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Laws and Regulations

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Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 434-2003, 21 March 2003

Professional Code
(R.S.Q., c. C-26; 2002, c. 33)

Nurses

— Professional acts that may be performed by a nursing extern on certain terms and conditions — Amendments

Regulation to amend the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), amended by section 5 of chapter 33 of the Statutes of 2002, the Bureau of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such activities;

WHEREAS, in accordance with that paragraph, the Bureau of the Ordre des infirmières et infirmiers du Québec made the Regulation to amend the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published as a draft in Part 2 of the *Gazette officielle du Québec* of 11 December 2002 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec has made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions be approved, with amendments.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions¹

Professional Code
(R.S.Q., c. C-26, s. 94, par. *h*; 2002, c. 33, s. 5)

1. Section 4 of the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions is amended by replacing paragraph 1 with the following:

“(1) that has received confirmation from the Order of the eligibility of the nursing extern for a nursing externship;”.

2. Schedule 1 of the Regulation is amended:

(1) by replacing section 17 with the following:

17. Doing simple aseptic dressing	Under the supervision of the nurse if in the presence of a packing or drain.”;
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¹ The Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions was approved by Order in Council 512-2000 dated 19 April 2000 (2000, *G.O.* 2, 2096); erratum (2000, *G.O.* 2, 2197); and was last amended by the regulation approved by Order in Council 1365-2001 dated 14 November 2001 (2001, *G.O.* 2, 6077). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

(2) by adding, after section 21, the following sections :

“**22.** Applying dressings to prevent and treat pressure lesions (stages 1 and 2) According to the instructions of the nurse.

23. Removing sutures and staples Prior assessment by the nurse.

24. Irrigating a nasogastric tube if the tube is in place

25. Performing venous puncture Under the supervision of the nurse.”

3. This Regulation comes into force on 15 May 2003.

5692

Gouvernement du Québec

O.C. 440-2003, 21 March 2003

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

Lands in the domain of the State

— Sale, lease and granting of immovable rights — Amendments

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

WHEREAS, under subparagraph 3 of the first paragraph of section 71 of the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1), the Government may, by regulation, determine the general conditions and the rules for computing the prices, rentals, fees or other costs regarding sales, leases, exchanges, gratuitous transfers, occupation licences and the granting of any other right;

WHEREAS, under the second paragraph of that section, regulations made under subparagraph 3 of the first paragraph may prescribe different conditions, prices and fees according to the categories of users and the zones or territories indicated by the Government;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 3 July 2002 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS following consultation, the draft Regulation was amended to take into account the comments sent by the groups representing the lessees of vacation lots on lands in the domain of the State;

WHEREAS it is expedient to make the Regulation with amendments;

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

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

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

An Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1, s. 71, 1st par., subpar. 3)

1. The Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State is amended by adding the following paragraph to section 21:

“The rent is rounded off to the next highest dollar if the dollar fraction is \$0.50 or more, or to the next lowest dollar if the dollar fraction is less than \$0.50.”

2. The Regulation is amended by inserting the following sections after the heading of Subdivision I of Division IV:

“**28.1.** The rent for land leased for vacation purposes is based on

(1) its proximity to a body of water;

(2) its proximity to the nearest urban pole listed in section 17 of Schedule I; and

* The Regulation respecting the sale, lease and granting of immovable rights on lands in the domain of the State, made by Order in Council 231-89 dated 22 February 1989 (1989, *G.O.* 2, 1483), was last amended by the regulation made by Order in Council 1252-2001 dated 17 October 2001 (2001, *G.O.* 2, 5817). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

(3) the market value, corresponding to land rated 100, appearing on the list opposite the nearest urban pole.

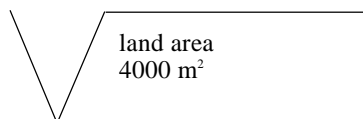
The annual rent, which cannot be lower than \$200, is calculated as follows:

(1) the rating of the land is determined according to the criteria on the following scale:

Proximity to an urban pole listed in section 17 of Schedule I	Proximity to a body of water		
	Waterfront	Semi-waterfront	Non-waterfront
Less than 30 km	100	75	50
30-59 km	75	55	40
60-89 km	65	50	35
90 km or more	50	40	25

(2) the rating thus obtained is divided by 100 and the result is multiplied by the market value appearing on the list opposite the nearest urban pole;

(3) the result is multiplied by the following factor:



then by 8% ;

(4) the amount obtained is rounded off to the next highest dollar if the dollar fraction is \$0.50 or more, or to the next lowest dollar if the dollar fraction is less than \$0.50.

28.2. For the purposes of the rating scale:

(a) waterfront land is land directly bordering a lake, a river, the St. Lawrence River or the Gulf of St. Lawrence, or land that is separated from the shore or bank solely by a strip of land not more than 30 metres wide that is owned by the State and not having another private use;

(b) semi-waterfront land is non-waterfront land more than 50% of which is located within a strip of land 300 metres from a lake, the St. Lawrence River or the Gulf of St. Lawrence, or 100 metres from a river; and

(c) other land is non-waterfront land.

28.3. Notwithstanding section 28.1, waterfront or semi-waterfront lands around a lake of 1,000 ha or less are deemed to be situated at the same distance from the urban pole as the farthest of such lands is from the pole; in addition, if such lands come under different urban poles, the urban pole that applies to determine the rents for all of such lands is the urban pole having the lowest 100-rated market value.

Similarly, any land situated in Îles-de-la-Madeleine is deemed to be situated within 30 km from an urban pole and the 100-rated market value is fixed at \$4,200.

28.4. For the first renewal after 1 November 2003, and except for the amount necessary to obtain the minimum rent of \$200, any rental increase exceeding \$50 is divided equally over a maximum of five years, with a minimum of \$50 per year.

The first paragraph does not apply to a lease granted after 1 November 2003.

28.5. The market value, corresponding to land rated 100, appearing opposite the urban poles listed in section 17 of Schedule I, or determined in the second paragraph of section 28.3 for land situated in Îles-de-la-Madeleine, is revised every five years as of 1 November 2003.”.

3. Schedule I to the Regulation is amended by adding the following after section 16:

“17. For the purposes of section 28.1, the list of urban poles with their corresponding 100-rated market values is as follows:

Urban Poles	100-rated	Market Value
Ville d'Amqui		\$3,000
Ville de Cabano		\$4,000
Ville de Carleton		\$2,200
Ville de Chandler		\$3,000
Ville de Gaspé		\$3,000
Ville de La Pocatière		\$4,800
Ville de Matane		\$5,100
Ville de Pasbébiac		\$1,300
Ville de Rimouski		\$5,200
Ville de Rivière-du-Loup		\$5,600
Ville de Sainte-Anne-des-Monts		\$2,200
Ville d'Alma		\$4,300
Ville de Chibougamau		\$3,800
Ville de Chicoutimi		\$4,800
Ville de La Baie		\$4 600
Ville de Roberval		\$4,300
Ville de Saint-Félicien		\$4,100
Ville de La Malbaie		\$5,600
Ville de Montmagny		\$11,000
Ville de Saint-Georges		\$6,400
Ville de Saint-Raymond		\$6,200

Urban Poles	100-rated	Market Value
Ville de La Tuque		\$5,000
Paroisse de Saint-Alexis-des-Monts		\$6,000
Municipalité de Sainte-Thècle		\$6,000
Ville de L'Annonciation		\$6,500
Ville de Mont-Laurier		\$4,800
Paroisse de Saint-Côme		\$5,000
Municipalité de Saint-Donat		\$11,000
Ville de Saint-Jovite		\$11,000
Municipalité de Saint-Michel-des-Saints		\$5,600
Municipalité de Chénéville		\$11,500
Village de Fort-Coulonge		\$5,600
Municipalité de La Pêche		\$8,000
Ville de Maniwaki		\$6,100
Municipalité de Val-des-Monts		\$21,000
Ville d'Amos		\$4,100
Ville de La Sarre		\$3,200
Ville de Matagami		\$3,400
Ville de Rouyn-Noranda		\$4,700
Ville de Senneterre		\$4,000
Ville de Témiscaming		\$4,300
Ville de Val-d'Or		\$4,700
Ville de Ville-Marie		\$4,200
Ville de Baie-Comeau		\$3,200
Municipalité Les Escoumins		\$2,800
Ville de Forestville		\$2,300
Ville de Port-Cartier		\$2,000
Ville de Sept-Îles		\$1,600

The municipalities are those existing on 1 December 1999.”.

4. This Regulation comes into force on 1 November 2003.

5693

Gouvernement du Québec

O.C. 442-2003, 21 March 2003

An Act to provide for the maintenance of pharmaceutical services in Québec (2001, c. 1)

Division II — Cessation of effect

Cessation of effect of Division II of the Act to provide for the maintenance of pharmaceutical services in Québec (2001, c. 1)

WHEREAS the Act to provide for the maintenance of pharmaceutical services in Québec (2001, c. 1) was assented to on 22 February 2001;

WHEREAS, under section 27 of the Act, Division II ceases to have effect on the date determined by the Government;

WHEREAS it is expedient to fix the date on which Division II will cease to have effect;

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 Division II of the Act to provide for the maintenance of pharmaceutical services in Québec (2001, c. 1) cease to have effect on 21 March 2003.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

5694

Gouvernement du Québec

O.C. 451-2003, 21 March 2003

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

Road vehicle registration

Regulation to amend the Regulation respecting road vehicle registration

WHEREAS, under paragraph 2 of section 618 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may by regulation determine in which cases and subject to what conditions the Société de l'assurance automobile du Québec may issue one or more of the following documents: a registration certificate, registration plate, validation sticker, temporary registration certificate or detachable registration plate;

WHEREAS, under paragraph 7 of section 618 of the Code, the Government may by regulation determine the documents which must be produced with an application for registration or the payment of amounts under section 31.1 of the Code as well as the information they must contain and any other condition or formality for obtaining registration;

WHEREAS, under paragraph 8.8 of section 618 of the Code, the Government may by regulation determine during what periods the payment of duties, fees, the insurance contribution and, where applicable, the contribution of motorists to public transit and the additional duty exigible under section 31.1 concerning a registered road vehicle must be made according to the class or sub-

class of road vehicles to which it belongs, the professional activity, the legal personality or the identity of its owner, the territory where it is used, its net mass or the first letter of its owner's name;

WHEREAS, under paragraph 8.9 of section 618 of the Code, the Government may by regulation prescribe with regard to the owner of a road vehicle any exemptions of duties and additional duty exigible under section 31.1 of the Code concerning a road vehicle registered according to the class or sub-class of road vehicles to which it belongs;

WHEREAS, under paragraph 10 of section 618 of the Code, the Government may by regulation provide, subject to the conditions established by it, cases of exemption or reduction of the fee exigible for obtaining the registration of a road vehicle;

WHEREAS, under paragraph 12.1 of section 618 of the Code, the Government may by regulation prescribe, with respect to a class or sub-class of road vehicles, the maximum number of vehicles belonging to one owner that may be registered in that class or sub-class;

WHEREAS, under paragraph 13 of section 618 of the Code, the Government may by regulation determine classes of licence plates according to classes and sub-classes of road vehicles, use, the identity of the owner or according to the area where it is used and impose restrictions on vehicles bearing certain classes of licence plates;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting road vehicle registration was published in Part 2 of the *Gazette officielle du Québec* of 24 October 2001 with a notice that it could be submitted to the Government for adoption upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting road vehicle registration with amendments;

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

THAT the Regulation to amend the Regulation respecting road vehicle registration, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting road vehicle registration *

Highway Safety Code
(R.S.Q., c. C-24.2, s. 618, pars. 2, 7, 8.8, 8.9, 10, 12.1 and 13)

1. Section 2.1 of the Regulation respecting road vehicle registration is amended by striking out “a vehicle belonging to a foreign government insofar as that government grants such exclusion to the Gouvernement du Québec.”.

2. The Regulation is amended by inserting the following after section 20 :

“**20.1.** Despite section 19, the owner of a passenger vehicle referred to in section 98 or section 99 must pay, between the first day of January and the last day of March, the duties and the insurance contribution to retain the right to operate the road vehicle.”.

3. Section 51 is amended by substituting the words “official passenger vehicle” for the words “official or service vehicle” in subparagraph 4 of the first paragraph.

4. The following is substituted for section 91 :

“**91.** The owner of a passenger vehicle is exempt from the payment of the fees payable for vehicle registration and the right to operate it if the vehicle

(1) is an official vehicle belonging to a foreign government that has representation in Québec;

(2) is an official vehicle belonging to an international government organization that has entered into an agreement with the Government with respect to its establishment in Québec;

(3) belongs to one of the following persons who are not Canadian citizens and who perform their duties in Québec or Canada :

(a) a diplomatic agent within the meaning of the Vienna Convention on Diplomatic Relations entered into on 18 April 1961;

* The Regulation respecting road vehicle registration, made by Order in Council 1420-91 dated 16 October 1991 (1991, *G.O.* 2, 4111), was last amended by the regulation made by Order in Council 691-2002 dated 5 June 2002 (2002, *G.O.* 2, 9613). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

(b) a member of the diplomatic staff of a permanent mission to an international government organization referred to in subparagraph 2, sent by a foreign State;

(c) a senior officer of an international government organization designated under the agreement referred to in subparagraph 2;

(d) a career consular officer within the meaning of the Vienna Convention on Consular Relations entered into on 24 April 1963; or

(e) a representative of the government of a province, State or similar division of a foreign State; or

(4) belongs to an honorary consular officer within the meaning of the Vienna Convention and Consular Relations entered into on 24 April 1963 whose duties are performed in Québec.

A maximum of two vehicles belonging to a person referred to in subparagraph 3 may be exempt from payment of the fees. Only one vehicle belonging to a person referred to in subparagraph 4 may be exempt from payment of the fees.”

5. Section 93 is amended by deleting paragraph 2.

6. The following is substituted for section 98:

“**98.** The prefix “CD” shall be borne by the licence plate of a passenger vehicle that

(1) is an official vehicle belonging to a foreign State that has a permanent mission with an international government organization having entered into an agreement with the Government with respect to its establishment in Québec;

(2) is an official vehicle belonging to an international government organization referred to in subparagraph 1; or

(3) belongs to one of the following persons who are not Canadian citizens and who perform their duties in the country:

(a) a diplomatic agent within the meaning of the Vienna Convention on Diplomatic Relations entered into on 18 April 1961;

(b) a member of the diplomatic staff of a permanent mission to an international government organization referred to in subparagraph 1, sent by a foreign State; or

(c) a senior officer of an international government organization designated in the agreement referred to in subparagraph 1.

The owner of the vehicle is exempt from paying the fees required to retain the right to operate the vehicle.

A maximum of two vehicles belonging to a person referred to in subparagraph 3 may be registered with a CD licence plate.”

7. The following is substituted for section 99:

“**99.** The prefix “CC” shall be borne by the licence plate of a passenger vehicle that

(1) is an official vehicle belonging to a foreign government that has representation in Québec;

(2) belongs to one of the following persons who are not Canadian citizens and who perform their duties in Québec:

(a) a career consular officer within the meaning of the Vienna Convention on Consular Relations entered into on 24 April 1963; or

(b) a representative of the government of a province, State or similar division of a foreign State; or

(3) belongs to an honorary consular officer within the meaning of the Vienna Convention on Consular Relations entered into on 24 April 1963 whose duties are performed in Québec.

The owner of the vehicle is exempt from paying the fees required to retain the right to operate the vehicle.

A maximum of two vehicles belonging to a person referred to in subparagraph 2 may be registered with a CC licence plate. Only one vehicle belonging to a person referred to in subparagraph 3 may be registered with a CC licence plate.”

8. Section 122 is amended by deleting paragraph 2.

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

Gouvernement du Québec

O.C. 9999-2003, ???? March 2003

Pesticides Act
(R.S.Q., c. P-9.3)

Pesticides Management Code — Amendments

Regulation to amend the Pesticides Management Code

WHEREAS the Pesticides Management Code was made by Order in Council 331-2003 dated 5 March 2003;

WHEREAS the French text of section 80 of the Code has three paragraphs while the English text of that section has two paragraphs, and whereas the French text of section 86 of the Code has four paragraphs while the English text of that section has three paragraphs;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Pesticides Management Code containing those provisions was published in Part 2 of the *Gazette officielle du Québec* of 3 July 2002;

WHEREAS, under section 18 of the 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 date applicable under section 17 where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of the Act, the reason justifying such coming into force must be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency owing to the following circumstances justifies such coming into force:

— sections 80 and 86 of the Pesticides Management Code will come into force on 3 April 2003 and the English and French texts of those provisions must be consistent at the time they come into force;

WHEREAS it is expedient to make the Regulation to amend the Pesticides Management Code;

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

THAT the Regulation to amend the Pesticides Management Code, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Pesticides Management Code*

Pesticides Act
(R.S.Q., c. P-9.3, ss. 101 and 105)

1. The Pesticides Management Code is amended by inserting the following paragraph after the second paragraph of the English text of section 80:

“Those requirements do not apply if the application of the pesticide is carried out by, or at the request of, the owner of the immovable or of the operator residing in the immovable.”.

2. Section 86 of the English text of the Code is amended by inserting the following paragraph after the third paragraph:

“Those requirements do not apply if the application of the pesticide is carried out by, or at the request of, the owner of the immovable or of the operator residing in the immovable.”.

3. This Regulation comes into force on 3 April 2003.

5698

* The Pesticides Management Code was made by Order in Council 331-2003 dated 5 March 2003 (2003, *G.O.* 2, 1255).

Draft Regulations

Draft Regulation

Optometry Act
(R.S.Q., c. O-7)

Optometrists

— Medications and eye care
— Terms and conditions

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the medications that may be administered and prescribed for therapeutic purposes by an optometrist and respecting the eye care that may be provided by an optometrist was adopted by the Office des professions du Québec, at its meeting of 20 March 2003. The Regulation may be submitted to the Government, which may, under section 13 of the Professional Code (R.S.Q., c. C-26), approve it with or without amendment, upon the expiry of 45 days following this publication.

Pursuant to the second paragraph of section 19.4 of the Optometry Act (R.S.Q., c. O-7), the draft Regulation determines the medications that may be administered and prescribed for therapeutic purposes by an optometrist and the eye care that may be provided by an optometrist, as well as the terms and conditions according to which an optometrist may administer and prescribe the medications or provide the care.

Consequently, optometrists will be authorized to administer and prescribe medications such as anti-allergic agents and anti-infectives for conditions that do not require an invasive procedure.

Optometrists will be required, in certain cases, to refer a patient to a physician, for example, if the patient's condition does not adequately respond to the treatment in the anticipated amount of time or if the signs and symptoms suggest a condition that requires a physician to take charge of the patient.

The provisions respecting glaucoma will be introduced gradually, by region, to ensure their implementation is better monitored over the course of the first two years.

The Office has consulted the Conseil consultatif de pharmacologie, the Ordre des optométristes du Québec, the Collège des médecins du Québec, and the Ordre des pharmaciens du Québec regarding this draft Regulation, which will have no impact on businesses, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Lucie Boissonneault, research officer, or Pierre Ferland, advocate, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; telephone: (418) 643-6912 or 1-800-643-6912; fax: (418) 643-0973.

Any person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, at the above address. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order that made the Regulation as well as to the interested persons, departments or bodies.

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

Regulation respecting the medications that may be administered and prescribed for therapeutic purposes by an optometrist and respecting the eye care that may be provided by an optometrist

Optometry Act
(R.S.Q., c. O-7, s. 19.4)

DIVISION I GENERAL

1. An optometrist who holds a permit referred to in the second paragraph of section 19.2 of the Optometry Act (R.S.Q., c. O-7) may, in cases presenting conditions of mild morbidity of the eye and adnexa that require no invasive procedure, administer and prescribe for therapeutic purposes the medications in the categories listed in Schedule I, in accordance with the terms and conditions determined in this Regulation.

An optometrist may also, in accordance with the same terms and conditions, remove a superficial foreign body from the eye, provided there is no laceration or injury to the ocular globe.

2. An optometrist must refer the patient to a physician if the patient's condition does not adequately respond to treatment in the accepted or anticipated

amount of time. An optometrist must also refer the patient to a physician if the signs and symptoms suggest a condition that is not one of mild morbidity, or that requires a physician to take charge of the patient.

3. An optometrist who administers or prescribes medications must refer the patient to a physician if there is no clear and positive improvement within 72 hours of the beginning of the treatment, in the following cases :

(1) an infectious ulcer smaller than 1 millimetre outside of the pupillary zone ;

(2) the presence of epithelial dendrites without stromal injury with infiltrate or melting, and without inflammation in the anterior chamber ;

(3) corneal infiltrates smaller than 1 millimetre, with no epithelial defect ; and

(4) sectorial inflammation of the episclera, without ischemia or melting.

The optometrist must also refer the patient to a physician in those cases if the condition does not resolve within the accepted or anticipated amount of time, or at the latest, within 7 days of the beginning of the treatment.

An optometrist may not intervene in cases in which the conditions are more serious than those described in the first paragraph.

4. An optometrist who uses medications to treat an inflammation of the anterior chamber without hypopyon, vitritis or lesion of the cornea must refer the patient to a physician within 72 hours of the beginning of the treatment.

DIVISION II GLAUCOMA

5. Notwithstanding section 1, an optometrist who holds a permit referred to in the second paragraph of section 19.2 of the Optometry Act may, in cases of glaucoma, renew or change a prescription for anti-glaucoma medications.

The optometrist must, however, prior to every renewal or change, obtain verbal or written approval from the original prescribing physician or from the physician designated by the original prescribing physician. The

optometrist must, in addition, write the name and professional permit number of the physician from whom consent was obtained on the prescription.

6. As of (*insert here the date of coming into force of this Regulation*), this section applies to optometrists whose professional domicile at the time the prescription is renewed or changed is in the territory of one of the following regions, as described in Schedule I to Order in Council 2000-87 dated 22 December 1987, as it reads on the date it applies :

(1) Abitibi-Témiscamingue ;

(2) Bas-Saint-Laurent ;

(3) Centre-du-Québec ;

(4) Mauricie ;

(5) Montérégie ; or

(6) Saguenay-Lac-Saint-Jean ;

As of (*insert here the date one year after the date of coming into force of this Regulation*), this section also applies to optometrists whose professional domicile at the time the prescription is renewed or changed is in the territory of one of the following regions, as described in Schedule I to Order in Council 2000-87 dated 22 December 1987, as it reads on the date it applies :

(1) Chaudière-Appalaches ;

(2) Côte-Nord ;

(3) Gaspésie-Îles-de-la-Madeleine ;

(4) Lanaudière ; or

(5) Outaouais ;

As of (*insert here the date two years after the date of coming into force of this Regulation*), this section applies throughout Québec.

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

SCHEDULE 1

(s. 1)

Note: The medications without specifications are to be administered topically.

1. Mydriatics
2. Local anesthetics, except cocaine, to remove a superficial foreign body from the eye
3. Anti-allergic agents
 - Antihistamines
 - Mast cell stabilizers
4. Non-steroidal anti-inflammatory medications
5. Corticosteroids
6. Anti-infectives
 - Antibiotics
 - Miscellaneous anti-infectives
 - Antivirals
7. Corticosteroids and anti-infectives in combination
8. Lubricants
9. Miscellaneous ophthalmic and hyperosmotic agents
10. Oral vitamins, except those listed in Schedule F to the Food and Drug Regulations (C.R.C., c. 870)
11. Vasoconstrictor agents
12. Anti-glaucoma medications, in the cases and conditions set out in Division II

5687

Draft Regulation

Optometry Act
(R.S.Q., c. O-7)

Optometrists

— Standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and to provide eye care” adopted by the Bureau of the Ordre des optométristes du Québec, the text of which appears below, may be submitted to the Government, which may approve it with or without amendment, upon the expiry of 45 days following this publication.

According to the Ordre des optométristes du Québec, the purpose of this regulation is to establish standards for the issue and holding of the permit authorizing optometrists to administer and prescribe medications for therapeutic purposes and provide eye care. The Order does not foresee any other impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Mr. Marco Laverdière, Secretary and Executive Director of the Ordre des optométristes du Québec, 1265 Berri St., Suite 700, Montréal, Québec H2L 4X4; telephone: (514) 499-0524; fax: (514) 499-1051.

Any person having comments to make may submit them, before the expiry of the 45 days period specified above, to Mr. Jean-K. Samson, Chairman of Office des professions du Québec, 800 Place D’Youville, 10th Floor, Québec City, Québec G1R 5Z3. These comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order which has adopted this regulation, as well as to interested persons, departments and agencies.

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

Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care

Optometry Act
(R.S.Q., c. O-7, s. 19.2)

**DIVISION I
STANDARDS FOR THE ISSUE OF THE PERMIT**

1. The permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care shall be issued to a member of the Ordre des optométristes du Québec who :

1° has submitted his application in writing to the secretary of the Order in the form of Schedule 1 ;

2° has paid the fees fixed by the Bureau of the Order for the issue of the permit ;

3° holds a permit authorizing him to administer medications for eye examination purposes, pursuant to the Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer medications, approved by Order in Council No. 1452-95, dated November 8, 1995 ;

4° has successfully completed a training period, during the 4 years preceding the year of the application, under a training program offered by an educational institution that issues a diploma meeting the requirements for the permit issued by the Ordre des optométristes du Québec or another training program considered equivalent by the Bureau ; such training shall comprise a minimum of 100 hours of theoretical and clinical courses in eye health and the pharmacological treatment of certain ocular pathologies.

2. The permit shall also be issued to a member of the Ordre des optométristes who meets the other conditions prescribed in section 1, even if he received his training before the period referred to in paragraph 4 of that section, or even if his training is not of the level referred to in that paragraph, provided that he participates in the training program and passes the examination provided for in sections 3 to 7.

3. The training program shall be approved by the Bureau and it shall include a minimum of 100 hours of theoretical and clinical courses in eye health and the pharmacological treatment of ocular pathologies.

4. The training program may provide that the theoretical training be given using any audio-visual means.

5. Upon completion of the training program, an examination shall be administered with a view to assessing the optometrist's knowledge in eye health and the pharmacological treatment of ocular pathologies, and his clinical training in those subject areas.

6. The examination may include written, oral and practical parts, for each of the subject areas referred to in section 3.

7. In order to pass the examination, an optometrist shall obtain 60% for each of the written, oral and practical parts included in the examination.

**DIVISION II
HOLDING, SUSPENSION AND REVOCATION
OF THE PERMIT**

8. In order to hold the permit referred to in Division I for more than 3 years, an optometrist shall take part in the upgrading program approved by the Bureau and provided for in sections 9 and 10.

9. The upgrading program shall require that every optometrist holding the permit referred to in Division I update his knowledge every 3 years.

10. The upgrading program shall include 15 hours of theoretical or clinical training related to the subject areas referred to in section 3.

11. Paragraph 2 of section 1 applies, adapted as required, to the upgrading program referred to in this Division.

12. The Bureau shall suspend the permit referred to in Division I where it is held by an optometrist who cannot establish that he has met the requirements of the upgrading program. Such suspension may not last longer than 6 months.

13. At the expiry of the period for which the permit is suspended, the Bureau shall permanently revoke the permit within 30 days if the optometrist cannot establish that he has met the requirements of the upgrading program.

14. An optometrist whose permit referred to in Division I has been revoked by the Bureau shall again meet the conditions prescribed in Division I of this Regulation for the issue of the permit.

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

SCHEDULE I

(a. 1)

APPLICATION FOR THE PERMIT AUTHORIZING AN OPTOMETRIST TO ADMINISTER AND PRESCRIBE MEDICATIONS FOR THERAPEUTIC PURPOSES AND PROVIDE EYE CARE

I, the undersigned _____, residing at _____, hereby declare the following:

1° I am entered on the roll of the Ordre des optométristes du Québec;

2° my professional domicile is located at _____; and I also practise at _____;

3° I have enclosed the documents establishing that my training complies with the training prescribed by the Regulation respecting the standards for the issue and holding of a permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and to provide eye care;

4° I am applying to the Bureau for the permit authorizing me to administer and prescribe medications for therapeutic purposes and to provide eye care, in accordance with the provisions of the Optometry Act, of the Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and to provide eye care and of the Regulation respecting the medications that an optometrist may administer and prescribe for therapeutic purposes and the eye care that he may provide.

Member's signature _____

Date _____

5686

Draft Regulation

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

Denturologists

— Professional acts that may be performed by persons other than denturologists

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting professional acts that may be performed by persons other than denturologists, adopted by the Bureau of the Ordre des denturologistes du Québec, may be submitted to the Government for approval with or without amendment upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to allow students in denturology and persons who must complete a program of study or period of training to obtain a training equivalence under the Regulation respecting the standards for diploma or training equivalence for the issuing of a permit by the Ordre professionnel des denturologistes du Québec to perform the professional acts reserved for denturologists.

The draft Regulation also prescribes the conditions on which those acts may be performed.

According to the Order, the Regulation will have no impact on businesses of any size.

Further information may be obtained by contacting Monique Bouchard, Secretary and Director General of the Ordre des denturologistes du Québec, 45, place Charles-Lemoyne, bureau 106, Longueuil (Québec) J4K 5G5; tel. (450) 646-7922 or 1 800 567-2251, fax: (450) 646-2509.

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

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

Regulation respecting professional acts that may be performed by persons other than denturologists

Professional Code
(R.S.Q., c. C-26, s. 94, par. h)

1. The purpose of this Regulation is to determine, among the acts that may be performed by denturologists, those that may be performed by the following persons, on the conditions and terms set out therein:

(1) a student in denturology, that is, any person registered in a program of study leading to a diploma giving access to the permit of the Ordre des denturologistes du Québec; and

(2) a person eligible by equivalence, that is, any person who is completing a program of study or a period of training determined by the Bureau of the Order for the purpose of having an equivalence recognized pursuant to the Regulation respecting the standards for diploma or training equivalence for the issuing of a permit by the Ordre professionnel des denturologistes du Québec, approved by Order in Council 1025-2002 dated 4 September 2002.

2. A student in denturology who meets the following conditions may perform, among the acts that may be performed by denturologists, those that are required in the course of the program of study:

(1) the student performs those acts in the teaching establishment offering the program of study or in a training environment recognized by the establishment in accordance with the cooperative work education program; and

(2) the student performs those acts under the supervision of a teacher of the teaching establishment or, where the acts are performed during a period of training under the cooperative work education program, under the direct and immediate supervision of a training supervisor.

3. A person eligible by equivalence who meets the following conditions may perform any act that may be performed by a denturologist, for all the duration and for the purposes of the person's program of study or period of training:

(1) the student performs those acts in the teaching establishment offering the program of study or in a training environment; and

(2) the student performs those acts under the supervision of a teacher of the educational teaching establishment or, where the acts are performed during the period of training determined by the Bureau of the Order, under the direct and immediate supervision of a training supervisor.

4. The supervisor referred to in paragraph 2 of sections 2 and 3 must have been a member of the Ordre des denturologistes du Québec for at least five years and not have been the subject of any disciplinary penalty during the five years preceding the period of training.

5. The student in denturology or the person eligible by equivalence shall, before beginning the period of training, inform the Order of the name of the supervisor and of the place where the supervisor practises the profession.

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

5689

Draft Regulation

An Act to ensure safety in guided land transport
(R.S.Q., c. S-3.3)

Rail safety

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

The purpose of the draft Regulation is to harmonize the provisions related to the transportation of dangerous substances in the Regulation respecting rail safety with those of the Transportation of Dangerous Goods Regulations made by Order in Council P.C. 2001-1336 dated 1 August 2001 provided under the Transportation of Dangerous Goods Act (S.C. 1992, c. 34). The draft Regulation ensures the application of regulations concerning the transportation of dangerous substances with greater flexibility while taking into account the multitude of transported products and the new conditions under federal regulations. It prescribes the safety rules related to containerizing standards, the use of shipping documents, the display of safety marks and the training of stakeholders. Finally, it allows Québec carriers and consignors to remain competitive with those of other provinces.

The draft Regulation has little impact on railway enterprises because interprovincial railway carriers have had to comply with the new standards since 15 August 2002.

Further information may be obtained by contacting Bernard Royer, Direction du transport maritime, aérien et ferroviaire, ministère des Transports du Québec, 700, boulevard René-Lévesque Est, 24^e étage, Québec (Québec) G1R 5H1, telephone: (418) 643-1394; fax: (418) 646-6196.

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

SERGE MÉNARD,
Minister of Transport

Regulation to amend the Regulation respecting rail safety*

An Act to ensure safety in guided land transport (R.S.Q., c. S-3.3, s. 54, 1st par. subpars. 10 and 10.1)

1. The Regulation respecting rail safety is amended by substituting “96” for “98” in the second paragraph of section 41.

2. The following is substituted for Chapter III:

“CHAPTER III TRANSPORTATION OF DANGEROUS SUBSTANCES

DIVISION I INTERPRETATION

91. In this Regulation,

“**Transportation of Dangerous Goods Regulations**” means

the Transportation of Dangerous Goods Regulations made by Order in Council P.C. 2001-1336 dated 1 August 2001 and bearing registration number SOR/2001-286 dated 1 August 2001, *Canada Gazette*, Part II, 15 August 2001.

92. The words and expressions appearing in the Transportation of Dangerous Goods Regulations have the meaning assigned by those Regulations or the Transportation of Dangerous Goods Act, 1992 (1992, 40-41 Elizabeth II, c. 34) except in the following cases where:

“**consignor**” means a person who offers dangerous substances for transport;

“**handling**” means, regardless of the facilities where it takes place, loading, unloading, containerizing or packing of dangerous substances transported or to be transported by railway; and

“**inspector**” means any person authorized by the Minister of Transport to act as an inspector for the purposes of this Regulation.

Where the provisions of the Transportation of Dangerous Goods Regulations are inconsistent with the provisions of this Regulation, the latter prevails.

DIVISION II CLASSIFICATION

93. Any dangerous good within the meaning of the Transportation of Dangerous Goods Act is designated as a dangerous substance.

A dangerous substance belongs to the class attributed to it according to Schedule 1 to or Part 2 of the Transportation of Dangerous Goods Regulations.

94. A consignor shall classify a dangerous substance in accordance with paragraphs 1 to 5 of section 2.2 of the Transportation of Dangerous Goods Regulations before offering it for transport.

DIVISION III DOCUMENTATION

95. The requirements related to the shipping documents prescribed by sections 3.1 to 3.4, 3.8, 3.10 and 3.11 of the Transportation of Dangerous Goods Regulations apply to the transportation and handling of dangerous substances.

The shipping document must contain the minimum information prescribed in sections 3.5 and 3.6 of the Transportation of Dangerous Goods Regulations.

* The Regulation respecting rail safety, made by Order in Council 1401-2000 dated 29 November 2000 (2000, *G.O.* 2, 5585), has not been amended since it was made.

DIVISION IV **SAFETY MARKS**

96. The safety marks prescribed in Part 4 of the Transportation of Dangerous Goods Regulations must be displayed in accordance with the provisions of those Regulations.

DIVISION V **SAFETY STANDARDS AND RULES**

97. The safety standards and rules to which section 1.3 and Schedules 1, 2 and 3 to the Transportation of Dangerous Goods Regulations refer apply, with the necessary modifications, to the transportation and handling of dangerous substances.

The same applies to sections 1.5 to 1.13, 1.15 to 1.20, 1.25 to 1.27, 1.29, 1.31 to 1.34, 1.36 to 1.43 and 1.45 to 1.47 of the Transportation of Dangerous Goods Regulations.

98. No person shall handle, offer for transport or transport dangerous substances in means of containment unless the provisions of Part 5 of the Transportation of Dangerous Goods Regulations are complied with.

99. Sections 6.1 to 6.8 of Part 6 of the Transportation of Dangerous Goods Regulations apply to the transportation and handling of dangerous substances.

100. Section 7.1 respecting the requirement for an emergency response assistance plan under the Transportation of Dangerous Goods Regulations applies to the transportation and handling of dangerous substances.

101. Any person who has possession of dangerous substances at the time of an accidental release of such substances shall report the accidental release immediately in accordance with section 8.1 of Part 8 of the Transportation of Dangerous Goods Regulations.

102. The provisions of Part 10 of the Transportation of Dangerous Goods Regulations also apply to the transportation and handling of dangerous substances.”.

3. Section 109 is amended by substituting “sections 94 to 102” for “sections 97 to 100”.

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

Municipal Affairs

Gouvernement du Québec

O.C. 395-2003, 21 March 2003

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

Polling date for the first general election of Ville de
Sept-Îles

WHEREAS Order in Council 106-2003 dated 6 February
2003, constituting Ville de Sept-Îles, came into force on
12 February 2003;

WHEREAS, under section 14 of the Order in Council,
the polling date of the first general election shall take
place on the first Sunday that follows the expiry of the
four-month period following the date of coming into
force of the Order in Council;

WHEREAS 15 June 2003 is the polling date thus fixed;

WHEREAS, under section 124 of the Act respecting
municipal territorial organization (R.S.Q., c. O-9), the
Government may fix an earlier polling date than the date
fixed in the order;

WHEREAS it is expedient to fix 1 June 2003 as an
earlier polling date;

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

THAT 1 June 2003 be fixed as the polling date of the
first general election of Ville de Sept-Îles.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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

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