIDERING section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provides that the Minister may delimit, after consultation with the Minister of Natural Resources, areas on land in the domain of the State in view, primarily, of increased utilisation of wildlife resources and secondarily, the practice of recreational activities;

CONSIDERING that the Government, by Order in Council 573-87 dated 8 April 1987, as amended by Orders in Council 497-91 dated 10 April 1991, 534-93 dated 7 April 1993, 904-95 dated 28 June 1995, 25-96 dated 10 January 1996, 952-97 dated 30 July 1997, 1439-97 dated 5 November 1997, 98-98 dated 28 January 1998, 245-98 dated 4 March 1998 and 739-98 dated 3 June 1998, designated and delimited the areas on land in the domain of the State described in Schedules 1 to 201 to that Order in Council in view to increasing utilization of wildlife resources;

CONSIDERING section 33 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29) which provides that orders made by the Government under section 85 of the Act respecting the conservation and development of wildlife before 17 June 1998 remain in force until they are replaced by an order of the Minister;

CONSIDERING the making by the Government of Order in Council 573-87 dated 8 April 1987 concerning the designation and delimitation of land in the domain of the State;

CONSIDERING that it is expedient to replace schedule 70 of Order in Council 573-87 dated 8 April 1987;

ORDERS that:

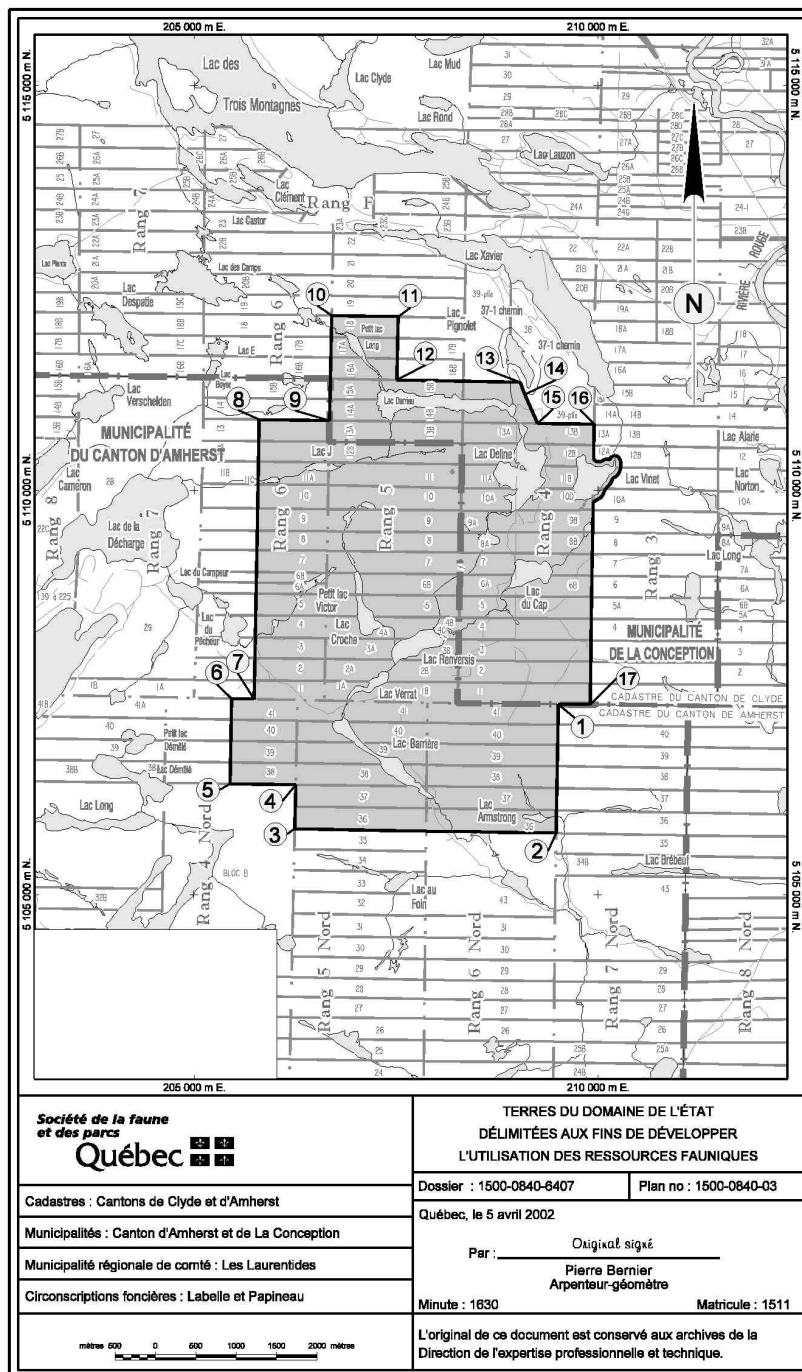
Schedule 70, attached hereto be substituted for Schedule 70 to Order in Council 573-87 dated 8 April 1987.

This Minister's Order comes into force on the date of its publication in the *Gazette officielle du Québec*.

Québec, 15 May 2002

RICHARD LEGENDRE,
*Minister responsible for
Wildlife and Parks*

SCHEDULE 70



M.O., 2002-005**Order of the Minister responsible for Wildlife and Parks dated 15 May 2002**

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

CONCERNING the establishment of the Saint-Romain
Controlled hunting and fishing Zone

THE MINISTER RESPONSIBLE FOR WILDLIFE AND
PARKS,

CONSIDERING that section 104 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), modified by section 16 of Chapter 48 of the Acts of 2000, by section 218 of Chapter 56 of the Acts of 2000 and by section 148 of Chapter 42 of the Acts of 2000, which provides that the Minister may establish, after consultation with the Minister of Natural Resources, on lands in the domain of the State, controlled zones for the purposes of the development, the utilisation and the conservation of wildlife or of a wildlife species and accessorially, to the practice of recreational activities;

CONSIDERING that it is expedient that the territory, whose boundaries are shown on the appended map be established as a controlled hunting and fishing zone for the purposes of development, utilisation and conservation of wildlife or of a wildlife species and accessorially, to the practice of recreational activities;

CONSIDERING that the Minister of Natural Resources has been consulted;

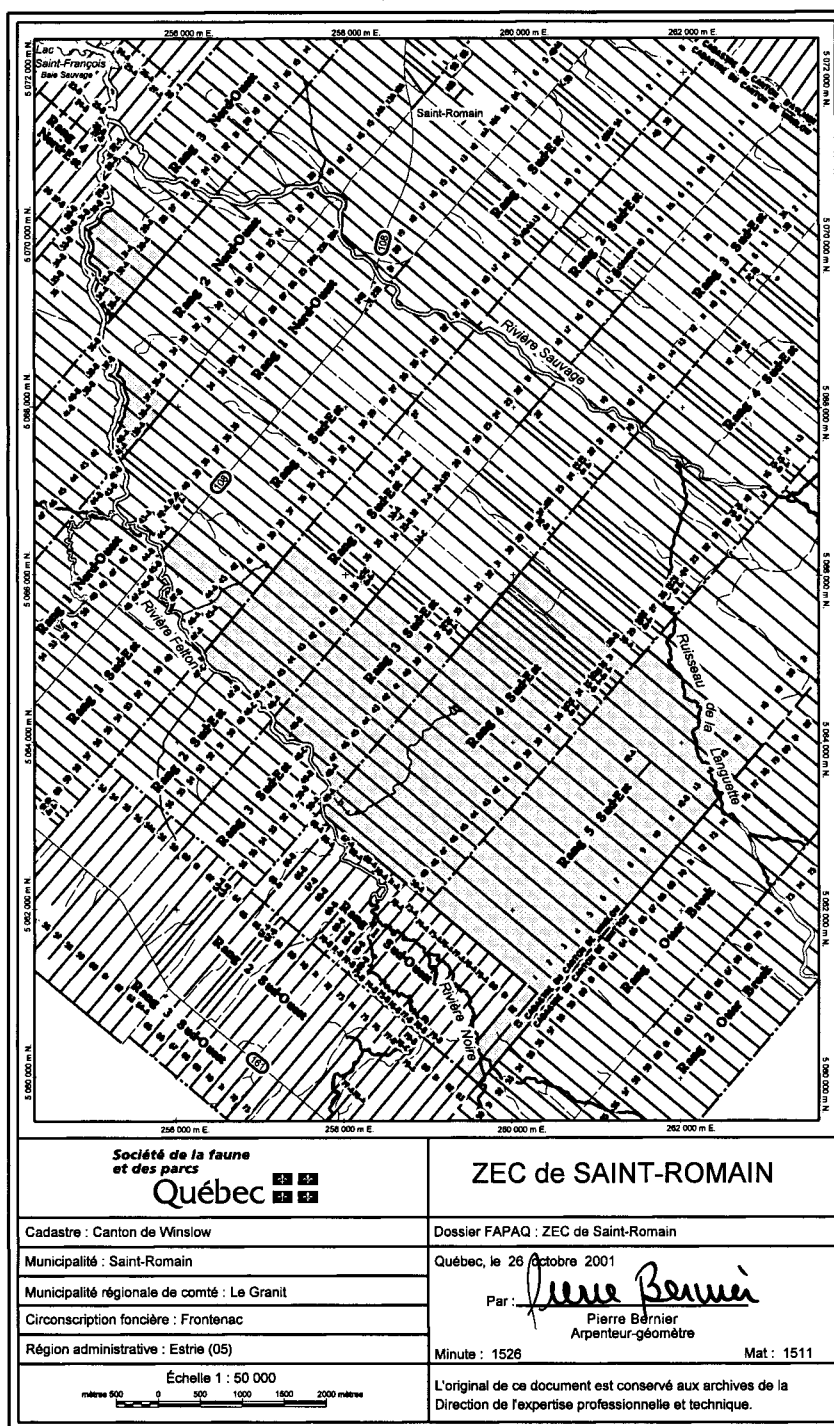
ORDERS THAT :

The territory, whose boundaries are shown on the map appended to the present order, be established as a controlled hunting and fishing zone designated by the name of "Saint-Romain Controlled Zone";

The present ministerial order takes effect on the day of its publication in the *Gazette officielle du Québec*.

Québec, 15 May 2002

RICHARD LEGENDRE,
*Minister responsible
for Wildlife and Parks*



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Municipal Affairs

Gouvernement du Québec

O.C. 560-2002, 15 May 2002

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

Corrections to Order in Council 1011-2001 dated 5 September 2001 concerning the Amalgamation of Ville de Rimouski, Ville de Pointe-au-Père, Municipalité de Mont-Label, Village de Rimouski-Est and the parishes of Sainte-Blandine and Sainte-Odile-sur-Rimouski

WHEREAS, under Order in Council 1011-2001 dated 5 September 2001, Ville de Rimouski was constituted on 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);

WHEREAS, pursuant to section 67 of the Order in Council, the polling for the first general election took place on 18 November 2001;

WHEREAS it is expedient to correct certain clerical errors in the Order in Council;

WHEREAS the transition committee and the municipal council both requested that the Order in Council be amended to grant the city new powers;

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, enacted by section 143 of chapter 25 of the Statutes of 2001;

WHEREAS it is expedient to amend Order in Council 1011-2001;

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

THAT Order in Council 1011-2001 dated 5 September 2001 be amended

(1) by substituting “October” for “September” in paragraph 7 of section 8;

(2) by substituting the following paragraphs for the first paragraph of section 33:

“33. The debt-related expenditures of a municipality referred to in section 5 shall continue to be financed by revenues derived exclusively from the territory of the municipality or a part thereof. Any surplus of such municipality shall remain for the exclusive benefit of the inhabitants and ratepayers of its territory or a part thereof. To determine whether the financing or surplus should burden or be credited to only part of the territory, the rules applicable on 31 December 2001 respecting the financing of debt-related expenditures or the source of the surplus-generating revenues shall be considered.

Where the debt-related expenditures of a municipality referred to in section 5 for the 2001 fiscal year were not financed by a source of revenue marked for that purpose, the city may continue to finance them by using revenues not reserved for other purposes that are derived from the territory of the municipality. The foregoing also applies where those expenditures were financed for that fiscal year by revenues from a tax imposed for that purpose on all the taxable immovables situated in that territory.”;

(3) by substituting the following for the second paragraph of section 33:

“The amounts required after 31 December 2001 in respect of the amount determined pursuant to subparagraph 4 of the second paragraph of section 137 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1) for the pension plan to which the municipality was a party, or for the amortization of any unfunded actuarial liability of any such plan shall be deemed to constitute the debt-related expenditures of a municipality referred to in section 5, financed by the revenues derived from the entire territory of that municipality. Such shall also be the case for the contributions paid after 31 December 2001 with respect to commitments arising from a pension plan not subject to the Supplemental Pension Plans Act to which a municipality referred to in section 5 was a party, for the years of service before 1 January 2002.”;

(4) by substituting the words “in the sixth paragraph” for the words “in the second paragraph” in the first sentence of the third paragraph of section 33;

(5) by substituting the words “in the sixth paragraph” for the words “in the second paragraph” in the last sentence of the third paragraph of section 33;

(6) by inserting the words “shall be deemed to constitute a surplus or debt-related expenditures of a municipality referred to in section 5,” after the words “concerns such a municipality” in the fourth paragraph of section 33;

(7) by striking out the words “shall continue to be credited to or to burden all or part of the taxable immovables located in the part of the territory of the city that corresponds to the territory of that municipality” in the fourth paragraph of section 33;

(8) by inserting the following after section 39:

“39.1. The city may, by by-law, adopt a program to grant, on the terms and conditions determined therein, a tax credit related to the setting up or development of high technology establishments in territory A or B described in Schedule B.

For the purposes of this section, “high technology” refers namely to new marine and maritime technology and to one or more of the following:

- (1) scientific or technological research and development;
- (2) scientific or technological training;
- (3) management of a technology firm; or
- (4) manufacturing of technological products.

A by-law made under this section may not provide for a tax credit for a period exceeding five years and the program’s eligibility period may not exceed 31 December 2007.

The tax credit shall compensate for the increase in property tax that may result from the reassessment of immovables after the work is completed. For the fiscal year in which the work was completed and the two following fiscal years, the amount of the credit shall equal the difference between the amount in property tax that would have been due if the immovables had not been reassessed and the amount in taxes actually due. For the following two fiscal years, the credit shall be respectively 80% and 60% of the credit for the first fiscal year.

The by-law referred to in the first paragraph must provide that:

(1) in territory A, only the immovables mainly used for the activities referred to in subparagraphs 1, 2 and 3 of the second paragraph, where the activities referred to in subparagraph 1 must occupy at least 50% of the net total floor area occupied or intended for such use, are entitled to a tax credit;

(2) in territory B, only the immovables mainly used for the activities referred to in subparagraphs 1, 2, 3 and 4 of the second paragraph, where the activities referred to in subparagraph 4 must occupy at least 50% of the total net floor area occupied or intended for such use, are entitled to a tax credit.”;

(9) by substituting the words “The council” for the words “At the first meeting, the council” in the first paragraph of section 77;

(10) by substituting the words “in the first paragraph of section 82” for the words “in the first paragraph of section 81” throughout section 85;

(11) by inserting the words “Annexe A” before the title of the schedule in the French text; and

(12) by adding the following Schedule after Schedule A:

“SCHEDULE B

Territory A

Includes parts of lots 102, 105, 110, 120, 125, 174 and 177 of the cadastre of Paroisse de Saint-Germain-de-Rimouski, Ville de Rimouski, Rimouski registration division, as described below:

Part of Lot 102

Of irregular shape, bounded to the northwest by part of Lot 102 (Chemin des étangs aérés), to the northeast by Lot 96, to the southeast by part of Lot 102 and to the southwest by part of Lot 105 described below; measuring 58.67 metres to the northwest, 370 metres to the northeast, 58.64 metres to the southeast and 377.25 metres to the southwest; for a total area of 21 831 square metres.

Part of Lot 105

Of irregular shape, bounded to the northwest by part of Lot 105 (Chemin des étangs aérés), to the northeast by part of Lot 102 described above, to the southeast by part of Lot 105 and to the southwest by part of Lot 110 described below; measuring 120.03 metres to the northwest, 377.25 metres to the northeast, 118.54 metres to the southeast and 392.08 metres to the southwest; for a total area of 45 706.1 square metres.

Part of Lot 110

Of irregular shape, bounded to the northwest by part of Lot 110 (Chemin des étangs aérés), to the northeast by part of Lot 105 described above, to the southeast by part of Lot 110 and to the southwest by part of Lot 120 described below; measuring 117.39 metres to the northwest, 392.08 metres to the northeast, 116.44 metres to the southeast and 406.48 metres to the southwest; for a total area of 46 503.8 square metres.

Part of Lot 120

Of irregular shape, bounded to the northwest by part of Lot 120 (Chemin des étangs aérés), to the northeast by part of Lot 110 described above, to the southeast by part of Lot 120 and to the southwest by the parts of Lot 125 described below; measuring 124.85 metres to the northwest, 406.48 metres to the northeast, 130.29 metres to the southeast and 422.05 metres to the southwest; for a total area of 52 673.2 square metres.

Part of Lot 125

Of irregular shape, bounded to the northwest by part of Lot 125 (Chemin des étangs aérés), to the northeast by part of Lot 120 described above, to the southeast by part of Lot 125 and to the southwest by part of Lot 174 described below; measuring 116.80 metres to the northwest, 418.02 metres to the northeast, 111.68 metres to the southeast, 12.43 metres along a curved line with a radius of 401.08 metres in length to the south and 420.68 metres to the southwest; for a total area of 49 279.6 square metres.

Part of Lot 174

Of irregular shape, bounded to the northwest by part of Lot 174 (Chemin des étangs aérés), to the northeast by part of Lot 125 described above, to the south by part of Lot 174 and to the southwest by part of Lot 177 described below; measuring 117.87 metres to the northwest, 420.68 metres to the northeast, 53.34 metres along a curved line with a radius of 401.08 metres in length, 203.71 metres to the south and 205.08 metres to the southwest; for a total area of 36 259.6 square metres.

Part of Lot 177

Of irregular shape, bounded to the northwest by part of Lot 177 (Chemin des étangs aérés), to the northeast by part of Lot 174 described above, to the south and south-

west by part of Lot 177, measuring 45.18 metres to the northwest, 205.08 metres to the northeast, 66.29 metres to the south and 58.80 metres along a curved line with a radius of 120.32 metres in length and 95 metres to the southwest; for a total area of 7 357.6 square metres.

The cadastre of Paroisse de Saint-Germain-de-Rimouski was filed with the Service du cadastre on 13 May 1881 creating lots 102 to 177 among others and took effect on 30 July 1881 by a proclamation dated 12 July 1881.

Territory B

Includes parts of lots 197-4, 198-4, 199-3 and 200-3 of the cadastre of Paroisse de Saint-Germain-de-Rimouski, Ville de Rimouski, Rimouski registration division, as described below:

Lot 197-4

Of irregular shape, bounded to the northwest by part of Lot 197-3 (2^e Rue), to the northeast by lots 197-4-3, 197-4-6-1, 197-4-6-2, 197-4-5 and part of Lot 197-4, to the southeast by part of Lot 197-4 and to the southwest by part of Lot 198-4 described below; measuring 9.51 metres to the northwest, 145 metres to the northeast, 9.41 metres to the southeast and 145 metres to the southwest; for a total area of 1 371.9 square metres.

Part of Lot 198-4

Of irregular shape, bounded to the northwest by Lot 198-3 (2^e Rue), to the northeast by part of Lot 197-4 described above, to the southeast by part of Lot 198-4 and to the southwest by part of Lot 199-3 described below; measuring 178 metres to the northwest and southeast, 145 metres to the northeast and southwest; for a total area of 25 925.4 square metres.

Part of Lot 199-3

Of irregular shape, bounded to the northwest by Lot 199-2 (2^e Rue), to the northeast by part of lot 198-4 described above, to the southeast by part of Lot 199-3 and to the southwest by part of Lot 200-3 described below; measuring 57.76 metres to the northwest and southeast, 145 metres to the northeast and southwest; for a total area of 8 375.1 square metres.

Part of Lot 200-3

Of irregular shape, bounded to the northwest by part of Lot 200-2 (2^e Rue), to the northeast by part of Lot 199-3 described above, to the southeast and southwest by parts of Lot 200-3; measuring 78.67 metres to the northwest and southeast, 145 metres to the northeast and southwest; for a total area of 11 406.7 square metres.

The cadastre of Paroisse de Saint-Germain-de-Rimouski was filed with the Service du cadastre on 13 May 1881 creating lots 197 to 200 among others and took effect on 30 July 1881 by a proclamation dated 12 July 1881.”.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

5039

Index Statutory Instruments

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

Regulations — Statutes	Page	Comments
Amalgamation of Ville de Rimouski, Ville de Pointe-au-Père, Municipalité de Mont-Label, Village de Rimouski-Est and the parishes of Sainte-Blandine and Sainte-Odile-sur-Rimouski — Corrections to Order in Council 1011-2001 dated 5 September 2001 (An Act respecting municipal territorial organization, R.S.Q., c. O-9)	2545	
Conservation and development of wildlife, An Act respecting the... — Delimiting areas on land in the domain of the State in view of increased utilization of wildlife resources in a body of water less than 20 hectares in size, located on the territory of the MRC du Haut-Saint-Maurice (R.S.Q., c. C-61.1)	2539	N
Conservation and development of wildlife, An Act respecting the... — Designation and delimitation of land in the domain of the State — Replacement of Schedule 70 to Order in Council 573-87 dated 8 April 1987 (R.S.Q., c. C-61.1)	2541	N
Conservation and development of wildlife, An Act respecting the... — Saint-Romain Controlled hunting and fishing Zone — Establishment (R.S.Q., c. C-61.1)	2543	N
Delimiting areas on land in the domain of the State in view of increased utilization of wildlife resources in a body of water less than 20 hectares in size, located on the territory of the MRC du Haut-Saint-Maurice (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	2539	N
Designation and delimitation of land in the domain of the State — Replacement of Schedule 70 to Order in Council 573-87 dated 8 April 1987 (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	2541	N
Education expenses — Financial assistance (An Act respecting financial assistance for education expenses, R.S.Q., c. A-13.3)	2533	M
Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française — Implementation of Avenant n° 2 ... (An Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail, R.S.Q., c. M-15.001)	2531	N
Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française — Implementation of Avenant n° 2 ... (An Act respecting the Ministère de la Santé et des Services sociaux, R.S.Q., c. M-19.2)	2531	N
Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française — Implementation of Avenant n° 2 ... (An Act respecting the Ministère du Revenu, R.S.Q., c. M-31)	2531	N

Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française — Implementation of Avenant n° 2 ... (An Act respecting the Québec Pension Plan, R.S.Q., c. R-9)	2531	N
Financial assistance for education expenses, An Act respecting... — Education expenses — Financial assistance (R.S.Q., c. A-13.3)	2533	M
List of Bills sanctioned (15 May 2002)	2529	
Medical Act — Physicians — Acts contemplated in section 31 which may be done by classes of persons other than physicians (R.S.Q., c. M-9)	2535	M
Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail, An Act respecting the... — Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française — Implementation of Avenant n° 2 (R.S.Q., c. M-15.001)	2531	N
Ministère de la Santé et des Services sociaux, An Act respecting the... — Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française — Implementation of Avenant n° 2 (R.S.Q., c. M-19.2)	2531	N
Ministère du Revenu, An Act respecting the... — Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française — Implementation of Avenant n° 2 (R.S.Q., c. M-31)	2531	N
Municipal territorial organization, An Act respecting... — Amalgamation of Ville de Rimouski, Ville de Pointe-au-Père, Municipalité de Mont-Lebel, Village de Rimouski-Est and the parishes of Sainte-Blandine and Sainte-Odile-sur-Rimouski — Corrections to Order in Council 1011-2001 dated 5 September 2001 (R.S.Q., c. O-9)	2545	
Physicians — Acts contemplated in section 31 which may be done by classes of persons other than physicians (Medical Act, R.S.Q., c. M-9)	2535	M
Québec Pension Plan, An Act respecting the... — Entente en matière de sécurité sociale entre le gouvernement du Québec et le gouvernement de la République française — Implementation of Avenant n° 2 (R.S.Q., c. R-9)	2531	N
Saint-Romain Controlled hunting and fishing Zone — Establishment (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	2543	N