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Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 960-2003, 17 September 2003

An Act respecting the Pension Plan
of Management Personnel
(R.S.Q., c. R-12.1)

Classes of employees designated under section 23 — Special provisions

Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 23 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may establish special provisions with respect to classes of employees it designates, notwithstanding any inconsistent provision of the Act, except the provisions of Chapter VIII;

WHEREAS the Government made Order in Council 245-92 dated 26 February 1992 respecting the designation of classes of employees and establishment of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10);

WHEREAS, under section 416 of the Act respecting the Pension Plan of Management Personnel, the order shall be considered as an order made under section 23 of the Act, and it shall apply, with the necessary modifications, until it is replaced by an order made under section 23;

WHEREAS it is expedient to replace Order in Council 245-92 dated 26 February 1992 by this Order in Council;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT Order in Council 245-92 dated 26 February 1992 be replaced by this Order in Council.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel

An Act respecting the Pension Plan
of Management Personnel
(R.S.Q., c. R-12.1, s. 23)

CHAPTER I DEFINITIONS AND SCOPE

1. In this Order in Council,

“Act” means the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1); (*loi*)

“Commission” means the Commission administrative des régimes de retraite et d’assurances established under section 136 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10); (*Commission*)

“former pension plan” means

(1) a pension plan designated in paragraph 1 of Schedule I of which the employee was a member before this Order in Council became applicable to the employee or the Order in Council under which, on that date, the employee was receiving a pension;

(2) a pension plan designated in paragraph 2 of Schedule I according to the cases provided for in the Schedule; (*régime de retraite antérieur*)

“plan” means the Pension Plan of Management Personnel; (*régime*)

“total pension” means the amount of the pension or deferred pension under the plan, including the amount resulting from the application of the special provisions of this Order in Council and, where applicable, the amount of any pension under a former pension plan. (*montant total de la pension*)

2. For the purposes of section 23 of the Act, this Order in Council applies to employees who are members of the plan and belong to one of the classes of employees designated in Schedule II.

3. A person who belongs to one of the classes of employees designated in Schedule II who, on 31 December 1991, was not a member of the Government and Public Employees Retirement Plan pursuant to paragraph 7 of section 4 of the Act respecting the Government and Public Employees Retirement Plan as it read on 31 December 2000 may, upon prior authorization of the Government, become a member of the plan by sending a notice to that effect to the Commission. The employee's membership may not become effective prior to 1 January of the year during which the notice is received by the Commission.

4. Where an employee ceases to belong to one of the classes designated in Schedule II, this Order in Council continues to apply to the employee as long as the employee holds pensionable employment under the plan.

The same applies to an employee who ceases to be a member of the plan and who again holds pensionable employment under the plan, unless the employee has received the actuarial value of the total pension in accordance with section 16.

An employee who continues to be subject to this Order in Council pursuant to the first paragraph after ceasing to belong to one of the classes of employees referred to in paragraphs 12 and 13 of Schedule II is governed only by the provisions of this Order in Council that were applicable to the employee while those paragraphs applied to the employee.

CHAPTER II SPECIAL PROVISIONS OF THE PLAN

5. No amount shall be withheld from the pensionable salary paid to an employee who has at least 35 years of service for the purpose of computing the total pension.

6. A pension is granted to an employee

- (1) who has reached 60 years of age;
- (2) who has 35 or more years of service;
- (3) who has, in years of age and years of service, a combined total of 85 or more;
- (4) who has reached 50 years of age.

7. In the case provided for in paragraph 4 of section 6, the amount of the pension is payable to the employee from the date on which the application is received by the Commission, and is reduced, for its duration, by 0.25% per month, computed for each month comprised between the date on which it is payable and the nearest date on which it would otherwise have been granted to the

employee without any actuarial reduction under this Order in Council. If the date of receipt of the application is subsequent to the nearest date on which the amount of the pension may be granted to the employee under those paragraphs, the amount of the pension is payable to the employee on the latter date.

For the purposes of the first paragraph, where the employee benefits from the provisions of section 23, all the months during which the employee held an office referred to in section 23 must be counted for the purpose of computing the age and years of service of an employee who was an administrator of state I on 31 December 1991, even where such months occur after 31 December 1991. The total number of years added may not exceed 5.

8. The amount of the employee's pension in respect of the years of service credited to the employee while this Order in Council applies to the employee, subject to section 25, is equal to the total of

(1) the amount obtained by multiplying the average pensionable salary by 1.6% per year of service credited before 1 January 1997 and by 1.7% per year of service credited after 31 December 1996, while this Order in Council or, as the case may be, Order in Council 245-92 dated 26 February 1992, as it read on 16 September 2003, applies to the employee; and

(2) an amount equal to 0.15% of the employee's average pensionable salary per year of service credited before 1 January 1997 and to 0.30% per year of service credited after 31 December 1996, while this Order in Council or, as the case may be, Order in Council 245-92 dated 26 February 1992, as it read on 16 September 2003, applies to the employee if the employee is under 65 years of age. The amount is payable until the end of the month in which the pensioner reaches 65 years of age and is indexed in accordance with sections 115 and 116 of the Act. If the employee has less than 120 months of service, including the months of service recognized under the employee's former pension plan, the amount is reduced by multiplying it by the fraction that the number of months of such service is of the total of 120. For the purpose of computing the number of months of service, the service accumulated by an employee during the period in which the plan did not apply to the employee while one of the following provisions applied to the employee must also be taken into account:

(a) section 2 of the Act respecting the Government and Public Employees Retirement Plan as it read on 31 December 2000;

(b) paragraph 7 of section 4 of that Act as it read on that date;

- (c) section 2 of the Act; or
- (d) paragraph 7 of section 3 of the Act.

The amount of the pension obtained pursuant to subparagraph 1 of the first paragraph may not exceed the amount obtained by multiplying the defined benefit limit, applicable for the year of retirement and established under the Income Tax Act (R.S.C., 1985, chapter 1, 5th Supplement), by the number of years of service credited while this Order in Council applies to the employee.

The amount of the pension obtained pursuant to subparagraph 2 of the first paragraph may not exceed the amount obtained by computing the reduction provided for in section 57 of the Act, taking into account only the years of service credited after 31 December 1991 while this Order in Council applies to the employee but, for the purposes of subparagraph 3 of the first paragraph of that section, selecting only the last years of service required to bring the aggregate of the corresponding contributory periods up to 3 or, if the aggregate is less than 3, selecting all the years of service.

For the purposes of the first paragraph, the number of years of an employee's credited service are taken into account up to the number of years necessary so that the years of service used in computing the total pension do not exceed 35. The years of service that exceed 35 and are credited on 31 December 1995 to an employee who ceases to be a member of the plan after that date are taken into account for the purpose of computing the pension.

9. For the purposes of subparagraphs 1 and 2 of the first paragraph of section 8, the average pensionable salary is obtained by performing, in order, the following operations:

(1) dividing the pensionable salary for each year by the service credited, except service credited under section 111 of the Act;

(2) selecting, from among the highest salaries resulting from the division, the number of salaries required to bring the aggregate of the contributory periods corresponding to each year for which the salaries are selected up to 3 or, where the aggregate is less than 3, selecting all the salaries;

(3) multiplying each salary so selected for each year by the corresponding contributory period; and

(4) dividing the sum of the salaries resulting from the multiplication by the sum of the corresponding contributory periods.

For the purposes of subparagraph 1 of the first paragraph, all the years and parts of a year of service credited must be counted, and service credited pursuant to sections 123, 125 and 126 of the Act may not be counted in respect of service credited prior to 1 January 1992.

10. Despite section 59 of the Act, a person entitled to a pension may request that it become payable only on a date indicated in the pension application where the date is later than the date that would otherwise have been determined by section 59.

A person who has reached age 69 may not request payment of his or her pension later than 31 December of the year of the person's 69th birthday.

11. Section 53 of the Act applies with the necessary modifications.

12. A pension granted pursuant to paragraph 4 of section 6 is, at the time prescribed under section 119 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), indexed annually at the rate of increase of the Pension Index determined by that Act from 1 January following the date on which the employee ceased to be a member of the plan to 1 January of the year in which the pension is payable.

From 1 January following the date on which the pension is payable, the pension is indexed in accordance with the first paragraph of section 115 of the Act, and the first adjustment resulting from indexing shall be carried out in accordance with the first paragraph of section 116 of the Act.

13. The pension credit granted under a former pension plan is reduced, for its duration, by 0.25% per month, computed for each month comprised between the date on which the pension credit is payable to the employee and the nearest date on which the pension would otherwise have been granted to the employee without actuarial reduction pursuant to the provisions of the former pension plan, and taking into account paragraph 3 of section 6 if any of paragraphs 1 to 11 of Schedule II applies or applied to the employee.

14. From the day payment of the pension of a pensioner ceases by reason of death, or, as the case may be, from the day of the death of a person who is eligible for a pension or deferred pension under the second paragraph of section 15, the spouse is entitled to receive as pension 60% of the total pension the pensioner was receiving with the exception of, as the case may be, the amount provided for in section 105 of the Act or, as the case may be, would have otherwise been entitled to receive or would have been entitled to receive under the provisions

of this Order in Council and, where applicable, under the plan, excluding the amount provided for in subparagraph 2 of the first paragraph of section 8, if applicable. The reduction provided for, for the purpose of coordinating the pension with the pension paid under the Act respecting the Québec Pension Plan, applies in respect of the years or parts of a year of service credited under the former pension plan. Where section 28 applies, the spouse's pension is established without counting the years or parts of a year of service credited under the former pension plan.

If a person to whom this Order in Council applies has no spouse and dies while a pensioner or eligible for a pension or deferred pension and before the pension has been paid to the person for at least 10 years, the person's successors are entitled to receive payment of the current value of the total pension for the period comprised between the first day of the month following the person's death and the day on which the 10-year period expires. The current value is established in accordance with the assumptions provided for in Schedule IV. Where section 28 applies, the current value is established without taking into account the current value of the pension resulting from the years or parts of a year of service credited under the former pension plan.

15. Where an employee who is not eligible for a pension under section 6 ceases to be a member of the plan, the employee is entitled to receive a deferred pension payable from the nearest date on which the employee would have been entitled to the pension under paragraph 1 or 3 of that section, taking into account only the years of service credited or counted at the time the employee ceases to be a member.

The person may also be entitled to such pension when the person reaches 50 years of age. In such a case, the pension is payable to the person from the date of receipt of the person's application by the Commission or from any other later date stipulated to that effect in the person's application. The amount of the pension is reduced, for its duration, by 0.25% per month, computed for each month comprised between the date on which it is payable and the nearest date on which it would otherwise have been granted under paragraph 1 or 3 of section 6, taking into account only the number of years of service at the time the person ceases to be a member of the plan and adding to it, if applicable, the additional reduction provided for in subparagraph 2 of the first paragraph of section 8.

16. Where an employee belongs to one of the classes designated in Schedule III or belongs to such a class while this Order in Council applies to the employee, and the employee ceases to be a member of the plan, the

employee may, instead of receiving the total pension or deferred pension payable in accordance with the first paragraph of section 15, elect to have the actuarial value of the total pension, including any pension credit established at the date on which the employee ceases to be a member, in accordance with the actuarial method and assumptions provided for in Schedule V, transferred into a locked-in retirement account within the meaning of section 29 of the Regulation respecting supplemental pension plans made by Order in Council 1158-90 dated 8 August 1990. For each of the periods in respect of which the rates provided for in Schedule VII to the Act apply, interest compounded annually is added from the first day of the month following the month during which the employee ceases to be a member until the end of the month during which the transfer is made. If the employee has fewer than 2 years of service, the employee may elect to have that actuarial value transferred into a registered retirement savings plan.

For the purpose of computing the actuarial value, the years of service added in accordance with section 22 are not taken into account.

The amount transferable under this section may not exceed the limit established for that purpose under the Income Tax Act (R.S.C., 1985, chapter 1, 5th Supplement). If the amount exceeds that limit, the amount of the transferable value is reduced to comply with the limit.

Payment of the actuarial value provided for in the first paragraph gives entitlement to the payment of any other benefit payable under this Order in Council and under the plan.

17. Despite the fourth paragraph of section 16, an employee who has availed himself or herself of a provision permitting the transfer of the actuarial value of the benefits acquired under the plan pursuant to a provision made under section 23 of the Act or section 10.1 of the Act respecting the Government and Public Employees Retirement Plan as it read on 31 December 2000 is entitled to have credited or counted, in whole or in part, the years or parts of a year of service that had been credited or counted on his or her behalf before the date of the transfer. The employee's former pension plan is the plan designated in Schedule I of which the employee was a member before this Order in Council or, as the case may be, Order in Council 245-92 dated 26 February 1992, as it read on 16 September 2003, applied for the first time to the employee.

To have the years or parts of a year of service credited or counted, an employee must pay, on the date on which the employee exercises that right, an amount equal to

the amount that was transferred to the employee increased by interest compounded annually, for each of the periods in respect of which the rates provided for in Schedule VII to the Act apply, from the date of the transfer until the date on which the amount is paid to the Commission.

Despite the second paragraph, the employee may pay part of the amount required to have the years or parts of a year of service credited. In that case, the employee must pay an amount at least equal to the amount that was transferred to the employee and those years and parts of a year of service are credited to the employee or counted commencing with the most recent service. Where applicable, the years and parts of a year of service that cannot be credited or counted for the purposes of the plan are added, solely for pension eligibility purposes, to the years and parts of a year of service credited to the employee or counted on the employee's behalf under the plan.

Any amount paid to the Commission pursuant to the second or third paragraph shall be paid into the consolidated revenue fund.

The first, second and third paragraphs apply, with the necessary modifications, only to the extent permitted under the Income Tax Act (R.S.C., 1985, chapter 1, 5th Supplement).

18. A pensioner whose pension is payable under this Order in Council and who holds pensionable employment or again holds pensionable employment under the plan, or a pensioner under a former pension plan who holds such employment while belonging to one of the classes of employees designated in Schedule II becomes, despite section 4 of the Act, an employee to whom the plan applies if the employee elects to be a member of the plan. The pensioner is subject to this Order in Council for as long as the pensioner holds employment under the plan but the pensioner may not avail himself or herself of section 16.

The election applies and the pensioner's pension is cancelled from the date on which the Commission receives from the pensioner a written notice to that effect or, retroactively, from the first day of the pensioner's new employment if the pensioner remits to the Commission a total amount equal to the contribution the pensioner would have made had the pensioner been a member of the plan during that period, as well as the amount of pension that would have ceased to be paid for the period during which the pensioner held pensionable employment or again held pensionable employment. For each of the periods in respect of which the rates provided for

in Schedule VII to the Act apply, interest compounded annually is added to those amounts for each of the periods comprised between the date the pensioner began to be a member of the plan and the date the notice is received by the Commission.

In the case of a pensioner of the Government and Public Employees Retirement Plan, the Teachers Pension Plan, the Civil Service Superannuation Plan and the Pension Plan of Certain Teachers who made the election under the first paragraph, the years or parts of a year of service that had been credited or counted under the plan are credited or counted for pension purposes under the plan, and the third paragraph of section 180 of the Act applies with the necessary modifications.

19. The pension of a pensioner who elected to be a member of the plan pursuant to the first paragraph of section 18 is recomputed at the time the pensioner ceases to be a member in accordance with

(1) sections 8 to 11, for the part attributable to service credited to the plan while this Order in Council applied to the pensioner; and

(2) the provisions of the former pension plan, applying section 28 or section 22 of Order in Council 245-92 dated 26 February 1992 as it read at the time of the person's retirement, for the part attributable to service credited under that pension plan.

If the pension that is cancelled pursuant to the second paragraph of section 18 was granted with actuarial reduction, each part of the reduced pension that is recomputed is reduced, where applicable, by 0.25% multiplied by the number of months representing the difference between the number of months that applied for the purpose of computing the actuarial reduction and the number of months comprised between the date on which the person became a member of the plan and the date on which the person ceased to be a member of the plan.

20. The payment of the pension credit of a pensioner who elected to be a member of the plan pursuant to the first paragraph of section 18 ceases to be made for the period during which the pensioner is a member of the plan, and the second paragraph of that section applies with the necessary modifications in respect of any amount of pension credit which must be remitted to the Commission. The pension credit becomes payable again on the day that follows the day on which the pensioner ceases to be a member of the plan, and the actuarial reduction that applied thereto, where applicable, is recomputed in accordance with the second paragraph of section 19, with the necessary modifications.

21. Where a pensioner elects not to be a member of the plan, the pensioner continues to receive his or her total pension and, where applicable, his or her pension credit.

CHAPTER III MISCELLANEOUS

22. An employee who, on 31 December 1991, was a member of the Civil Service Superannuation Plan, is not a pensioner under that pension plan, and held employment referred to in Schedule III to the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12) for one or more periods totalling not less than 5 years or employment referred to in that Schedule while the employee held the employment, is entitled, from that date, to have 10 years added to the number of years of service credited to the employee under that pension plan and transferred to the plan in accordance with section 139 of the Act or section 98 of the Act respecting the Government and Public Employees Retirement Plan.

Where the employee held such employment for one or more periods totalling less than 5 years on 31 December 1991, the employee is entitled, from that date, to have added the number of years or parts of a year of service obtained by multiplying 10 years by the fraction that the number of years or parts of a year during which the employee held such employment up to that date is of 5 years.

The provisions of the Civil Service Superannuation Plan apply in respect of the years of service added under the first and second paragraphs. However, the years of service are taken into account, subject to section 5, only for the purpose of computing the total pension and may not enable an employee to have more than 35 years of service credited for the purpose of computing total pension.

23. Where an employee ceases to be a member of the plan, is or was an administrator of state I and held the office of secretary-general of the Conseil exécutif, associate secretary-general of the Conseil exécutif with the rank and privileges of a deputy minister in accordance with section 10 of the Executive Power Act (R.S.Q., c. E-18), executive assistant to the Premier, secretary of the Conseil du trésor, or deputy minister or chair of the Office des ressources humaines, the employee is entitled, from 31 December 1991, to have a number corresponding to 0.5 months for each month during which the employee held any of such offices before 1 January 1992, up to 5 years, added to the years of age and years of service credited to the plan on that date. That number is, to the extent that it is added to the years of service,

deemed to be service credited after 30 June 1982, and section 57 of the Act applies taking into account that number, except to the extent that it is added to the age of the employee.

From 1 April 1984, the office must be held as administrator of state I.

For the purposes of this section, an employee who was a member of the Teachers Pension Plan or of the Civil Service Superannuation Plan on the day preceding the day on which this Order in Council became applicable to the employee is deemed to have elected to be a member of the plan on 31 December 1991 in accordance with the terms and conditions prescribed in Order in Council 1609-90 dated 21 November 1990.

24. An employee who is entitled to both the benefit under section 22 and the benefit under section 23 is granted the most advantageous of the two at the time the total pension is computed.

25. Every person referred to in clauses *a* to *d* of subparagraph 2 of the first paragraph of section 8 may have credited the years or parts of a year of service during which the plan was not applicable to the employee according to the terms and conditions set out in the second paragraph of section 39 or section 40 of the Act.

The part of the pension pertaining to the years or parts of a year of service credited is computed in accordance with subdivision 2 of Division I of Chapter IV of the Act. The part of the pension pertaining to the years or parts of a year of service subsequent to 31 December 1991 during which the person belonged to one of the classes of employees designated in Schedule II is computed in accordance with section 8.

26. A person to whom a pension is payable under this Order in Council shall receive the amount of pension arising from the years and parts of a year of service credited under the former pension plan. The amount of the pension, computed in accordance with the provisions of the pension plan and section 27, is reduced by 0.25% per month, computed for each month comprised between the date on which the pension becomes payable and the nearest date on which it would otherwise have been granted without actuarial reduction under the pension plan or, if any of paragraphs 1 to 11 of Schedule II applies or applied to the person, under paragraph 3 of section 6. For the purpose of computing the reduction, all years of service counted or credited to the person at the time the person ceases to be a member of the plan must be taken into account.

However, for the purposes of the first paragraph, where the person benefits from the provisions of section 23, the amount of the pension or deferred pension payable under the former pension plan is reduced by the lesser of

(1) the amount determined under the first paragraph, without adding the benefit provided for in section 23 to the person's age and years of service ; and

(2) the amount provided for in the second paragraph of section 7.

For the purposes of the first paragraph and, where applicable, for the purposes of the provisions to which the second paragraph refers, if the person was entitled to a pension under section 15, the amount of the reduction is computed according to the number of months comprised between the date on which the amount of the pension is payable to the person and the date on which it would otherwise have been granted to the person under the former pension plan or, if any of paragraphs 1 to 11 of Schedule II applies or applied to the person, under paragraph 3 of section 6.

27. For the purpose of computing the amount of the pension payable under section 26, the average pensionable salary is computed in accordance with the provisions of the former pension plan, using the pensionable salary of all years of service, including years credited under the plan while this Order in Council applies to the person and, if any of paragraphs 1 to 11 of Schedule II applies or applied to the person, applying paragraph 2 of section 9.

28. In the case of a total and permanent disability or in the case of physical or mental disability, death or cessation of employment or where the employee ceases to be a member of the plan, the provisions of the former pension plan which concern entitlement or computation of a pension continue to apply in respect of the years or parts of a year of service credited under the former pension plan.

In the case of death, those provisions continue to apply only if they are more advantageous than those of the plan. The same applies in the case of a total and permanent disability or in the case of physical or mental disability, but only until a pension becomes payable under the plan.

If the person referred to in the first paragraph was a member of the Civil Service Superannuation Plan or the Teachers Pension Plan on the day preceding the day on which this Order in Council became applicable to the

person, the average pensionable salary provided for in section 27 is used for the purpose of computing the pension.

29. Where a person who was a member of the Teachers Pension Plan or of the Civil Service Superannuation Plan on the day preceding the day on which this Order in Council became applicable to the person dies at 50 years of age or older, the person's spouse may renounce the amount of the pension computed in accordance with section 28 in order to receive a single pension payment computed in accordance with section 14. However, for the purposes of that computation, the years of service credited under the Teachers Pension Plan or the Civil Service Superannuation Plan are deemed to have been credited under the plan.

30. The provisions of the Teachers Pension Plan and the Civil Service Superannuation Plan which concern the redemption of years or parts of a year of service apply, as they read on the date of application for redemption, to every employee who was a member of either plan and who is not a pensioner under that plan.

31. Section 18.1 of the Act applies to an employee subject to this Order in Council from the date on which the Order in Council applies to the employee, with the necessary modifications.

32. The first paragraph of section 139 of the Act also applies to an employee who has ceased to be a member of the Teachers Pension Plan or the Civil Service Superannuation Plan before the day preceding the day on which this Order in Council applies to the employee.

CHAPTER IV FINANCIAL

33. The Commission shall pay into the consolidated revenue fund, in respect of employees subject to this Order in Council, the funds, contributions or contributory amounts referred to in subparagraphs 1 to 4 of the first paragraph of section 177 of the Act.

34. The sums necessary for the payments referred to in the first paragraph of section 180 of the Act and made in respect of a beneficiary or an employee subject to this Order in Council shall be taken out of the consolidated revenue fund.

35. When an employee becomes subject to this Order in Council, the Commission shall transfer to the consolidated revenue fund the sums paid into the employees' contribution fund at the Caisse de dépôt et placement du

Québec in respect of that employee, in accordance with subparagraphs 1, 2 and 4 of the first paragraph of section 177 of the Act or, where applicable, subparagraphs 1, 2 and 4 of the first paragraph of section 127 of the Act respecting the Government and Public Employees Retirement Plan, except contributions or funds paid or transferred to purchase pension credits pursuant to that Act.

The sums transferred under the first paragraph include the interest accrued until the date of the transfer.

36. The actuarial value of the difference between the amount of the reduction computed pursuant to sections 13 and 20 and the amount of the reduction which would otherwise have been applied under section 92 of the Act respecting the Government and Public Employees Retirement Plan, in respect of the pension credits received under that Act, shall be funded out of the consolidated revenue fund.

The actuarial value is computed on the date on which the pension credit is granted to the employee, taking into account the employee's age on that date. It is computed according to the actuarial assumptions and method provided for in Schedule IV to the Regulation respecting the application of Title IV.2 of the Act respecting the Government and Public Employees Retirement Plan made by Order in Council 690-96 dated 12 June 1996.

37. The actuarial value of the sums transferred under section 203 of the Act must be established in accordance with the actuarial assumptions and method prescribed in Schedule V.

CHAPTER V TRANSITIONAL AND FINAL

38. The persons designated by the Government under paragraph 14 of Schedule II and paragraph 11 of Schedule III to Order in Council 245-92 dated 26 February 1992 as it read on 16 September 2003 are deemed to be designated under paragraph 14 of Schedule II and paragraph 11 of Schedule III to this Order in Council.

39. The provisions of the third paragraph of section 4 are applicable from 14 June 2002, having regard to the provisions of Order in Council 245-92 dated 26 February 1992 as it read on 16 September 2003.

The provisions in the first paragraph of section 25 pertaining to the credit of years or parts of a year of service are applicable from 1 July 2002, having regard to the provisions of the Order in Council referred to in the first paragraph of this section.

SCHEDULE I

FORMER PENSION PLANS

(s. 1)

(1) the following pension plans :

(a) the Pension Plan of Certain Teachers ;

(b) the Pension Plan of Peace Officers in Correctional Services ;

(c) the Teachers Pension Plan ;

(d) the Civil Service Superannuation Plan ;

(e) the pension plans provided for in sections 9, 10 and 10.0.1 of the Act respecting the Government and Public Employees Retirement Plan ;

(2) the following pension plans :

(a) the Pension Plan of Management Personnel, in the case of an employee who was a member of that plan or of the Government and Public Employees Retirement Plan before this Order in Council became applicable to the employee ;

(b) the Government and Public Employees Retirement Plan, in the case of a person who was a pensioner under the plan before this Order in Council became applicable to the person.

SCHEDULE II

(s. 2)

CLASSES OF EMPLOYEES

(1) the administrators of state ;

(2) the persons appointed under section 57 of the Public Service Act (R.S.Q., c. F-3.1.1) ;

(3) the executive assistant to the Premier ;

(4) the full-time chairs or presidents of government bodies or agencies who are appointed by the Government or whose appointment is ratified by the Government ;

(5) the full-time chairs or presidents of government bodies or agencies who are appointed by resolution of the National Assembly and whose conditions of employment are fixed by the Government or by the National Assembly if its resolution so provides ;

(6) the delegates general, delegates of Québec to foreign countries and heads of post at a Bureau du Québec in Canada;

(7) the persons who, by virtue of the prerogative of the Government or the National Assembly, perform executive duties on a full-time basis within a government institution other than a government body or agency, except the Public Protector and his or her assistant, if section 8 of the Public Protector Act (R.S.Q., c. P-32) applies to them;

(8) the vice-chairs, vice-presidents or members who are appointed by the Government or by resolution of the National Assembly or whose appointments are ratified by the Government and who hold, on a full-time basis, an office the salary level of which corresponds to class DM04 or higher in the pay structure, approved by the Government, of chief executive officers and members of bodies or agencies, within a body, an agency or institution referred to in paragraphs 4, 5 and 7;

(9) the Assistant Auditors General;

(10) the Secretary-General and Associate Secretaries-General of the National Assembly, if their conditions of employment so provide;

(11) any person who belonged to one of the classes of employees designated in paragraphs 1 and 10 and whose remuneration and conditions of employment are maintained by the Government;

(12) for the education sector, the directors general and the assistant directors general of the Commission scolaire de Montréal (CSDM), the Conseil scolaire de l'Île de Montréal (CSIM) and the English Montréal School Board (EMSB), as well as the directors general of Class V and higher classes of the other school boards;

(13) for the health and social services sector, the non-medical executives of Class 23 and higher classes, and the medical executives of Class C and higher classes of public institutions within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) and within the meaning of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5);

(14) all other persons employed by a government department, a public or parapublic body or agency or by a body or an agency designated by the Government, if the Government makes an order to that effect.

SCHEDULE III

(s. 16)

CLASSES OF EMPLOYEES DESIGNATED FOR THE PURPOSES OF THE TRANSFER INTO A LOCKED-IN RETIREMENT ACCOUNT

(1) the administrators of state;

(2) the persons appointed under section 57 of the Public Service Act (R.S.Q., c. F-3.1.1);

(3) the executive assistant to the Premier;

(4) the full-time chairs or presidents of government bodies or agencies who are appointed by the Government or whose appointment is ratified by the Government;

(5) the full-time chairs or presidents of government bodies or agencies who are appointed by resolution of the National Assembly and whose conditions of employment are fixed by the Government or by the National Assembly if this Order in Council applies to them;

(6) the delegates general, delegates of Québec to foreign countries and heads of post at a Bureau du Québec in Canada;

(7) the persons who, by virtue of the prerogative of the Government or the National Assembly, perform executive duties on a full-time basis within a government institution other than a government body or agency;

(8) the vice-chairs, vice-presidents or members who are appointed by the Government or by resolution of the National Assembly or whose appointments are ratified by the Government and who hold, on a full-time basis, an office the salary level of which corresponds to class DM04 or higher in the pay structure, approved by the Government, of chief executive officers and members of bodies or agencies, within a body, an agency or institution referred to in paragraphs 4, 5 and 7;

(9) the Assistant Auditors General;

(10) the Secretary-General and Associate Secretaries-General of the National Assembly, if this Order in Council applies to them;

(11) all other persons employed by a government department, a public or parapublic body or agency or by a body or an agency designated by the Government, if the Government makes an order to that effect.

SCHEDULE IV

(s. 14)

ASSUMPTIONS

(1) annual rate of interest: 9% ;

(2) annual rate of increase in the Pension Index within the meaning of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9): 5.5%.

SCHEDULE V

(s. 16)

ACTUARIAL ASSUMPTIONS AND METHOD**I — ACTUARIAL ASSUMPTIONS FOR BENEFITS ACQUIRED UNDER SECTION 95 OF THE ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN**

— The assumptions used are those selected for computing the rates in Schedules IV and V to the Act respecting the Government and Public Employees Retirement Plan.

II — ACTUARIAL ASSUMPTIONS FOR BENEFITS BASED ON THE SALARY OF THE BEST YEARS AND FOR BENEFITS IN THE FORM OF DETERMINED PENSIONS NOT ACQUIRED UNDER SECTION 95 OF THE ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

(1) mortality rate: table GAM-83 men and table GAM-83 women, weighted equally ;

(2) annual rate of interest :

9% for the first 15 years following the date of assessment and 6.5% thereafter ;

(3) annual rate of increase in the Pension Index within the meaning of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9) :

5.5% for the first 15 years following the date of assessment and 3% thereafter ;

(4) annual rate of increase in the defined benefit limit under the Income Tax Act (Statutes of Canada), over and above the increase in the Pension Index :

0.5% from the year of the indexing of that limit in accordance with that Act ;

(5) annual rate of increase in the scale of remuneration and of the maximum pensionable earnings over and above the increase in the Pension Index :

Age:	Rate
18 to 30:	2.5%
31 to 45:	1.5%
46 years and over:	0.5% ;

(6) turnover rate: nil ;

(7) disability rate: nil ;

(8) proportion of members having a spouse at the time of retirement : 60% ;

(9) age of spouse: identical to that of the member ;

(10) retirement age: the age at which the person would otherwise have reached 35 years of service. That age may not be under 60 or over 62. If the person is over 62 years of age at the time of the assessment, the age at which the person ceases to be a member shall be used.

III — ACTUARIAL METHOD

The actuarial method is the “benefit allocation with salary projection” method.

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Gouvernement du Québec

O.C. 961-2003, 17 September 2003

An Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1)

Certain classes of employees under section 208 — Provisions respecting the determination of supplementary benefits

Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 208 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may, with respect to classes of employees designated under

the first paragraph of section 23 of the Act, establish a plan that provides for supplementary benefits payable from the date of retirement;

WHEREAS the Government made Order in Council 461-92 dated 1 April 1992 respecting the determination of supplementary benefits in respect of certain classes of employees under section 220.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10);

WHEREAS, under section 416 of the Act respecting the Pension Plan of Management Personnel, the order shall be considered as an order made under section 208 of the Act, and it shall apply, with the necessary modifications, until it is replaced by an order made under section 208;

WHEREAS it is expedient to replace Order in Council 461-92 dated 1 April 1992 by this Order in Council;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT Order in Council 461-92 dated 1 April 1992 be replaced by this Order in Council.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, s. 208, 1st par.)

1. In this Order in Council,

“Act” means the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1); (*loi*)

“basic Order in Council” means the special retirement provisions of Order in Council 960-2003 dated 17 September 2003 and, where applicable, Order in Council 245-92 dated 26 February 1992, as it read on 16 September 2003; (*décret de base*)

“Commission” means the Commission administrative des régimes de retraite et d’assurances established under section 136 of the Act respecting the Government and

Public Employees Retirement Plan (R.S.Q., c. R-10); (*Commission*)

“plan” means the Pension Plan of Management Personnel. (*régime*)

2. For the purposes of section 208 of the Act, this Order in Council applies to the employees referred to in the basic Order in Council to the extent provided for in sections 3 to 8.

3. The amount of the employee’s pension paid under the basic Order in Council is increased by a supplementary benefit that corresponds to the total of the following amounts:

(1) the amount obtained by multiplying the part of the employee’s average pensionable salary that exceeds the part withheld upon computation of the amount of the pension provided for in section 8 of the basic Order in Council by 1.6% per year of service credited before 1 January 1997 and by 1.7% per year of service credited after 31 December 1996, but before 1 January 2000, while Schedule I to Order in Council 461-92 dated 1 April 1992 applied to the employee, as it read on 16 September 2003;

(2) an amount equal to 0.9% of the employee’s average pensionable salary per year of service credited before 1 January 1997 and equal to 0.8% of that salary per year of service credited after 31 December 1996, but before 1 January 2000, while Schedule I to that Order in Council applied to the employee, up to 10 years. The 10-year period is reduced by the number of years or parts of a year of service accumulated by the employee while the employee held employment referred to in section 22 or 23 of the basic Order in Council;

(3) an amount equal to 1% of the employee’s average pensionable salary per year of service credited after 31 December 1999 while Schedule I to this Order in Council or, where applicable, Schedule I to Order in Council 461-92 dated 1 April 1992, as it read on 16 September 2003, applies to the employee;

(4) the amount obtained by multiplying the part of the employee’s average pensionable salary that exceeds the part withheld upon computation of the amount of the pension provided for in section 8 of the basic Order in Council by 1.7% per year of service credited after 31 December 1999 while the basic Order in Council applies to the employee, except for the years of service credited during which the employee holds employment in the education sector or in the health and social services sector;

(5) the amount that corresponds to the amount by which 0.30% of the employee's average pensionable salary exceeds the amount computed under subparagraph 2 of the first paragraph of section 8 of the basic Order in Council and that includes the limit provided for in the third paragraph of that section, per year of service credited after 31 December 1999, while the basic Order in Council applies to the employee, except years of service credited during which the employee holds employment in the education sector or in the health and social services sector, if the employee is under 65 years of age when the pension becomes payable. The amount is payable until the end of the month in which the pensioner reaches 65 years of age and is indexed in accordance with sections 115 and 116 of the Act. If the employee has less than 120 months of service, including the months of service recognized under the employee's former pension plan, the amount is reduced by multiplying it by the fraction that the number of months of that service is of the total of 120. For the purpose of computing the number of months of service, the service accumulated by an employee during the period in which the plan did not apply to the employee while one of the following provisions applied to the employee must also be taken into account:

(a) section 2 of the Act respecting the Government and Public Employees Retirement Plan as it read on 31 December 2000;

(b) paragraph 7 of section 4 of that Act as it read on that date;

(c) section 2 of the Act; or

(d) paragraph 7 of section 3 of the Act; and

(6) for the years of service credited before 1 January 1992 to an employee to whom any of paragraphs 1 to 11 of Schedule II to the basic Order in Council applies or applied, the amount that corresponds to the amount of the pension that would have been computed under section 27 of the basic Order in Council if the fiscal limits determined by the Income Tax Act (R.S.C., 1985, chapter 1, 5th Supplement) had not applied, less the amount of the employee's pension computed in accordance with that section.

Subparagraphs 4 and 5 of the first paragraph also apply to an employee who is a public servant having permanent tenure within the meaning of the Public Service Act (R.S.Q., c. F-3.1.1), in respect of a year of service credited during which the employee was on leave without pay.

For the purposes of the first paragraph, the limit provided for in the fourth paragraph of section 8 of the basic Order in Council applies.

4. From the date on which an employee to whom the basic Order in Council applies receives the amount of the pension or deferred pension under that Order in Council, the employee shall benefit from a supplementary benefit that the Government determines using the actuarial assumptions and method provided for in Schedule II, if the Government makes an order to that effect.

5. Where an employee ceases to be a member of the plan and elects to transfer the actuarial value of the pension in accordance with section 16 of the basic Order in Council, any amount of supplementary benefit granted under this Order in Council is payable to the employee from the date on which a deferred pension would otherwise have been payable to the employee under the basic Order in Council if the employee had not made that election. The amount of the supplementary benefit is reduced, where applicable, in accordance with the provisions of the second paragraph of section 15 of the basic Order in Council, with the necessary modifications.

6. For the purposes of section 3, the average pensionable salary is computed in the manner provided for in section 9 of the basic Order in Council without taking into account the limit provided for in section 30 of the Act.

7. Section 14 of the basic Order in Council applies in respect of the amount of the supplementary benefit payable under subparagraphs 1 to 4 and 6 of the first paragraph of section 3 or section 4, with the necessary modifications.

8. The provisions pertaining to the reduction and indexing of the amount of the pension or deferred pension payable under the basic Order in Council apply to any amount of supplementary benefit payable under this Order in Council, with the necessary modifications.

9. If the employee dies before becoming eligible for a pension and has at least two years of service credited under the plan, the employee's spouse or, if the employee has no spouse, the employee's successors, are entitled to receive the actuarial value of the supplementary benefit established on the date of death in accordance with the actuarial assumptions and methods provided for in subparagraph 2 of the first paragraph of section 68 of the Act.

10. Sections 3, 5 and 6 apply only to an employee who ceased to be a member of the Government and Public Employees Retirement Plan between 31 December 1999 and 1 January 2001, or of the Pension Plan of Management Personnel after 31 December 2000.

SCHEDULE I
CLASSES OF EMPLOYEES
 (s. 3)

- (1) administrators of state I;
- (2) persons appointed under section 57 of the Public Service Act who hold a position of deputy minister or whose deed of appointment stipulates that they have the rank and privileges of a deputy minister;
- (3) the executive assistant to the Premier;
- (4) the persons designated in paragraphs 4, 5 and 7 of Schedule II to the basic Order in Council who hold a position for which the salary level is at least DM06 in the salary structure, approved by the Government, for officers and members of bodies or agencies;
- (5) the Auditor General;
- (6) the Secretary General of the National Assembly, if the basic Order in Council applies to the Secretary General;
- (7) the Public Protector, except if section 8 of the Public Protector Act (R.S.Q., c. P-32) applies to the Public Protector;
- (8) any person who belonged to one of the classes of employees designated in paragraphs 1 to 7 and whose remuneration and conditions of employment are maintained by the Government;
- (9) all other persons employed by a government department, a public or parapublic body or agency or by a body or an agency designated by the Government, if the Government makes an order to that effect.

SCHEDULE II
ACTUARIAL ASSUMPTIONS AND METHOD
 (s. 4)

- (1) Actuarial method:
 the actuarial method is the “benefit allocation” method;

(2) Actuarial assumptions:

(a) mortality rate: GAM-83 men and GAM-83 women (The 1983 Group Annuity Mortality Table, Transaction of the Society of Actuaries, Vol. XXXV, pp. 880 and 881), weighted equally;

(b) rate of interest: 9% for the first 15 years following the date of assessment and 6.5% thereafter;

(c) rate of increase in the Pension Index within the meaning of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9): 5.5% for the first 15 years following the date of assessment and 3% thereafter;

(d) proportion of members who have a spouse at the time of retirement: 60%;

(e) age of spouse: identical to that of the member.

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Gouvernement du Québec

O.C. 964-2003, 17 September 2003

An Act respecting the Pension Plan of Elected Municipal Officers
 (R.S.Q., c. R-9.3)

**Comité de retraite du régime de retraite
 des élus municipaux**
 — Exercise of powers and internal management

By-law respecting the exercise of powers and internal management of the Comité de retraite du régime de retraite des élus municipaux

WHEREAS the first paragraph of section 70.8 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3) provides that the Comité de retraite du régime de retraite des élus municipaux may make by-laws respecting the exercise of its powers and its internal management;

WHEREAS the second paragraph of that section provides that by-laws made under that section only come into force after being approved by the Government;

WHEREAS, at a sitting held on 6 March 2003, the pension committee, by Resolution CR-RREM 03-03, made the By-law respecting the exercise of powers and internal management of the Comité de retraite du régime de retraite des élus municipaux;

Whereas it is expedient to approve the By-law ;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs, Sports and Recreation :

THAT the By-law respecting the exercise of powers and internal management of the Comité de retraite du régime de retraite des élus municipaux, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

By-law respecting the exercise of powers and internal management of the Comité de retraite du régime de retraite des élus municipaux

An Act respecting the Pension Plan of Elected Municipal Officers
(R.S.Q., c. R-9.3, s. 70.8)

DIVISION I SITTINGS OF THE PENSION COMMITTEE

1. The Comité de retraite du régime de retraite des élus municipaux, established under the first paragraph of section 70.1 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), shall hold its sittings on the premises of the Commission administrative des régimes de retraite et d'assurances or at any other place in Québec fixed in the notice of sitting.

2. The committee shall hold at least two regular sittings per year.

3. The committee shall sit in private. The committee may, however, on the conditions it considers appropriate, invite or authorize any person to attend a sitting.

4. Sittings of the committee shall be called by the chair.

The notice of sitting must be in writing and be sent by the secretary to all the members at their last known address at least seven clear days before the date of the sitting, together with the agenda and relevant documents.

5. In the interest of expediency, a special sitting may be held. It may be called by a notice given by fax, telephone or other means at least 24 hours before the sitting is held.

6. The chair shall call a sitting of the committee at the written request of any two members. If the sitting is not called within three days after receipt of the request, the requesting members may call it by sending a notice of sitting to all the members at least 24 hours before the sitting is held.

7. A sitting of the committee may be cancelled before being held, on oral or other notice to all members by the chair or the secretary. If a sitting is cancelled, a new notice of sitting must be sent.

A sitting of the committee may be adjourned and continued at a later time on the same day or another day, in which case a new notice of sitting is not required.

8. The formalities and notification requirements for the calling of a sitting may be set aside with the consent of all the members.

A member may waive the formalities and notification requirements pertaining to the notice of sitting provided that he or she does so in writing. The waiver may take place before or after the sitting for which the notice should have been given and is equivalent to notice having been received by the member signing the waiver.

The presence of a member at all or any part of a sitting constitutes a waiver by the member of a notice of sitting that should have been given or that was not given in a timely manner in relation to the sitting.

9. If no quorum is present 30 minutes after the time fixed for the sitting, the chair shall cancel the sitting. The chair may, however, extend that time.

10. After ascertaining the presence of the quorum required by section 70.5 of the Act, the chair shall open the sitting.

11. A sitting may deal with an item that is not on the agenda with the consent of a majority of the members present.

12. If, during a sitting, the chair observes that a quorum is no longer present, the time at which the lack of a quorum is observed and the number of members present at that time shall be entered in the minutes before the chair adjourns the sitting.

13. Decisions of the committee are made by a resolution carried by a majority vote of the members present, excluding the chair ; in the event of a tie vote, the chair is entitled to vote.

14. Votes are taken by a show of hands or by voice.

A declaration by the chair that a resolution has been carried unanimously or by a majority, or has not been carried, is sufficient evidence of the fact.

15. A secret ballot shall be taken if required by the chair or requested by at least two members. It shall be taken in the manner as the chair directs, without any debate on the advisability of a vote by secret ballot.

A request for a secret ballot may be withdrawn by the requesting person or persons at any time before it is taken.

16. A proposed resolution may, exceptionally, be sent to the members by mail, fax, or other means.

Within the time specified by the secretary, each member must indicate his or her acceptance or rejection or, as the case may be, abstention, on the proposed resolution and sign it.

The time specified by the secretary may not be less than two juridical days unless all the members consent in writing to a shorter time.

If the secretary does not receive a member's vote within the specified time, the member is presumed to have abstained from voting.

The resolution is carried by a favourable vote of at least four members. It has the same value and effect as if carried at a duly called and regularly constituted sitting.

The resolution shall be entered in the minutes of the sitting that follows the date on which the resolution is signed, and the minutes shall indicate whether the resolution was carried unanimously or by a majority, or was not carried. In such a case, the chair's vote counts only in the event of a tie vote.

For the purposes of this section, Saturday is a non-juridical day.

17. Decisions of the committee to amend, replace or revoke this By-law require the vote of at least five members present.

18. A member in a situation where personal interest conflicts with his or her duties as a committee member must disclose the interest and withdraw from the sitting while the matter giving rise to the situation of conflict of interest is being discussed or voted on.

DIVISION II
SUBCOMMITTEES OF THE PENSION COMMITTEE

19. The pension committee may, for special purposes, form subcommittees composed in equal numbers of at least one representative of the government and at least one representative of elected municipal officers or of beneficiaries.

The members of the subcommittees shall be appointed by a resolution of the pension committee.

20. The quorum of a subcommittee is two members, each member representing one of the parties.

21. Decisions of the subcommittees require a majority vote of the members present. Decisions must be unanimous, however, if only two members are present.

22. The subcommittees shall report on their activities by presenting the record of their sittings to the pension committee.

The subcommittees shall make the recommendations they consider appropriate to the pension committee.

23. This By-law comes into force on the date of its approval by the Government.

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Gouvernement du Québec

O.C. 972-2003, 17 September 2003

Code of Civil Procedure
(R.S.Q., c. C-25; 2002, c. 7)

Mediation of small claims

Regulation respecting the mediation of small claims

WHEREAS, under article 973 of the Code of Civil Procedure (R.S.Q., c. C-25), replaced by section 148 of chapter 7 of the Statutes of 2002, the clerk of the Court of Québec will refer the parties to the mediation service if the parties so wish;

WHEREAS, under paragraphs *b*, *c* and *d* of article 997 of the Code of Civil Procedure, also replaced by section 148, the Government may make regulations establishing the conditions that a mediator must satisfy to be certified, the rules and obligations applicable to the function of certified mediator, as well as the sanctions for non-compliance

with those rules and obligations, the tariff of fees payable to certified mediators by the mediation service and the maximum number of sessions for which a mediator may be paid in relation to the same action;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the mediation of small claims was published in the *Gazette officielle du Québec* of 20 November 2002 with a notice that the Regulation could be made upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation respecting the mediation of small claims, with amendments;

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

THAT the Regulation respecting the mediation of small claims, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the mediation of small claims

Code of Civil Procedure
(R.S.Q., c. C-25, a. 997, pars. *b*, *c* and *d*;
2002, c. 7, s. 148)

DIVISION I CONDITIONS FOR CERTIFICATION

1. Advocates or notaries who wish to act as mediators in actions involving small claims must obtain an attestation of mediator certification from their professional order.

To be certified as a mediator, an advocate or notary must have completed a minimum of 16 hours of mediation training provided under the responsibility of the professional order and that pertains to

- (1) modes of alternative dispute resolution;
- (2) principled negotiation;
- (3) the mediation process;
- (4) helping parties to reach an agreement; and
- (5) the preparation of draft agreements.

2. Advocates and notaries certified as mediators by their professional order on 16 October 2003 are deemed to have received the training required under section 1.

3. Certified mediators shall ask their professional order to forward the following information to the Minister of Justice without delay:

- (1) the mediator's name;
- (2) the address of the mediator's professional domicile and, where applicable, identification of the borough in which the mediator's professional domicile is located;
- (3) the name of the judicial district in which the mediator practises;
- (4) the mediator's telephone numbers and, where applicable, fax number;
- (5) the mediator's e-mail address, where applicable;
- (6) the mediator's membership number; and
- (7) the date of the mediator's certification.

DIVISION II DUTIES AND OBLIGATIONS

4. A mediation mandate is given to a mediator in an individual capacity and the mediator may under no circumstances transfer the mandate to another mediator.

In the case of an impediment, the mediator must inform the clerk who shall designate another mediator.

5. A mediator must hold a mediation session within 30 days after the date on which the mandate was received from the clerk.

The mediator must communicate with the parties so they may agree on a date and time for the mediation session.

The mediation session shall be held at the place determined by the mediator.

6. A mediator must at all times act impartially in the performance of the functions of mediator. The mediator must inform the clerk or, where applicable, the parties, of any cause for recusation.

7. In the absence of either or both of the parties, the mediator must wait a minimum of 30 minutes after the scheduled time for the mediation session to begin before cancelling the session.

Where a mediation session is cancelled because of the absence of either or both of the parties, the mediator must file a report with the office of the court stating that the session could not be held for that reason, and the parties are foreclosed from requesting a new mediation session.

8. During the mediation session, the mediator shall examine the claim and supporting documents. The mediator shall inquire about each party's allegations and arguments, provide them with any relevant information, generate alternative solutions to their situation and propose solutions where required. The mediator must create an atmosphere conducive to the amicable settlement of the conflict.

9. If the mediation ends the dispute, the mediator shall forward to the clerk a document signed by the parties confirming that the mediation session was held and inform the parties of their obligation to file with the office of the court either a copy of the agreement or the notice referred to in the third paragraph of article 973 of the Code of Civil Procedure (R.S.Q., c. C-25), replaced by section 148 of chapter 7 of the Statutes of 2002.

If the mediation does not end the dispute, the mediator must file the report referred to in the second paragraph of article 973 of the Code with the office of the Court of Québec.

10. If the mediator does not comply with the provisions of this Regulation, the clerk may terminate the mediator's mandate. Before doing so, the clerk shall notify the mediator in writing as prescribed by section 5 of the Act respecting administrative justice (R.S.Q., c. J-3) and allow the mediator at least 10 days to present observations.

If the mandate is terminated, the clerk must inform the parties and the mediator and designate another mediator.

11. On being notified by the professional order which certified a mediator that the mediator has, pursuant to the Professional Code (R.S.Q., c. C-26), been temporarily or permanently struck off the roll, had his or her permit revoked or the right to carry on professional activities restricted or suspended, the clerk must take notice of that fact and, if the mediator has been given a mandate, inform the parties and designate another mediator.

12. Mediators who cease performing mediation functions or practising their profession must ask their professional order to inform the Minister of Justice, without delay, of the cessation.

DIVISION III TARIFF OF FEES

13. The fees payable to a mediator for the carrying out of a mediation mandate are \$115 per session if the mediation ends the dispute and \$95 per session if the mediation does not end the dispute. The mediator may not receive fees for more than one session in relation to the same case and may not claim any other remuneration from the parties.

14. If a report has been filed with the office of the court pursuant to section 7, the mediator shall receive \$50 in fees and may not claim any other remuneration from the parties.

15. Travel, research, communications and any other expenses, costs or charges shall be borne by the mediator. The mediator may not claim, directly or indirectly, payment or reimbursement of such expenses, costs or charges from the parties.

16. The fees provided for in this Regulation shall be indexed on 1 April each year on the basis of the rate of increase in the general Consumer Price Index for Canada for the 12-month period ending on 31 December of the preceding year, as determined by Statistics Canada.

The fees, thus indexed, shall be reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50 or increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister of Justice shall inform the public, through Part 1 of the *Gazette officielle du Québec* and by such other means as the Minister considers appropriate, of the indexing calculated under this section.

17. 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. 973-2003, 17 September 2003

Code of Penal Procedure
(R.S.Q., c. C-25.1)

Form of statements of offence
— **Amendments**

Regulation to amend the Regulation respecting the form of statements of offence

WHEREAS, under paragraph 1 of the first paragraph of article 367 of the Code of Penal Procedure (R.S.Q., c. C-25.1), the Government may, by regulation, prescribe the form of statements of offence;

WHEREAS the Government made the Regulation respecting the form of statements of offence by Order in Council 1211-97 dated 17 September 1997;

WHEREAS, under the first paragraph of article 8.1 of the Code of Penal Procedure (R.S.Q., c. C-25.1), inserted by section 1 of chapter 78 of the Statutes of 2002, a contribution of \$10 shall be added to the total amount of the fine and costs imposed on the issue of a statement of offence for an offence under the laws of Québec, except in the case of a statement of offence issued for the contravention of a municipal by-law;

WHEREAS it is expedient to amend the statement of offence form to add the particulars relating to the contribution;

WHEREAS, in accordance with sections 10 and 11 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 11 June 2003 with a notice that it could be made by the Government on the expiry of a 45-day period following that publication;

WHEREAS it is expedient to make the draft Regulation with amendment;

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

THAT the Regulation to amend the Regulation respecting the form of statements of offence, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the form of statements of offence*

Code of Penal Procedure
(R.S.Q., c. C-25.1, a. 367, par. 1)

1. The Regulation respecting the form of statements of offence is amended by striking out “relative to the penal proceeding” in the first paragraph of section 4.

2. Section 5 is amended by substituting “optional or compulsory particulars prescribed by an act or this Regulation” for “particulars relative to the penal proceeding” in the first paragraph.

3. Section 24 is amended

(1) by substituting the following for paragraph 8:

“(8) the date and time of service of the statement of offence by a bailiff or a peace officer or, for service by mail, the reference to the document stating that date;”;

(2) by substituting “the sentence, the costs and, where applicable, the amount of the contribution provided for in article 8.1 of the Code of Penal Procedure” for “the sentence and the costs requested” in paragraph 10.

4. Section 28 is amended

(1) by substituting “the total amount of the fine, the costs and, where applicable, the contribution, or the” for “either the total amount of the fine and the costs requested or” in subparagraph 3 of the first paragraph;

(2) by substituting “the total amount of the fine, the costs and, where applicable, the contribution, or the” for “either the total amount of the fine and the costs requested or” in subparagraph 4 of the first paragraph;

(3) by substituting “total amount of the fine, the costs and, where applicable, the contribution” for “total amount of the fine and the costs requested” in subparagraph 5 of the first paragraph.

* The Regulation respecting the form of statements of offence, made by Order in Council 1211-97 dated 17 September 1997 (1997, G.O. 2, 5074), was amended by the regulation made by Order in Council 140-2000 dated 16 February 2000 (2000, G.O. 2, 985).

5. Section 29 is amended by substituting the following for paragraph 5:

“(5) in the section concerning the sentence:

(a) the amount of the minimum sentence, the minimum costs prescribed by law for the offence and, where applicable, the contribution; and

(b) the total amount of the fine, the costs and, where applicable, the contribution requested by the prosecutor;”;

6. Section 31 is amended

(1) by substituting the following for paragraph 4:

“(4) the sentence indicating the minimum sentence and costs prescribed by law and, where applicable, the contribution, and the total amount of the fine, the costs and, where applicable, the contribution;”;

(2) by substituting “, the costs and, where applicable, the contribution” for “and the costs requested” in paragraph 5;

(3) by substituting “, the costs and, where applicable, the contribution” for “and the costs requested” in paragraph 6.

7. Section 33 is amended by deleting paragraphs 5 and 6.

8. Section 34 is amended by substituting the following for subparagraphs *a* and *b* of paragraph 7:

“(a) the minimum fine and costs prescribed by law and, where applicable, the amount of the contribution;

(b) the total amount of the fine, the costs and, where applicable, the contribution requested by the prosecutor; and”.

9. Section 36 is amended

(1) by substituting the following for subparagraph *a* of paragraph 3:

“(a) the minimum fine and costs prescribed by law and, where applicable, the amount of the contribution, and the total amount of the fine, the costs and, where applicable, the contribution;”;

(2) by substituting “, the costs and, where applicable, the contribution” for “and the costs requested” in subparagraph *c* of paragraph 3.

10. Section 38 is amended by substituting the following for subparagraphs *a* and *b* of paragraph 5:

“(a) the minimum fine and costs prescribed by law and, where applicable, the amount of the contribution;

(b) the total amount of the fine, the costs and, where applicable, the contribution requested by the prosecutor; and”.

11. Section 40 is amended by substituting “, the costs and, where applicable, the contribution” for “and the costs requested” in subparagraph *d* of paragraph 2.

12. Schedule I is amended

(1) by substituting, on the front of the statement of offence,

(a)

“Date of service of statement

When served by mail, the date indicated on the notice of receipt or delivery or the date indicated on the envelope.

”

for

“Date and time of service of statement

When served by mail, the date and time indicated on the notice of receipt or delivery or the date and time indicated on the envelope.

”;

(b)

“REQUEST FOR SENTENCE

Sentence: + Costs: + Contribution: = Total amount: ”

for

“REQUEST FOR SENTENCE

Sentence Requested: + Costs: = Whole amount requested: ”;

(2) by substituting, on the back of the statement of offence,

“• pay the total amount of the fine, the costs and the contribution.

The contribution is used to provide assistance to victims of crime under article 8.1 of the Code of Penal Procedure.”

for

“• pay the whole amount of the fine and costs requested.”.

13. Schedule II is amended

(1) by substituting, on the front of the statement of offence,

“Minimum sentence \$	+	Costs \$	+	Contribution \$	= \$	◀ Amount requested”
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for

“Minimum sentence \$	+	Costs \$		= \$	◀ Amount requested”;
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(2) by substituting, on the back of the statement of offence,

(a)

“ - pay (in Canadian funds) the total amount of the fine, the costs and the contribution.

The contribution is used to provide assistance to victims of crime under article 8.1 of the Code of Penal Procedure.”

for

“ - pay (in Canadian funds) the whole amount of the fine and costs requested.”;

(b)

“Unless the total amount of the fine, the costs and the contribution is transmitted together with this plea, additional costs may be imposed.”

for

“Unless the whole amount of the fine and costs requested is transmitted together with this plea, additional costs may be imposed.”;

(c)

“FAILURE TO TRANSMIT A PLEA AND THE AMOUNT OF THE FINE AND COSTS”

for

“FAILURE TO TRANSMIT A PLEA AND THE WHOLE AMOUNT REQUESTED”;

(3) by substituting, on the return form of the statement of offence,

“Minimum sentence \$	+	Costs \$	+	Contribution \$	= \$	◀ Amount requested”
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for

“Minimum sentence \$	+	Costs \$		= \$	◀ Amount requested”.
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14. Schedule III is amended

(1) by substituting, on the front of the statement of offence,

“SENTENCE	Minimum sentence \$	+	Costs \$	+	Contribution \$	= \$	◀ Amount requested”
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for

“PENALTY	Minimum fine \$	+	Costs \$		= \$	◀ Amount payable”;
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(2) by substituting, on the back of the statement of offence,

(a) in the section on the description of the transmission of plea, the letter “H” for the letter “G”;

(b)

“ - pay (in Canadian funds) the total amount of the fine, the costs and the contribution.

The contribution is used to provide assistance to victims of crime under article 8.1 of the Code of Penal Procedure.”

for

“ - pay (in Canadian funds) the whole amount of the fine and costs requested.”;

(c)

“Unless the total amount of the fine, the costs and the contribution is transmitted together with this plea, additional costs may be imposed.”

for

“Unless the whole amount of the fine and costs requested is submitted together with this plea, additional costs may be imposed.”;

(d)

“FAILURE TO TRANSMIT A PLEA AND THE AMOUNT OF THE FINE AND COSTS”

for

“FAILURE TO TRANSMIT A PLEA AND THE WHOLE AMOUNT REQUESTED”;

(3) by substituting, on the return form of the statement of offence,

“Minimum sentence Costs Contribution
\$ + \$ + \$ = \$ ◀ Amount requested ”

for

“Minimum sentence Costs
\$ + \$ = \$ ◀ Amount requested ”.

15. Schedule IV is amended

(1) by substituting, on the front of the statement of offence,

“Sentence Minimum sentence Costs Contribution
\$ + \$ + \$ = \$ ◀ Amount requested
 Towing costs of _____ have been added if this box is checked.”

for

“Sentence requested Minimum sentence
\$ + \$ = \$ ◀ Amount requested
 Towing costs of _____ have been added if this box is checked off.”;

(2) by substituting “, the costs and the contribution indicated on the front. The contribution is used to provide assistance to victims of crime under article 8.1 of the Code of Penal Procedure.”, in the third paragraph on the back of the statement of offence, for “and costs requested as indicated on the front or you may be liable for an additional amount of costs. If you pay the whole amount of the fine and costs, you will be deemed to have transmitted a plea of guilty.”;

(3) by substituting, on the return form,

(a)

“ **Important**
If you plead guilty to the alleged offence, you must pay the amount indicated in the section “Amount requested”, otherwise you will be liable for additional costs. ”

for

“ **Important**
If you plead guilty to the offence alleged, you must pay the amount indicated in the section “Amount requested”, in which case you will be deemed to have transmitted a plea of guilty. ”;

(b)

“Sentence Minimum sentence Costs Contribution
\$ + \$ + \$ = \$ ◀ Amount requested
 Towing costs of _____ have been added if this box is checked.”

for

“Sentence requested Minimum sentence Costs
\$ + \$ = \$ ◀ Amount requested
 Towing costs of _____ have been added if this box is checked off.”

16. Schedule V is amended

(1) by substituting, on the front of the statement of offence,

“SENTENCE	Minimum sentence	Costs	Contribution					
	\$	+	\$	+	\$	=	\$	◀ Amount requested”

for

“PENALTY	Minimum fine	Costs						
	\$	+	\$			=	\$	◀ Amount payable”

(2) by substituting, on the back of the statement of offence,

(a)

“ - pay (in Canadian funds) the total amount of the fine, the costs and, where applicable, the contribution.

The contribution is used to provide assistance to victims of crime under article 8.1 of the Code of Penal Procedure.”

for

“ - pay (in Canadian funds) the whole amount of the fine and costs requested.”;

(b)

“Unless the total amount of the fine, the costs and the contribution is transmitted together with this plea, additional costs may be imposed.”

for

“Unless the whole amount of the fine and costs requested is submitted together with this plea, additional costs may be imposed.”;

(c)

“FAILURE TO TRANSMIT A PLEA AND THE AMOUNT OF THE FINE AND COSTS”

for

“FAILURE TO TRANSMIT A PLEA AND THE WHOLE AMOUNT REQUESTED”.

17. Statement of offence forms printed in accordance with the provisions of the Regulation respecting the form of statements of offence, made by Order in Council 1211-97 dated 17 September 1997, may continue to be used taking into account, where applicable, the provisions of articles 146 and 148 of the Code of Penal Procedure, as amended by sections 2 and 3 of the Act to amend the Code of Penal Procedure (2002, c. 78).

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

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Gouvernement du Québec

O.C. 976-2003, 17 September 2003

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)

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

Agreement on Social Security between the Government of Québec and the Government of the Kingdom of the Netherlands

— Ratification
— Implementation

Ratification of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands and enactment of the Regulation respecting the implementation of that Agreement

WHEREAS Décret 1374-99 dated 8 December 1999 authorized the Minister of International Relations to sign alone the Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands;

WHEREAS the Agreement was signed at Québec on 4 December 2001;

WHEREAS the purpose of the Agreement is to coordinate the pension plan of Québec and the pension plan of the Netherlands in order to mitigate the disadvantages caused by the migration of persons;

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), 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 the 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 the 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, by regulation, determine the manner in which the Act shall apply to any case affected by an agreement entered into with another country;

WHEREAS the Agreement constitutes an international commitment within the meaning of section 19 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1), amended by section 4 of chapter 8 of the Statutes of 2002;

WHEREAS the Agreement also constitutes an important international commitment within the meaning of subparagraph 1 of the second paragraph of section 22.2 of the Act respecting the Ministère des Relations internationales, enacted by section 6 of chapter 8 of the Statutes of 2002;

WHEREAS, under the third paragraph of section 20 of the Act respecting the Ministère des Relations internationales, introduced by paragraph 2 of section 5 of chapter 8 of the Statutes of 2002, the international agreements referred to in section 22.2 of that Act must, to be valid, be signed by the Minister of International Relations, approved by the National Assembly and ratified by the Government;

WHEREAS, under section 22.4 of the Act respecting the Ministère des Relations internationales, enacted by section 6 of chapter 8 of the Statutes of 2002, the ratification of an international agreement or the making of an order referred to in the third paragraph of section 22.1 of that Act shall not take place, where it concerns an important international commitment, until the commitment is approved by the National Assembly;

WHEREAS the National Assembly approved the Agreement on 18 December 2002;

WHEREAS, under Order in Council 1118-93 dated 11 August 1993, the 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, on the recommendation of the Minister of International Relations and Minister responsible for La Francophonie, the Minister of Employment, Social Solidarity and Family Welfare and the Minister of Revenue:

THAT the Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands, signed at Québec on 4 December 2001 and approved by the National Assembly on 18 December 2002, the text of which appears as a Schedule to the Regulation respecting the implementation mentioned hereafter, be ratified;

THAT the Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands

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)

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

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

1. The Act respecting the Québec Pension Plan (R.S.Q., c. R-9) and the regulations made thereunder shall apply to any person referred to in the Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands, signed at Quebec on 4 December 2001, and appearing as Schedule I.

2. That Act and those regulations shall apply in the manner stipulated in the Agreement, and in the Administrative Arrangement for the implementation of the Agreement which appears as Schedule II.

3. This Regulation comes into force on 1 January 2004.

SCHEDULE I

AGREEMENT ON SOCIAL SECURITY BETWEEN THE GOUVERNEMENT DU QUÉBEC AND THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS

RESOLVED to guarantee to their respective nationals the advantages of the coordination of their social security statutes,

HAVE AGREED AS FOLLOWS :

TITLE I GENERAL

ARTICLE 1 DEFINITIONS

1. In this Agreement, unless a different meaning is indicated by the context, the following expressions shall mean :

(a) “competent authority” : as regards Québec, the Minister responsible for the administration of the statutes referred to in Article 2 and as regards the Netherlands, the Minister responsible for the administration of the statutes referred to in Article 2 ;

(b) “competent institution” : as regards Québec, the department or body responsible for the application of the statutes referred to in Article 2 ; and, as regards the Netherlands, the institution responsible for the administration of the statutes referred to in Article 2 ;

(c) “period of insurance” : as regards Québec, any year for which contributions have been paid or for which a disability pension has been paid under the Act respecting the Québec Pension Plan or any other year considered as equivalent ; and, as regards the Netherlands, any period of contribution, insurance, employment or residence under the statutes referred to in Article 2 ;

(d) “benefit” : a pension, an annuity, a lump-sum grant or any other benefit in cash provided under the statutes of each Party, including any extension, supplement or increase thereto under the statutes referred to in Article 2 ;

(e) “national” : as regards Québec, a person of Canadian citizenship who is or who has been subject to the statutes referred to in Article 2 (1) a ; and, as regards the Netherlands, a person of Netherlands nationality ;

(f) “territory” : as regards the Netherlands, the territory of the Kingdom in Europe ;

(g) “statutes” : the statutes referred to in Article 2 ;

and any term not defined in the Agreement has the meaning given to it in the applicable statutes.

ARTICLE 2 MATERIAL SCOPE

1. The Agreement shall apply

(a) as regards Québec, to the Act respecting the Québec Pension Plan with respect to retirement, disability and survivors' benefits and the regulations made under that Act ;

as regards the Netherlands, to the statutes concerning

- i. general old age insurance ;
- ii. general survivors' insurance ;
- iii. disability insurance for self-employed workers ; and
- iv. disability insurance for employees ;

and, for the purposes of Article 8, Article 9 (1) and (2), and Article 10 (1) and (2),

- v. the statutes concerning health insurance, including an employer's obligation to pay a per diem allowance in case of sickness under the Civil Code of the Netherlands ;
- vi. unemployment insurance ; and
- vii. family allowances.

2. Subject to the provisions of paragraphs 3 and 4, the Agreement shall equally apply to any statutory or regulatory act which modifies, adds to or replaces the statutes referred to in paragraph 1.

3. The Agreement shall also apply to a statutory or regulatory act of one Party which extends the existing systems to new classes of beneficiaries ; notwithstanding the preceding, that Party may, within three months of the date of the official publication of that act, notify the other Party that the Agreement shall not apply.

4. The Agreement shall not apply to a statutory or regulatory act which covers a new branch of social security not referred to in paragraph 1, unless the Agreement is modified to that effect.

5. As regards the Netherlands, the Agreement shall not apply to social and medical assistance plans, to special plans for public servants or persons considered as such, or to benefit plans for victims of war or its consequences.

ARTICLE 3 PERSONAL SCOPE

Unless otherwise provided, the Agreement shall apply to the nationals of the Parties, to the persons who are or who have been subject to the statutes of either Party, and to the successors of such persons.

ARTICLE 4 EQUAL TREATMENT

1. With respect to the statutes of Québec, all persons referred to in Article 3 shall be subject to the obligations of those statutes and shall be eligible for their benefits without regard to their nationality.

2. With respect to the statutes of the Netherlands, unless otherwise provided in the Agreement,

(a) nationals of Québec ;

(b) refugees, as defined by the Convention of 28 July 1951 Relating to the Status of Refugees and by the Protocol of 31 January 1967 to that Convention ;

(c) stateless persons, as defined by the Convention of 28 September 1954 Relating to the Status of Stateless Persons ;

(d) other persons insofar as they derive rights from one of the persons listed in subparagraph *a*, *b* or *c* ;

shall be subject to the obligations of those statutes and shall be eligible for their benefits under the same conditions as nationals of the Netherlands.

ARTICLE 5 EXPORT OF BENEFITS

1. Unless otherwise provided in the Agreement, any old age, disability or survivors' benefits referred to in Article 2 (1) *a* and Article 2 (1) *b i, ii, iii* and *iv*, acquired under the statutes of one Party, as well as any such benefits acquired under the Agreement, shall not be subject to any reduction, modification, suspension, suppression or confiscation by reason only of the fact that the beneficiary resides in or is staying in the territory of the other Party, and such benefits shall be payable in the territory of the other Party.

2. Any benefit payable under the Agreement by one Party in the territory of the other Party shall also be payable outside the territory of both Parties, under the same conditions that the first Party applies to its nationals under its own statutes.

TITLE II APPLICABLE STATUTES

ARTICLE 6 GENERAL RULE

Unless otherwise provided in the Agreement and subject to Articles 7, 8, 9, 10 and 11, persons working in the territory of one Party shall be subject only to the statutes of that Party.

ARTICLE 7 SELF-EMPLOYED PERSONS

Persons residing in the territory of one Party and working as self-employed persons in the territory of the other Party shall, with respect to such work, be subject only to the statutes of the Party in the territory of their place of residence.

ARTICLE 8
DETACHED PERSONS

A person subject to the statutes of one Party and performing work for his or her employer in the territory of the other Party, for a period not exceeding 60 months, shall, with respect to such work, remain subject to the statutes of the former Party for the duration of the detachment.

ARTICLE 9
TRAVELLING PERSONNEL EMPLOYED IN INTERNATIONAL TRANSPORT

1. Persons working in the territory of both Parties as travelling personnel for an international carrier which, on behalf of others or on its own account, transports passengers or goods, by air or by sea, and which has its head office in the territory of one Party, shall, with respect to such work, be subject only to the statutes of the Party in whose territory the head office is located.

2. Notwithstanding the preceding paragraph, if those persons are employed by a branch or permanent agency which the undertaking has in the territory of a Party other than the Party in whose territory it has its head office, they shall, with respect to such work, be subject only to the statutes of the Party in whose territory the branch or permanent agency is located.

3. Notwithstanding the two preceding paragraphs, if the persons are employed wholly or mainly in the territory of a Party, and if they reside in the territory of that Party, they shall, with respect to such work, be subject only to the statutes of that Party.

ARTICLE 10
PERSONS IN THE PUBLIC SERVICE

1. Persons in the Public Service for one of the Parties and assigned to a post in the territory of the other Party shall be subject only to the statutes of the first Party for all matters relative to that post.

2. Persons residing in the territory of one Party and who are in the Public Service for the other Party in that territory shall, with respect to that service, be subject only to the statutes which apply to that territory.

ARTICLE 11
DEROGATION FROM THE PROVISIONS ON COVERAGE

The competent authorities of both Parties or of the institutions designated by those authorities may, by common agreement, derogate from the provisions of

Articles 6, 7, 8, 9 and 10 with respect to any persons or category of persons.

ARTICLE 12
COVERAGE UNDER THE STATUTES OF THE NETHERLANDS

For the purposes of the statutes of the Netherlands, persons subject to the statutes of the Netherlands in accordance with the provisions of this Title are considered residents of the Netherlands.

TITLE III
BENEFITS**ARTICLE 13**
PRINCIPLE OF TOTALIZATION

1. When persons have completed periods of insurance under the statutes of both Parties and are not eligible for benefits by virtue of the periods of insurance completed solely under the statutes of one Party, the competent institution of that Party shall totalize, to the extent necessary for the entitlement to benefits under the statutes applied by it, the periods of insurance completed under the statutes of each of the Parties, provided that those periods do not overlap.

2. If a person is not entitled to benefits on the basis of the totalization provided for in paragraph 1, the periods of insurance completed under the statutes of a third party that is related to each of the Parties by a legal instrument respecting social security and making provisions for the totalization of periods of insurance shall be taken into account to determine if the person is entitled to benefits, in accordance with the provisions of this Title.

ARTICLE 14
BENEFITS UNDER QUÉBEC STATUTES

1. If persons who have been subject to the statutes of either Party meet the requirements for entitlement to benefits, for themselves, for their dependants, survivors or successors, under Québec statutes, without having recourse to the totalization referred to in Article 13, the competent institution of Québec shall determine the amount of benefits in accordance with the provisions of the statutes it applies.

2. If the persons referred to in paragraph 1 do not meet the requirements for entitlement to benefits without totalization, the competent institution of Québec shall

(a) recognize one year of contribution when the competent institution of the Netherlands certifies that a

period of insurance of at least three months has been credited in a calendar year under the statutes of the Netherlands, provided that the year is included in the contributory period as defined in Québec statutes ;

(b) totalize years recognized under subparagraph *a* with periods of insurance completed under Québec statutes, in accordance with Article 13.

3. When the totalization provided for in paragraph 2 entitles persons to benefits, the competent institution of Québec shall determine the amount payable as follows :

(a) that part of the benefit which is related to earnings is calculated according to the provisions of the statutes of Québec ;

(b) the amount of the flat-rate portion of the benefit payable is adjusted in proportion to the period for which contributions were paid under the provisions of the statutes of Québec in relation to the contributory period as defined in those statutes.

ARTICLE 15 BENEFITS UNDER THE STATUTES OF THE NETHERLANDS

If persons who have been subject to the statutes of both Parties meet the requirements for entitlement to benefits, for themselves or for their dependants, survivors or successors, under the statutes of the Netherlands without having recourse to the totalization referred to in Article 13, the competent institution of the Netherlands shall determine the amount of the benefits in accordance with the provisions of the statutes it applies.

ARTICLE 16 BENEFITS UNDER THE INCAPACITY INSURANCE ACTS

1. Subject to the provisions of paragraph 2, the national of one Party or the person referred to in Article 4 (2) *b* or *c* who, at the time when incapacity for work followed by disability occurred, had previously completed a total period of insurance at least equal to 12 months under the statutes of the Netherlands as they regard disability insurance shall be entitled to the benefits determined in accordance with the latter statutes and calculated according to the provisions of Article 17.

2. Paragraph 1 applies provided that the entitlement to a disability benefit is established under the statutes referred to in Article 2 (1) *a*, considering, if necessary, the application of Article 13, or that the entitlement is established in the absence of an entitlement to a full replacement indemnity under the Québec occupational health and safety plan.

ARTICLE 17 CALCULATION FOR THE PURPOSES OF ARTICLE 16

1. If entitlement to a benefit is established through the application of Article 16, the amount of the benefit payable shall be calculated in proportion to the ratio obtained by dividing the total length of the periods of insurance completed by the person concerned after reaching the age of 15 under the statutes of the Netherlands by the period between the date on which the person reached the age of 15 and the date of incapacity for work followed by disability.

2. If, at the time when incapacity for work followed by disability occurred, the person concerned was an employee, the benefit payable shall be determined according to the provisions of the Incapacity Insurance Act of 18 February 1966 (WAO). In any other case, the benefit payable is determined according to the Self-Employed Persons Disablement Benefits Act of 24 April 1997 (WAZ).

3. The periods of insurance recognized under the statutes of the Netherlands are

(a) periods of insurance during employment, completed under the Incapacity Insurance Act of 18 February 1966 (WAO) ;

(b) periods of insurance during employment, completed under the General Incapacity Insurance Act of 11 December 1975 (AAW) ;

(c) periods of insurance completed under the Self-Employed Persons Disablement Benefits Act of 24 April 1997 (WAZ) ; and

(d) periods of employment, and periods treated as such, completed in the Netherlands before 1 July 1967.

4. For the purposes of the first sentence of paragraph 2, when a period of insurance completed under the WAO coincides with a period of insurance completed under the AAW and/or WAZ, only the period completed under the WAO shall be taken into account.

5. For the purposes of the second sentence of paragraph 2, when a period of insurance completed under the AAW and/or WAZ coincides with a period of insurance completed under the WAO, only the period completed under the AAW and/or WAZ shall be taken into account.

ARTICLE 18
BENEFITS UNDER THE GENERAL OLD AGE
PENSIONS STATUTES

1. The competent institution of the Netherlands shall determine the old age pension directly and exclusively on the basis of the periods of insurance completed under the Netherlands General Old Age Pensions Act.

2. Subject to paragraph 3, periods before 1 January 1957 during which a national of one Party or a person referred to in Article 4 (2) *b*, *c* or *d* resided in the territory of the Netherlands after reaching the age of 15 or during which, while residing in another country, those persons were gainfully employed in the Netherlands shall also be considered as periods of insurance if the person does not satisfy the conditions of the statutes of the Netherlands with respect to such periods being treated as periods of insurance.

3. The periods referred to in paragraph 2 shall be taken into consideration in the calculation of the old age pension only if the person has been insured within the meaning of Article 6 of the Netherlands General Old Age Pensions Act and the person has resided for at least six years in the territory of one or both Parties after reaching the age of 59 and only while that person is residing in the territory of either Party. However, these periods shall not be taken into consideration if they coincide with periods taken into consideration in the calculation of an old age pension under the statutes of a country other than the Netherlands.

ARTICLE 19
BENEFITS UNDER THE GENERAL SURVIVORS'
INSURANCE STATUTES

When a national of one Party or a person referred to in Article 4 (2) *b* or *c* was, at the time of death, subject to the statutes identified in Article 2 (1) *a* and had previously completed a total period of insurance at least equal to 12 months under the statutes of the Netherlands as they regard survivors' insurance, the survivors shall be entitled to a benefit determined in accordance with the latter statutes and calculated according to the provisions of Article 20.

ARTICLE 20
CALCULATION FOR THE PURPOSES
OF ARTICLE 19

If entitlement to a benefit is established through the application of Article 19, the amount of the benefit payable shall be calculated in proportion to the ratio obtained by dividing

the total length of the periods of insurance under the statutes of the Netherlands completed before the age of 65 by a deceased

by

the period between the date on which the deceased reached the age of 15, or the date on which the General Survivors' Insurance Act came into effect, if it was at a later date, and the date of death, but without exceeding the date on which the deceased reached the age of 65.

ARTICLE 21
BENEFITS UNDER THE GENERAL CHILD
BENEFITS ACT

The competent institution of the Netherlands shall determine family allowances directly and exclusively on the basis of the General Child Benefits Act of the Netherlands. A person receiving an allowance or eligible for such allowance under the General Child Benefits Act shall be entitled to receive the payment of the allowance while that person, as a successor, or the child concerned, resides in the territory of Québec.

TITLE IV
MISCELLANEOUS

ARTICLE 22
ADMINISTRATIVE ARRANGEMENT

1. The terms and conditions for the application of the Agreement shall be set out in an Administrative Arrangement to be agreed to by the competent authority of Québec and the competent authorities of the Netherlands.

2. The liaison agency of each Party shall be designated in the Administrative Arrangement.

ARTICLE 23
CLAIM FOR BENEFITS

1. To be entitled to a benefit under the Agreement, a person shall file a claim in accordance with the terms and conditions provided in the Administrative Arrangement.

2. A claim for a benefit filed under the statutes of one Party after the date of coming into force of the Agreement shall be deemed to be a claim for a corresponding benefit under the statutes of the other Party

(a) when a person asks that the claim be considered as a claim under the statutes of the other Party; or

(b) when a person indicates, at the time of the claim, that periods of insurance have been completed under the statutes of the other Party.

The date of receipt of such a claim shall be deemed to be the date on which that claim was received under the statutes of the first Party.

3. The presumption set out in paragraph 2 shall not prevent a person from requesting that a claim for benefits under the statutes of the other Party be deferred.

ARTICLE 24 PAYMENT OF BENEFITS

1. Cash benefits shall be payable directly to the beneficiary in the currency of the Party making the payment or in legal tender in the place of residence of the beneficiary, without any deduction for administrative charges.

2. For the purposes of paragraph 1 as regards the Netherlands, where an exchange rate is required, that rate shall be the rate in effect on the day the payment is made, as recommended by the Central Bank of the Netherlands.

ARTICLE 25 PAYMENT OF BENEFITS

1. A request, a declaration or an appeal which, under the statutes of one Party, is filed within a prescribed time to the authority, institution or tribunal of that Party shall be accepted if it is filed within the same time period to the corresponding authority or institution or tribunal of the other Party. In such a case, the authority, institution or tribunal of the latter Party shall immediately forward the request, declaration or appeal to the authority, institution or tribunal of the first Party.

2. The date on which the request, declaration or appeal is filed with the authority, institution or tribunal of the other Party shall be considered as the date of filing with the authority, institution or tribunal of the other Party.

ARTICLE 26 MEDICAL EXAMINATION REPORTS

1. At the request of the competent institution of one Party, the competent institution of the other Party shall make the necessary arrangements to provide the medical examination reports required for persons residing or staying in the territory of the latter Party. The cost of medical examination reports not already in the posses-

sion of the competent institution of the latter Party shall be subject to reimbursement according to the terms and conditions provided for in the Administrative Arrangement.

2. The reports referred to in paragraph 1 shall not be considered invalid solely because they have been made in the territory of the other Party.

ARTICLE 27 EXEMPTION FROM FEES AND AUTHENTICATION

1. Any reduction of or exemption from fees provided for in the statutes of one Party with respect to the issuing of a certificate or document required in accordance with those statutes shall be extended to the certificates and documents required in accordance with the statutes of the other Party.

2. Any document required for the application of the Agreement shall be exempt from authentication by the responsible authorities or from any other similar procedure.

ARTICLE 28 DISCLOSURE OF PERSONAL INFORMATION

1. Unless disclosure is required under the statutes of a Party, any personal information communicated by an institution of one Party to an institution of the other Party shall be confidential and shall be used exclusively for the application of the Agreement.

2. Access to personal information shall be subject to the statutes of the Party on whose territory the information is located.

3. Where required for processing a claim or for the payment of benefits under the Agreement, personal information held by a third person or by an authority shall be communicated by a liaison agency, as designated in the Administrative Arrangement, to the liaison agency of the other Party after written authorization has been obtained from the beneficiary, the beneficiary's partner or the beneficiary's successors.

ARTICLE 29 MUTUAL ASSISTANCE

The competent authorities and institutions shall

(a) communicate to each other any information required to process the requests between the Parties in accordance with the Agreement;

(b) assist each other free of charge in any matter concerning the application of the Agreement;

(c) forward to each other any information on measures adopted for the application of the Agreement or on amendments to their statutes to the extent that such amendments affect the application of the Agreement; and

(d) inform each other of the difficulties encountered in the interpretation or in the application of the Agreement.

ARTICLE 30 COMMUNICATION

1. The competent authorities and institutions and liaison agencies of the Parties may communicate with one another in any of their official languages.

2. A decision of an authority, tribunal or institution may be communicated directly to a person residing in the territory of the other Party.

ARTICLE 31 SETTLEMENT OF DISPUTES

1. Any dispute between the two Parties concerning the interpretation or the application of the Agreement shall, as far as possible, be settled by the competent authorities.

2. If a dispute cannot be settled in the manner provided for in paragraph 1, it shall be referred, at the request of one Party, to a joint commission.

3. The joint commission shall be formed on an ad hoc basis.

4. The joint commission shall study the dispute and try to conciliate the Parties by submitting recommendations likely to settle the dispute.

TITLE V TRANSITIONAL AND FINAL

ARTICLE 32 TRANSITIONAL PROVISIONS

1. The Agreement shall not confer any right to the payment of benefits before the date of its coming into force.

2. For the purposes of Title III and subject to the provisions of paragraph 1 of this Article,

(a) a period of insurance completed prior to the date of coming into force of the Agreement shall be taken into consideration for the purpose of determining entitlement to benefits under the Agreement;

(b) a benefit, other than a death benefit, is due under the Agreement even if it is related to an event prior to the date of coming into force of the Agreement;

(c) when benefits are payable pursuant to Article 13 and when a claim for such benefits is produced within two years from the date of coming into force of the Agreement, rights arising from the Agreement shall be acquired from that date or from the date of the retirement, death or invalidity as confirmed by a medical report creating the right to benefits if such date follows, notwithstanding the provisions of the statutes of both Parties relative to the forfeiture of rights;

(d) benefits which, on account of nationality or residence, have been refused, reduced or suspended shall, at the request of the person in question, be granted or re-established from the date of coming into force of the Agreement;

(e) benefits granted before the date of coming into force of the Agreement shall be revised, at the request of the person in question. They may also be revised of their own motion. If the revision leads to benefits that are lower than the benefits paid before the coming into force of the Agreement, the amount of benefits previously paid shall be maintained;

(f) if a request referred to in subparagraphs *d* and *e* is filed within two years of the date of coming into force of the Agreement, rights arising from the Agreement shall be acquired from that date, notwithstanding the provisions of the statutes of both Parties relative to the forfeiture of rights;

(g) if a request referred to in subparagraphs *d* and *e* is filed after the limit of two years following the coming into force of the Agreement, rights which are not forfeited shall be acquired from the date of the request, unless there are more favourable provisions in the applicable statutes.

3. For the purposes of Article 8, a person already detached at the date of coming into force of the Agreement shall be deemed to have become detached on that date.

ARTICLE 33
COMING INTO FORCE AND TERM OF THE
AGREEMENT

1. The Parties shall notify one another in writing when their respective internal procedures required for the coming into force of the Agreement have been completed. This Agreement comes into force, after the Administrative Arrangement referred to in Article 22 has been entered into, on the first day of the third month following the date of the last notification.

2. The Agreement is entered into for an indefinite term. It may be denounced by either Party giving notice to the other Party. The Agreement expires on the 31st day of December which follows the date of notification by at least 12 months.

3. If the Agreement is terminated, all rights acquired by a person under the provisions of the Agreement shall be maintained, and negotiations shall be undertaken to settle any rights in the process of being acquired under these provisions.

Done at Québec on 4 December 2001, in two copies, in the French language.

For the Gouvernement
du Québec

For the Government of
the Kingdom of the Netherlands

DIANE LEMIEUX,
*Minister of State for Culture
and Communications*

ADRIANUS CORNELIS BROUWER,
Consul General

SCHEDULE II

ADMINISTRATIVE ARRANGEMENT FOR THE
IMPLEMENTATION OF THE AGREEMENT ON
SOCIAL SECURITY BETWEEN QUÉBEC AND
THE KINGDOM OF THE NETHERLANDS

CONSIDERING Article 22 of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands, signed on 4 December 2001 ;

CONSIDERING the desire of both Governments to implement the Agreement ;

THE COMPETENT AUTHORITIES OF EACH OF THE
PARTIES HAVE AGREED AS FOLLOWS :

ARTICLE 1
DEFINITIONS

In this Administrative Arrangement,

(a) the term “Agreement” shall mean the Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands, signed on 4 December 2001 ; and

(b) all other terms shall have the meaning given to them in the Agreement.

ARTICLE 2
LIAISON AGENCIES

1. In accordance with the provisions of paragraph 2 of Article 22 of the Agreement, the liaison agencies designated by each of the Parties shall be,

(a) as regards Québec, the Direction des ententes de sécurité sociale de the Ministère des Relations avec les citoyens et de l’Immigration or any other body that the competent authority of Québec may subsequently designate ;

(b) as regards the Netherlands,

i. with respect to old age and survivors’ insurance, the Sociale Verzekeringsbank (Social Insurance Bank), Amstelveen ; and

ii. with respect to disability insurance, the Landelijk Instituut Sociale Verzekeringen (Lisv) (National Institute for Social Insurance) c/o the GAK Nederland BV, Amsterdam.

2. The responsibilities of the liaison agencies are stipulated in this Arrangement. For the purposes of the Agreement, liaison agencies may communicate directly with one another, with the persons concerned or with their representatives. The liaison agencies of the Parties shall assist each other in the implementation of the Agreement. More specifically, the Québec liaison agency shall, for the Netherlands, validate the periods of residence in Québec for the purposes of the General Old Age Pensions Act and the Surviving Dependants Act.

ARTICLE 3
COMPETENT INSTITUTION IN THE
NETHERLANDS

Notwithstanding the provisions of subparagraph *b* of Article 2, as regards the Netherlands, the competent institution for the purposes of Articles 16 and 17 of the

Agreement shall be the Landelijk Instituut Sociale Verzekeringen (Lisv) (National Institute for Social Insurance) c/o the GAK Nederland BV, Amsterdam.

ARTICLE 4 CERTIFICATE OF COVERAGE

1. For the purposes of Articles 7 to 11 of the Agreement, where a person remains subject to the statutes of one Party while working in the territory of the other Party, a certificate of coverage is issued

(a) by the Québec liaison agency, when the person remains subject to the statutes of Québec; and

(b) by the Sociale Verzekeringsbank (Social Insurance Bank), Amstelveen, when the person remains subject to the statutes of the Netherlands.

2. The liaison agency or institution, as the case may be, issuing the certificate of coverage shall send a copy of that certificate to the other liaison agency or institution referred to in paragraph 1, to the person in question and, where applicable, to the person's employer.

ARTICLE 5 RETIREMENT, DISABILITY AND SURVIVORS' BENEFITS

1. For the purposes of Title III of the Agreement, a claim for a benefit under the Agreement may be filed with the liaison agency of either Party, or with the competent authority of the Party whose statutes apply.

2. When the claim for a benefit referred to in paragraph 1 is filed with a liaison agency, that agency shall send the claim along with the required supporting documents to the competent institution of the Party whose statutes are applicable.

3. When the claim for a benefit referred to in paragraph 2 of Article 23 of the Agreement is received by the competent institution of one Party, that institution shall forward the claim to the liaison agency of the same Party. The liaison agency shall send the claim along with the required supporting documents to the competent institution of the other Party.

4. Any information on civil status appearing on a claim form shall be certified by the liaison agency forwarding the claim, which shall exempt the agency from having to forward the supporting documents.

5. A liaison form shall accompany the claim and the supporting documents referred to in this Article.

6. If so requested by the competent institution or by the liaison agency of one Party, the liaison agency or the competent institution of the other Party shall indicate, on the liaison form, the periods of insurance recognized under the statutes it administers.

7. As soon as a decision regarding a claim has been made pursuant to the statutes it administers, the competent institution shall notify the claimant and inform the claimant about recourses and time limits for such recourse prescribed by such statutes; the competent institution shall also inform the liaison agency or competent institution of the other Party, as the case may be, of the decision using the liaison form.

8. To check the legitimacy of the payments that have been made to its beneficiaries, the competent institution of either Party may make an information request to the competent institution or liaison agency of the Party in whose territory those beneficiaries are staying or reside.

9. For the purposes of paragraph 8, the competent institution or liaison agency in the territory in which the beneficiaries are staying or reside is not required to forward information already in its possession, subject to Article 28 of the Agreement.

ARTICLE 6 MEDICAL EXAMINATION

1. The medical examinations provided for in the statutes of the Netherlands for claimants or successors residing in Québec shall be performed, at the request of the competent institution, by the Régie des rentes du Québec.

2. The medical examinations provided for in the statutes of Québec for claimants and rightful claimants who reside in the Netherlands shall be performed, at the request of the competent institution, by the GAK Nederland BV.

3. The institutions of each Party can use the medical reports provided by the other Party for an assessment of the degree of inability to work.

4. Except in the cases referred to in paragraph 2 of Article 16 of the Agreement, the competent institution of the Netherlands shall maintain the authority to have its beneficiaries examined by a physician of the competent institution's choice in Québec or in the Netherlands.

5. If the medical examination is performed in the Netherlands, all medical expenses, transportation and hospital costs shall be assumed by the competent institution of the Netherlands.

ARTICLE 7
REIMBURSEMENT BETWEEN INSTITUTIONS

For the purposes of Article 26 of the Agreement, at the end of each calendar year, when the competent institution of one Party has had medical examination reports produced on behalf or at the expense of the other Party, the liaison agency of the first Party shall send to the liaison agency of the other Party a statement of the fees pertaining to the medical examination reports produced during the year under consideration, indicating the amount owed. That statement shall be accompanied by all supporting documents.

ARTICLE 8
FORMS

Any form or document necessary to implement the procedures provided in the Administrative Arrangement shall be determined by common agreement by the liaison agencies or the competent institution responsible for the implementation of the Agreement for each of the Parties.

ARTICLE 9
STATISTICS

The liaison agencies of both Parties exchange, in the form agreed upon, statistical data concerning the payments made to the beneficiaries during each calendar year under the Agreement. Such data may include the number of beneficiaries and the total amount of benefits, by benefit category.

ARTICLE 10
COMING INTO FORCE AND DENUNCIATION

This Administrative Arrangement shall come into force on the same date as the Agreement. Denunciation of the Agreement implies denunciation of the Administrative Arrangement.

Done at Québec on 4 December 2001, in two copies, in the French language.

For the Competent Authority
of Québec

For the Competent Authorities
of the Netherlands

DIANE LEMIEUX,
*Minister of State for Culture
and Communications*

ADRIANUS CORNELIS BROUWER,
Consul General

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Gouvernement du Québec

O.C. 977-2003, 17 September 2003

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)

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

**Agreement on Social Security between the
Gouvernement du Québec and the Czech Republic**
— Ratification
— Implementation

Ratification of the Agreement on Social Security between the Gouvernement du Québec and the Czech Republic, signed at Québec on 19 February 2002 and enactment of the Regulation respecting the implementation of that Agreement

WHEREAS Décret 1189-2001 dated 3 October 2001 authorized the Minister of State for International Relations and Minister of International Relations to sign alone the Agreement on Social Security between the Gouvernement du Québec and the Government of the Czech Republic;

WHEREAS the Agreement was signed at Québec on 19 February 2002;

WHEREAS the purpose of the Agreement is to coordinate the pension plan of Québec and the pension plan of the Czech Republic in order to mitigate the disadvantages caused by the migration of persons;

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), 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 the 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 the 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, by regulation, determine the manner in which the Act shall apply to any case affected by an agreement entered into with another country;

WHEREAS the Agreement constitutes an international commitment within the meaning of section 19 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1), amended by section 4 of chapter 8 of the Statutes of 2002;

WHEREAS the Agreement also constitutes an important international commitment within the meaning of subparagraph 1 of the second paragraph of section 22.2 of the Act respecting the Ministère des Relations internationales, enacted by section 6 of chapter 8 of the Statutes of 2002;

WHEREAS, under the third paragraph of section 20 of the Act respecting the Ministère des Relations internationales, introduced by paragraph 2 of section 5 of chapter 8 of the Statutes of 2002, the international agreements referred to in section 22.2 of that Act must, to be valid, be signed by the Minister of International Relations, approved by the National Assembly and ratified by the Government;

WHEREAS, under section 22.4 of the Act respecting the Ministère des Relations internationales, enacted by section 6 of chapter 8 of the Statutes of 2002, the ratification of an international agreement or the making of an order referred to in the third paragraph of section 22.1 of that Act shall not take place, where it concerns an important international commitment, until the commitment is approved by the National Assembly;

WHEREAS the National Assembly approved the Agreement on 18 December 2002;

WHEREAS, under Order in Council 1118-93 dated 11 August 1993, the 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, on the recommendation of the Minister of International Relations and Minister responsible for La Francophonie, the Minister of Employment, Social Solidarity and Family Welfare and the Minister of Revenue:

THAT the Agreement on Social Security between the Gouvernement du Québec and the Government of the Czech Republic, signed at Québec on 19 February 2002 and approved by the National Assembly on 18 December 2002, the text of which appears as a Schedule to the Regulation respecting the implementation mentioned hereafter, be ratified;

THAT the Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Czech Republic, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Czech Republic

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)

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

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

1. The Act respecting the Québec Pension Plan (R.S.Q., c. R-9) and the regulations made thereunder shall apply to any person referred to in the Agreement on Social Security between the Gouvernement du Québec and the Government of the Czech Republic, signed at Québec on 19 February 2002 and appearing as Schedule I.

2. That Act and those regulations shall apply in the manner stipulated in the Agreement, and in the Administrative Arrangement for the implementation of the Agreement which appears as Schedule II.

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

SCHEDULE I**AGREEMENT ON SOCIAL SECURITY BETWEEN
THE GOUVERNEMENT DU QUÉBEC AND THE
GOVERNMENT OF THE CZECH REPUBLIC**

THE GOUVERNEMENT DU QUÉBEC

AND

THE GOVERNMENT OF THE CZECH REPUBLIC

hereinafter referred to as “the Parties”,

RESOLVED to guarantee to their nationals the advantages of the coordination of their social security statutes,

HAVE AGREED AS FOLLOWS :

**TITLE I
GENERAL****ARTICLE 1
DEFINITIONS**

In this Agreement, the following expressions shall mean :

(a) “competent authority”: the Minister from Québec or the Minister from the Czech Republic responsible for the administration of the statutes referred to in Article 2;

(b) “competent institution”: the Québec department or body or the body from the Czech Republic responsible for the administration of the statutes referred to in Article 2;

(c) “statutes”: with reference to the Parties, the laws and regulations of Québec or of the Czech Republic concerning the branches and social security plans referred to in Article 2;

(d) “period of insurance”: as regards Québec, any year for which contributions have been paid or for which a disability pension has been paid under the Act respecting the Québec Pension Plan or any other year considered as equivalent; and, as regards the Czech Republic, a period of insurance, substitute period or equivalent period under the statutes of the Czech Republic; however, a period completed in the former Czechoslovakia shall be considered as a period of insurance under the statutes of the Czech Republic only to the extent stipulated in the Agreement between the Czech Republic and the Slovak Republic on Social Security of 29 October 1992;

(e) “benefit”: an annuity, an allowance, a lump-sum grant or any other benefit in cash provided for in the statutes referred to in Article 2, including any extension, supplement or increase thereto;

(f) “national”: with reference to the Parties, a person of Canadian citizenship who is or who has been subject to the statutes referred to in Article 2 (1) *a* and has acquired rights under such statutes, or a person of Czech citizenship;

(g) “territory”: with reference to the Parties, the territory of Québec or the territory of the Czech Republic;

and any term not defined in the Agreement has the meaning given to it in the applicable statutes.

**ARTICLE 2
MATERIAL SCOPE**

1. The Agreement shall apply

(a) to the Québec statutes concerning the Québec Pension Plan; and

(b) to the statutes of the Czech Republic concerning pension insurance.

2. The Agreement shall equally apply to any statutes that modify, add to or replace the statutes referred to in paragraph 1.

3. The Agreement shall also apply to statutes that extend the existing systems to new classes of beneficiaries or to new benefits; notwithstanding the preceding, each Party may, within three months of the date of the official publication of those statutes, notify the other Party that the Agreement shall not apply to such statutes.

4. The Agreement shall not apply to statutes which cover a new branch of social security, unless the Agreement is modified to that effect.

**ARTICLE 3
PERSONAL SCOPE**

Unless otherwise provided, the Agreement shall apply to

(a) any person who is or who has been subject to the statutes of one or both of the Parties;

(b) any person who has derived rights under such statutes from a person referred to in subparagraph *a*.

ARTICLE 4
EQUAL TREATMENT

Unless otherwise provided in the Agreement, the persons designated in Article 3 shall, in the administration of the statutes of one Party, receive the same treatment as the nationals of that Party.

ARTICLE 5
EXPORT OF BENEFITS

1. Unless otherwise provided in the Agreement, a benefit shall not be subject to any reduction, modification, suspension, suppression or confiscation by reason only of the fact that the beneficiary resides in or is staying in the territory of the other Party, and such benefit shall be payable in the territory of the other Party.

2. Any benefit payable under the Agreement shall also be payable outside the territory of both Parties, under the same conditions that the Party paying the benefits applies to its nationals.

TITLE II
APPLICABLE STATUTES**ARTICLE 6**
GENERAL RULE

Unless otherwise provided in the Agreement and subject to Articles 7, 8, 9, 10 and 11, persons working in the territory of one Party shall be subject only to the statutes of that Party.

ARTICLE 7
SELF-EMPLOYED PERSONS

Persons residing in the territory of one Party and working as self-employed persons in the territory of the other Party or in the territory of both Parties shall, with respect to such work, be subject only to the statutes in the territory of their place of residence.

ARTICLE 8
DETACHED PERSONS

1. Persons subject to the statutes of one Party and temporarily detached by their employer, for a period not exceeding 60 months, to the territory of the other Party shall, with respect to such work, be subject to the statutes of the first Party during the term of their detachment.

2. However, if the time required to complete the work extends beyond sixty months, the statutes of the first Party shall continue to apply provided that the competent institutions of both Parties give their approval.

ARTICLE 9
TRAVELLING PERSONNEL EMPLOYED IN
INTERNATIONAL TRANSPORT

1. Persons working in the territory of both Parties as travelling personnel for an international air or marine carrier that has its head office in the territory of one of the Parties shall, with respect to such work, be subject only to the statutes of the Party in whose territory the head office is located.

2. Notwithstanding the preceding paragraph, if those persons are employed by a branch or permanent agency which the undertaking has in the territory of a Party other than the Party in whose territory it has its head office, they shall, with respect to such work, be subject only to the statutes of the Party in whose territory the branch or permanent agency is located.

3. Notwithstanding paragraphs 1 and 2, if the persons are employed mainly in the territory of a Party, and if they reside in the territory of that Party, they shall, with respect to such work, be subject only to the statutes of that Party, even if the undertaking that employs them has neither its head office nor a branch or permanent agency in that territory.

ARTICLE 10
PERSONS IN GOVERNMENT SERVICE

1. Persons in Government Service for one of the Parties and assigned to a post in the territory of the other Party shall be subject only to the statutes of the first Party for all matters relative to that post.

2. Persons residing in the territory of one Party and who are in Government Service for the other Party in that territory shall, with respect to that service, be subject only to the statutes which apply to that territory. Notwithstanding the foregoing, if those persons are nationals of the Party that employs them, they may, within six months of the beginning of their employment or of the coming into force of the Agreement, choose to be subject only to the statutes of the employing Party.

ARTICLE 11
DEROGATION FROM THE PROVISIONS ON
COVERAGE

At the joint request of a person and that person's employer, or at the request of a self-employed person or, where applicable, a person working of his or her own initiative, the competent authorities of both Parties or their designated agencies may, by common agreement, derogate from the provisions of Articles 6, 7, 8, 9 and 10 with respect to any persons or category of persons.

TITLE III
BENEFITS**ARTICLE 12**
BENEFITS COVERED

1. This Title applies to all benefits referred to in the Act respecting the Québec Pension Plan.

2. This Title also applies to all benefits referred to in the statutes of the Czech Republic concerning pension insurance.

ARTICLE 13
PRINCIPLE OF TOTALIZATION

1. When persons have completed periods of insurance under the statutes of both Parties and are not eligible for benefits by virtue of the periods of insurance completed solely under the statutes of one Party, the competent institution of that Party shall proceed, to determine eligibility for benefits under the statutes applied by it, with totalization as prescribed by the provisions of paragraphs 2 and 3, counting any overlapping periods only once.

2. For the purposes of eligibility for benefits under the statutes of the Act respecting the Québec Pension Plan, the competent institution of Québec shall proceed as follows:

(a) it shall recognize one year of contribution when the competent institution of the Czech Republic certifies that a period of insurance of at least 90 days has been credited in a calendar year under the statutes of the Czech Republic, provided that the year is included in the contributory period as defined in Québec statutes;

(b) it shall totalize the years recognized under subparagraph *a* with periods of insurance completed under Québec statutes.

3. For the purposes of eligibility for benefits under the statutes of the Czech Republic, the competent institution of the Czech Republic shall proceed as follows:

(a) with respect to eligibility for a retirement, disability or survivors' pension:

i. it shall recognize each year of insurance certified by the competent institution of Québec as one year of insurance under the statutes of the Czech Republic;

ii. if a person is not eligible for a retirement or survivors' pension notwithstanding the application of subparagraph *a i*, it shall recognize one day of contribu-

tion under the statutes of the Czech Republic for each day of residence within the meaning of the Old Age Security Act which applies in the territory of Québec, provided that such day does not overlap a period of insurance completed under Québec statutes;

(b) periods recognized under subparagraph *a* shall be totalized with the periods of insurance completed under the statutes of the Czech Republic.

ARTICLE 14
PERIODS COMPLETED UNDER THE STATUTES OF THIRD PARTIES

If a person is not eligible for a benefit on the basis of the totalization provided for in Article 13, the periods of insurance completed under the statutes of the third party that is related to both Parties by a legal instrument respecting social security and making provisions for the totalization of periods of insurance shall be taken into account to determine if the person is entitled to benefits, in accordance with the provisions of this Title.

ARTICLE 15
MINIMUM PERIOD TO BE TOTALIZED

If the total duration of the periods of insurance completed by a person under the statutes of one Party is less than one year and if, taking into account only those periods, no right to a benefit has been gained under the statutes of that Party, the competent institution of that Party shall not be required to pay a benefit to that person for those periods under the Agreement.

ARTICLE 16
BENEFITS UNDER QUÉBEC STATUTES

1. If persons who have been subject to the statutes of both Parties meet the requirements for entitlement to benefits, for themselves or for their dependants, survivors or successors, under Québec statutes, without having recourse to the totalization referred to in Article 13 and, where applicable, in Article 14, the competent institution of Québec shall determine the amount of the benefits in accordance with the provisions of the statutes it applies.

2. When the totalization provided for in Article 13 and, where applicable, in Article 14 entitles persons to benefits, the competent institution of Québec shall determine the amount payable by adding the amounts calculated in accordance with subparagraphs *a* and *b* as follows:

(a) that part of the benefit which is related to earnings is calculated according to the provisions of the statutes of Québec;

(b) the amount of the flat-rate portion of the benefit payable under the provisions of this Agreement shall be determined by multiplying:

the amount of the flat-rate portion of the benefit determined under the provisions of the Québec Pension Plan

by

the fraction which represents the ratio between the periods of contributions to the Québec Pension Plan in relation to the contributory period as defined in the statutes regarding that Plan.

ARTICLE 17
BENEFITS UNDER THE STATUTES OF THE
CZECH REPUBLIC

1. If, under the statutes of the Czech Republic, the conditions for eligibility for a benefit are met without the need to take into account periods of insurance completed under the statutes of Québec, the competent institution of the Czech Republic shall determine the amount of that benefit exclusively on the basis of the periods of insurance completed under its statutes.

2. If, under the statutes of the Czech Republic, eligibility for a benefit can be established only through the application of the totalizing provisions in Article 13 and, where applicable, in Article 14, the competent institution of the Czech Republic

(a) shall calculate the theoretical amount of the benefit which would be paid if the totalized periods of insurance had been completed under the statutes of the Czech Republic alone; and

(b) on the basis of the theoretical amount calculated in accordance with subparagraph *a*, shall determine the amount of the benefit payable by applying the ratio between the periods of insurance completed under the statutes of the Czech Republic and the totalized periods of insurance.

3. For the purpose of determining the reference salary used to calculate the amount of the benefit, periods of insurance completed under the statutes of Québec shall be excluded.

4. A supplement due to infirmity which is payable to a person whose eligibility for a benefit has been determined by applying totalization as provided in Article 13 and, where applicable, in Article 14 shall be calculated in accordance with the formula specified in subparagraph *b* of paragraph 2.

ARTICLE 18
RESTRICTIONS

1. The provisions of the Czech statutes concerning the reduction, suspension or suppression of benefits when they overlap with other benefits or when the beneficiary derives other income or holds gainful employment shall also apply to a person who receives benefits under Québec statutes or who derives other income or holds gainful employment outside the Czech Republic. The preceding provision, however, shall not apply when disability, old-age or survivors' benefits that have been granted by the competent institutions of both Parties overlap.

2. The competent authority of the Czech Republic may, in regard to benefit recipients under its statutes, limit the application of the statutory provisions referred to in paragraph 1 concerning the reduction, suspension or suppression of benefits which overlap with other benefits, or it may entirely waive the application of those provisions. Those provisions shall not be applied in all cases in which their application would result in the granting of a benefit that is lower than it would be through the application of the provisions of the statutes of the Czech Republic concerning overlapping benefits in regard to a State with which the Czech Republic has not concluded an international agreement on social security.

3. A person whose disability began before that person reached age 18 and who has not participated in an insurance plan in the Czech Republic for the necessary period shall acquire the right to a full disability pension if that person is a permanent resident of the Czech Republic.

TITLE IV
MISCELLANEOUS

ARTICLE 19
ADMINISTRATIVE ARRANGEMENT

1. The terms and conditions for the application of the Agreement shall be set out in an Administrative Arrangement to be agreed to by the competent authorities.

2. The liaison agency of each Party shall be designated in the Administrative Arrangement.

ARTICLE 20
CLAIM FOR BENEFITS

1. To be entitled to a benefit under the Agreement, a person shall file a claim in accordance with the terms and conditions provided in the Administrative Arrangement.

2. For the purposes of Title III, a claim for a benefit filed under the statutes of one Party after the date of coming into force of the Agreement shall be deemed to be a claim for a corresponding benefit under the statutes of the other Party, in any of the following cases:

(a) when a person asks that the claim be considered as a claim under the statutes of the other Party;

(b) when a person indicates, at the time of the claim, that periods of insurance have been completed under the statutes of the other Party.

The date of receipt of such a claim shall be deemed to be the date on which that claim was received under the statutes of the first Party.

3. The presumption set out in paragraph 2 shall not prevent a person from requesting that a claim for benefits under the statutes of the other Party be deferred.

ARTICLE 21 PAYMENT OF BENEFITS

1. Cash benefits under the statutes of Québec shall be payable directly to the beneficiary in Canadian currency or in a currency freely convertible in the place of residence of the beneficiary.

2. Cash benefits under the statutes of the Czech Republic shall be payable directly to the beneficiary in a currency freely convertible in the place of residence of the beneficiary.

3. The competent institution of either Party shall pay the benefits under the Agreement, without any deduction for administrative charges.

ARTICLE 22 DEADLINE FOR FILING

1. A request, a declaration or an appeal which, under the statutes of one Party, is filed within a prescribed time to the authority or institution of that Party shall be accepted if it is filed within the same time period to the corresponding authority or institution of the other Party. In such a case, the authority or institution of the latter Party shall immediately forward the request, declaration or appeal to the authority or institution of the first Party.

2. The date on which the request, declaration or appeal is filed with the authority or institution of the other Party shall be considered as the date of filing with the authority or institution of the other Party.

ARTICLE 23 MEDICAL EXAMINATION REPORTS

1. At the request of the competent institution of one Party, the competent institution of the other Party shall make the necessary arrangements to provide the medical examination reports required for persons residing or staying in the territory of the latter Party.

2. The medical examination reports referred to in paragraph 1 shall not be considered invalid solely because they have been made in the territory of the other Party.

ARTICLE 24 EXEMPTION FROM FEES AND AUTHENTICATION

1. Any reduction of or exemption from fees provided for in the statutes of one Party with respect to the issuing of a certificate or document required in accordance with those statutes shall be extended to the certificates and documents required in accordance with the statutes of the other Party.

2. Any document required for the application of the Agreement shall be exempt from authentication by the responsible authorities or from any other similar procedure.

ARTICLE 25 DISCLOSURE OF PERSONAL INFORMATION

1. Any personal information communicated by an institution of one Party to an institution of the other Party shall be confidential and shall be used exclusively for the application of the Agreement.

2. Access to a file containing personal information shall be subject to the statutes of the Party on whose territory the file is located.

ARTICLE 26 MUTUAL ASSISTANCE

The competent authorities and institutions shall

(a) communicate to each other any information required for the application of the Agreement;

(b) forward to each other any information on the measures adopted for the application of the Agreement or on amendments to their statutes to the extent that such amendments affect the application of the Agreement;

(c) inform each other of the difficulties encountered in the interpretation or in the application of the Agreement; and

(d) assist each other free of charge in any matter concerning the application of the Agreement.

ARTICLE 27 REIMBURSEMENT BETWEEN INSTITUTIONS

1. The competent institution of one Party shall reimburse to the competent institution of the other Party the costs related to each medical examination report produced in accordance with Article 23. Notwithstanding the foregoing, the transmission of medical information or other information already in the possession of the competent institutions shall constitute an integral part of administrative assistance and shall be performed without charge.

2. The Administrative Arrangement shall provide for the terms and conditions of the reimbursement of costs referred to in paragraph 1.

ARTICLE 28 COMMUNICATION

The competent authorities and competent institutions and liaison agencies of the Parties may communicate directly with one another and with the persons concerned in French or in Czech.

ARTICLE 29 SETTLEMENT OF DISPUTES

1. Any dispute concerning the interpretation or the application of this Agreement shall be settled by negotiations between the competent institutions.

2. Any dispute which is not resolved through the application of paragraph 1 shall be settled by the competent authorities.

3. If a dispute cannot be settled in the manner provided for in paragraphs 1 and 2, it shall be subject to negotiations between the Parties.

TITLE V TRANSITIONAL AND FINAL

ARTICLE 30 TRANSITIONAL PROVISIONS

1. The Agreement shall not confer any right to the payment of benefits for a period preceding the date of its coming into force.

2. For the purposes of Title III and subject to the provisions of paragraph 1:

(a) a period of insurance completed before the date of coming into force of the Agreement shall be taken into consideration for the purpose of determining entitlement to benefits under the Agreement;

(b) a benefit, other than a death benefit, is owing under the Agreement even if it is related to an event prior to the date of its coming into force;

(c) where the conditions required to establish the entitlement to benefits are met pursuant to Article 13 and, where applicable, to Article 14 and when the claim for such benefits is produced within two years of the date of coming into force of the Agreement, rights arising from the Agreement shall be acquired from that date or from the date of retirement, death or disability as confirmed by a medical report creating the right to benefits if such date follows, unless there are more favourable provisions for beneficiaries in the applicable statutes;

(d) a benefit which, on account of nationality or residence, has been refused, reduced or suspended shall, at the request of the person in question, be granted or re-established from the date of coming into force of the Agreement;

(e) benefits granted before the date of coming into force of the Agreement shall be revised, at the request of the person in question. They may also be revised of their own motion. If the revision leads to benefits that are lower than the benefits paid before the coming into force of the Agreement, the amount of benefits previously paid shall be maintained;

(f) if a request referred to in subparagraph *d* or *e* is filed within two years of the date of coming into force of the Agreement, rights arising from the Agreement shall be acquired from that date, notwithstanding the provisions of the statutes of both Parties relative to the forfeiture of rights, unless there are more favourable provisions for beneficiaries in the applicable statutes;

(g) if a request referred to in subparagraph *c*, *d* or *e* is filed after the limit of two years following the coming into force of the Agreement, rights which are not forfeited shall be acquired from the date of the request, unless there are more favourable provisions in the applicable statutes.

3. For the purposes of Article 8, a person already detached at the date of coming into force of the Agreement shall be deemed to have become detached on that date.

ARTICLE 31 COMING INTO FORCE AND TERM

1. The Parties shall notify one another in writing when their respective internal procedures required for the coming into force of the Agreement have been completed. The Agreement comes into force on the first day of the month following the month in which the last notifications were sent to the other Party.

2. The Agreement is entered into for an indefinite term. It expires on the 31st day of December which follows by at least 12 months the date on which one Party receives a notification in writing from the other Party expressing the desire to terminate the Agreement.

3. If the Agreement is terminated, all rights acquired under the provisions of the Agreement as well as any rights in the process of being acquired shall be maintained.

Done at Québec on 19 February 2002, in two copies, each in the French and Czech languages, both texts having equal validity.

For the Gouvernement
du Québec

For the Government of
the Czech Republic

LOUISE BEAUDOIN,
*Minister of International
Relations*

VLADIMÍR KOTZY,
*Ambassador Extraordinary and
Plenipotentiary of the Czech
Republic to Canada*

SCHEDULE II

ADMINISTRATIVE ARRANGEMENT FOR THE IMPLEMENTATION OF THE AGREEMENT ON SOCIAL SECURITY BETWEEN THE GOUVERNEMENT DU QUÉBEC AND THE GOVERNMENT OF THE CZECH REPUBLIC

THE COMPETENT AUTHORITY OF QUÉBEC

AND

THE COMPETENT AUTHORITY OF THE CZECH REPUBLIC

CONSIDERING Article 19 of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Czech Republic;

HAVE AGREED AS FOLLOWS :

ARTICLE 1 DEFINITIONS

In this Administrative Arrangement,

(a) the term "Agreement" shall mean the Agreement on Social Security between the Gouvernement du Québec and the Government of the Czech Republic, signed at Québec on 19 February 2002; and

(b) all other terms shall have the meaning given to them in Article 1 of the Agreement.

ARTICLE 2 LIAISON AGENCIES

In accordance with the provisions of paragraph 2 of Article 19 of the Agreement, the liaison agencies designated by each of the Parties shall be:

(a) as regards Québec, the Direction des ententes de sécurité sociale du ministère des Relations avec les citoyens et de l'Immigration or any other body that the competent authority of Québec may subsequently designate;

(b) as regards the Czech Republic, Česká správa sociálního zabezpečení (Czech Social Security Administration).

ARTICLE 3 CERTIFICATE OF COVERAGE RELATIVE TO THE APPLICABLE STATUTES

1. For the purposes of Articles 7 to 11 of the Agreement, when a person remains subject to the statutes of one Party while working in the territory of the other Party, a certificate of coverage relative to the applicable statutes shall be issued

(a) by the liaison agency of Québec, when the person remains subject to the statutes of Québec;

(b) by the liaison agency of the Czech Republic, when the person remains subject to the statutes of the Czech Republic.

2. The liaison agency issuing the certificate of coverage shall send that certificate to the person in question and shall send a copy, on request, to that person's employer and, where applicable, to the other liaison agency.

ARTICLE 4
RETIREMENT, DISABILITY AND SURVIVORS'
BENEFITS

1. For the purposes of Title III of the Agreement, a claim for a benefit under the Agreement may be filed with the liaison agency of either Party, or with the competent institution of the Party whose statutes apply.

2. When a claim for a benefit referred to in paragraph 1 is filed with a liaison agency, that agency shall send the claim along with the required supporting documents to the competent institution or liaison agency of the Party whose statutes are applicable.

3. Any information on civil status appearing on the claim form shall be certified, insofar as possible, by the liaison agency sending the claim, which shall exempt the agency from having to forward the supporting documents.

4. If so requested by the competent institution or liaison agency of one Party, the liaison agency or competent institution of the other Party shall inform the former Party of the periods of insurance recognized under the statutes it administers.

5. As soon as the competent institution has made a decision regarding a claim pursuant to the statutes it administers, the competent institution shall notify the claimant and shall also inform the liaison agency of the other Party.

ARTICLE 5
REIMBURSEMENT BETWEEN INSTITUTIONS

For the purposes of Article 27 of the Agreement, at the end of each calendar year, when the competent institution of one Party has had medical examination reports produced, on behalf of the competent institution of the other Party, the liaison agency of the first Party shall send to the liaison agency of the other Party a statement of the fees pertaining to the medical examination reports for the year under consideration, indicating the amount owed. That statement shall be accompanied by all supporting documents.

ARTICLE 6
FORMS

Any form or document necessary to implement the procedures provided in the Administrative Arrangement shall be determined by common agreement by the competent institutions and the liaison agencies.

ARTICLE 7
STATISTICS

The liaison agencies of both Parties exchange, in the form agreed upon, statistical data concerning the payments made to the beneficiaries under the Agreement during each calendar year. Such data may include the number of beneficiaries and the total amount of benefits, by benefit category.

ARTICLE 8
COMING INTO FORCE AND TERM

The Administrative Arrangement shall come into force on the same date as the Agreement, and they shall both have the same term.

Done at Prague on 4 December 2002, in two original copies, each in the French and Czech languages, both texts being equally authentic.

For the Competent
Authority of Québec

For the Competent Authority
of the Czech Republic

JEAN D. MÉNARD

JIRÍ HOIDEKR

5952

Gouvernement du Québec

O.C. 994-2003, 17 September 2003

An Act respecting labour relations, vocational training and manpower management in the construction industry
(R.S.Q., c. R-20)

**Register, monthly report, notices from employers
and designation of a representative
— Amendment**

CONCERNING the Regulation to amend the Regulation respecting the register, monthly report, notices from employers and the designation of a representative

WHEREAS under subparagraph *b* of the 1st paragraph of section 82 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20), the Commission de la construction du Québec can, by regulation approved by the Government and published in the *Gazette officielle du Québec*, oblige any employer to transmit to it a monthly report in the manner prescribed by the Commission;

WHEREAS the Commission de la construction du Québec has made the Regulation respecting the register, monthly report, notices from employers and the designation of a representative approved by Order in Council 1528-96 dated December 4th 1996;

WHEREAS the Commission de la construction du Québec, after consultation with the Joint Committee on Construction pursuant to section 123.3 of the said Act, has made the Regulation to amend the Regulation respecting the register, monthly report, notices from employers and the designation of a representative;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation to amend the Regulation respecting the register, monthly report, notices from employers and the designation of a representative was published in Part 2 of the *Gazette officielle du Québec* of May 15th 2002 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS no comment was received following that publication and there is reason to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the register, monthly report, notices from employers and the designation of a representative, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the register, monthly report, notices from employers and the designation of a representative*

An Act respecting labour relations, vocational training and manpower management in the construction industry
(R.S.Q., c. R-20, s. 82, 1st par., subpar. *b* and *f*)

1. Section 13 of the Regulation respecting the register, monthly report, notices from employers and the designation

of a representative is amended by inserting the following after paragraph 8:

“(8.1) contributions for measures relating to manpower of the residential sector;”.

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

5951

Gouvernement du Québec

O.C. 1013-2003, 24 September 2003

An Act respecting the distribution of financial products and services
(R.S.Q., c. D-9.2)

Pursuit of activities as a representative — Amendment

Regulation to amend the Regulation respecting the pursuit of activities as a representative

WHEREAS, under the first paragraph of section 196 of the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2), the Bureau des services financiers may determine by regulation, for each sector and class of sectors, the requirements with which the liability insurance contracts of firms, representatives acting on behalf of a firm without being employees, independent representatives and independent partnerships must be consistent;

WHEREAS, under the second paragraph of that section, the regulation may, in particular, prescribe the extent of coverage, the amount covered per claim, the amount of the deductible and the notice that must be given before a contract is cancelled;

WHEREAS, under the third paragraph of that section, the regulation must be submitted to the Government for approval with or without amendment;

WHEREAS the Government, by Order in Council 830-99 dated 7 July 1999, approved the Regulation respecting the pursuit of activities as a representative;

WHEREAS it is expedient to amend the Regulation;

* The Regulation respecting the register, monthly report, notices from employers and the designation of a representative, approved by Order in Council 1528-96 dated 4 December 1996 (1996, *G.O.* 2, 5328), has only been amended by the regulation approved by Order in Council 218-2000 dated 1 March 2000 (2000, *G.O.* 2, 1302).

WHEREAS, in accordance with section 196 of the Act respecting the distribution of financial products and services, the Bureau adopted the Regulation to amend the Regulation respecting the pursuit of activities as a representative;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be approved without having been published as provided in section 8 of that Act, if the authority approving it is of the opinion that the urgency of the situation requires it;

WHEREAS, under the first paragraph of 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 approves it is of the opinion that the urgency of the situation requires it;

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

WHEREAS the Government is of the opinion that the urgency due to following circumstances justifies the absence of prior publication and such coming into force of the Regulation to amend the Regulation respecting the pursuit of activities as a representative:

— as a result of the withdrawal of a number of insurers from the liability insurance market and substantial rate increases in that market, a number of representatives acting on behalf of a firm without being employees must renew their registration as of 1 October 2003, and may not be in a position to obtain professional liability insurance coverage if the coverage requirements are not modified before that date and they consequently would be unable to legally pursue their activities;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT the Regulation to amend the Regulation respecting the pursuit of activities as a representative, the text of which is attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the pursuit of activities as a representative*

An Act respecting the distribution of financial products and services
(R.S.Q., c. D-9.2, s. 196)

1. Section 17 of the Regulation respecting the pursuit of activities as a representative is amended by replacing “\$5,000” in paragraph 2 by “\$10,000”.

2. This Regulation comes into force on 1 October 2003.

5955

Gouvernement du Québec

O.C. 1014-2003, 24 September 2003

An Act respecting the distribution of financial products and services
(R.S.Q., c. D-9.2)

Firm, independent representative and independent partnership — Amendments

Regulation to amend the Regulation respecting firm, independent representative and independent partnership

WHEREAS, under the first paragraph of section 196 of the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2), the Bureau des services financiers may determine by regulation, for each sector and class of sectors, the requirements with which the liability insurance contracts of firms, representatives acting on behalf of a firm without being employees, independent representatives and independent partnerships must be consistent;

WHEREAS, under the second paragraph of that section, the regulation may, in particular, prescribe the extent of coverage, the amount covered per claim, the amount of the deductible and the notice that must be given before a contract is cancelled;

* The Regulation respecting the pursuit of activities as a representative, approved by Order in Council 830-99 dated 7 July 1999 (1999, G.O. 2, 2066), has not been amended since its approval.

WHEREAS, under the third paragraph of that section, the regulation must be submitted to the Government for approval with or without amendment ;

WHEREAS the Government, by Order in Council 832-99 dated 7 July 1999, approved the Regulation respecting firm, independent representative and independent partnership ;

WHEREAS it is expedient to amend the Regulation ;

WHEREAS, in accordance with section 196 of the Act respecting the distribution of financial products and services, the Bureau adopted the Regulation to amend the Regulation respecting firm, independent representative and independent partnership ;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be approved without having been published as provided in section 8 of that Act, if the authority approving it is of the opinion that the urgency of the situation requires it ;

WHEREAS, under the first paragraph of 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 approves it is of the opinion that the urgency of the situation requires it ;

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

WHEREAS the Government is of the opinion that the urgency due to following circumstances justifies the absence of prior publication and such coming into force of the Regulation to amend the Regulation respecting firm, independent representative and independent partnership :

— as a result of the withdrawal of a number of insurers from the liability insurance market and substantial rate increases in that market, a number of firms, independent representatives and independent partnerships must renew their registration as of 1 October 2003, and may not be in a position to obtain professional liability insurance coverage if the coverage requirements are not modified before that date and they consequently would be unable to legally pursue their activities ;

WHEREAS it is expedient to approve the Regulation with amendments ;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance :

THAT the Regulation to amend the Regulation respecting firm, independent representative and independent partnership, the text of which is attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting firm, independent representative and independent partnership*

An Act respecting the distribution of financial products and services
(R.S.Q., c. D-9.2, s. 196)

1. Section 29 of the Regulation respecting firm, independent representative and independent partnership is amended

(1) by replacing subparagraphs 1 and 2 of the first paragraph by the following :

“(1) The coverage amount must not be less than \$500,000 per claim and, for each 12-month period, not less than

(a) \$1,000,000 for an independent representative ;

(b) \$1,000,000 for a firm or an independent partnership having three representatives or fewer acting on behalf of the firm or the independent partnership ; and

(c) \$2,000,000 for a firm or an independent partnership having more than three representatives acting on behalf of the firm or the independent partnership ;

(2) The insurance contract may stipulate a deductible not exceeding

(a) \$10,000 for an independent representative ;

(b) \$10,000 for a firm or an independent partnership having three representatives or fewer acting on behalf of the firm or the independent partnership ; or

(c) \$25,000 for a firm or an independent partnership having more than three representatives acting on behalf of the firm or the independent partnership ;” ;

* The Regulation respecting firm, independent representative and independent partnership, approved by Order in Council 832-99 dated 7 July 1999 (1999, *G.O.* 2, 2092), has not been amended since its approval.

(2) by replacing the second paragraph by the following:

“The amount of the deductible stipulated in the insurance contract may nevertheless be greater than the amount set out in subparagraphs *a* to *c* of subparagraph 2 of the first paragraph, provided that the insured maintains at all times liquid assets at least equal to the amount stipulated in the contract. “Liquid assets” means the total of cash and securities immediately convertible into cash.”.

2. The title of the Regulation is replaced in the English text by the following:

“Regulation respecting firms, independent representatives and independent partnerships”.

3. This Regulation comes into force on 1 October 2003.

5956

Gouvernement du Québec

Agreement

An Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2)

AGREEMENT CONCERNING NEW METHODS OF VOTING IN CONNECTION WITH A POSTAL BALLOT

AGREEMENT ENTERED INTO

BETWEEN

The MUNICIPALITY OF LA TUQUE, a legal person established in the public interest, having its head office at 558, rue Commerciale, in the province of Québec, here represented by the mayor, Mr. Gaston Fortin, and the clerk, Mr. Yves Tousignant, in accordance with resolution number 2003-06-162, hereinafter referred to as

THE MUNICIPALITY

AND

M^e Marcel Blanchet, in his capacity as the CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office pursuant to the Election Act (R.S.Q., c. E-3.3), acting for the purposes of this agreement in that capacity and having his head office at 3460, rue de La Pérade, Sainte-Foy, Province of Québec, hereinafter referred to as

THE CHIEF ELECTORAL OFFICER

AND

the Honourable Jean-Marc Fournier, in his capacity as the MINISTER OF MUNICIPAL AFFAIRS, SPORTS AND RECREATION, having his head office at 10, rue Pierre-Olivier-Chauveau, in Québec, Province of Québec, hereinafter referred to as

THE MINISTER

WHEREAS the council of the MUNICIPALITY, pursuant to resolution number 2003-06-162, adopted at the meeting held on June 25th 2003, intends to avail itself of the provisions of the Act respecting elections and referendums in municipalities in order to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER for the holding of a postal ballot for the municipal election to be held on November 2nd of the year 2003 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) provide as follows:

“**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

659.3. After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer.”;

WHEREAS the MUNICIPALITY intends to avail itself of those provisions to hold a municipal election on November 2nd of the year 2003 and, with the necessary adaptations, could avail itself of those provisions for the elections provided for in the agreement to be held at a later date. The adaptations must be made in an addendum to this agreement;

WHEREAS it is expedient to prescribe the procedure that will apply in the territory of the MUNICIPALITY during the said municipal election;

WHEREAS an agreement must be entered into by the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the MUNICIPALITY has sole responsibility for selecting the new method of voting;

WHEREAS the council of the MUNICIPALITY adopted, at the meeting held on June 25th of the year 2003, resolution No. 2003-06-162 approving the text of the agreement and authorizing the mayor and the clerk or secretary-treasurer to sign the agreement;

WHEREAS the returning officer of the MUNICIPALITY is responsible for the application of this agreement and for the methods used to implement it;

CONSEQUENTLY, the parties agree as follows:

1. PREAMBLE

The preamble to this agreement forms an integral part of the agreement.

2. INTERPRETATION

Unless a contrary meaning is indicated expressly or by the context of a provision, the following expressions, terms and words have the meaning and application, for the purposes of this agreement, stated in this section.

2.1 “ENV-1 Envelope”

A non-transparent envelope of sufficient size to contain the ballot paper or papers, that does not identify the elector in any way and is marked on the reverse as follows: “Insert the ballot papers in this envelope”.

2.2 “Envelope ENV-2”

An envelope marked with the name and address of the returning officer, in which is placed ENV-1 Envelope, a photocopy of proof of identity prescribed in section 213.5 of the Act respecting elections and referendums in municipalities, as added by section 4.27 of this agreement, and the statement by the elector or the person assisting the elector.

2.3 “Form containing the statement by the elector or the person assisting the elector”

A document marked as follows:

“The elector must sign the following statement: “I qualify as an elector and I have not voted in the current election”.

“A person assisting an elector must sign a statement to the effect that the person is the elector’s spouse or relative within the meaning of section 131 of the Act respecting elections and referendums in municipalities, or that the person is not the elector’s spouse or relative and has not already lent assistance to another elector during the election, and that the person will not reveal the name of the candidate for whom the elector has asked to vote.”

2.4 “Instructions to the elector”

The information given to the elector concerning the manner of voting.

2.5 The words “days before polling day”, “days after polling day”, “day fixed for the poll” and “polling day” are replaced, in the provisions of the Act respecting elections and referendums in municipalities that are not amended by this agreement, by the words “days before the day fixed as the last day of the poll”, “days after the day fixed as the last day of the poll”, “day fixed as the last day of the poll” and “last day of the poll”, respectively.

3. ELECTION

3.1 A postal ballot shall be used for the purposes of the municipal election held on November 2nd of the year 2003 in the municipality, only for the non resident electors.

3.2 The municipality shall take the necessary steps to inform the electors adequately concerning the testing of a new voting method.

4. AMENDMENTS TO THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

4.1 Election officers

Section 68 of the Act respecting elections and referendums in municipalities, (R.S.Q., c. E-2.2) is replaced by the following section:

“68. The election officers of a municipality include the returning officer, the election clerk and, as the case may be, every assistant, deputy returning officer or clerk of a ballot paper reception office, deputy returning officer or clerk of a polling station, deputy returning officer or clerk of a counting office, member of an elector identification panel, officer in charge of information and order, every member, secretary or revising officer of a board of revisors and every other person whose services are temporarily required by the returning officer.”.

4.2 Deputy returning officer and clerk of a ballot paper reception office and deputy returning officer and clerk of a counting office

The said Act is amended by inserting the following section after section 76:

“76.1. The returning officer shall appoint a deputy returning officer and a clerk for each ballot paper reception office.

Where there is only one ballot paper reception office, the returning officer may perform the duties of deputy returning officer and the election clerk may perform the duties of clerk of the reception office.

The returning officer shall appoint a deputy returning officer and a clerk for each counting office.”.

4.3 Duties of the deputy returning officer of a ballot paper reception office and the deputy returning officer of a counting office

The said Act is amended by inserting the following section after section 80:

“80.1. The deputy returning officer of a ballot paper reception office shall, in particular,

- (1) receive envelopes from electors;
- (2) verify if the elector is entered on the list of electors;
- (3) verify if the photocopy of the elector’s proof of identity prescribed by section 213.5, as added by section 4.27 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities, is included and signed;
- (4) verify if the statement by the elector is signed and if the signature matches the signature appearing on the photocopy of the elector’s proof of identity;

(5) if the statement by the elector is not signed or if the photocopy of the elector’s proof of identity is missing, contact the elector to obtain it or them;

(6) if the signature of the elector on the elector’s proof of identity matches the signature on the statement by the elector, place the ENV-1 Envelope containing the ballot paper or papers in the ballot box for the elector’s polling subdivision.

80.2. The deputy returning officer of the counting office shall, in particular,

- (1) see to the arrangement of the counting office;
- (2) ensure that the counting is properly conducted and maintain order in the counting office;
- (3) proceed with the counting of the votes;
- (4) ensure the secrecy of the ballot;
- (5) transmit the results of the vote and all election materials to the returning officer.”.

4.4 Duties of the clerk of a ballot paper reception office and clerk of a counting office

The said Act is amended by inserting the following sections after section 81:

“81.0.1. The clerk of a ballot paper reception office shall, in particular,

- (1) assist the deputy returning officer of the ballot paper reception office;
- (2) mark on the list of electors the electors who have voted;
- (3) make entries in the poll book.

81.0.2. The clerk of a counting office shall, in particular, assist the deputy returning officer of the counting office.”.

4.5 Discretion of the Chief Electoral Officer upon observing an error, emergency or exceptional circumstance

Section 90.5 of the said Act is replaced by the following section:

“90.5. If, during the election period within the meaning of section 364, it comes to the attention of the chief electoral officer that, subsequent to an error, emergency

or exceptional circumstance, a provision referred to in section 90.1 or in the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities does not meet the demands of the resultant situation, the chief electoral officer may adapt the provision in order to achieve its object.

The chief electoral officer shall first inform the Minister of Municipal Affairs, Sports and Recreation of the decision he intends to make.

Within 30 days following polling day, the chief electoral officer shall transmit to the President or the Secretary General of the National Assembly a report of the decisions made pursuant to the first paragraph. The President shall table the report in the National Assembly within 30 days of receiving it or, if the National Assembly is not sitting, within 30 days of resumption.”.

4.6 Representatives of candidates

Sections 92 and 93 of the said Act are replaced by the following sections:

“**92.** A party authorized under Chapter XIII or a ticket recognized under Division III of Chapter VI may designate a person with a power of attorney to represent the candidates of the party or ticket before the deputy returning officer of a polling station, the deputy returning officer of a ballot paper reception office or the deputy returning officer of a counting office.

93. An independent candidate may designate a person with a power of attorney to represent the candidate before the deputy returning officer of a polling station, the deputy returning officer of a ballot paper reception office or the deputy returning officer of a counting office.”.

4.7 Poll runner

Section 96 of the said Act is replaced by the following section:

“**96.** A party authorized under Chapter XIII or a ticket recognized under Division III of Chapter VI, or an independent candidate, may designate a poll runner with a power of attorney to periodically collect, from the representative, a list of the persons who have already exercised their right to vote.”.

4.8 Power of attorney of a representative or poll runner

Section 98 of the said Act is amended

(1) by replacing the second paragraph by the following paragraph:

“The power of attorney shall be presented to the deputy returning officer of the polling station, the deputy returning officer of the ballot paper reception office or the deputy returning officer of the counting office.”;

(2) by replacing the words “polling station” in the third paragraph by the words “counting office”.

4.9 Notice of election

Section 99 of the said Act is replaced by the following section:

“**99.** Not later than forty-four days before the day fixed as the last day of the poll, the returning officer shall give a public notice setting forth the following particulars:

(1) every office on the council that is open for nominations;

(2) the places, days and hours for filing nomination papers;

(3) the fact that where two or more candidates are nominated for the same office, a poll will be held to elect one of them;

(4) the fact that the method of voting is a postal ballot;

(5) the day on which ballot papers will be mailed out and the date and hour by which they must be returned to the returning officer;

(6) the name of the election clerk;

(6.1) the names of the returning officer’s assistants who are authorized to receive nomination papers, where applicable;

(7) the telephone number of the office of the returning officer and, where applicable, the telephone numbers of the offices of the returning officer’s assistants;

(8) the fact that electors who have not received their ballot paper by mail not later than six days before the day fixed as the last day of the poll must contact the returning officer.

The returning officer shall transmit to the chief electoral officer a certified copy of the notice of election.”.

4.10 Notice of poll

Section 171 of the said Act is replaced by the following section:

“**171.** Not later than 11 days before the day fixed as the last day of the poll, the returning officer shall give a public notice setting forth the following particulars:

(1) the designation of each office for which a poll must be held;

(2) the names of the candidates for each office;

(3) the address of each candidate;

(4) their membership in an authorized party or recognized ticket;

(5) the date and hour by which the ballot papers must be received by the deputy returning officer of the ballot paper reception office;

(6) the address of the office of the returning officer and, where applicable, of the offices of the returning officer’s assistants, the days and hours of opening of the office where electors who have not received their ballot papers by mail may obtain them;

(7) the place and hours of opening of polling stations on the last day of the poll and, if there are several polling stations, the information for determining at which station a person whose name is entered on the list of electors may vote;

(8) the day and time when the addition of votes will begin and the location where it will take place.”.

4.11 Mailing of ballot papers by the returning officer

The said Act is amended by inserting the following sections after section 172:

“**172.1.** After the revision and the notice of poll, and not later than ten days before the day fixed as the last day of the poll, the returning officer shall mail a package to all the electors entered on the list of electors. The package shall include

(1) a ballot paper for the office of mayor and one or more ballot papers for the office or offices of councillor. The ballots papers for the office of mayor and for the office of councillor may be of different colours. The ballot papers shall bear the initials of the returning officer. A facsimile of the initials may be engraved, lithographed or printed if the returning officer so allows;

(2) the envelopes provided for in section 2 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities;

(3) the form containing the statement by the elector or the person assisting the elector;

(4) the instructions for voting prescribed in section 2 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities.

172.2. Not later than six days before the day fixed as the last day of the poll, the returning officer shall take the necessary steps to inform any electors who have not received the ballot paper or papers that they can obtain them from the deputy returning officer of the ballot paper reception office.

The electors concerned may then obtain a ballot paper after declaring under oath that they have not previously received the ballot paper or papers.”.

4.12 Repeal – Reminders and advance poll

Sections 173 to 185 of the said Act are struck out.

4.13 Establishment of the ballot paper reception office, polling station and counting office

Section 186 of the said Act is replaced by the following sections:

“**186.** The returning officer shall establish a ballot paper reception office at the place where the envelopes containing the ballot paper or papers are received.

The returning officer shall establish, for the last day of the poll, the number of polling stations he considers necessary.

The returning officer shall establish a counting office for each polling subdivision.

186.1. The returning officer shall advise each party authorized under Chapter XIII or ticked recognized under Division III of Chapter VI and each independent candidate of the decision made pursuant to section 186.”.

4.14 Free use of premises

Section 189 of the said Act is amended by inserting the words “and counting offices” after the word “stations”.

4.15 Arrangement of polling stations, ballot paper reception offices and counting offices

Section 190 of the said Act is replaced by the following section:

“**190.** The returning officer shall be responsible for the arrangement and identification of any places where the polling station or stations, the ballot paper reception office and the counting office or offices are situated.

In particular, the returning officer shall ensure that places where polling stations are located are arranged in such a manner that electors appearing before the identity verification panel do not hinder or delay the polling proceedings.”.

4.16 Ballot paper

Section 192 of the said Act is amended by replacing the first paragraph by the following paragraphs:

“**192.** The returning officer shall cause ballot papers to be printed in the form prescribed in the Schedule to the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities.

Schedules I to VIII of the Regulation respecting models of ballot papers and the form of the template for municipal elections and referendums made under the first paragraph of section 582 of the Act respecting elections and referendums in municipalities are struck out.”.

4.17 Repeal – Counterfoil and stub

Section 195 of the said Act is struck out.

4.18 Reverse side of ballot paper

Section 197 of the said Act is replaced by the following section:

“**197.** The ballot papers shall contain, on the reverse, as shown in the specimen in the Schedule,

(1) a space reserved for the initials of the returning officer, that may be printed, lithographed or engraved;

(2) the name of the municipality;

(3) the office concerned;

(4) the date of the poll;

(5) the name and address of the printer.

The indication of the office concerned shall correspond to that contained in the nomination papers.”.

4.19 Withdrawal of candidate – Withdrawal of authorization or recognition

Sections 198 et 199 of the said Act are replaced by the following sections:

“**198.** Where the withdrawal of a candidate occurs too late to have the ballot papers reprinted before they are sent to the electors, the returning officer shall cause the particulars relating to that candidate to be uniformly crossed off the ballot papers by means of a line in ink or any other indelible substance.

The returning officer shall inform every elector to whom such a ballot paper is sent of the candidate’s withdrawal.

If the withdrawal occurs after the ballot papers are sent, the returning officer must inform the electors of the candidate’s withdrawal.

Any vote cast in favour of the candidate, before or after the withdrawal, is absolutely null.

199. Where the authorization of a party or the recognition of a ticket is withdrawn too late to have the ballot papers reprinted before they are sent to the electors, the returning officer shall cause the reference to the party or ticket to be uniformly crossed off the ballot papers by means of a line in ink or any other indelible substance.

If a co-candidate ceases to be such too late to have the ballot papers reprinted before they are sent to the electors, the returning officer shall cause the indication “co-candidate” and the particulars pertaining to the candidate associated with the co-candidate to be uniformly crossed off the ballot papers by means of a line in ink or any other indelible substance.

The returning officer must inform all electors to whom ballot papers are sent if a co-candidate withdraws or ceases to be such.

If the authorization of a party or the recognition of a ticket is withdrawn, or if a co-candidate ceases to be such after the ballot papers have been sent, the returning officer must inform the electors of the situation.”.

4.20 Polling materials

Section 200 of the said Act is replaced by the following section:

“**200.** The returning officer shall ensure that a sufficient number of ballot papers, envelopes, forms for the statement by the elector and by the person assisting an elector and instructions to the elector on voting are available, and a ballot box for each polling subdivision.”.

4.21 Ballot box

Section 201 of the said Act is replaced by the following section:

“**201.** Each ballot box must be made of durable material with an opening on the top so constructed that the envelope containing the ballot paper or papers may be introduced therein through the opening but cannot be withdrawn therefrom unless the box is opened.”.

4.22 Delivery of materials to the deputy returning officer of a ballot paper reception office and the deputy returning officer of a polling station

Section 204 of the said Act is replaced by the following sections:

“**204.** Ten days before the day fixed as the last day of the poll, the returning officer shall deliver to the deputy returning officer of the ballot paper reception office:

- (1) a ballot box for each polling subdivision;
- (2) a copy of the list of electors;
- (3) a poll book.

The returning officer shall also deliver to the deputy returning officer all the materials required by the latter’s duties.

204.1. Not later than one hour before the time fixed for the opening of the polling station on the last day of the poll, the returning officer shall deliver to the deputy returning officer of the polling station, in a sealed ballot box, after affixing his initials or a printed mark bearing his initials to the seals,

(1) the copy of the list of electors used in the ballot paper reception office comprising the electors who are entitled to vote at the polling station;

(2) a poll book;

(3) the required number of ballot papers and ENV-1 envelopes which, for each office in respect of which a poll is held at that station, shall not be greater than the number of electors entitled to vote at the station, plus 25;

(4) the forms and other documents necessary for the poll.

The returning officer shall also deliver to the deputy returning officer any other materials required for the poll.”.

4.23 Formalities prior to the opening of the ballot paper reception office

The said Act is amended by inserting the following sections after section 209:

“**209.1.** The deputy returning officer and the clerk of the ballot paper reception office must be present on the days and at the times fixed by the returning officer as the opening hours of the office.

209.2. The representatives assigned to the office where the ballot papers are received may be present on the same days and at the same times as the deputy returning officer of the ballot paper reception office.”.

POLLING PROCEEDINGS

4.24 Polling period

Section 210 of the said Act is replaced by the following section:

“**210.** The polling period shall begin ten days before the day fixed as the last day of the poll and end at 7 p.m. on the last day of the poll, subject to any extension of the polling period provided for in section 211, as amended by section 4.25 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities.

Every polling station established by the returning officer on the last day of the poll shall be open from 9 a.m. to 7 p.m.”.

4.25 Delay or interruption

Section 211 of the said Act is amended by striking out the words “for the polling station affected by the delay or interruption” in the first paragraph.

4.26 Repeal – voting leave

Section 213 of the said Act is struck out.

4.27 Identification of electors who vote in a postal vote

The said Act is amended by inserting the following sections after section 213.4:

“**213.5.** An elector who votes in a postal ballot must transmit, with the ballot paper or papers, a photocopy of one of the following documents bearing the elector’s signature: a Québec health insurance card, a Québec driver’s licence or probationary licence, or a Canadian passport.

Where the elector’s signature does not appear on one of the documents listed in the first paragraph, the elector must transmit, with the document, other proof of the elector’s identity bearing the elector’s signature.

213.6. An elector who fails to transmit, with the ballot paper or papers, a photocopy of one of the documents listed in section 213.5, as added by section 4.27 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities, or fails to sign the statement by the elector, the deputy returning officer of the ballot paper reception office must take the necessary steps to communicate with the elector and ask the elector to transmit the missing documents before 7 p.m. on the last day of the poll, failing which the elector’s ballot paper or papers will be cancelled.

213.7. No person may make a note of or otherwise collect any information contained in a document transmitted by an elector in accordance with section 213.5, as added by section 4.27 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities.”

4.28 Voting at a polling station

Sections 221 to 224 are replaced by the following sections:

“**221.** The deputy returning officer shall give the elector who is admitted to vote and does not have the ENV-1 Envelope and the ballot paper or papers received from the returning officer, every ballot paper to which the elector is entitled, together with an ENV-1 Envelope and a pencil.

222. The elector shall enter the polling booth and mark the ballot paper or papers received from the returning officer or deputy returning officer in the circle placed opposite the indications pertaining to the candidate for whom the elector intends to vote. For the purposes of this paragraph, a co-candidate and the candidate with whom the co-candidate is associated shall be counted as one candidate for the office of councillor.

223. After marking every ballot paper received, the elector shall insert the ballot paper or papers in the ENV-1 Envelope.

The elector shall give the envelope to the deputy returning officer who shall place it in the ballot box for the polling subdivision in which the elector is registered.”

4.29 Postal ballot

The said Act is amended by inserting the following sections after section 228:

“**228.0.1.** An elector voting in a postal ballot shall mark the ballot paper in one of the circles using a pen, marker or pencil.

After marking the ballot paper or papers, the elector shall insert them in the envelope marked “ENV-1 Envelope”, seal the envelope and insert it in the envelope marked “Envelope ENV-2”. The elector must also place in the envelope ENV-2 a document proving the elector’s identity listed in section 213.5, as added by section 4.27 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities, and the statement by the elector or statement by the person assisting an elector prescribed in section 2.3 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities, duly signed. The elector’s name and telephone number must also be printed in block letters on the statement.

228.0.2. If the elector is unable to complete the steps required to vote, they may be completed by the person assisting the elector in accordance with section 228.06, as added by section 4.29 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities.

That person must complete the statement of a person assisting an elector prescribed in section 2.3 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities.

228.0.3. The elector may forward the ENV-2 envelope by mail, or leave it at the ballot paper reception office.

Every ballot paper received after 7 p.m. on the last day of the poll shall be cancelled.

228.0.4. Where the name or address of the elector that appears on the statement by the elector differs slightly from those entered on the list of electors, the deputy returning officer of the ballot paper reception office is required to place the envelope containing the elector's ballot paper or papers in the ballot box for the elector's polling subdivision. The particulars shall be entered in the poll book.

228.0.5. An elector who has not received a ballot paper may apply to the returning officer or the deputy returning officer of the ballot paper reception office to obtain it.

In this event, the deputy returning officer of the ballot paper reception office must verify on the list of electors if the elector has already voted. The deputy returning officer shall then give the elector an envelope containing the ballot paper or papers bearing the initials of the returning officer.

If the deputy returning officer of the ballot paper reception office has already received an envelope from the elector, the deputy returning officer shall not permit the elector do vote and shall not give the elector another envelope.

An elector may only benefit from the provisions of the first two paragraphs beginning six days before the day fixed as the last day of the poll.

The clerk of a ballot paper reception office shall enter the particulars in the poll book.

228.0.6. An elector who is unable to mark the ballot paper alone may receive assistance from

(1) a person who is the elector's spouse or relative within the meaning of section 131 ; or

(2) another person who declares, in accordance with section 2.3 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities, that he or she has not already assisted another elector in the same poll.

228.0.7. The returning officer may authorize an elector whose name does not appear on the revised list of electors but has been entered or corrected by a board of revisors to take part in a postal ballot. The particulars shall be entered in the poll book.

The returning officer shall forward to the chief electoral officer a photocopy of the authorization granted to an elector domiciled in the territory of the municipality, except if the returning officer has proof that the change to the list that justified the authorization has been communicated in accordance with section 140.

228.0.8. An elector who inadvertently marks or spoils a ballot paper may ask the deputy returning officer of the ballot paper reception office for another ballot paper in return for the spoiled ballot paper. The particulars shall be entered in the poll book.

228.0.9. The deputy returning officer of the ballot paper reception office shall place the ENV-1 Envelope containing the ballot paper, without opening it, in the ballot box for the elector's polling subdivision after verifying that the elector's signature on the statement by the elector matches the photocopy on the proof of identity. If the signatures do not match, the deputy returning officer shall cancel the ENV-1 Envelope and place it in the envelope provided for that purpose.

228.0.10. As soon as an elector has voted, the clerk of the ballot paper reception office shall indicate that fact on the list of electors in the space reserved for that purpose.

228.0.11. After processing all the envelopes received from electors on the last day determined by the returning officer for the return of envelopes to the ballot paper reception office, the deputy returning officer of the ballot paper reception office shall give the list of electors used to the returning officer along with the materials prescribed in section 204 as amended by section 4.22 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities.

The clerk of a ballot paper reception office shall enter the following particulars in the poll book :

(1) the date of the poll and the name of the municipality ;

(2) the number of electors who sent an ENV-1 Envelope ;

(3) the number of cancelled ENV-1 Envelopes for each polling subdivision.

The deputy returning officer of the ballot paper reception office shall return all polling materials to the returning officer.”.

COUNTING AND ADDITION OF VOTES

4.30 Counting of votes

Section 229 of the said Act is replaced by the following section:

“**229.** After the closing of the poll, the deputy returning officer of the counting office, assisted by the clerk of the counting office, shall proceed to the counting of the votes.

The representatives assigned to the counting office may attend.

Where the counting office is situated in the same place as the polling station, the counting of votes shall begin only after the poll is closed at the polling station.”.

4.31 Entries in poll book

Section 230 of the said Act is replaced by the following section:

“**230.** Before the ballot box is opened, the clerk of the counting office shall enter the following particulars in the poll book:

(1) the date of the poll, the name of the municipality and the number of the counting office;

(2) the names of the persons designated by the returning officer to count the votes;

(3) the names of the representatives present during the counting of the votes.”.

4.32 Compiling sheet

Section 231 of the said Act is amended by replacing the words “poll clerk” by “clerk of the counting office”.

4.33 Opening of ballot box and ENV-1 envelopes and counting of votes

Section 232 of the said Act is replaced by the following sections:

“**232.** The deputy returning officer of the counting office shall open the ballot box and remove the ENV-1 envelopes one by one, open them and place the ballot paper or papers in piles depending on the office for which the election is held.

232.1. The deputy returning officer of the counting office shall count the votes by taking the ballot papers one by one, by office. The deputy returning officer shall allow each person present to examine the ballot papers without touching them.”.

4.34 Rejected ballot papers

Sections 233 and 234 of the said Act are replaced by the following sections:

“**233.** Every ballot paper marked in the way prescribed in section 228.0.1, as added by section 4.29 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities, is valid. However, a ballot paper must be rejected if it

(1) has not been furnished by the returning officer;

(2) has not been marked;

(3) has been marked in favour of more than one candidate;

(4) has been marked in favour of a person who is not a candidate;

(5) has been marked elsewhere than in one of the circles;

(6) bears a mark by which the elector can be identified;

(7) bears fanciful or injurious entries;

(8) has been spoiled.

234. Every ballot paper that does not bear the initials of the returning officer must be rejected.”.

4.35 Repeal – Failure to detach the stub of a ballot paper

Section 235 of the said Act is struck out.

4.36 Objections as to the validity of a ballot paper

Section 237 of the said Act is replaced by the following section:

“**237.** The deputy returning officer of the counting office shall consider every objection raised by a representative in respect of the validity of a ballot paper and make a decision immediately.

The objection and the decision of the deputy returning officer of the counting office shall be entered in the poll book.”.

4.37 Statement of poll

Section 238 of the said Act is replaced by the following section:

“**238.** After examining all the ballot papers received, the deputy returning officer of the counting office shall draw up a statement of votes indicating

(1) the total number of electors who have voted, which must match the number of envelopes placed in the ballot box;

(2) the number of ballot papers given in favour of each candidate;

(3) the number of ballot papers rejected in the counting of votes.

The statement must be drawn up separately for each office for which a poll was held at the polling station.

The deputy returning officer of the counting office shall draw up a sufficient number of copies of the statement of votes to provide, in addition to the deputy returning officer’s copy, a copy for the returning officer and for each representative assigned to the counting office.”.

4.38 Copy for representatives

Section 240 of the said Act is amended by replacing the words “polling station” in the first paragraph by the words “counting office”.

4.39 Separate envelopes

Sections 241 and 242 of the said Act are replaced by the following section:

“**241.** After drawing up the statement of votes, the deputy returning officer of the counting office shall place the ballot papers marked in favour of each candidate, the ballot papers rejected in the counting of votes and the statement of votes in separate envelopes.

The deputy returning officer shall then seal the envelopes. The deputy returning officer and the clerk of the counting office and the representatives assigned to the counting office who wish to do so shall affix their initials to the seals.

The envelopes and the poll book shall be placed in the ballot box. Before closing the ballot boxes, the returning officer shall give the deputy returning officer of the counting office an envelope for the polling subdivision concerned containing the ballot papers cancelled upon reception by the deputy returning officer of the ballot paper reception office.

The envelope shall be placed in the ballot box without being opened.

A copy of the statement of votes shall be placed in the ballot box.”.

4.40 Closing of ballot box

Section 243 of the said Act is replaced by the following section:

“**243.** The deputy returning officer of the counting office shall close and seal the ballot box. The deputy returning officer and the clerk of the counting office and the representatives assigned to the counting office who wish to do so shall affix their initials to the seals.”.

4.41 Addition of votes

Section 245 of the said Act is replaced by the following section:

“**245.** The addition of the votes shall begin, at the discretion of the returning officer:

(1) at the time fixed by the returning officer on the evening of the day on which the poll closes;

(2) at 9 a.m. on the day after the day on which the poll closes; or

(3) at the time and on the day determined by the returning officer, that day being any of the four days following the day on which the poll closes.

If the returning officer chooses to begin the addition of the votes after the day on which the poll closes, the returning officer shall notify each authorized party, recognized ticket and independent candidate concerned of the date, time and place selected for that purpose.”.

4.42 Adjournment

Section 248 of the said Act is amended by inserting the words “of the counting office” after the words “deputy returning officer” in the second paragraph.

4.43 **New summary counting of votes**

Section 250 of the said Act is amended by replacing the words “poll clerk” in the first paragraph by the words “clerk of the counting office”.

RECOUNT OR RE-ADDITION OF VOTES

4.44 **Application for recount**

Section 262 of the said Act is amended by replacing the words “a poll clerk” in the first paragraph by the words “the clerk of a counting office”.

4.45 **Applicable provisions**

Section 269 of the said Act is amended by inserting the words “as amended by the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities” after the words “Division V”.

ELECTORAL CONDUCT

4.46 **Assistance to an elector**

Section 281 of the said Act is replaced by the following section:

“**281.** A person who has given assistance to another elector may not disclose for which candidate the elector has voted.”.

4.47 **Partisan publicity and partisan work**

Section 283 of the said Act is replaced by the following section:

“**283.** No person may, on the premises of a ballot paper reception office or polling station, use a sign to indicate his political affiliation or support for or opposition to a party, ticket or candidate or ideas promoted or opposed by the latter, or engage in any other form of partisan publicity.

The building in which the ballot paper reception office or polling station is located and any neighbouring place where the sign or partisan publicity may be seen or heard by the electors waiting in line are deemed to be the premises of a ballot paper reception office or a polling station.”.

PENAL PROVISIONS

4.48 **Offences**

Section 586 of the said Act is amended by adding the following paragraph:

“(13) every person who falsely claims to be the spouse or relative of an elector or a person cohabiting with an elector.”.

4.49 **Alteration of imitation of initials**

Section 633 of the said Act is amended by adding the words “or the returning officer” after the words “deputy returning officer” in paragraph 2.

4.50 **Leave**

Section 635 of the said Act is amended by striking out paragraph 1.

4.51 **Retention of documents**

Section 658.1 of the said Act is amended by adding the following paragraph:

“However, the photocopies of the proof of identity referred to in section 213.5, as added by section 4.27 of the agreement entered into under section 659.2 of the Act respecting elections and referendums in municipalities, must be destroyed once the deadline for presenting a motion to contest an election has expired, or once the decision made concerning such an application has become final.”.

5. DURATION AND APPLICATION OF AGREEMENT

The returning officer of the municipality is responsible for the application of this agreement and, consequently, for the proper conduct of the testing of the new method of voting in the municipal election held on November 2nd of the year 2003 and for any subsequent polls held before December 31st, 2009.

6. AMENDMENT

The parties agree that this agreement may be amended as needed to ensure the proper conduct of the municipal election held on November 2nd of the year 2003.

All amendments must be noted in the assessment report.

7. ASSESSMENT REPORT

Within 120 days following the end of the municipal election held on November 2nd of the year 2003, the returning officer of the municipality shall forward, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), an assessment report to the Chief Electoral Officer and the Minister, which report shall cover the following points in particular:

— preparations for the election (selection of the new method of voting, communications plan, establishment of the polling station or stations, ballot paper reception office and counting offices, etc.);

— the conduct of the poll;

— the cost of using a postal ballot:

– costs relating to the adaptation of voting methods;

– a comparison of the actual and estimated costs for holding the poll using the new methods of voting, and the projected cost of holding the municipal election on November 2nd of the year 2003 in a traditional manner.

— the advantages and disadvantages of using the new methods of voting;

— statistics on the postal ballot, including:

– the participation rate;

– the number of electors who voted by mail, and the number who voted at a polling station;

– the number of cancelled ENV-1 envelopes.

8. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) applies to the municipal election held on November 2nd of the year 2003 in the municipality, subject to the provisions of the said Act amended or replaced by this agreement.

9. EFFECT OF AGREEMENT

This agreement has effect from the time when the returning officer takes the first action in connection with an election to which the agreement applies.

AGREEMENT SIGNED IN TRIPLICATE:

At La Tuque, on the 28th day of July in the year 2003

THE MUNICIPALITY OF LA TUQUE

By: _____
GASTON FORTIN, *Mayor*

YVES TOUSIGNANT, *Clerk*

At Québec, on the 31st day of July in the year 2003

THE CHIEF ELECTORAL OFFICER

MARCEL BLANCHET

At Québec, on the 25th day of August in the year 2003

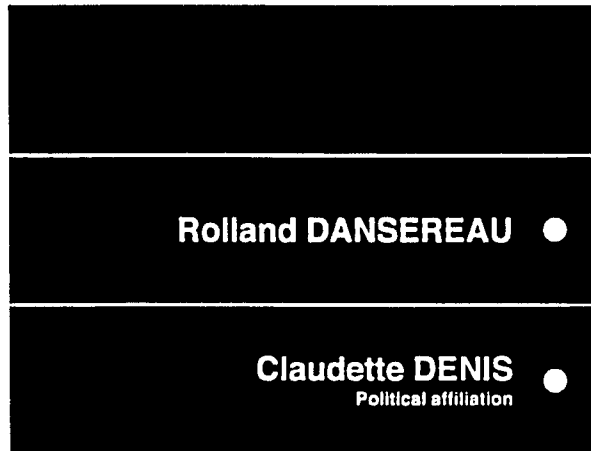
THE MINISTER OF MUNICIPAL AFFAIRS,
SPORTS AND RECREATION

By: _____
DENYS JEAN, *Deputy Minister*

SCHEDULE

MODEL BALLOT PAPER

MODEL OF THE OBERSE OF A BALLOT PAPER WITH TWO CANDIDATES



MODEL OF THE REVERSE OF A BALLOT PAPER WITH TWO CANDIDATES

Initials of returning officer	<input type="text"/>
Name of municipality	
Name or number of office	
Date of poll	
Name and address of printer	

Gouvernement du Québec

Agreement

An Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2)

AGREEMENT CONCERNING NEW METHODS OF VOTING USING “VOTEX” ELECTRONIC VOTING SYSTEM

AGREEMENT ENTERED INTO

BETWEEN

The MUNICIPALITY OF COMPTON, a legal person established in the public interest, having its head office at 3, rue Hatley, suite 201, Compton, Province of Québec, represented by the mayor, M. Fernand Veilleux, and the director general and secretary-treasurer, Mrs. Sylvie Dolbec, under a resolution bearing number 948-2003-08-05, hereinafter called

THE MUNICIPALITY

AND

Mtre Marcel Blanchet, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (R.S.Q., c. E-3.3), acting in that capacity and having his main office at 3460, rue de La Pérade, Sainte-Foy, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

the Honourable Jean-Marc Fournier, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, SPORTS AND RECREATION, having his main office at 10, rue Pierre-Olivier-Chauveau, in Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the council of the MUNICIPALITY, by its resolution No. 824-2003-04-15, passed at its meeting of April 15th, 2003, expressed the desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of electronic voting stations for the general election of November 2nd, 2003, in the MUNICIPALITY ;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) provide the following :

“**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into ; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

659.3. After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer.” ;

WHEREAS the MUNICIPALITY expressed the desire to avail itself of those provisions for the general election held on November 2nd, 2003 and could, with the necessary adaptations, avail itself of those provisions for elections held after the date of the agreement, the necessary adaptations to be included in an addendum to this agreement ;

WHEREAS it is expedient to provide the procedure that applies to the territory of the MUNICIPALITY for that general election ;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER ;

WHEREAS the MUNICIPALITY is solely responsible for the technological choice elected ;

WHEREAS the council of the MUNICIPALITY passed, at its meeting of August 5th, 2003, resolution No. 948-2003-08-05 approving the text of the agreement and authorizing the mayor and the clerk or secretary-treasurer to sign this agreement ;

WHEREAS the returning officer of the MUNICIPALITY is responsible for the application of this agreement and the means necessary to carry it out ;

THEREFORE, the parties agree to the following :

1. PREAMBLE

The preamble to this agreement is an integral part of the agreement.

2. INTERPRETATION

Unless stated otherwise, expressly or as a result of the context of a provision, the following expressions, terms and words have, for the purposes of this agreement, the meaning and application given in this section.

2.1 “electronic voting system” means an apparatus consisting of the following devices:

— a main station used to place the terminals in “election” mode, to unlock the voting terminals, to place the terminals in “end of election” mode, to read the meter of each voting terminal, and to record the results; the main station can control up to six (6) voting terminals;

— one or more voting terminals used to vote, including a graphical representation of a ballot paper with space for a photo of the candidates;

— one or more printers;

2.2 “voting terminal” means a device integrating a ballot paper into its upper surface and push buttons used by electors to vote;

2.3 “paper trail of the vote” identifies the print-out of the voting operation (audit) sent to the sealed printer via the main station;

2.4 “cancelled vote” means a vote for which the button corresponding to “I do not wish to vote” for the office of mayor or “I do not wish to vote” for the office of councillor has been pushed by an elector on the voting terminal.

3. ELECTION

3.1 For the purposes of the general election of November 2nd, 2003 in the municipality, a sufficient number of “Votex” model electronic voting systems will be used.

3.2 Before the publication of the notice of election, the municipality must take the necessary steps to provide its electors with adequate information concerning the testing of the new method of voting.

4. SECURITY MECHANISMS

Each electronic voting system must include the following security mechanisms:

(1) a report identifying the main station and displaying a total of “zero” must be automatically produced by the main station when a voting terminal is turned on on the first day of advance polling and on polling day, for each candidate;

(2) the sequential voting reports are progressively printed by a sealed printer;

(3) a key mechanism placing the main station and its voting terminals in “election” mode; the key is then removed from the main station and is kept by the person responsible for the main station; the mode in which the main station operates can only be changed with the insertion of the key into the main station;

(4) after an elector has voted, the voting terminal is automatically locked for a 30 second interval in order to prevent an elector from voting more than once;

(5) the main station must be equipped with a back-up power source (battery) able to operate for two to three hours, unless it is connected to a generator;

(6) if a voting terminal is defective, then it is immediately replaced by another voting terminal in order to allow the poll to continue;

(7) if the main station is defective, then it is immediately replaced by another main station and by another sealed printer in order to allow the poll to continue; the votes already entered will be recovered at the closing of the poll, either by a technician mandated by TM Technologie inc. who will carry out the reading of the meters of the defective main station, or by a manual calculation of the paper trails of the votes.

5. CONFIGURATION

Each electronic voting system used is specially configured by the firm TM Technologie inc. for the municipality in order to receive and tally votes in accordance with this agreement.

6. AMENDMENTS TO THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

6.1 Election officers

Section 68 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) is amended by inserting the words “person responsible for the main station, assistant to the person responsible for the main station” after the word “assistant,”.

6.2 Person responsible for the main station, assistant to the person responsible for the main station, deputy returning officer and poll clerk

The following is substituted for section 76 of the Act:

“**76.** The returning officer shall appoint the number of persons responsible for the main station and assistants to the person responsible for the main station that he deems necessary for each polling place.

The returning officer shall appoint a deputy returning officer and a poll clerk for each polling station.”

6.3 Duties of the person responsible for the main station, the assistant to the person responsible for the main station and deputy returning officer

The following is substituted for section 80 of the Act:

“**80.** The person responsible for the main station shall, in particular,

(1) see to the installation and preparation of the electronic voting systems (main station and voting terminals);

(2) ensure that the polling is properly conducted and maintain order in the vicinity of the voting terminals in the polling place;

(3) facilitate the exercise of the right to vote and ensure that voting is secret;

(4) ensure that the electronic voting systems function correctly;

(5) via the main station perform any necessary operation, including the unlocking of the voting terminal on which the elector will exercise his right to vote;

(6) print out the results compiled by his main station at the closing of the poll;

(7) give the returning officer, at the closing of the poll, the paper trails of the votes.

80.1. The assistant to the person responsible for the main station shall, in particular,

(1) assist the person responsible for the main station in the latter’s duties;

(2) receive any elector referred by the person responsible for the main station;

(3) verify the polling booths in the polling place.

80.2. The deputy returning officer shall, in particular,

(1) see to the arrangement of the polling station;

(2) see that the polling is properly conducted and maintain order at the polling station;

(3) facilitate the exercise of the right to vote and ensure that voting is secret;

(4) receive proof of identity from electors;

(5) at the close of the poll, give the person responsible for the main station a statement indicating the total number of electors who exercised their right to vote at his polling station.”

6.4 Discretion of the Chief Electoral Officer upon observing an error, emergency or exceptional circumstance

The following is substituted for section 90.5 of the Act:

“**90.5.** Where, during the election period, within the meaning of section 364, it comes to the attention of the Chief Electoral Officer that, subsequent to an error, emergency or exceptional circumstance, a provision referred to in section 90.1 or in the agreement provided for in section 659.2 of the Act respecting elections and referendums in municipalities does not meet the demands of the resultant situation, the Chief Electoral Officer may adapt the provision in order to achieve its object.

The Chief Electoral Officer shall first inform the Minister of Municipal Affairs, Sports and Recreation of the decision he intends to make.

Within 30 days following polling day, the Chief Electoral Officer shall transmit to the President or the Secretary General of the National Assembly a report of the decisions made pursuant to the first paragraph. The President shall table the report in the National Assembly within 30 days of receiving it or, if the National Assembly is not sitting, within 30 days of resumption.”

6.5 Notice of election

The following is added after paragraph 7 of section 99:

“(8) the fact that the method of voting is by means of an electronic voting system.”

6.6 Polling subdivisions

The following is substituted for section 104 of the Act:

“104. The returning officer shall divide the list of electors into polling subdivisions, each comprising not more than 750 electors.

The returning officer shall provide a sufficient number of polling stations at each polling place to receive electors, and establish their identity.

In the polling place, the electors may report indifferently to one or other of the polling stations. Then they shall be directed to the first available voting terminal to exercise their right to vote.”.

6.7 Nomination paper

Section 154 of the Act is modified by the addition of the following second alinea:

“The nomination paper specifies whether the candidate accepts or refuses that his photo appear on the graphical representation of a ballot paper that appears on the voting terminal and in the case of his acceptance mentions:

(a) that he undertakes to be present at one of the candidate’s photography sessions fixed by the authority of the returning officer;

(b) that his failure to be present at one of these sessions constitutes a renunciation on his part to have his photo added to the graphical representation of the ballot paper, which shall be replaced by a black space.”.

6.8 Verification of electronic voting systems

The Act is amended by inserting the following subdivision after subdivision 1 of Division IV of Chapter VI of Title I:

“§1.1 *Verification of electronic voting systems*

173.1. The returning officer shall, not later than the fifth day preceding the first day of advance polling and the fifth day preceding polling day, test the electronic voting system to ensure that it tallies the number of votes cast accurately and precisely, in the presence of the candidates or their representatives if they so wish.

173.2. During the testing of the electronic voting system, adequate security measures must be taken by the returning officer to guarantee the integrity of the

system as a whole and of each component used to record, compile and memorize results. The returning officer must ensure that no electronic communication that could change the configuring of the system, the recording of data, the tallying of votes, the memorization of results or the integrity of the system as a whole may be established.

173.3. The returning officer shall conduct the test by performing the following operations:

(1) he shall record on the voting terminal a pre-determined number of votes that have been manually tallied. The votes shall include:

(a) a pre-determined number of votes in favour of one of the candidates for the office of mayor and councillor;

(b) a pre-determined number of votes corresponding to the statement “I do not wish to vote” for the office of mayor or “I do not wish to vote” for the office of councillor;

(c) a pre-determined number of votes for a candidate for the office of mayor and the same pre-determined number of votes for a candidate for a position as a councillor;

(2) he shall ensure that it is not possible to record more than one vote for the same position;

(3) he shall ensure that the button used to record a vote can be pushed only after the button used to vote for the mayor or corresponding to the statement “I do not wish to vote for the office of mayor”, and the button used to vote for a councillor or corresponding to the statement “I do not wish to vote for the office of councillor”, have been pushed;

(4) he shall ensure that the information relating to the positions to be filled presented on the upper surface of the voting terminal is consistent with the specified information;

(5) he shall place the system in “end of election” mode and ensure that the results compiled by the main station are consistent with the results compiled manually;

(6) once the test has been successfully completed, he shall reset the main station to zero and put it with the voting terminals in their locked case;

(7) where an error in the compilation of the results compiled by the terminals is detected, the returning officer shall determine with certitude the cause of error, proceed with a further test, and repeat the operation until a perfect compilation of results is obtained; any error or discrepancy shall be noted in the test report;

(8) he may not change the configuration established by the firm TM Technologie inc.”.

6.9 Advance polling

Section 182 of this Act is replaced by the following:

“**182.** At the close of the advance polling station, the poll clerk shall enter the following particulars in the poll book:

(1) the number of electors who exercised their right to vote;

(2) the names of the persons who performed duties as election officers or as representatives.

The deputy returning officer shall place in separate envelopes the forms, the poll book and the list of electors, and shall then seal the envelopes. The deputy returning officer, the poll clerk and the representatives who wish to do so shall affix their initials to the seals of the envelopes. The envelopes shall be given to the person responsible for the main station for deposit in a large envelope, except for the envelope containing the list of electors. The large envelope shall be sealed. The persons present may affix their initials to the seal.

182.1. At the close of the advance polling station, the person responsible for the main station shall:

(1) place the main station in the “end of election” mode;

(2) place in a separate envelope the sequential voting report from the sealed printer and seal the envelope;

(3) transfer the data from the summary report of results from the main station to a disk, place the disk in an envelope and seal the envelope;

(4) transfer the data from the summary report of results from the main station to a sealed printer;

(5) proceed, with the help of the TM technology inc. technician, to set the main station at zero, and place it in its locked case;

182.2. The person responsible for the main station hands over to the returning officer in a large envelope, the envelope containing the electoral list, the envelope containing the sequential voting report, the envelope containing the disk and the sealed printer in order that they be kept in security.”.

Section 183 of the Act is revoked.

Section 184 of the Act is replaced by the following:

“**184.** The returning officer must draw up, from the different electoral lists that were used for the advance poll, an integrated electoral list of all the electors who have voted at the advance poll. The returning officer reproduces it in as many copies as there are polling stations on polling day and, at the latest on the third day preceding the date fixed for the poll, he transmits a copy to each authorized party or recognized team and to each interested independent candidate.”.

Section 185 of this Act is replaced by the following:

“**185.** From 7:00 p.m. on polling day, the returning officer or the person designated by the returning officer proceeds, at the location determined by the returning officer, to print out the summary report of results contained on the disk in the presence of the deputy returning officers, the poll clerks and the representatives who wish to be present.

The printing out of these results is to be done in accordance with the rules applied to the printing out of the results on polling day, adapted as required.”.

6.10 Repeal

Sections 186 and 187 of this Act are revoked.

6.11 Polling place

The following is substituted for the first paragraph of section 188 of the Act:

“**188.** The polling place must be in premises that are spacious and easily accessible to the public.”.

6.12 Booths

The following is substituted for section 191 of the Act:

“**191.** Where electronic voting systems are used in an election, each polling place shall have the number of polling booths determined by the returning officer.”.

6.13 Ballot papers

The following is substituted for sections 192 to 195 of the Act:

“**192.** The returning officer shall fix between the 17th day and the 12th day preceding the polling day, two photography sessions for the candidates on distinct days and hours. He advises the candidates 48 hours before the first photo session. The photographs are passport types on a plain background.

193. The graphical representation of a ballot paper that appears on the voting terminal shall be similar to the model set out in Schedule 1 to the agreement concluded in virtue of section 659.2 of the Act respecting elections and referendums in municipalities.”.

6.14 Identification of the candidates

The following is substituted for section 196 of the Act:

“**196.** The graphical representation of a ballot paper that appears on the voting terminal must allow each candidate to be identified.

The representation shall show:

(1) the name of each candidate, the given name preceding the surname;

(2) under each name, the name of the authorized party or recognized ticket to which the candidate belongs, where such is the case;

(3) a photograph of each candidate taken in virtue of section 192 or a black space in the absence of such a photograph.

Where several independent candidates for the same office have the same name, the graphical representation of the ballot paper used in the polling for that office shall indicate the address of each candidate under the candidate's name and, where such is the case, above the indication of the candidate's political affiliation.

The particulars must appear in alphabetical order of the candidates' surnames and, as the case may be, of the candidates' given names. Where two or more candidates for the same office have the same name, the order in which the particulars relating to each of them appear shall be determined by a drawing of lots carried out by the returning officer.

The particulars pertaining to the candidates must correspond to those contained in the nomination papers, unless, in the meantime, the authorization of the party or the recognition of the ticket has been withdrawn, or the name of the party or ticket appearing on the nomination papers is inaccurate.”.

6.15 Reverse of ballot paper

Section 197 is revoked.

6.16 Withdrawal of a candidate

The following is substituted for section 198 of the Act:

“**198.** Where an electronic voting system is used in an election, the returning officer shall ensure that the main station and the voting terminals are configured so that they do not take into account the candidates who have withdrawn and he does what is necessary to remove or to conceal from the voting terminal the name and the photograph of the candidates who have withdrawn their candidacy.

Any vote in favour of those candidates before or after their withdrawal is null.”.

6.17 Withdrawal of authorization or recognition

The following is substituted for section 199 of the Act:

“**199.** Where electronic voting systems are used in an election, the returning officer shall ensure that they are adjusted so that they do not take into account the party or ticket from which authorization or recognition has been withdrawn and without limiting the generality of the foregoing, do what is necessary to withdraw or conceal from the voting terminals the name of the party or the ticket from which the authorization or recognition has been withdrawn.”.

6.18 Number of voting terminals

The following is substituted for sections 200 and 201 of the Act:

“**200.** The returning officer shall ensure that a sufficient number of electronic voting systems are available for the election.

201. The upper surface of the voting terminal must be similar to the model described in Schedule 1 to this Agreement.

The voting terminal must be designed so that the button used to vote for a candidate is placed opposite the particulars relating to that candidate.

The instructions to the electors on how to vote must be clearly indicated on the polling booth facing of the voting terminal.”.

6.19 Provision of polling materials

The following is substituted for section 204 of the Act :

“**204.** Not later than one hour before the time fixed for the opening of the polling station, the returning officer shall give or make available to the deputy returning officer, in a sealed envelope, after affixing his initials to the seals,

(1) a copy of the list of electors for the polling subdivision used for the advance poll and comprising the electors who are entitled to vote in this room ;

(2) a poll book ;

(3) the forms and other documents necessary for the poll and the closing of the polling station.

During the same period, the returning officer gives the sealed envelope including the key to the main station to the person responsible for the main station.

He shall give or make available to the deputy returning officer, as well as to the person responsible for the main station, any other materials required for the poll, the closing of the polling office, and the tallying and recording of votes.”.

6.20 Examination of polling materials and documents

The following is substituted for section 207 of the Act :

“**207.** In the hour preceding the opening of the polling stations, the person responsible for the main station, before the persons present, shall ensure that his main station displays a total of zero electors having voted, that is to say that each candidate displays a total of zero registered votes, by verifying the setting of the meter at zero report printed by the sealed printer.

The person responsible for the main station must inform the returning officer of any discrepancy observed upon activating the main station, the voting terminals or the sealed printer or during the poll.

The person responsible for the main station shall keep the reports and show them to any person present who wishes to examine them.

In the hour preceding the opening of the polling stations, each deputy returning officer and poll clerk shall examine the polling documents and materials provided by the returning officer.”.

6.21 Repeal

Section 209 of this Act is revoked.

POLLING PROCEDURE

6.22 Presence at the polling station

The following is substituted for the third paragraph of section 214 of the Act :

“In addition, only the deputy returning officer, the poll clerk and the representatives assigned to the polling station, together with the returning officer, the election clerk, the assistant to the returning officer, the person responsible for the main station and the assistant to the person responsible for the main station may be present at the station. The officer in charge of information and order may be present, at the request of the deputy returning officer, the person responsible for the main station or the assistant to the person responsible for the main station for as long as may be required. The poll runner may be present for the time required to perform his duties. Any other person assisting an elector under section 226 may be present for the time required to enable the elector to exercise his right to vote.”.

6.23 Ballot papers

Section 221 of the Act is revoked.

6.24 Voting

The following is substituted for section 222 of the Act :

“**222.** The elector shall enter the polling booth and exercise his right to vote by :

(1) pressing the button placed opposite the particulars relating to the candidate in whose favour the elector wishes to vote as mayor, the button pressed being now illuminated ;

(2) pressing the button placed opposite the particulars relating to the candidate in whose favour the elector wishes to vote as councillor or councillors, the button pressed being now illuminated ;

(3) recording its choices by pressing the green button placed at the bottom of the voting terminal.

Steps 1 and 2 can be inverted.”.

6.25 Following the vote

The following is substituted for section 223 of the Act :

“**223.** After having exercised his right to vote, the elector shall leave the booth then the polling room.

If an elector has expressed his vote or votes and has left the polling room without having recorded them, the person responsible for the main station or the assistant to the person responsible for the main station, accompanied by a deputy returning officer or by a poll clerk, records them.

If an elector has omitted to express one or more than one of his votes and has left the polling room, the person responsible for the main station or the assistant to the person responsible for the main station, accompanied by a deputy returning officer or by a poll clerk, presses the button corresponding to the statement “I cancel my vote” for the office of mayor or “I cancel my vote” for the office of councillor or the buttons corresponding to the two statements, as the case may be, and then records the elector’s vote.

An indication is made in the poll book of the deputy returning officer who accompanied the person responsible for the main station or the assistant to the person responsible for the main station.”.

6.26 Cancelled and spoiled ballot papers

Sections 224 and 225 of the Act are revoked.

6.27 Assistance for electors

The following is substituted for section 226 of the Act :

“**226.** An elector who declares under oath that he is unable to use the electronic voting system or to vote, may be assisted either :

(1) by a person who is the elector’s spouse or a relative within the meaning of section 131 ;

(2) by the deputy returning in the presence of the poll clerk.

A deaf or mute elector may be assisted, for the purposes of communicating with the election officers and representatives, by a person capable of interpreting the sign language of the deaf.

An indication that an elector has availed himself of this section shall be entered in the poll book.”.

6.28 Indication of the electoral list

Section 228 of the law is replaced by the following :

“**228.** As soon as the elector is directed to the person responsible for the main station in order to exercise his right to vote, the poll clerk shall indicate it on the list of electors in the space reserved for that purpose.

The first paragraph does not apply where the elector has voted pursuant to an authorization where his name was not entered on the copy of the list of electors used at the polling station.”.

6.29 Compilation of results and tallying of votes

The following is substituted for section 229 of the Act :

“**229.** After the closing of the poll, the person responsible for the main station shall compile the results by :

(1) inserting his key into the main station and turn it ;

(2) placing the election main station in the “end of election” mode ;

(3) printing out the results compiled by the main station.

The summary report of results shall indicate the number of cancelled votes, and the number of votes for each candidate.

The person responsible for the main station shall allow each authorized person present to consult the summary report of results.”.

6.30 Entries in poll book

The following is substituted for section 230 of the Act :

“**230.** After the closing of the poll, the poll clerk of each polling station shall enter in the poll book :

(1) the number of electors who have voted at this polling station;

(2) the names of the persons who have performed duties as election officers or as representatives assigned to that polling station.

230.1. The deputy returning officer shall print out the computerized electoral list identifying the electors who have voted at his polling station.

The deputy returning officer shall place the poll book and the list of electors in separate envelopes.

The deputy returning officer shall seal the envelopes, and the representatives assigned to the polling station who wish to do so shall affix their initials to the seals.

The deputy returning officer shall then give the envelopes to the returning officer.”.

6.31 Compiling sheet

Section 231 of the Act is revoked.

6.32 Counting of the votes

Section 232 of the Act is revoked.

6.33 Cancelled votes

The following is substituted for section 233 of the Act:

“**233.** The electronic voting system shall be configured in such a way that every vote for which the button corresponding to “I do not wish to vote for the office of mayor” or “I do not wish to vote for the office of councillor” pushed by the elector on the voting terminal is accounted for.”.

Sections 234 to 237 of the Act are revoked.

6.34 Statement of the main station and copy for representatives

Section 238 of this Act is replaced by the following:

“**238.** The person responsible for the main station sets the main station at a communication mode and prints a sample of the graphical report of results compiled by the main station.

He immediately gives a copy of the graphical report to the representative.

He conserves a copy for himself and another for the returning officer for the purposes of section 244.”.

Section 240 of the Act is revoked.

6.35 Separate envelopes

The following is substituted for section 241 of the Act:

“**241.** After printing out the results compiled by his main station, the person responsible for the main station shall:

(1) place in a separate envelope, the graphical report of results compiled by the main station;

(2) place in a separate envelope, the setting of the meter at zero report, the sequential voting report, and the summary report of results, produced by his main station during the poll; he seals the envelope and affixes his initials, along with those representatives who wish to do so;

(3) place in an envelope the key to his main station. He seals the envelope and affixes his initials along with those of the representatives who wish to do so.”.

6.36 Seals

The following is substituted for section 242 of the Act:

“**242.** The person responsible for the main station shall place in a large envelope, the envelopes mentioned at the second and third paragraph of article 241.

He shall seal the large envelope. The person responsible for the main station and the representatives who wish to do so shall affix their initials to the seal of the large envelope.”.

6.37 Placing in ballot box

Section 243 of the Act is revoked.

6.38 Delivery to returning officer

The following is substituted for section 244 of the Act:

“**244.** The person responsible for the main station shall deliver to the returning officer or the person designated by the returning officer:

(1) the envelope containing the graphical report of the results compiled by the main station;

(2) the large envelope provided for in section 242.”.

6.39 Addition of votes

The following is substituted for section 247 of the Act:

“**247.** The returning officer shall proceed with the addition of the votes using the graphical report of the results compiled by each main station and printed by each person responsible for the main station.”.

6.40 Adjournment of the addition of votes

The following is substituted for section 248 of the Act:

“**248.** The returning officer shall, if he is unable to obtain a graphical report of results compiled from each main station that should have been provided, adjourn the addition of votes until it is obtained.

Where it is not possible to obtain the graphical report of results of each main station, the returning officer shall, in the presence of the person responsible for the main station and the candidates in question or of their representatives, print out a graphical report of results compiled from the main station concerned. If a main station is defective, then the votes already entered by it are recovered either by a technician mandated by TM Technology inc. who carries out the reading of the meters of the defective main station, or by a manual calculation of the paper trails of the votes made by the returning officer.”.

6.41 Placing in envelope

The following is substituted for section 249 of the Act:

“**249.** The returning officer shall place the copy of the graphical report of results compiled from each main station in the large envelope, seal it, and allow the candidates or representatives present to affix their initials.”.

6.42 New counting of the votes

Section 250 of the Act is revoked.

6.43 Notice to the Minister

Section 251 of the Act is replaced by the following :

“**251.** Where it appears impossible to obtain the graphical report of results compiled from every main station or the paper trails of the votes printed by a main station, the returning officer shall inform the Minister of Municipal Affairs in accordance with Division III of Chapter XI.”.

6.44 Access to paper trails

The following is substituted for section 261 of the Act:

“**261.** In no case may the person responsible for access to documents held by the municipality deliver any copy of any paper trail of the votes.

He shall allow no one to examine these paper trails unless he is obliged by order of a court or a judge.”.

6.45 Application for a recount or re-addition

The following is substituted for the first paragraph of section 262 of the Act:

“**262.** Any person who has reasonable grounds to believe that a main station has produced an inaccurate graphical report of results compiled from this main station, may apply for a new compilation of the results. The applications may be limited to one or certain main stations, but the judge is not bound by that limitation.”.

6.46 Notice to candidates

The following is substituted for section 267 of the Act:

“**267.** The judge shall give one clear day’s advance notice in writing to the candidates concerned of the date, time and place at which he will proceed with the new compilation of the results or re-addition of the votes.

The judge shall summon the returning officer and order him to bring the paper trails of the votes, and the graphical report of results compiled from each main station. Where the new compilation is limited to one or certain main stations, the judge shall order only the paper trails of the votes and the graphical report of results compiled from the main stations that he will need.”.

6.47 Procedure for a new compilation of results or re-addition of votes

The following is substituted for section 268 of the Act:

“**268.** On the appointed day, the judge, in the presence of the returning officer shall, in the case of a new compilation of results, examine the paper trails of the votes.

In the case of a re-addition of votes, the judge shall examine the graphical report of results compiled from each main station.

The candidates concerned or their mandataries and the returning officer may, at that time, examine all the documents and items examined by the judge.”.

6.48 Repeal

Section 269 is revoked.

6.49 Missing overall statements of the main station and paper trails of the votes

The following is substituted for the first paragraph of section 270 of the Act:

“**270.** If a required document or the paper trails of the votes are missing, the judge shall use appropriate means to ascertain the results of the vote.”.

6.50 Custody of items and documents, and verification

The following is substituted for sections 271, 272 and 273 of the Act:

“**271.** During a new compilation or a re-addition, the judge shall have custody of the voting system and of the items and documents entrusted to him.

272. As soon as the new compilation is completed, the judge shall confirm or rectify the graphical report of results compiled from each main station and makes a re-addition of the votes.

273. After completing the re-addition of the votes, the judge shall certify the results of the poll.

The judge shall give the returning officer all the documents used to complete the new compilation or the re-addition.”.

7. DURATION AND APPLICATION OF AGREEMENT

The returning officer of the municipality is responsible for the application of this agreement and, consequently, for the proper conduct of the trial application of the new method of voting during the general elections held before December 31st, 2005.

8. AMENDMENT

The parties agree that this agreement may be amended if need be to ensure the proper conduct of the general election to be held on November 2nd, 2003 and of any subsequent election provided for in the agreement. Mention of that fact shall be made in the assessment report.

9. ASSESSMENT REPORT

Within 120 days following the general election held on November 2nd, 2003, the returning officer of the municipality shall forward, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), an assessment report to the Chief Electoral Officer and the Minister addressing, in particular, the following issues:

- the preparations for the election (choice of the new method of voting, communications plan, etc.);
- the conduct of the advance poll and the poll;
- the cost of using the electronic voting system:
- the cost of adapting election procedures;
- non-recurrent costs likely to be amortized;
- a comparison between the actual polling costs and the estimated polling costs using the new methods of voting and the projected cost of holding the general election on November 2nd, 2003 using traditional methods;
- the number and duration of incidents during which voting was stopped, if any;
- the advantages and disadvantages of using the new method of voting, including the addition of a photograph on the graphical representation of a ballot paper placed on the voting terminal;
- the results obtained during the addition of the votes and the correspondence between the number of votes cast and the number of electors admitted to vote.

10. APPLICATION OF THE ACT RESPECTING
ELECTIONS AND REFERENDUMS
IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities shall apply to the general election held on November 2nd, 2003 in the municipality, subject to the provisions of the Act that this agreement amends or replaces.

11. EFFECT OF AGREEMENT

This agreement has effect from the time when the returning officer performs the first act for the purposes of an election to which this agreement applies.

AGREEMENT SIGNED IN THREE COPIES :

In Compton, this 8th day of August 2003

MUNICIPALITY OF COMPTON

By: _____
FERNAND VEILLEUX, *Mayor*

SYLVIE DOLBEC,
Director general and secretary-treasurer

In Québec, on this 19th day of August 2003

THE CHIEF ELECTORAL OFFICER

MARCEL BLANCHET

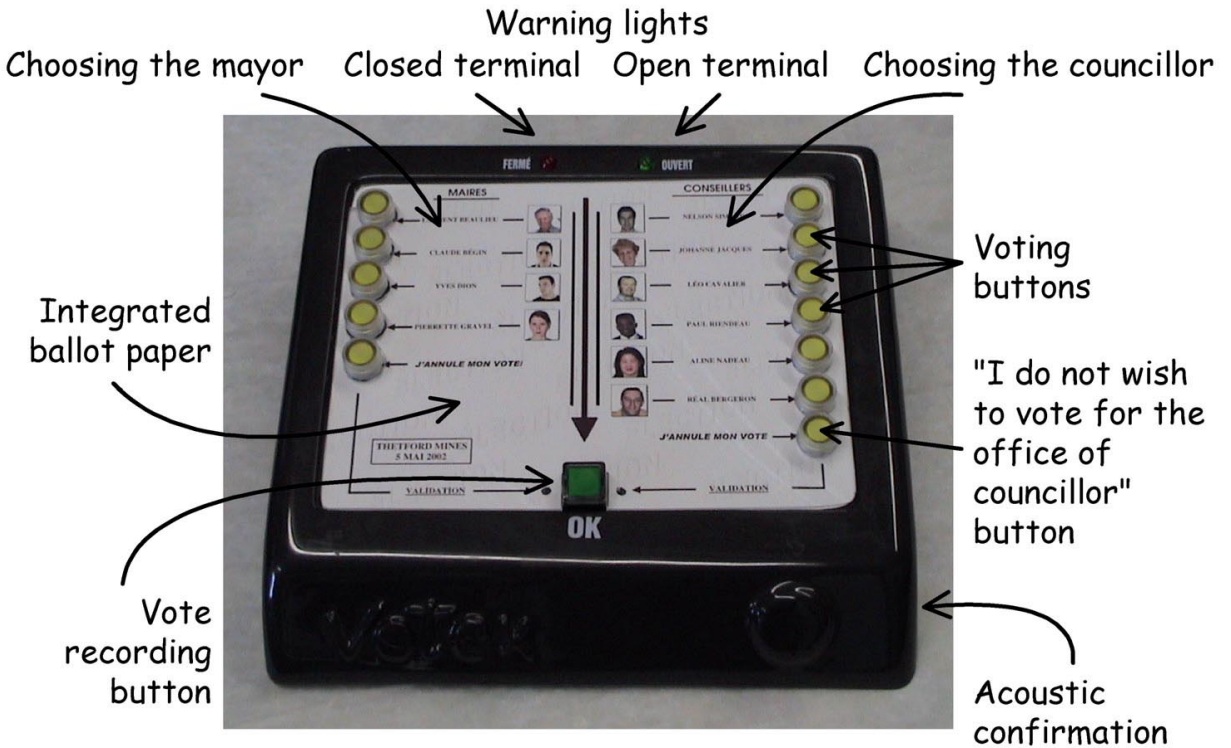
In Québec, on this 5th day of September 2003

THE MINISTER OF MUNICIPAL AFFAIRS,
SPORTS AND RECREATION

By: _____
DENIS JEAN, *Deputy Minister*

SCHEDULE I

**VOTING TERMINAL AND INTEGRATED
BALLOT PAPER**



M.O., 2003-017**Order of the Minister of Natural Resources,
Wildlife and Parks and the Minister for Forests,
Wildlife and Parks dated 16 September 2003**

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 of
the lake Isabelle, located on the territory of the Municipality of
Grosses-Roches, in the MRC of Matane

THE MINISTER OF NATURAL RESOURCES, WILDLIFE
AND PARKS AND THE MINISTER FOR FORESTS, 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 may delimit 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;

ORDER 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;

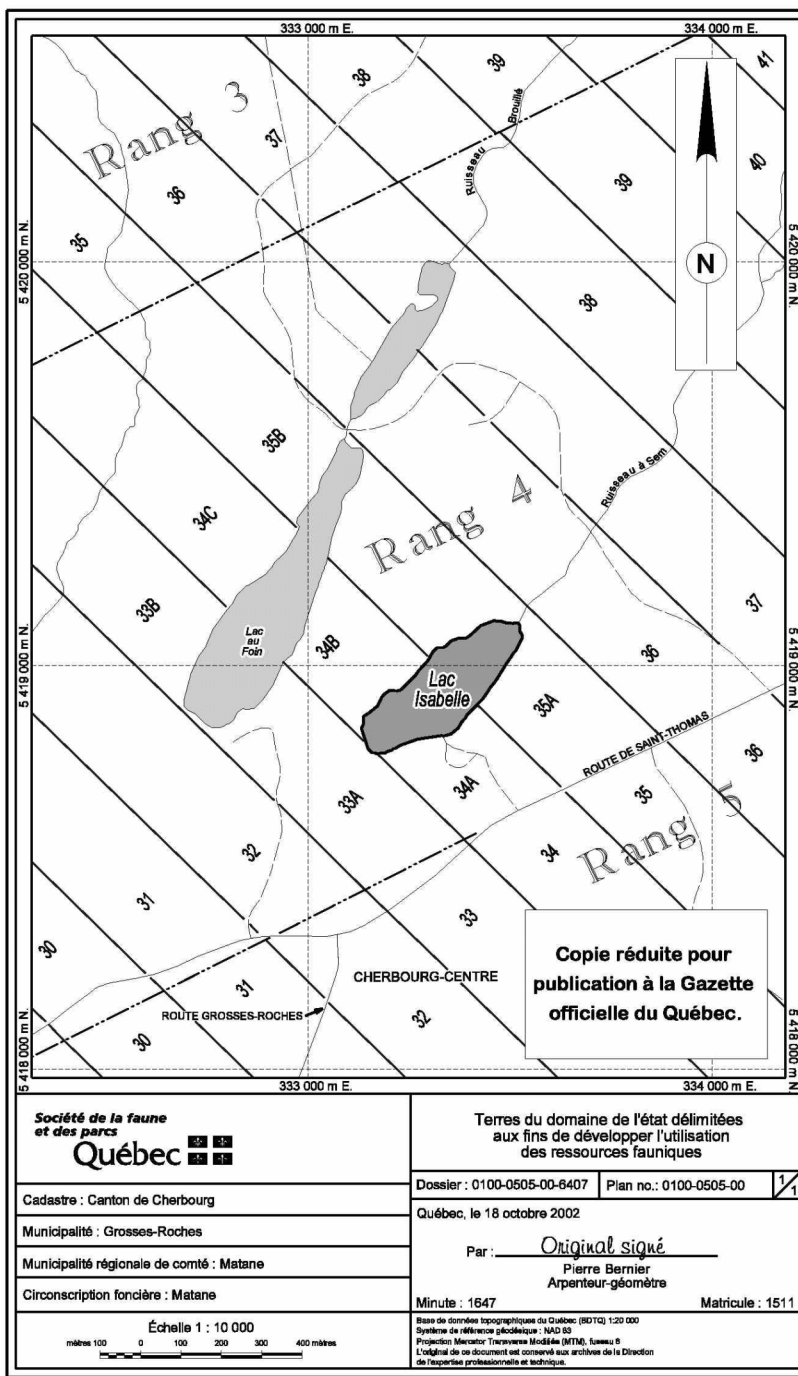
This Order comes into force on the day of its publication
in the *Gazette officielle du Québec*.

Québec, 16 September 2003

SAM HAMAD,
*Minister of Natural Resources,
Wildlife and Parks*

PIERRE CORBEIL,
*Minister for Forests,
Wildlife and Parks*

APPENDIX



Notice

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Classification of employers, statement of wages and the rates of assessment — Amendments

Notice is hereby given that the Commission de la santé et de la sécurité du travail, at its meeting of 19 September 2003, adopted the Regulation amending the Regulation respecting the classification of employers, statement of wages and the rates of assessment.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation was published on page 2027 in the *Gazette officielle du Québec* of 2 July 2003 with a notice that it would be adopted by the Commission, with or without amendments, upon the expiry of 45 days following the publication of that notice.

JACQUES LAMONDE,
*Chairman of the board and
chief executive officer
of the Commission de la santé
et de la sécurité du travail*

Regulation amending the Regulation respecting the classification of employers, statement of wages and the rates of assessment*

Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 454, 1st para., ss. 4.3, 5, 5.1, 6 and 8.1)

1. The Regulation respecting the classification of employers, the statement of wages and the rates of assessment is amended in section 7 by adding, at the end, the following:

* The latest amendments to the Regulation respecting the classification of employers, the statement of wages and the rates of assessment passed by the Commission de la santé et de la sécurité du travail by its resolution A-73-97 of October 16, 1997 (1997, *G.O.* 2, 6847) were made by the Regulation amending the Regulation respecting the classification of employers, the statement of wages and the rates of assessment passed by the Commission by its resolution A-44-02 of September 19, 2002 (2002, *G.O.* 2, 6858). For previous amendments, see the "Table of Amendments and Summary Index", Éditeur officiel du Québec 2003, up-to-date as of March 1 2003.

"For the application of the first paragraph, the support activities for an activity contemplated by a unit do not constitute various kinds of activities.

If the employer does not meet the condition stipulated in subsection 3 of the first paragraph, the Commission classifies him under the unit for which the rate of assessment is the highest among those that correspond to the activities that he carries on."

2. Section 8 of this regulation is replaced by the following:

"**8.** When several employers form a related group within the meaning of sections 17 to 21 of the Taxation Act (R.S.Q., c. I-3) and when one employer of this group furnishes administrative or management services mainly to another employer of the same group, the Commission classifies the employer, for all of his administrative or management activities, in the same manner as the other employer."

3. Section 12 of this regulation is amended by inserting "12.1," after the words, "with the exception of sections".

4. This regulation is amended by inserting after the heading Division 2 of Chapter 4 the following section:

"**12.1** The statement of the insurable wages of the workers made by the employer under this chapter must reflect faithfully his activities and be based on verifiable data.

To this end, an employer belonging to a category determined in Schedule 4 must draw up the documents stipulated in said schedule in accordance with the rules stipulated therein."

5. Sections 18 and 19 of this regulation are replaced by the following:

"**18.** An employer who cannot distribute between several units all or part of the insurable wages earned by a worker during a period in the year on the basis of verifiable data must state the insurable wages or the portion thereof that he cannot so distribute in respect of the unit, among those units, for which the rate is the highest."

19. The employer who does not comply with the obligation of drawing up a document in accordance with section 12.1 and Schedule 4 reports all of the insurable wages of his workers in respect of the unit, among those under which he is classified, for which the rate is the highest.

The employer who does not include a worker in a document that he is required to draw up pursuant to section 12.1 and Schedule 4 must report the insurable wages of that employee for that year in respect of the unit, among those under which he is classified, for which the rate is the highest.”

6. Schedules 1, 2 and 3 of this regulation are respectively replaced by schedules 1, 2 and 3 appended to the present regulation.

7. This regulation is amended by adding after Schedule 3, Schedule 4 appended to this regulation.

8. This regulation comes into force beginning in the 2004 assessment year, and Schedules 1, 2 and 3, replaced by section 6, are applicable to the 2004 assessment year.

SCHEDULE 1

CLASSIFICATION UNITS AND RATES OF ASSESSMENT FOR THE YEAR 2004

Specific classification rule

1. The Commission does not take into account the condition stated in paragraph 3 of section 7 for purposes of classifying an employer under more than one of the 80030 to 80260 units.

Classification Units and Assessment Rates for 2004 - Sector : Primary

Unit Number	Unit Title	General Rate	Special Rate
10010	Operating a dairy cattle herd ; raising cattle, buffalo, horses, wild boar ; horse boarding service	6.50	6.01
10020	Raising hog, sheep, goat, grain-fed and milk-fed heavy calves	5.08	4.64
10030	Raising, catching and caging poultry ; raising fur-bearing animals ; raising earthworms ; raising rabbits ; pisciculture ; apiculture	4.19	3.77
10040	Field-crop farming ; fruit or vegetable farming ; ornamental plant cultivation ; mushroom production ; Christmas tree farming ; maple syrup production ; tobacco production ; reforestation plant cultivation ; operating a peat bog	6.09	5.62
	This unit also refers to the following activity when done by the workers of an employer as part of the carrying out by this employer of the operation of a peat bog :		
	<ul style="list-style-type: none"> • The manufacture of peat-based products. 		
11010	Inshore or offshore fishing ; underwater diving services	11.07	10.46

2. An employer who meets the conditions set out in section 2 of chapter 3 allowing him to be classified in units 90020 and 80020 shall be classified in this latter unit.

3. An employer who cannot be classified in the exceptional units 90020 and 80020 because less than 45% of the insurable wages of his workers are reported with respect to units giving entitlement to these units but for whom over 45% of the insurable wages of his workers are reported with respect to units giving entitlement to either one of these exceptional units shall be classified in unit 90020 if workers perform activities referred to in that unit.

For the purposes of calculating the proportion stipulated in the first paragraph, it is necessary to exclude the insurable wages of an auxiliary worker.

Specific rule for stating wages

The second paragraph of section 14 does not apply to an employer for purposes of stating insurable wages earned during the preceding calendar year by a worker who, without being an auxiliary worker, participates in several activities referred to by more than one of the 80030 to 80260 units.

Unit Number	Unit Title	General Rate	Special Rate
13110	Operating a ferrous metal mine This unit refers to: <ul style="list-style-type: none"> • the operation of a ferrous metal mine. This unit also refers to: <ul style="list-style-type: none"> • the pelletization of iron ore; • the concentration of ores referred to under this unit. This unit does not refer to: <ul style="list-style-type: none"> • the refining or primary production of metals. 	1.28	0.94
13120	Operating a non-ferrous metal mine ; operating a salt or diamond mine This unit refers to: <ul style="list-style-type: none"> • the operation of non-ferrous metal mines for such substances as gold, silver, copper, nickel, niobium, zinc or platinum ; • the operation of the following mineral mines : <ul style="list-style-type: none"> • salt ; • diamonds. This unit also refers to: <ul style="list-style-type: none"> • the concentration of the ores referred to under this unit. This unit also refers to the following activity when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit: <ul style="list-style-type: none"> • the production of gold or silver bullion. This unit does not refer to: <ul style="list-style-type: none"> • the melting and refining of non-ferrous metals. 	8.06	7.54
13130	Operating an asbestos mine This unit refers to the operation of an asbestos mine. This unit also refers to the concentration of asbestos ore.	4.43	4.01
13140	Operating a crushed or freestone quarry ; operating a sandpit or a gravel pit ; operating an industrial or structural mineral mine	6.31	5.84

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • the operation of a crushed or freestone quarry for such materials as limestone, shale, granite or slate; • the operation of a sandpit or a gravel pit; • the operation of an industrial or structural mineral mine for such substances as talc, quartz, pearlite, vermiculite or mica. <p>This unit also refers to:</p> <ul style="list-style-type: none"> • clay quarries; • the crushing and grinding of stone; • the manufacture of agricultural limestone. <p>This unit also refers to the following activity when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> • drilling and blasting work. <p>This unit does not refer to:</p> <ul style="list-style-type: none"> • the manufacture of freestone products. 		
13150	Core drilling for ore prospecting	8.07	7.55
	<p>This unit refers to core drilling for ore prospecting when carried out by an employer other than the operator of the mine.</p>		
13160	Sinking mine shafts; drilling declines, drilling mining roads or raising; drifting ore	14.86	14.15
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • the sinking of mine shafts. <p>This unit refers to the following activities when carried out by an employer other than the operator of the mine:</p> <ul style="list-style-type: none"> • drilling declines, drilling mining roads or raising; • drifting ore. <p>This unit also refers to:</p> <ul style="list-style-type: none"> • drilling oil or natural gas wells. 		

Unit Number	Unit Title	General Rate	Special Rate
14010	Forestry operations	14.28	13.59
	This unit refers to:		
	<ul style="list-style-type: none"> • harvesting wood material, including in particular, felling, hauling and yarding, by manual or mechanized processes; • processing in the forest including stripping, topping and cutting; making wood chips in the forest; • loading of wood in the forest; • thinning with collection of trees for commercial purposes. 		
	This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:		
	<ul style="list-style-type: none"> • forestry road work; • construction of a logging camp; • measuring wood; • marking trees in the forest; • forest surveys. 		
	This unit does not refer to the following activities when carried out by the workers of an employer recognized by the Minister of Natural Resources pursuant to section 124.1.1 of the Forest Act (R.S.Q., c. F-4.1):		
	<ul style="list-style-type: none"> • measuring wood; • marking trees in the forest; • forest surveys. 		
	An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020		
14020	Forestry development	9.35	8.79
	This unit refers to:		
	<ul style="list-style-type: none"> • preparatory work in forest areas such as scarification, burning, stripping, cutting, wind-rowing, chipping, furrowing, harrowing, crushing and application of phytocides; • planting and seeding of trees in the forest; • mechanical or chemical clearing of a plantation in the forest; • thinning without collection of trees for commercial purposes; • development of a blueberry field; • control of vegetation in rights-of-way of energy transmission networks; • protection against forest fires by firefighters. 		
	This unit also refers to:		
	<ul style="list-style-type: none"> • line cutting. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit, except to the extent that they are carried out by the workers of an employer recognized by the Minister of Natural Resources pursuant to section 124.1.1 of the Forest Act (R.S.Q., c. F-4.1):</p> <ul style="list-style-type: none"> • marking of trees in the forest; • forest surveys. <p>This unit does not refer to:</p> <ul style="list-style-type: none"> • development of a blueberry field by the person who operates it; • harvesting wood material in the development of a blueberry field. <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>		
14030	<p>Tree work This unit refers to:</p> <ul style="list-style-type: none"> • control of vegetation in the rights-of-way of energy distribution networks or telecommunications networks; • trimming, topping or cutting of trees and shrubs; • felling of pre-determined trees outside the forest; • stumping; • chipping outside the forest; • tree and shrub surgery; • bracing work. <p>This unit also refers to the following activities when done by workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> • fighting of diseases and insects affecting trees and shrubs; • fertilization and treatment of trees and shrubs; • planting and transplanting of trees and shrubs. <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>	24.72	23.74

Classification Units and Assessment Rates for 2004 - Sector : Manufacturing

Unit Number	Unit Title	General Rate	Special Rate
20010	Slaughtering livestock; preparing, processing, drysalting or canning meat; manufacturing mineral or animal oil or shortening	8.02	7.49
20020	Slaughtering poultry or rabbits; dressing, processing or canning poultry or rabbits	8.60	8.06

Unit Number	Unit Title	General Rate	Special Rate
20030	Preparing or processing fish, including canning	7.11	6.62
20040	Processing, canning or freezing fruits or vegetables; preparing natural casings for delicatessen	5.14	4.70
20050	Operating a dairy work; water bottling, with or without distribution; manufacturing and delivering blocks of natural or artificial ice	2.69	2.31
20060	Flour mill	5.39	4.94
20070	Processing meat unfit for human consumption or abattoir waste	2.59	2.22
20080	Grain milling	3.88	3.47
20090	Manufacturing bakery, pastry or biscuit products, with or without distribution	4.77	4.33
20100	Processing cane or beet sugar; manufacturing confectionery	3.03	2.64
20110	Roasting and blending coffee; packing tea; roasting almonds	3.27	2.88
20120	Manufacturing potato chips	2.81	2.43
20130	Manufacturing margarine, vegetable oil or shortening; manufacturing convenience foods; manufacturing yeast or condiments; grinding and preparing spices; manufacturing or processing food products, not specified in other units	4.14	3.73
20140	Manufacturing soft drinks, with or without distribution	2.01	1.65
20150	Distillery; manufacturing wine or cider	1.46	1.12
20160	Brewing beer, with or without distribution; manufacturing malt	2.06	1.71
20170	Manufacturing tobacco products	0.85	0.53
21010	Manufacturing tires or rubber treads for tires	2.67	2.29
21020	Manufacturing adhesive tape or damper mats and rug underlays; manufacturing clothing or industrial parts or cellular products made of rubber	3.72	3.31
21030	Manufacturing foamed or expanded plastic products; wholesaling foam rubber	2.99	2.61
21040	Manufacturing plastic pipes or pipe fittings	3.93	3.52
21050	Manufacturing plastic film and sheeting; manufacturing plastic bags	3.94	3.53
21060	Manufacturing stratified or reinforced plastic products, except boats; manufacturing plastic products, not specified in other units	3.85	3.44

Unit Number	Unit Title	General Rate	Special Rate
22010	Leather tanning ; custom-dressing furs ; wholesaling raw hides or skins	8.33	7.80
22020	Manufacturing footwear ; shoe repairing ; manufacturing footwear parts except rubber parts	3.15	2.76
22040	Manufacturing handbags or purses ; manufacturing leather or imitation-leather goods, not specified in other units ; manufacturing luggage, other than in wood and in metal	2.73	2.36
22050	Manufacturing fibres or yarn from artificial or synthetic material ; texturizing yarn	2.66	2.29
22060	Manufacturing thread or yarn, without weaving	2.75	2.37
22070	Weaving textiles other than carpets ; recycling textile waste ; preparing cotton-wool or flock	2.36	1.99
22080	Manufacturing knitted fabrics	3.93	3.52
22090	Manufacturing carpets	3.04	2.65
22100	Manufacturing textile products, not specified in other units ; manufacturing zippers or umbrellas	4.34	3.92
22110	Finishing textiles ; steam shrinking of fabrics	3.31	2.91
22120	Manufacturing first-aid products	1.86	1.51
22140	Manufacturing clothing or clothing accessories, not specified in other units	2.72	2.34
22150	Knitting clothing or accessories, including assembling	2.23	1.87
22160	Manufacturing ladies undergarments and swimsuits	2.89	2.51
23050	Manufacturing in a shop custom woodwork to be attached to a structure ; mass production of wooden cabinets	5.53	5.08

This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:

- manufacture of solid wood panels ;
- manufacture of wooden objects by lathe work ;
- covering of cabinet doors.

This unit does not refer to the installation of manufactured products.

Unit Number	Unit Title	General Rate	Special Rate
23060	Manufacturing wooden doors or windows This unit does not refer to the installation of manufactured products.	3.56	3.16
23070	Manufacturing wooden roof trusses or laminated wood framework This unit does not refer to the installation of manufactured products.	6.80	6.31
23090	Manufacturing wooden or metal coffins or frames ; manufacturing pipe organs, pianos or other musical instruments	4.77	4.34
23120	Manufacturing miscellaneous wooden goods, not specified in other units This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit: <ul style="list-style-type: none"> • covering of mouldings. This unit does not refer to the installation of manufactured products.	5.93	5.46
24010	Manufacturing metal furniture or fixtures	4.73	4.30
24020	Manufacturing custom wooden furniture in a workshop ; manufacturing wooden furniture for electronic equipment or wooden cases for musical instruments This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit: <ul style="list-style-type: none"> • manufacture of solid wood panels ; • manufacture of wooden objects by lathe work ; • covering of panels. 	9.84	9.26
24030	Mass assembling of wooden furniture or furniture frames, with or without upholstering ; upholstering custom furniture in a workshop ; repairing wooden or upholstered furniture ; manufacturing upholstered mattresses or bed springs This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit: <ul style="list-style-type: none"> • covering of panels. 	3.34	2.94
24040	Mass production of wooden furniture or furniture frames, with or without upholstering	5.16	4.72

Unit Number	Unit Title	General Rate	Special Rate
	This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:		
	<ul style="list-style-type: none"> • manufacture of solid wood panels ; • manufacture of wooden objects by lathe work ; • covering of panels. 		
25410	Manufacturing prefabricated wooden houses, house panels or mobile homes	8.05	7.53
	An employer classified under this unit may also be classified under exceptional unit 90010.		
26050	Printing ; reprography ; binding ; manufacturing paper or paperboard office supplies	2.43	2.06
	This unit refers to:		
	<ul style="list-style-type: none"> • printing, whether artisanal or commercial, using all types of processes, such as offset, digital, serigraphy, flexographic printing, ink jet, lithography, print transfer, rotogravure or hot stamping and on any support, in particular paper, paperboard, plastic or balloons ; • reprography ; • binding, whether artisanal or commercial, and the other finishing operations such as gilding or embossing ; • the manufacture of paper or paperboard office supplies, such as writing pads, note pads, forms, folders, order books, index cards, labels, envelopes, continuous feed forms, exercise booklets, rolls of paper for cash registers, mobile sheet separators, agendas or sheets for ring binders. 		
	This unit also refers to:		
	<ul style="list-style-type: none"> • the manufacture of paperboard or vinyl-covered paperboard ring binders or photo albums ; • the assembly of sample catalogues such as wallpaper, carpets, hair or paint shades ; • the restoration of books ; • the manufacture of folding boxes made out of non-corrugated paperboard ; • the transformation of paper into wrapping paper or wallpaper. 		
	This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:		
	<ul style="list-style-type: none"> • design when this employer does not publish the printed product ; • plate preparation service for printing. 		

Unit Number	Unit Title	General Rate	Special Rate
	This unit does not refer to : <ul style="list-style-type: none"> the printing done by the workers of an employer as part of the manufacturing of a product referred to under another unit. 		
27020	Manufacturing steel castings (steel foundry); lead or lead alloys rolling, casting or extruding	8.29	7.76
27030	Manufacturing steel; processing steel by rolling and forging using ferrous metal produced in the same building	2.83	2.45
27040	Manufacturing titanium slag and pig iron; manufacturing metal powder, steel pipe or tubing; manufacturing ferro-alloys	3.04	2.66
27050	Manufacturing iron castings (cast-iron foundry)	3.94	3.53
27060	Primary manufacturing of aluminum	1.24	0.90
27070	Electrolytic refining of copper or zinc and processing of their by-products	1.95	1.59
27080	Aluminum and aluminum alloys rolling	1.35	1.01
27090	Extruding aluminum, copper or their alloys	1.72	1.37
27110	Non-ferrous metal pressurized casting; non-ferrous metal casting; manufacturing aluminum or light alloy automobile parts	4.33	3.91
28090	Hot drawing of metals; extruding of ferrous metals; manufacturing of products made from wire or metal rods produced in the same building	3.93	3.52
	This unit refers to : <ul style="list-style-type: none"> the hot drawing, through a die, of metal rods or bars to produce wire rod; the manufacture by extrusion of forms using ferrous metals such as rods; the manufacture of products such as cables, springs, nails, fencing made out of wire or metal rods that are produced in the same building. 		
	This unit also refers to : <ul style="list-style-type: none"> the cold drawing, through a die, of metal produced in the same building; the manufacture of welding electrodes; the insulation of electric or communication wires and cables when the metal wire is produced in the same building. 		
30030	Manufacturing aircraft parts by microfusion with casting	3.63	3.23

Unit Number	Unit Title	General Rate	Special Rate
31110	Refining crude petroleum; manufacturing petroleum and coal products, not specified in other units	1.16	0.83
32010	Manufacturing industrial inorganic chemical products, not specified in other units	1.60	1.26
32020	Manufacturing industrial organic chemical products or other chemical products, not specified in other units	1.85	1.50
32030	Manufacturing plastics or synthetic resins	3.65	3.25
32040	Manufacturing pharmaceutical products or drugs	0.94	0.61
32050	Manufacturing paint, varnish, printing ink, adhesives or coatings	2.66	2.29
32060	Manufacturing soap or cleaning products	3.52	3.12
32070	Manufacturing toiletries	2.60	2.23
32080	Manufacturing ammunition	1.09	0.76
32090	Manufacturing explosives	3.94	3.53
33010	Assembling watches or clocks; operating an optical laboratory; manufacturing gold, silver or plated jewellery or ware; manufacturing orthopedic devices; assembling cartridges or cassettes	1.58	1.24
33020	Manufacturing wooden or metal sporting goods or gymnasium equipment; assembling plastic or metal toys; manufacturing and repairing bicycles	3.47	3.08
33030	Manufacturing, installing or repairing commercial signs	7.28	6.78
33040	Assembling trophies or miscellaneous wooden, plastic, fiberglass or concrete products; manufacturing rubber pads, plaster goods, wax products, trophy parts or foundry models; handicrafts	2.99	2.61
33050	Manufacturing buttons, snap fasteners, needles, emblems, medals, pencils or pens	1.97	1.61
33060	Manufacturing vinyl tiles and vinyl linoleum; manufacturing heat-insulating products for piping	1.50	1.15
	This unit does not refer to the installation of manufactured products.		
34010	Sawmill	7.32	6.82
	This unit refers to:		
	<ul style="list-style-type: none"> the operation of a stationary or mobile sawmill. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to:</p> <ul style="list-style-type: none"> • planing ; making wood chips outside the forest ; • the manufacturing of shingles, laths, veneer or plywood. <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> • measuring wood ; • drying wood ; treating wood by the pulverization of paraffin or hot wax. <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>		
34030	<p>Manufacturing wooden pallets or containers used to handle or transport merchandise ; manufacturing wooden fences</p> <p>This unit refers to :</p> <ul style="list-style-type: none"> • the manufacture and assembly of wooden pallets, containers and fences ; • the manufacture of the components of wooden pallets, containers and fences ; • repairing and recycling wooden pallets and containers ; • the manufacture of wooden reels. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the manufacture of decorative wooden containers ; • the installation of fences. <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>	8.83	8.28
34050	<p>Drying wood ; treating wood</p> <p>This unit refers to :</p> <ul style="list-style-type: none"> • drying wood ; • treating wood, whether or not pressurized, using chemicals such as pentachlorophenol (PCP), creosote, chromium-copper-arsenic (CCA) or ammonium-copper-arsenic (ACA) ; • treating wood by an industrial process such as the application of paint, stain or varnish. <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>	5.31	4.86

Unit Number	Unit Title	General Rate	Special Rate
34060	Manufacturing solid wood panels	4.10	3.69
	This unit refers to:		
	<ul style="list-style-type: none"> • the manufacture of solid wood panels. 		
	This unit also refers to the following activity when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:		
	<ul style="list-style-type: none"> • drying wood. 		
34200	Manufacturing of paper pulp; manufacturing of paper and paperboard; manufacturing of wood fibre boards	1.95	1.60
	This unit refers to:		
	<ul style="list-style-type: none"> • the manufacture of paper pulp; • the manufacture of paper, paperboard, felt paper; • the manufacture of wood fibre insulation boards. 		
	This unit also refers to:		
	<ul style="list-style-type: none"> • the manufacture of cores for paper rolls for its own purposes; • the production of electricity for its own purposes; • the manufacture of chemicals for its own purposes. 		
	This unit also refers to the following activities when they are done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:		
	<ul style="list-style-type: none"> • measuring wood; • unwinding and rewinding paper and paperboard. 		
	An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.		
34210	Transformation of paper and paperboard; treatment of paper and paperboard; manufacture of particle board; coating of boards	3.48	3.08
	This unit refers to:		
	<ul style="list-style-type: none"> • the transformation of paper or paperboard into products such as toilet paper, paper towels, plates, facial tissues, diapers, napkins, sanitary napkins, cups, straws, tubes, cores, cigarette paper, medical paper, bags, sandpaper, laminated products, cellulose fibre insulation, wrapping products or lids; • unwinding and rewinding of paper and paperboard products; • cutting of paper or paperboard into sheets; • making of corrugated paperboard; • transformation of corrugated paperboard into products such as stands, protective corners, separators or boxes; • transformation of laminate into all types of products; 		

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> • treatment of paper or paperboard by the application of products such as melamine resin, paraffin, wax or silicone or by superimposing sheets of material such as plastic, aluminum, paper or paperboard; • transformation of felt paper into products such as asphalt saturated paper or asphalt shingles; • transformation of wood fibre panels into products such as insulating boards or acoustic or decorative tiles; • impregnating membranes with a coating; • manufacturing of particle boards, such as wood particle boards, waferboard or oriented strand board; • covering of boards with materials or products such as PVC, melamine, laminate or paint; • printing of panels. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the manufacture of wallpaper; • the manufacture of foldable non-corrugated cardboard boxes. <p>An employer classified under this unit can also be classified under the exceptional units 34410, 34420, 90010 and 90020.</p>		
Exceptional unit 34410	<p>Bulk transport</p> <p>This unit refers to the employer who uses the services of workers who carry out, as truckers, bulk transporting such as the transport of bark, chips, logs, long logs, gravel or other similar materials.</p> <p>This unit also refers to the loading of wood done by the trucker when he carries out this task as part of his transport activities.</p>	6.47	5.99
Exceptional unit 34420	<p>transport other than bulk</p> <p>This unit refers to the employer who uses the services of workers who carry out, as truckers, transport other than bulk transporting such as the transport of lumber or paper.</p>	6.37	5.89
35010	<p>Manufacturing freestone products</p> <p>This unit refers to :</p> <ul style="list-style-type: none"> • the manufacture of freestone products such as grave monuments, furniture, slabs or curbs. Freestone refers to such stones as granite, marble or slate. <p>This unit also refers to :</p> <ul style="list-style-type: none"> • the cutting, grinding, shaping or finishing of freestone. 	8.26	7.73

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to the following activity when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> • stone engraving. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • handicrafts ; • the installation referred to under units 80030 to 80260. 		
35020	<p>Manufacturing ready-mixed concrete ; manufacturing asphalt</p> <p>This unit refers to :</p> <ul style="list-style-type: none"> • the operation of a stationary or mobile ready-mixed concrete manufacturing plant ; • the operation of a stationary or mobile asphalt manufacturing plant. <p>This unit also refers to :</p> <ul style="list-style-type: none"> • the delivery of ready-mixed concrete ; • the mixing and bagging of sand-cement, cold asphalt or dry concrete ; • the manufacture of monolithic refractory products. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the pumping of concrete ; • the operation of a quarry ; • cement, concreting and paving work as well as the installation of manufactured products. 	4.97	4.53
35030	<p>Manufacturing concrete products</p> <p>This unit refers to :</p> <ul style="list-style-type: none"> • the manufacture of concrete products, whatever their composition, such as pipes, bricks or blocks ; • the manufacture of concrete structural or architectural elements. <p>This unit also refers to the following activity when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit :</p> <ul style="list-style-type: none"> • the manufacture of ready-mixed concrete. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the installation of manufactured products. 	7.33	6.82

Unit Number	Unit Title	General Rate	Special Rate
35040	Transforming and finishing glass	5.14	4.69
	This unit refers to:		
	<ul style="list-style-type: none"> • the transformation of flat glass into in particular tempered, curved or rolled glass; • the manufacture of cut glassware products such as aquariums, glass doors without framing or tables; • the manufacture of decorative glass products; • the manufacture of stained glass; • the manufacture of mirrors; • glass or mirror work such as cutting, polishing, bevelling, drilling, frosting, sanding or engraving; • the manufacture of sealed glass units. 		
	This unit also refers to the following activity when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:		
	<ul style="list-style-type: none"> • serigraphy on glass. 		
	This unit does not refer to:		
	<ul style="list-style-type: none"> • handicrafts; • the installation referred to under units 80110 or 80150; • the collecting and recycling of glass. 		
35050	Manufacturing clay-based products; manufacturing glass; manufacturing cement; manufacturing lime; manufacturing refractory products; manufacturing gypsum panels	3.20	2.81
	This unit refers to:		
	<ul style="list-style-type: none"> • the manufacture of products such as sanitary ware, tiles, table articles or electrical insulators that are clay based or involve similar materials such as porcelain, terracotta, ceramics or earthenware; • the manufacture of glass such as flat glass, hollow glass or glass microbeads from silica sand or recycled glass; • the manufacture of cement; • the manufacture of lime; • the manufacture of refractory products such as brick, tiles or blocks; • the manufacture of gypsum panels. 		
	This unit also refers to:		
	<ul style="list-style-type: none"> • the manufacture of charcoal or activated charcoal; • the manufacture of synthetic olivines; • the manufacture of expanded perlite or exfoliated vermiculite; • the manufacture of mica powder; • the manufacture of grindstone using bonded abrasives; • the manufacture of mineral fibre such as fiberglass or rock fibre. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> • the manufacture of monolithic refractory products ; • the transformation of mineral fibres into products such as bulk insulation or mattresses ; • the manufacture of joint compound. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the manufacture of ready-mixed concrete ; • the manufacture of agricultural limestone ; • handicrafts ; • the operation of pottery cafés ; • the operation of a quarry ; • the manufacture of wire and textiles made out of mineral fibre ; • the installation of manufactured products. 		
36050	<p>Manufacturing metal products by stamping, machining or forging</p> <p>This unit refers to :</p> <ul style="list-style-type: none"> • sheet metal work by mechanical processes such as : moulding, die stamping, stamping and cutting to manufacture products other than machines or equipment ; • the use of dies to transform a piece of metal, in particular to lengthen it, crush it or drill it ; • the heat-assisted forging of metal parts other than machines or equipment ; • the manufacture by tooling of metal parts other than machines or equipment. <p>This unit also refers to :</p> <ul style="list-style-type: none"> • the manufacture of screws, nuts, bolts and rivets ; • the manufacture of metal powder products including sintering operations ; • the manufacture by tooling of aircraft parts ; • the manufacture and refurbishing of jacks ; • the manufacture of industrial moulds and dies by tooling ; • the manufacture of ball bearings, roller bearings and needle bearings ; • the refurbishing of parts for automobiles such as brakes, transmissions or steering parts, in particular by the following operations : <ul style="list-style-type: none"> • the disassembly of used parts and their refurbishing, in particular by tooling ; • the assembly of components to obtain a refurbished part ; • the refurbishing of diesel engines and automobile vehicle engines ; • the manufacture of brakes and their components ; • the manufacture of non-mechanized hand tools ; • the sharpening of tools ; • reconditioning by using a metal spray gun. 	3.80	3.40

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to the preparatory work and manufacturing prior to the work referred to under unit 80180 carried out in the workshop elsewhere than on the work site or on the job. If the employer is classified under both units 80130 and 80180, and if over 50% of the insurable wages earned with respect to activities referred to in these two units are referred to with respect to unit 80130, this preparatory work is then referred to under unit 80130.</p> <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the manufacture of industrial moulds made out of cast iron ; • the refurbishing of vehicle parts when the part is disassembled from or mounted on the vehicle by workers of the employer ; • the manufacture on the work site or on the job of gutters, pipes or other products from metal sheets ; • the installation referred to under units 80030, 80130 and 80180 ; • the manufacture of synthetic bearing housings by casting ; • the manufacture of metal boxes, cabinets and tubs when this manufacturing is done by the workers of an employer as part of the manufacturing by this employer of products referred to under another unit ; • the manufacture of brake components by casting ; • the manufacture in a foundry of products referred to under this unit ; • the preparatory work for the work referred to under 80130. 		
36060	<p>Manufacturing metal wire products</p> <p>This unit refers to :</p> <ul style="list-style-type: none"> • the manufacture by cold drawing of metal wire using machine wire that is not produced in the same building, whether or not the employer has the wire undergo other operations, for example to insulate it ; • the insulation of electric or communication wires and cables, when the metal wire or optical fibre is not produced in the same building ; • the manufacture of products such as cables, springs, nails, fences made out of wire or metal rods that are not produced in the same building. <p>This unit also refers to :</p> <ul style="list-style-type: none"> • the manufacture of reinforcement mesh ; • the operation of a bending yard elsewhere than on the work site or on the job. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the manufacture of wire or metal rod products by tooling or forging ; • the installation referred to under units 80030, 80100 and 80170. 	3.07	2.68

Unit Number	Unit Title	General Rate	Special Rate
36070	<p>An employer who manufactures furniture or furnishings that are composed of both metal wire and other materials, and an employer who manufactures both furniture or furnishings made out of metal wire and furniture and furnishings made out of other materials are classified under unit 24010 for these activities.</p> <p>Manufacturing doors and windows made out of metal, shopwindows, hothouses made out of metal, metal garage doors ; manufacturing architectural products by cutting and assembling metal extrusions and tubular metal ; manufacturing doors and panels of refrigerated rooms ; manufacturing banisters, fences and railings made out of aluminum</p>	4.37	3.94
	<p>This unit refers to :</p> <ul style="list-style-type: none"> • the manufacture of metal doors with or without windowpanes and windows such as : <ul style="list-style-type: none"> • residential doors and windows ; • doors and windows for office buildings, commercial, industrial or institutional establishments ; • patio-doors ; • folding doors and gates for commercial and public buildings ; • doors and windows for transportation equipment ; • the manufacture of the following products when they are made out of metal : sills, door and window frames, screens, mouldings and trims ; • the assembly of screens ; • the manufacture of shopwindows, wall curtains, skylights, venting windows, solariums, atria, bus shelters and gatehouses ; • the manufacture of metal hothouses ; • the manufacture of metal garage doors, metal hangar doors, metal rolling doors and metal curtains made of embossed curved or flat slats ; • the manufacture of architectural products by cutting and assembling metal extrusions and tubular metal with or without the incorporation of glass, fabric or fiberglass sheet such as : <ul style="list-style-type: none"> • canopies ; • shelters ; • residential or commercial portal frames ; • the manufacture of doors and panels of refrigerated rooms ; • the manufacture of banisters, with or without glass, fences and railings in aluminum. 		
	<p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit :</p> <ul style="list-style-type: none"> • the cutting of glass ; • the manufacture of sealed glass units ; • the manufacture of metal sheathing boards ; • the manufacture of sills, door frames or window frames made out of wood 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the manufacture of doors and windows made out of wood or PVC covered with metal ; • the installation referred to under units 80110, 80130, 80150 and 80160 ; • the manufacture of fabrics and sewing work ; • the manufacture of hybrid wood/aluminum or PVC/aluminum windows ; • the manufacture of outdoor metal siding ; • the manufacture of ornamental iron products ; • the manufacture in a foundry of products referred to under this unit ; • the manufacture by extrusion of forms such as extruded shapes. 		
36080	<p>Painting in the workshop of metal products ; plating and heat treatment of metals in the workshop</p> <p>This unit refers to the following work when done in the workshop, elsewhere than on the work site or on the job :</p> <ul style="list-style-type: none"> • the application on metal products of dry or liquid paint by spraying or other processes, including painting by electrostatic process ; • the coating and plating of metal products, including the plating of precious metals ; • the heat treatment of metals and metal products. <p>This unit also refers to the following work when done in the workshop, elsewhere than on the work site or on the job :</p> <ul style="list-style-type: none"> • protective coating by using a metal spray gun ; • the enameling of metal products ; • the polishing of metal ; • the sandblasting of metal ; • the plating and heat treatment of airplane parts. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • vehicle body repair and painting work ; • the application of rust-proofing and paint sealant to vehicles. 	5.47	5.02
36090	<p>Manufacturing metal framing elements ; manufacturing ornamental iron products ; operating a stationary welding workshop ; manufacturing scaffolding</p> <p>This unit refers to :</p> <ul style="list-style-type: none"> • the manufacture of metal framing elements, from structural steel plates and shapes that are not manufactured by the employer ; • the manufacture of self-bracing building sections made of steel and the assembly of these sections in the workshop ; • the manufacture of ornamental iron products ; • the operation of a stationary welding workshop ; • the manufacture of scaffolding. 	8.12	7.60

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to:</p> <ul style="list-style-type: none"> • the manufacture of parts of silos made out of metal ; • artisanal forging ; • aluminothermic welding ; • the manufacture of leaf springs ; • the manufacture of metal light poles with or without the assembly of the components ; • the manufacture of parts of ships, boats and barges made out of metal other than in a shipyard. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the operation of a mobile welding unit ; • the installation referred to under units 69960, 80060, 80080, 80160, 80250 and 80260 ; • the manufacture of products on the work site or on the job ; • the manufacture of moulded metal light poles. <p>An employer classified under this unit can also be classified under exceptional units 90010 and 80020.</p>		
36100	<p>Manufacturing farm machines and equipment ; manufacturing heavy equipment ; manufacturing trucks without the assembly of the power train ; manufacturing trailers</p> <p>This unit refers to:</p> <ul style="list-style-type: none"> • the manufacture of farm machines and equipment ; • the manufacture of heavy equipment for construction, for mining, for petroleum and oil development, for logging and for road maintenance ; • the manufacture and installation of trailer bodies, boxes, tanks or other equipment, without the assembly of the power train on vehicles such as : <ul style="list-style-type: none"> • garbage trucks ; • dump trucks ; • fire trucks ; • commercial trucks ; • ice melters and abrasive spreaders ; • tanker trucks ; • tow trucks ; • armored cars ; • the manufacture of trailers such as : <ul style="list-style-type: none"> • flatbed trailers whether covered or not ; • trailers for the transport of automobiles ; • dump trailers ; • tank trailers ; • utility trailers ; • deck platform semi-trailers. 	4.60	4.17

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to:</p> <ul style="list-style-type: none"> • the manufacture of non-domestic snow blowers; • the manufacture of blades of graders and snow plows; • the manufacture of buckets of mechanical shovels, loaders, backhoes; • the manufacture of mechanized grapples and skidding scissors; • the manufacture and repair of locomotives and freight cars; • the adaptation of road vehicles for use on rails; • the manufacture of off-road heavy vehicles; • the manufacture of metal containers, including Roll-off systems; • the manufacture of garbage compactors; • the manufacture of aerial baskets, with or without the manufacture of baskets; • the manufacture of stalls, cages and paddocks using tubular metal; • the manufacture of forklifts. <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> • the manufacture of forks, picks and hitches for heavy equipment; • the manufacture of farm ventilation systems. <p>This unit does not refer to:</p> <ul style="list-style-type: none"> • the manufacture in a foundry of products referred to under this unit; • the manufacture of farm buildings; • the manufacture of wooden floors for trailers by an employer who does not manufacture trailers; • the manufacture of reinforced plastic baskets by an employer who does not manufacture the aerial basket; • the rewinding of electric motors of locomotives; • the manufacture of truck boxes made out of reinforced plastic; • the manufacture of silos; • the manufacture of wire mesh containers. 		
36110	Manufacturing boilers and metal tanks; manufacturing machines and heavy industrial equipment	4.85	4.42
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • the manufacture of boilers and metal tanks. <p>This unit refers to the manufacture of the following machines and heavy industrial equipment:</p> <ul style="list-style-type: none"> • industrial dust extractors, cyclones and heat exchangers; • machines and equipment for the paper industry; • machines and equipment for the sawmill industry; • machines and equipment for the mining industry; • machines and equipment for the primary iron industry. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to the manufacture of the following machines and heavy equipment :</p> <ul style="list-style-type: none"> • industrial stacks made out of metal ; • machines and industrial equipment for wastewater and drinking water treatment ; • overhead cranes, hoists, monorails and winches ; • bridge or mounted cranes ; • turbines. <p>This unit also refers to the following activities when done by the workers of an employer in the carrying out by this employer of the activities referred to under this unit :</p> <ul style="list-style-type: none"> • the manufacture of industrial fans and centrifugal blowers ; • the manufacture and assembly of industrial piping other than on the work site or on the job. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the manufacture of cast iron boilers ; • the installation referred to under units 80080, 80140 and 80250 ; • the manufacture of products on the work site or on the job ; • the manufacture in a foundry of products referred to under this unit. 		
36120	<p>Manufacturing heating, ventilation, air conditioning and refrigeration equipment ; manufacturing home appliances ; manufacturing or assembling electric lighting fittings ; manufacturing pumps and compressors</p> <p>This unit refers to :</p> <ul style="list-style-type: none"> • the manufacture of heating equipment, such as : <ul style="list-style-type: none"> • unit heaters ; • solar energy heaters ; • burners ; • water heaters ; • furnaces ; • electric radiators ; • heat pumps ; • metal fireplaces ; • wood stoves ; • the manufacture of ventilation equipment, such as : <ul style="list-style-type: none"> • commercial and industrial exhaust fans ; • household fans ; • air-air heat exchangers ; • air supply units ; • electronic filters ; • the manufacture of air conditioning equipment, such as : <ul style="list-style-type: none"> • air conditioners ; • humidifiers ; • dehumidifiers ; 	3.34	2.94

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> • the manufacture of refrigeration equipment such as : <ul style="list-style-type: none"> • refrigerated counters and show cabinets ; • refrigeration equipment for coolers or refrigerated warehouses ; • the manufacture of appliances, such as : <ul style="list-style-type: none"> • refrigerators and freezers for the home ; • ranges for the home ; • dishwashers for the home ; • washers and dryers for the home ; • vacuum cleaners ; • suction hoods for the home ; • carpet cleaning machines ; • floor cleaning machines ; • the manufacture of electric lighting fittings, other than lamp poles for non-residential use ; • the assembly of electric lighting fittings, including electric and solar energy light poles ; • the manufacture of pumps and compressors. <p>This unit also refers to :</p> <ul style="list-style-type: none"> • the manufacture of automatic distributing machines ; • the manufacture of refrigerated fountains and water coolers ; • the manufacture of household drinking water treatment equipment ; • the manufacture or repair of automobile radiators ; • the manufacture of sprayers ; • the manufacture of pressure washer equipment ; • the manufacture of tanning beds. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the manufacture of equipment only requiring sheet metal work without the assembly of electrical or mechanical components, such as roof fans or chimney stacks ; • the manufacture of heavy industrial refrigeration equipment requiring the assembly of pipes ; • the manufacture in a foundry of products referred to under this unit ; • the manufacture of non-electric lighting fittings ; • glass work in the manufacture of electric lighting fittings ; • the moulding of metal in the manufacture of electric lighting fittings ; • the manufacture of lamp shades ; • the installation referred to under units 69960, 80030 to 80260 ; • the manufacture of equipment for farm spraying or dusting ; • the manufacture of thermostats ; • the repair of radiators when the radiator is mounted on or removed from the vehicle by the workers of the employer. 		
36130	<p>Manufacturing commercial kitchen appliances and equipment ; manufacturing machines and equipment for the food, pharmaceutical and cosmetics industry ; manufacturing machines and equipment for the maple products industry ; manufacturing machine-tools for working metal and woodworking ; manufacturing machines and equipment for the rubber, plastic, furniture and lumber industry</p>	3.27	2.88

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • the manufacture of commercial kitchen appliances and equipment such as : <ul style="list-style-type: none"> • cooking appliances, stoves and ovens ; • food warming appliances ; • dishwashers ; • the manufacture of machines and equipment for the food industry, such as : <ul style="list-style-type: none"> • bakery product machines and equipment ; • bottling machines and equipment ; • slaughterhouse machines and equipment ; • brewery machines and equipment ; • the manufacture of machines and equipment for the pharmaceutical and cosmetics industry ; • the manufacture of machines and equipment for the maple products industry ; • the manufacture of machine tools for working metal or woodworking ; • the manufacture of machines and equipment for the rubber, plastic, furniture or lumber industry. <p>This unit also refers to:</p> <ul style="list-style-type: none"> • the manufacture of machines and equipment for mobile sawmills ; • the manufacture of assembly lines ; • the manufacture of packaging machines ; • the manufacture of mechanized hand tools ; • the manufacture of snow blowers for the home. <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit :</p> <ul style="list-style-type: none"> • the manufacture of dies ; • the manufacture and assembly of industrial piping elsewhere than on the work site or on the job. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the manufacture of tanks ; • the installation referred to under units 80080 and 80250 ; • the manufacture of products on the work site or on the job ; • the manufacture in the foundry of products referred to under this unit. 		
36140	<p>Manufacturing and refurbishing transformers ; manufacturing electric motors, generators, alternators, generating sets ; rewiring of electric motors, alternators and starters</p>	2.73	2.35

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • the manufacture and refurbishing of power, switchboard and voltage transformers ; • the manufacture of electric motors ; • the manufacture of generators ; • the manufacture of alternators ; • the manufacture of generating sets ; • the rewiring of electric motors, alternators and starters. <p>This unit also refers to:</p> <ul style="list-style-type: none"> • the manufacture of high-power condensers ; • the manufacture of ignitions ; • the manufacture of starters ; • the manufacture of solenoids ; • the manufacture of bus-bars ; • the manufacture of accumulators and batteries. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the rewiring of electric motors, alternators and starters on the work site or on the job ; • the installation referred to under unit 80060. 		
36150	<p>Manufacturing computer hardware and peripherals, telephone and communication hardware, audio-video hardware, electric switching and connection devices, electric and electronic parts and components, control and measurement instruments panels, measurement instruments, electric and electronic controls</p>	1.08	0.75
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • the manufacture of computer hardware and peripherals, such as : <ul style="list-style-type: none"> • computers ; • peripherals installed inside or outside the computer such as monitors, keyboards, mice, joysticks, storage devices, disk drives and printers ; • automatic bank tellers ; • sales terminals ; • bar code readers ; • data entry terminals ; • video lottery machines ; • the manufacture of telephone and communication hardware, such as : <ul style="list-style-type: none"> • telephones ; • telephone consoles and exchanges ; • radio-broadcasting and television broadcasting hardware ; • traditional or wireless communication hardware and systems ; • alarm and intercom equipment ; • satellite communication hardware ; • telecommunication antennas ; 		

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> • the manufacture of audio-video material, such as : <ul style="list-style-type: none"> • speakers ; • amplifiers ; • televisions ; • the manufacture and assembly of electronic components, such as : <ul style="list-style-type: none"> • connectors and other connection elements ; • the manufacture of chips and microprocessors ; • the manufacture of printed circuit laminates ; • the manufacture of printed circuit board assembly units ; • the manufacture of semiconductors ; • the manufacture of connection and switching equipment, such as : <ul style="list-style-type: none"> • circuit breakers ; • switches ; • the manufacture of auxiliary electric parts and components for transformers and connection devices such as lightening arrestors, breakers, relays, electric fuses ; • the manufacture of application transformers ; • the manufacture of light and fluorescent ballasts ; • the manufacture of application condensers ; • the manufacture of electrical distribution devices, such as : <ul style="list-style-type: none"> • electrical connectors ; • switches ; • toggles ; • the manufacture of electric light bulbs ; • the manufacture of sealed-beam automobile headlights and other lights for automobile vehicles ; • the manufacture of navigation and guidance instruments, such as : <ul style="list-style-type: none"> • aerial navigation instruments ; • maritime navigation instruments ; • the manufacture of electric or electronic medical equipment ; • the manufacture of devices and hardware comprising electronic computers for integrated control and command purposes ; • the manufacture of industrial electronic components ; • the manufacture of control panels ; • the manufacture of industrial process automatization or robotization systems ; • the manufacture of analysis and measurement instruments and devices. 		
	<p>This unit also refers to :</p>		
	<ul style="list-style-type: none"> • the manufacture of battery chargers ; • the assembly of traffic lights. 		
	<p>This unit does not refer to :</p>		
	<ul style="list-style-type: none"> • the installation referred to under units 69960 and 80030 to 80260 ; • the manufacture of machines, devices or equipment controlled by a device or system, the manufacturing of which is referred to under this unit ; • the manufacture in the foundry of products referred to in this unit. 		

Unit Number	Unit Title	General Rate	Special Rate
36160	Manufacturing aircraft This unit refers to: <ul style="list-style-type: none"> the manufacture of aircraft. This unit also refers to: <ul style="list-style-type: none"> the manufacture of the following parts for aircraft : ailerons, wings, landing gear, fuselage, gas turbines ; the manufacture and overhauling of aircraft engines ; major modifications to aircraft systems or equipment ; mechanical maintenance and refurbishing of aircraft when done by an employer other than an air carrier. 	0.92	0.59
36170	Shipbuilding in a shipyard This unit refers to: <ul style="list-style-type: none"> the building, repairing, transforming and modifying in a shipyard of ships such as : dredge scows, commercial fishing boats, passenger lines, ferries, ice-breakers ; manufacturing parts of ships and barges in a shipyard. This unit also refers to: <ul style="list-style-type: none"> vessel refitting and boiling out services in a shipyard ; the building, repairing, transformation and modification of drilling platforms. 	10.63	10.04
36180	Manufacturing boats outside shipyards This unit refers to: <ul style="list-style-type: none"> the manufacture and repair, by the manufacturer and outside shipyards, of boats such as : <ul style="list-style-type: none"> yachts ; pontoons for pleasure ; fishing boats ; sailboats ; canoes and rowboats ; kayaks, pedal-boats and windsurf boards. This unit does not refer to: <ul style="list-style-type: none"> the manufacture of life rafts and canoes made of rubber. 	6.24	5.76
36190	Manufacturing snowmobiles, personal watercraft, recreational all-terrain vehicles, motorcycles and motorized golf carts ; manufacturing tricycle scooters ; manufacturing and refurbishing passenger coaches for rail and subway transportation	1.26	0.93

Unit Number	Unit Title	General Rate	Special Rate
36200	Manufacturing buses, ambulances, trucks with the assembly of the power train, trailers, camping tent trailers, caravans and motorized trailers	3.04	2.65
	This unit refers to:		
	<ul style="list-style-type: none"> • the manufacture of the following vehicles : <ul style="list-style-type: none"> • buses and motor coaches • ambulances ; • trucks with assembly of the power train ; • the manufacture of trailers ; • the manufacture of tent-trailers ; • the manufacture of caravans and motorized trailers. 		
	This unit also refers to:		
	<ul style="list-style-type: none"> • the adaptation of vehicles for handicapped persons ; • the manufacture of extended body limousines • the conversion of buses or trucks ; • the interior fitting of trucks and panel trucks ; • the manufacture of motor homes. 		
	This unit does not refer to :		
	<ul style="list-style-type: none"> • the installation of interior fitting elements on light duty trucks done by a merchant ; • the manufacture of worksite trailers and other mobile shelters. 		
36210	Manufacturing on an assembly line of automobiles and light trucks with the assembly of the power train	1.99	1.63

Classification Units and Assessment Rates for 2004 - Sector : Transportation and storage

Unit Number	Unit Title	General Rate	Special Rate
53020	Wrapping or packing service with or without marketing	5.37	4.92
55010	Air transportation ; services related to air transportation	2.38	2.02
	This unit refers to:		
	<ul style="list-style-type: none"> • the transportation by air of persons or merchandise such as : <ul style="list-style-type: none"> • air transportation whether or not according to a fixed schedule ; • transportation of letters, documents or parcels by air ; • tourism or recreational air transportation ; • air ambulances ; • services related to air transportation such as : <ul style="list-style-type: none"> • operating an airport ; • aircraft rentals ; • loading and unloading of aircraft ; • aircraft inspection and maintenance other than aircraft mechanics ; 		

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> • mechanical maintenance and refurbishing of aircraft when done by an air carrier; • passenger transfer service; • replenishing; • reception and baggage transfer service; • air traffic controller service; • de-icing of planes. <p>This unit also refers to:</p> <ul style="list-style-type: none"> • spreading and dispersing of products by air; • aerial surveillance; • aerial surveying; • aerial photography and mapping; • aerial advertising; • aerial collection of geophysical data; • flying schools; • skydiving schools. <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> • storage services; • maintenance of landing strips. 		
55020	Maritime and rail transport; services related to maritime and rail transport	3.73	3.33
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • transportation of passengers or merchandise by water, such as: <ul style="list-style-type: none"> • maritime transport whether or not according to a fixed schedule; • tourism or recreational maritime transport; • services related to maritime transport such as: <ul style="list-style-type: none"> • towing and docking boats; • barge or platform towing service; • installation and maintenance of maritime markers; • maritime piloting services; • operating port facilities; • rail transport of passengers and merchandise such as: <ul style="list-style-type: none"> • rail transport whether or not according to a fixed schedule; • tourism or recreational rail transport; • services related to rail transport, such as: <ul style="list-style-type: none"> • brush and snow removal along railway tracks; • cleaning rail cars; • loading and unloading rail cars; • merchandise stowage service related to rail transport; • operating a railway station. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to:</p> <ul style="list-style-type: none"> • towing and wood collection services on water using boats ; • boat with crew rental services ; • operating a lock. <p>This unit also refers to the following activity when done by the workers of an employer as part of the carrying out by this employer of the maritime transport activity or services related to the operation of port facilities :</p> <ul style="list-style-type: none"> • loading and unloading of ships or trucks. <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit :</p> <ul style="list-style-type: none"> • storage services ; • mechanical maintenance. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the services offered in a marina ; • the building and repairing of rail lines ; • whitewater tourism services. 		
55030	Loading or unloading boats	6.85	6.36
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • the loading of boats ; • the unloading of boats. <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit :</p> <ul style="list-style-type: none"> • loading and unloading rail cars or trucks ; • maritime stowage. 		
55040	Transportation of passengers by road	2.33	1.97
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • transportation of passengers in a motor coach or a bus whether or not according to a fixed schedule ; • school bus transportation ; • adapted transportation ; • tourism or recreational transportation in a motor coach or bus ; • transportation of passengers in a taxi or limousine ; • transportation in a minibus. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to:</p> <ul style="list-style-type: none"> • subway transportation ; • shuttle services. <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit :</p> <ul style="list-style-type: none"> • the operation of a call centre ; • mechanical maintenance ; • the operation of a bus terminal. 		
55050	Transport of merchandise by road	6.37	5.89
	<p>This unit refers to the transport of merchandise by road when done using any type of truck, except for dump trucks.</p> <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit :</p> <ul style="list-style-type: none"> • mechanical maintenance ; • storage services. 		
55060	Moving services	17.20	16.43
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • the moving of used goods by truck. <p>This unit also refers to:</p> <ul style="list-style-type: none"> • the transport of works of art by truck ; • the moving of used institutional or commercial material by truck ; • the moving of institutional or commercial furniture. <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit :</p> <ul style="list-style-type: none"> • mechanical maintenance ; • storage services ; • packing and unpacking. 		
55070	Transport by dump truck ; snow removal	6.47	5.99
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • transport by dump truck ; • snow removal using a vehicle. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to:</p> <ul style="list-style-type: none"> • spreading ice melters and abrasives; • removal of construction or demolition waste by the Roll Off container system, with or without the rental of the related containers. <p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> • mechanical maintenance; • storage services. <p>The employer classified under this unit for the dump truck transport activity cannot also be classified under unit 13140 except where at least one of his workers only performs tasks related to the activities referred to under this latter unit.</p>		
55080	Storage services	4.63	4.20
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • the storage of miscellaneous merchandise; • refrigerated storage. <p>This unit also refers to the following activities when not done by the workers of an employer as part of the carrying out by this employer of activities referred to under another unit:</p> <ul style="list-style-type: none"> • the loading and unloading of trucks; • the handling of wood in a wood yard. <p>This unit also refers to the following activity when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit:</p> <ul style="list-style-type: none"> • logistics services, notably labeling, packaging, break of load, control and management of stocks. <p>This unit does not refer to:</p> <ul style="list-style-type: none"> • rental of storage spaces without handling. 		
55090	Messenger or delivery services	4.43	4.00
	<p>This unit refers to:</p> <ul style="list-style-type: none"> • messenger services or services related to the delivery of letters, documents, small parcels or objects weighing less than 40 kilograms. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to the following activities when done by the workers of an employer as part of the carrying out by this employer of activities referred to under this unit :</p> <ul style="list-style-type: none"> • transport by air of letters, documents or small parcels ; • transport of letters, documents or small parcels between warehouses, sorting or distribution centres ; • mechanical maintenance ; • storage services. 		

Classification Units and Assessment Rates for 2004 - Sector : Services

Unit Number	Unit Title	General Rate	Special Rate
60010	Operating a radio station ; operating telephone lines or telephone exchanges ; intercommunication services ; recovering or repairing telephones ; splicing telephone cables	0.77	0.44
60020	Operating a television station ; producing or distributing motion pictures or other audio and video material ; operating a motion picture or a drive-in theater ; operating an orchestra, a discomobile, a singing group, a theater company or a theatrical agency ; leasing or renting halls ; installing equipment for social dances	1.16	0.83
60030	Cable television service ; installing radio or television antennas ; radio, television or cable connection work	2.31	1.94
60050	Operating a recreational centre ; operating a professional sports club ; operating a curling club ; operating a bowling alley or a billiard parlour ; operating a roller skating rink ; operating a race track ; operating a racket sports centre	1.78	1.43
60060	Operating a golf course	2.08	1.72
60070	Operating a ski centre ; operating a snowmobile club	4.64	4.22
60080	Operating an amusement park or rides, an amateur sports club, a pleasure-boating club, a shooting club, or amusement and recreational services, not specified in other units ; operating a Turkish bath, a massage parlour, a bodybuilding studio, a tanning salon, a shoeshine service or a checkroom service ; organizing a public festival	1.47	1.13
61010	Generating and distributing electric power	0.85	0.53
61020	Operating a water distribution centre, a steam distribution centre or a natural gas distribution centre ; operating and maintaining a gas or an oil pipeline	1.13	0.80
61030	Maintaining a garbage dump ; disposal of industrial waste ; cleaning tanks, sewers, cesspools, septic tanks or industrial facilities ; renting or leasing, with maintenance, portable chemical toilets	5.89	5.43

Unit Number	Unit Title	General Rate	Special Rate
61040	Garbage collection	12.49	11.84
62010	Transporting milk and cream ; wholesaling dairy products ; wholesale or retail distribution of dairy products	3.71	3.31
62020	Wholesaling fruit, vegetables or fish	3.88	3.47
62030	Wholesaling meat and meat products	5.35	4.90
62040	Wholesaling meat, including cutting up and carving	8.00	7.48
62050	Wholesaling bakery or pastry products or distributing those products, wholesale or retail ; retailing imported specialties, dietetic or natural food, delicatessen, pastries or seafood products	3.59	3.19
62060	Wholesaling food, not specified in other units	3.74	3.33
62070	Wholesaling carbonated beverages or water ; distributing carbonated beverages or water, wholesale or retail ; wholesaling beer	4.68	4.25
62090	Wholesaling toiletries or drug sundries	1.13	0.79
62110	Operating a grocery store	2.47	2.10
62120	Operating a convenience store with or without gasoline sales	2.21	1.85
62130	Operating a grocery-butcher shop	2.96	2.58
62140	Operating a butcher shop	5.26	4.82
62150	Making and retailing bakery or pastry products	3.68	3.28
62160	Fruit and vegetables retail business	2.27	1.91
62170	Alcoholic beverages retail business	1.56	1.21
62180	Operating a drugstore ; operating a tobacco store ; herbalist's shop ; chocolate, delicacies or cookies shop, beauty products or cosmetics shop, or selling lottery tickets ; operating a bus terminal or a contract post office	1.05	0.72
63010	Wholesaling household, commercial or service industry furniture, or electrical household appliances ; wholesaling floor coverings ; leasing, wholesaling or retailing office equipment or furniture ; leasing electrical household appliances or electronic household equipment	1.95	1.59
	This unit does not refer to the installation of floor coverings.		
63020	Wholesaling household dishware, pottery, glassware or similar household goods ; wholesaling electronic household appliances	1.53	1.19

Unit Number	Unit Title	General Rate	Special Rate
63030	Wholesaling metals or alloys, including handling This unit does not refer to the installation of a sold product as well as demolition and stripping for purposes of salvaging metal or alloys.	4.09	3.68
63040	Wholesaling hardware, plumbing or heating equipment and supplies, not specified in other units ; wholesaling and installing safes, with or without repair ; wholesaling sanitation equipment	1.30	0.96
63050	Wholesaling or retailing lumber or building supplies ; wholesaling or retailing firewood, coal or charcoal	5.38	4.93
63060	Wholesaling doors, windows, exterior siding or garage equipment This unit does not refer to the installation of a sold product.	4.21	3.80
63070	Wholesaling or repairing farm or garden implements or equipment	2.50	2.13
63080	Wholesaling, leasing or repairing heavy equipment ; leasing materials handling equipment, trailers or containers This unit does not refer to the installation, maintenance and repair of equipment referred to under units 69960 and 80160, as well as renting heavy machinery with an operator.	4.46	4.03
63090	Wholesaling industrial handling equipment, with or without repair ; wholesaling or repairing welding equipment This unit does not refer to the installation, maintenance and repair of equipment referred to under units 69960 and 80160.	2.90	2.52
63100	Wholesaling, renting or leasing manufacturing machinery ; wholesaling, renting or leasing commercial or industrial ovens or kilns This unit does not refer to the installation, maintenance and repair of equipment referred to under units 69960 and 80160.	1.68	1.33
63110	Wholesaling, renting, leasing, installing or repairing stage or discotheque lighting equipment ; wholesaling, renting, leasing, installing or repairing swimming pool accessories ; wholesaling, renting, leasing of electric or diesel engines, electric generation equipment, pumping facilities or equipment for water treatment The wholesaling, renting, leasing of electric or diesel engines, electric generation equipment, pumping facilities or equipment for water treatment does not refer to the installation, maintenance and repair of sold or rented products.	1.85	1.50
63120	Wholesaling, renting or leasing analytic and laboratory apparatus or medical or scientific equipment, with or without repair or installation ; wholesaling of electronic parts or electrical supplies ; wholesaling, renting or leasing measuring, calibrating or control instruments or communication equipment other than for automobiles	0.95	0.62

Unit Number	Unit Title	General Rate	Special Rate
	This unit does not refer to the installation, repair or maintenance of measuring, calibrating or control instruments or communication equipment other than for automobiles or electrical supplies.		
63130	Wholesaling industrial or commercial scales ; wholesaling or retailing kitchen cabinets ; retailing doors or windows	2.54	2.17
	This unit does not refer to installation of a sold product.		
64020	Vulcanizing ; wholesaling and retailing tires or tubes, with or without repair or installation	5.93	5.47
64030	Wholesaling transportation equipment or equipment parts ; wholesaling or retailing new, reconditioned or used automobile parts or accessories	1.64	1.30
64040	Wholesaling or retailing automobiles, trucks or busses with or without repair ; renting or leasing automobiles with or without repair ; retailing and installing automobile windows or radios ; upholstering and repairing of motor vehicle seats	2.16	1.79
64050	Retailing, renting or leasing mobile homes, snowmobiles, motorcycles, travel trailers, tent trailers, including repair or service ; retailing boats, outboard motors or boating accessories ; renting or leasing, including service, small craft or recreational vehicles, not specified in other units ; wholesaling snowmobiles, motorcycles, boats, outboard motors, boating accessories, ship's supplies, trailers or containers ; wholesaling, without repair, semitrailers, travel trailers or tent trailers	3.57	3.17
64060	Operating a service station with or without self-service ; operating an automatic car wash ; washing and cleaning motor vehicles and trucks	3.82	3.42
64070	Retailing gasoline, with or without service	2.06	1.70
64090	Repairing motor vehicles, motor vehicle parts or industrial machinery parts, not specified in other units ; motor vehicle towing service	5.23	4.78
64100	Operating an automobile bodywork repair shop ; application of rust-proofing and paint sealants to automobile vehicles	8.36	7.83
64110	Retailing and installing motor vehicle mufflers ; repairing and installing motor vehicle suspension parts	6.91	6.42
64120	Reclaiming and wholesaling used automobile parts and accessories	5.40	4.95
65010	Retailing furniture, with or without household furnishings ; retailing household electrical appliances, with or without electronic appliances or household electrical furnishings ; repairing electrical home appliances ; retailing antique objects or furniture	3.56	3.16

Unit Number	Unit Title	General Rate	Special Rate
65020	Retailing or repairing sound or video equipment, electronic appliances, electrical furnishings, small (portable) electrical household appliances or electrical personal care appliances; retailing sewing machines	1.25	0.91
65030	Retailing floor coverings This unit does not refer to the installation of a sold product.	2.99	2.61
65040	Retailing household furnishings or interior decoration accessories, not specified in other units; wholesaling piece goods, notions and other dry goods, draperies, household linen or other textile household furnishings; retailing lighting fixtures The retailing of lighting fixtures does not refer to the installation of the sold product.	2.32	1.96
66020	Wholesaling and distributing petroleum products, with or without maintenance or installation of related facilities	3.36	2.96
66030	Wrecking automobiles; wholesaling metal waste This unit does not refer to demolition other than that of automobiles or stripping for salvaging metal waste.	7.49	6.98
66040	Selling non-metallic waste This unit does not refer to demolition or stripping for salvaging of non-metallic waste.	8.59	8.05
66050	Wholesaling or distributing newspapers, magazines, books or handbills; wholesaling paper or paper products	2.07	1.71
66060	Wholesaling animal feeds, fertilizers, grain or cereals; wholesaling tobacco products; grain elevator service	3.78	3.37
66070	Wholesaling games, toys, sporting goods and equipment; retailing, renting or leasing sporting goods and equipment, with or without service	1.33	1.00
66080	Wholesaling chemical products or cleaning products; wholesaling or maintaining chemical fire extinguishers	2.17	1.81
66100	Wholesaling leather or imitation-leather products not specified in other units; wholesaling footwear or garment products; retailing footwear, garments, underwear, knitting products, fabrics, yarn, sewing products, handbags, luggage or other leather or imitation-leather products; manufacturing or storing fur garments or articles; linen rental service without washing equipment; costume or ceremonial apparel rental service	1.55	1.20

Unit Number	Unit Title	General Rate	Special Rate
66110	Operating a department store ; operating a general merchandise store ; operating a general store ; operating a direct consumer distributing warehouse ; display services ; interior decoration design service ; retailing home and automobile supplies	1.91	1.56
66120	Retailing small goods, not specified in other units ; retailing paint or wallpaper ; retailing or repairing musical instruments or accessories or photography equipment ; retailing domestic animals ; photography, development and printing of films ; wholesaling jewellery items or photography equipment and supplies	1.50	1.16
66130	Retailing hardware products or garden supplies ; retailing lawn mowers, snow blowers, chain saws or similar equipment, with repair ; wholesaling or retailing trees, shrubs, plants, flowers, supplies for lawn or garden or other nursery products	2.62	2.24
	This unit does not refer to landscaping.		
66150	Retailing lumber and building supplies with hardware	3.78	3.37
66160	Monuments and tombstones dealer ; undertaking services, with or without ambulance services ; operating a cemetery	1.98	1.62
66170	Wholesaling or retailing, installing or cleaning swimming pools ; constructing and installing in-ground pools	3.34	2.95
69960	Repairing, installing or maintaining production machinery ; operating a mobile welding unit	7.75	7.23
	This unit refers to works relating to :		
	<ul style="list-style-type: none"> • millwright works such as production machinery installation, repair, maintenance, adjustment, assembly, dismantling and handling ; • the manufacturing of templates for such machinery ; • operating a mobile welding unit. 		
	This unit does not refer to works relating to :		
	<ul style="list-style-type: none"> • millwright works other than production machinery installation, repair, maintenance, adjustment, assembly, dismantling and handling ; • the manufacturing of templates for such machinery. 		
	An employer classified under this unit may also be classified under exceptional units 80020 and 90010.		
70010	Insurance brokerage ; operating a collection agency or a credit bureau ; currency or securities brokerage, consulting or negotiation services ; commodities exchanges or securities exchanges ; financial institutions and financial intermediaries not specified in other units	0.58	0.26

Unit Number	Unit Title	General Rate	Special Rate
70020	Operating an insurance business ; insurance services of the provincial administration	0.60	0.28
70030	Operating residential or other buildings, including parking lots or parking garages ; municipal housing bureau ; disinfection, fumigation or extermination work	2.73	2.35
70040	Claims adjuster or assessor services ; operating a real estate agency ; information, survey or research services ; bailiff services ; typing services or other office services provided to businesses or individuals	0.90	0.58
71010	Operating a forwarding agency ; freight inspection service ; sales agent services ; broker services not specified in other units	0.91	0.58
71020	Operating a manpower agency ; leasing the services of professional or technical personnel or other scientific or technical professionals such as draftsmen, biologists, biochemists, botanists, chemists, engineers, graphic designers and laboratory technicians, with the exception of aeronautics production or maintenance technicians ; auctioneering or organizing auctions or merchandise liquidation services	0.92	0.60
71030	Leasing truckers services, driver-delivery persons, assistant delivery persons or movers	9.67	9.10
71040	Operating a marine agency ; International Air Transport or International aeronautical telecommunications association ; operating a press agency or advertising agency ; rental of advertising space on billboards, display boards and commercial signs ; drafting or practicing architecture ; urban planning services or business or management consulting services ; law practice (advocate's or notary's office) ; accounting services (accountant's office) ; actuarial practice ; operating a travel agency or wholesale tour business ; wholesaling, renting or repairing computer systems ; computer services, excluding the leasing of services of computer personnel ; trustee in bankruptcy ; taxation services, income tax return preparation services ; graphic design services ; editing ; preparation of plates for printing	0.60	0.28

As for editing, this unit refers to :

- the edition or publication of products such as books, newspapers or magazines.

This unit does not refer to :

- printing or finishing edited or published products.

Unit Number	Unit Title	General Rate	Special Rate
71050	<p>Consulting engineer's services; energy consulting services; operating a pure or applied research laboratory; operating a laboratory for analysis and testing; agricultural research services; geotechnical studies prior to construction work; land surveyor services; interpretation of aerial photographs; archaeological research; forestry technician services; prospecting; geology work; geophysical survey services; manufacturing optical fibre</p> <p>Regarding forestry technician services, this unit refers to:</p> <ul style="list-style-type: none"> • measuring wood; • marking trees in the forest; • protecting forests against insects and diseases; • forestry surveys. <p>This unit also refers to consulting engineer's services carried out by the workers of an employer recognized by the Minister of Natural Resources pursuant to section 124.1.1 of the Forest Act, even if these services are rendered within the framework of the activities referred to in units 14010 or 14020.</p> <p>This unit does not refer to the works referred to under units 80030 to 80260.</p>	0.92	0.59
71060	Operating a security or an investigation agency	2.34	1.97
71070	Managing subsidiaries or branches outside Québec (head office)	0.63	0.31
71080	Leasing the services of handling laborer, wrappers, merchandise reception or expedition employees, warehouse employees, solderers or automobile mechanics or industrial machinery employees, technical installation or machinery maintenance personnel	11.06	10.46
71090	Leasing the services of manufacturing industries' workers or commerce or catering or maintenance chores personnel with the exception of those mentioned in another unit	3.28	2.89
72010	Sûreté du Québec services; detention services	3.33	2.94
72020	Provincial administrative services not specified in other units; administration of a regional county municipality; administration of a metropolitan community	0.61	0.29
72030	Job creation programs	1.23	0.89
72040	Provincial farm territory protection, agriculture, fisheries, feeding, natural resources services; services relating to construction workers	0.81	0.49
72060	Provincial recreation and sports program management services	1.20	0.87
72070	Transportation program management services	1.43	1.09

Unit Number	Unit Title	General Rate	Special Rate
72080	Managing, with service, a municipality or a municipal or an intermunicipal commission, a band council	1.73	1.38
73010	Teaching services (except universities or general and vocational colleges, and except all level student trainees); operating a private museum; operating a historic site; library services	0.85	0.52
73030	Operating a general hospital	1.07	0.74
73040	Operating a psychiatric hospital	1.74	1.39
73050	Operating a home-care and extended care centre; nursing services; leasing the services of nurses or auxiliary of nurses care and therapeutics	2.73	2.35
73060	Operating a drop-in centre; operating a rehabilitation centre for alcoholics or drug addicts; operating a social or community service agency; operating a health or social services promotion body	2.18	1.82
73070	Operating a rehabilitation centre for the physically handicapped or the socially maladjusted	1.83	1.48
73080	Operating a rehabilitation centre for the mentally handicapped	2.10	1.74
73100	Operating a local community service centre	1.22	0.89
73110	Child day-care centre	2.35	1.99
73120	Operating a sheltered workshop; operating a work rehabilitation centre	3.22	2.83
73130	Practising medicine and other specialties in the health-care field, not specified in other units; health or social services not specified in other units; hearing aid specialist's services; optometrist's services; prescription optician's services; manufacturing dentures and braces (dental laboratories); retailing orthopedic aids, wigs or hair pieces	1.22	0.89
73140	Ambulance service	4.95	4.52
73150	University or vocational teaching services (except student trainees)	0.65	0.33
74010	Operating a hotel, a motel, a hotel-motel, a youth hostel, a student residence or a rooming house	3.27	2.88
74020	Operating a hunting or fishing outfitting operation; operating or managing a hunting or fishing area; operating a camping ground, a trailer park, a vacation camp or a recreation area	2.76	2.38
74030	Operating a brasserie or a restaurant serving meals, without delivery	2.43	2.06
74040	Operating a brasserie or a restaurant serving meals, with delivery	2.55	2.18

Unit Number	Unit Title	General Rate	Special Rate
74050	Operating a cafeteria	3.27	2.88
74060	Take-out food services	2.83	2.45
74070	Operating a mobile canteen ; catering services	2.95	2.57
74080	Operating a tavern, a bar, a discotheque or a night club	2.28	1.92
75010	Operating a barber shop or a hairdressing salon ; operating a beauty salon	1.99	1.63
75020	Domestic-use laundry or dry-cleaning service ; clothing maintenance, pressing or repair service	3.82	3.42
75030	Operating an industrial laundry with or without linen rental service ; linen supply service, including washing	5.21	4.76
75040	Commercial, industrial or residential building maintenance ; carpet, rug, upholstery or fabric furniture cleaning service ; lawn or shrub maintenance service ; green areas fertilization services ; window washing services	5.30	4.86
76010	Veterinary services ; artificial insemination services ; egg candling or grading service ; poultry sexing or debeaking ; operating a hatchery ; raising animals in laboratories	2.07	1.71
76020	Wholesaling or operating vending machines ; renting, leasing or operating coin-operated amusement machines, with or without service	2.34	1.98
76030	Operating animal-drawn vehicles ; wholesaling or auctioneering animals ; operating a racing or horse-rental stable ; operating a horseback-riding centre ; operating a zoo ; animal protection services ; raising or training pets ; animal lodging and care services not specified in other units	5.08	4.64
76040	Religious community	2.61	2.24
76050	Managing, with service, a parish fabric, a church or a diocese ; religious association or organization	1.50	1.15
76060	Joint sector-based occupational health and safety association ; association or organism, not specified in other units	0.80	0.48
76070	Renting or leasing bleachers or podiums for special events, portable equipment or tools for industry, construction, hobbies or household activities, including service ; rental or leasing of scaffolds	4.22	3.80
	This unit does not refer to the installation of scaffolds.		
76080	Oil burner and furnace maintenance service ; chimney sweeping	7.17	6.67

Unit Number	Unit Title	General Rate	Special Rate
Exceptional unit 90010	<p>Work done exclusively in offices</p> <p>This unit refers to:</p> <p>An employer who uses the services of workers who only perform tasks of an administrative, commercial, technical or professional nature and, who unlike the workers referred to under unit 90020 or 80020, only work in offices. This unit refers in particular to office staff and persons holding the position of accountant, controller, administrative director, draftsman, purchaser, bidder, computer technician and sales director.</p> <p>Special classification rule</p> <p>An employer classified under this unit cannot also be classified under unit 71070.</p>	0.60	0.28
Exceptional unit 90020	<p>Salespersons or sales representatives</p> <p>This unit refers to:</p> <ul style="list-style-type: none"> An employer who uses the services of workers who only engage in the sale of goods or services and who are called upon, as part of their duties, to do a portion of their work outside the offices of their employer. <p>This unit does not refer to:</p> <ul style="list-style-type: none"> Workers who handle or deliver merchandise other than samples used for sales purposes. <p>Special classification rule:</p> <p>An employer classified under this unit cannot also be classified under unit 71070 or under unit 80020.</p>	0.91	0.58

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Unit Number	Unit Title	General Rate	Special Rate
Exceptional unit 80020	<p>Work done both inside and outside offices</p> <p>This unit refers to:</p> <p>Employers who use workers who only perform tasks of an administrative, a commercial, a technical or a professional nature and who are called upon, as part of their duties, to do a portion of their work outside the offices of their employer. This unit refers in particular to workers holding the position of seller, real estate agent, sales agent, real estate broker, representative, project director, project manager, superintendent, project leader, director of security and engineer.</p>	0.91	0.58

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit does not refer to :</p> <ul style="list-style-type: none"> • those persons who directly supervise workers, such as a foreman ; • a commissioner, a delivery person or a labourer. <p>Special classification rule</p> <p>An employer classified under this unit cannot also be classified under unit 71070 or under unit 90020.</p>		
80030	<p>Excavation work ; paving work ; assembly of fences ; installation of guardrails ; rental of cranes with operators</p> <p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • digging, moving, filling, compaction, leveling earth or granular materials, including work related to culverts ; • excavation and earthwork both for the construction of buildings and civil engineering works and for irrigation, drainage and dredging work ; • the excavation and installation of aqueducts and sewers ; • the excavation and installation of underground lines for gas and water purification plants ; • the excavation and installation of underground energy distribution or telecommunications network conduits, with or without the running of wire ; • the rental of construction equipment with operators ; • forest clearing carried out using construction equipment ; • the installation of septic tanks ; • the construction and repair of sidewalks and curbs ; • the asphalt surfacing of roads, streets, sidewalks, curbs, bikeways, private roads, parking lots ; • the concrete surfacing of roads, streets, sidewalks, curbs, bikeways, private roads and parking lots carried out using a concrete spreader-grader ; • the scarification of paved surfaces ; • the pulverizing of paved surfaces ; • the waterproofing of paved surfaces ; • the marking of lines on the pavement ; • the installation of fences ; • the installation of traffic safety barriers and guardrails. <p>This unit also refers to :</p> <ul style="list-style-type: none"> • demolition work on civil engineering structures or buildings including the operations required to carry out such work, such as sawing or breaking concrete and the erection of protective walls if such operations are carried out by the employer in charge of the demolition work ; • the rental, with operators, of cranes, crane-trucks, boom trucks, or any other conventional truck equipped with a telescopic or hydraulic arm, or equipped with a hoist winch that can be used as cranes or other equipment of the same type ; 	8.80	8.25

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> • the operation of a crane within the framework of work related to: <ul style="list-style-type: none"> • demolition; • dismantling when this dismantling is carried out as part of demolition work; • ore prospecting done using crawler tractors. <p>This unit does not refer to:</p> <ul style="list-style-type: none"> • manual forest clearing as well as forest clearing carried out using specialized machinery such as a skidder, tree feller or delimiting machine; • divers participating in works referred to in this unit; • the rental drilling machines with operators; • the dismantling of metal structures and machinery; • preparatory work for the installation of fences done in a workshop elsewhere than on the work site or on the job; • the installation of fences made of ornamental metal; • the operation of a quarry, a sandpit or a gravel pit; • snow removal; • cement and concrete work other than that related to small art works, sidewalks and curbs; • work related to blasting, drilling for blasting, pile-driving, special foundations, digging of tunnels and underground drilling, caissons, excavation supports, tie rods, consolidation of foundations and injections in the ground and in rock; • the manufacture of prepared concrete; • the installation of road lighting networks and traffic lights, as well as the installation of lamp posts; • construction work related to underground energy distribution lines with installation of machinery and equipment in addition to the excavation and installation of conduits; • the operation of an asphalt plant; • landscaping work; • the installation of interlocking blocks (slope blocks/pavers). <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80040	Blasting; drilling; soil mechanics; pile-driving and special foundations	14.68	13.97
	<p>This unit refers to work related to:</p> <ul style="list-style-type: none"> • drilling, charging holes and igniting explosive products; • blasting including that done during demolition work on civil engineering structures or buildings; • digging tunnels and underground drilling; • drilling artesian wells with or without the installation of pumps; • soil mechanics such as setting up excavation supports, installation of tie rods, consolidation of foundations and injections in the ground or in rock; • geothermal drilling and drilling of elevator shafts; • preliminary drilling for construction work; 		

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> • pile-driving; • pile-driving and special foundations such as the placing, raising and maintenance of the following elements: steel sheet piling, shoring piles, wailings, struts, horizontal shores, soldier piles and temporary steel or heavy structural lumber struts driven into the ground; • the rental of a drilling machine with an operator. <p>This unit also refers to:</p> <ul style="list-style-type: none"> • work done in caissons and cofferdam work; • the construction, maintenance, removal and demolition of caissons and cofferdam work; • preliminary consolidation work related to the moving of buildings, including excavation, concrete drilling and pile driving; • the putting in place, straightening and lifting of buildings; • consolidation work on a building; • the moving of buildings on a flat-bed trailer done by the workers of an employer as part of the carrying out by this employer of works referred to in this unit. <p>This unit does not refer to:</p> <ul style="list-style-type: none"> • divers participating in work referred to in this unit; • the drilling of ore to obtain test samples; • the drilling of oil or natural gas wells. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80060	<p>Construction of energy transmission or distribution lines ; construction of energy transforming stations</p> <p>This unit refers to construction, maintenance and repair work related to:</p> <ul style="list-style-type: none"> • power plant substations; • overhead or underground energy transmission and distribution lines; • telecommunications lines or networks; • road lighting networks and traffic lights; • microwave and telecommunications towers; • manholes for underground telecommunications and energy distribution networks; • wind turbines. <p>This unit also refers to:</p> <ul style="list-style-type: none"> • the installation of street lamps; • the installation of transformers connected to the energy transmission and distribution network; • the installation of antennas in telecommunications towers; • the planting of poles. 	9.74	9.17

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the construction of buildings ; • the digging of tunnels ; • specific contracts to excavate and install underground energy transmission or telecommunications network conduits, with or without the running of wire. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80080	Erecting metal frame structures and tanks	29.23	28.12
	<p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • the setting up, assembly and dismantling of architectural elements and metal framing that go into the construction of buildings, civil engineering works, outside tanks, stacks, silos, coal, stone, coke, sand and ore hoppers, water towers and machinery ; • the installation of prefabricated metal industrial stacks ; • the installation of steel panels that are used in structures, cladding and roofing ; • the installation of pre-cast concrete structural or architectural elements. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • preparatory work carried out at the workshop other than on the work site or on the job ; • exterior cladding work using metal sheets ; • the installation of radio and television station broadcasting and cellular telephone antennas ; • the erection of microwave towers ; • the erection of wooden silos, water towers or tanks ; • the installation of tanks, other than outside tanks ; • the installation of outside tanks by a boilermaker. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80100	Cement work, concrete work	15.84	15.11
	<p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • reinforcement work such as cutting, shaping, assembling by various processes, as well as the installation of metal ties or wire mesh used in the construction of concrete work ; • concrete formwork for building and civil engineering work framing and machinery ; • the preparation and finishing of concrete and cement surfaces ; • the pouring and placement of concrete ; • the cutting, pumping and drilling of concrete ; • concrete paving without the use of a spreader-grader ; • concrete injection and guniting ; 		

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> • the cutting of asphalt; • the crushing of concrete during alteration work; • the waterproofing of concrete floors or concrete surfaces. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the operation of a reinforcement workshop other than on the work site or on the job; • the installation of pre-cast concrete structural or architectural elements; • the delivery and pouring of concrete by concrete mixer; • the construction and repair of sidewalks and curbs. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80110	<p>Carpentry work ; joinery work ; work related to indoor systems ; painting work ; installation of flexible coverings, installation of marble, granite, ceramics and terrazzo ; plastering and jointing work ; insulation work</p>	14.69	13.99
	<p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • the erection of a wooden structure of a building, a silo, a water tower and a tank ; • joinery work ; • parqueting work including sanding and finishing ; • carpentry work such as the installation of chevrons and the erection of wood divisions ; • carpentry work and joinery work in the installation of prefabricated buildings with a wood structure ; • on-site construction of wood recreational equipment for amusement parks, daycare centres, playgrounds and other similar places ; • the installation of doors and windows on buildings with a wood structure ; • the installation of pre-glazed doors and windows on a non-wooden structure building when done as part of carpentry work ; • the building of wood or wood-substitute patio ; indoor systems such as the installation of metal poles, angle irons, wire moulds, gypsum, lathwork, acoustic ceilings and suspended ceilings ; • indoor systems such as the installation of metal poles, gypsum, lathwork, acoustic ceilings and suspended ceilings ; • plastering and jointing ; • the application of paint, surface coatings and protective finishes ; • the installation of flexible coverings such as vinyl, asphalt, rubber, cork, linoleum coverings, rugs, carpet underlays and rug underlays ; • the installation and polishing of marble, granite, terrazzo concrete, slate, ceramics, terrazzo and other similar materials ; • the installation of cold room panels ; • the thermal insulation of buildings, soundproofing and acoustic control. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit also refers to work related to :</p> <ul style="list-style-type: none"> • the removal of asbestos ; • the stripping. <p>Stripping refers to any selective, meticulous and well thought-out demolition operation, of unwanted additions, ruined areas or areas of no interest in buildings, which does not adversely affect the structure, retaining walls or load-bearing walls.</p> <p>This unit also refers to the following work when done by the workers of an employer as part of the carrying out, by this employer, of work to erect a wood structure of a building :</p> <ul style="list-style-type: none"> • the installation of all types of exterior clapboard cladding ; • the installation of gutters ; • roofing using asphalt shingles, cedar shingles, sheet metal that is neither welded nor stapled, or sandstone tiles ; • foundation formwork ; • the installation of garage doors. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • work related to piles and special foundations such as the placing, raising and maintenance of the following elements : steel sheet piling, shoring piles, wailings, struts, horizontal shores, soldier piles and temporary steel or heavy structural lumber struts driven into the ground ; • work to install curtain walls in marble, granite or other similar materials ; • all cleaning work using sand blasting, steam jet or pressurized water ; • work to waterproof concrete floors or concrete surfaces ; • stripping work when only one reconstruction operation referred to under another unit is carried out jointly with the stripping of that which is being rebuilt. In such a case, the stripping work is referred to under the unit that refers to this reconstruction operation. For example, when the only work being done by the employer involves the installation of a roof following the stripping of the old roof, all of this work is referred to under unit 80130. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80130	Roofing work ; exterior cladding work on buildings ; installation of gutters	23.29	22.34
	<p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • exterior cladding of buildings using all types of metal sheets or clapboard ; • the installation and repair of all types of roofing, including waterproofing ; • the installation of gutters ; • the removal of snow from roofs. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the installation of steel panels which are used in structures, cladding and roofing. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80140	<p>Masonry work</p> <p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • the cutting, setting with mortar, cement or any other adhesive material as well as the jointing of masonry elements such as the following : <ul style="list-style-type: none"> • bricks, natural or artificial stones ; • acid bricks, fire bricks, plastic bricks, cements bricks or bricks made of any other refractory material laid by hand or by a pneumatic or mechanical method ; • tiles made of refractory material ; • blocks of gypsum, concrete or glass, blocks of composite materials, blocks of lightweight aggregates for walls or partitions, anticorrosive tiles ; • the installation of silos made of concrete staves. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • jointing, aligning, anchoring and grouting work done by manufacturers of pre-cast concrete structural or architectural elements ; • cleaning work using sand blasting, steam jet or pressurized water ; • work related to the installation of slope blocks or pavers ; • work related to the installation of marble or granite tile flooring ; • the installation of curtain walls made of masonry elements ; • form work prior to the installation of silos made of concrete staves. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>	24.55	23.57
80150	<p>Glass work ; glazing work</p> <p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • the preparation and installation of glasswork and glazing such as : <ul style="list-style-type: none"> • the cutting and polishing of glass ; • the cutting and assembly of aluminum ; • the installation of doors, windows and glazing ; • the installation of entrances or show windows made from metal or glass parts • the installation of curtain walls ; • the installation of atriums, skylights and other similar works 	14.59	13.88

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit does not refer to :</p> <ul style="list-style-type: none"> • preparatory or manufacturing work done in a workshop other than on the work site. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80160	<p>Millwright works ; boilermaking work ; plumbing and pipefitting work ; pipe insulation work ; work related to mechanized transit systems</p> <p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • millwright works such as the installation, repair, maintenance, adjustment, assembly, dismantling and handling of machinery other than production machinery ; • the making of templates for this machinery ; • the installation, repair and maintenance of garage doors, whether mechanized or not ; • boilermaking related to machinery other than production machinery and related to the construction, maintenance and repair of steam generators, boilers, tanks or other similar equipment ; • the installation, alteration, modification, repair and maintenance of : <ul style="list-style-type: none"> • plumbing systems such as : <ul style="list-style-type: none"> • piping, fixtures, accessories and other fittings needed to supply these systems with fluids ; • piping, fixtures, accessories and other fittings used for drainage, run-off and ventilation of traps in these systems ; • heating and combustion systems such as : <ul style="list-style-type: none"> • piping, fixtures, accessories and other fittings needed to distribute fluids or heat ; • fire protection and localized fire protection systems, such as : <ul style="list-style-type: none"> • piping, fixtures, accessories and other fittings used to prevent and fight fires ; • insulation, whether it is carried out by spraying or by any other method, such as : <ul style="list-style-type: none"> • thermal insulation of any new or existing piping system ; • thermal insulation of radiators, furnaces, boilers, tanks and any other similar device ; • the installation, alteration, modification, repair and maintenance of mechanized transit systems, composed of devices, accessories and other apparatuses such as : <ul style="list-style-type: none"> • elevators, freight elevators, escalators, permanent swing scaffolds, slope hoists, dumbwaiters, removable platforms on a theatre stage, moving sidewalks and other similar devices generally used or which may be used to transport persons, objects or materials. <p>This unit also refers to the operation of a temporary or uncompleted system as well as the operation of a completed system when it is used to move construction workers and materials.</p>	7.75	7.23

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the construction of metal tanks other than for boiler systems and that are installed by a metal structure installer (ex. oil tanks, water towers); • the installation of metal ducts for heating, ventilation and air conditioning systems; • the laying of bricks used in boiler walls; • the installation of internal insulation of ventilation and other ducts done by tinsmiths when installing said ducts; • installation work related to pre-insulated ventilation ducts; • cleaning using sandblasting; • work related to millwright works such as the installation, repair, maintenance, adjustment, setting up, dismantling and handling of production machinery as well as the making of templates for this machinery; • the installation and operation by an employer of a temporary freight elevator as part of the carrying out by this employer of work not referred to in this unit; • the installation of temporary swing scaffolds. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80170	<p>Electrical work</p> <p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • the installation, alteration, modification, repair and maintenance of electrical installations for lighting, heating and motive force purposes, including in all cases wires, cables, conduits, accessories and electrical devices that are part of the actual installation and, being related to the connection of the installation to the public or municipal utility network, which point of connection is on the wall of the building that is nearest to the public utility line; • the installation of lightening rods and unit heaters; • electrical hook-up of a building. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • construction work on energy distribution and transforming stations done by electrical contractors; • electrical work done by energy distribution and transforming station construction contractors; • installation work related to alarm, security, control or electronic equipment systems; • street lamp installation work along roads as well as traffic light installation work. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>	7.29	6.79

Unit Number	Unit Title	General Rate	Special Rate
80180	Sheet metal work	10.94	10.34

This unit refers to work related to :

- sheet metal having a maximum thickness of 10 gauge (iron, copper, aluminum, stainless steel) and all metal or electrometallurgical materials, vinyl and other metal- or plastic-based materials such as :
 - the marking out, manufacture and installation, on the work site or on the job, of all sorts of metal objects, in sheets ;
 - the assembly and repair of ventilation, air conditioning and hot air heating duct systems and any conduit system to remove various materials such as chips, fumes, smoke or dust, the installation of internal insulation with respect to these systems and the installation of prefabricated devices ;
 - the installation of prefabricated metal objects such as shelves, lockers, screens, ceilings, fire barriers, and ceiling and wall coverings ;
 - the installation, by a tinsmith, of prefabricated devices such as air conditioners, fans, heat pumps, air exchangers as well as the installation of mechanized elements associated with these systems, when done at the same time as the installation of ducts or conduits.

This unit does not refer to work related to :

- work related to outdoor cladding in metal sheets or clapboard of all types, installation and repair of all types of roofing ;
- preparatory and manufacturing work done in the workshop other than on the work site ;
- work related to the installation of gutters.

An employer classified under this unit can also be classified under exceptional units 80020 and 90010.

80190	Installation of electronic equipment, alarm or control systems	2.04	1.68
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This unit refers to work related to :

- the installation, alteration, modification, repair and maintenance of intercom, public address, synchronous clock, visual, aural or oral signaling, telephony, closed-circuit television, access card or surveillance systems ;
- the installation, alteration, modification, repair and maintenance of electrical or pneumatic control, and instrumentation systems related to heating, air conditioning, ventilation and air removal ;
- the installation, alteration, modification, repair and maintenance of electrical systems or pneumatic control systems, quantity measurement and calibration systems on a variety of industrial production machinery ;
- the installation, alteration, modification, repair and maintenance of burglar and fire alarm systems ;

Unit Number	Unit Title	General Rate	Special Rate
	<ul style="list-style-type: none"> • the sale, installation and repair of safety locks ; • the testing, adjustment and stabilizing of air circulation and distribution systems. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80200	Refrigeration work, air conditioning work	4.99	4.55
	<p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • the installation, alteration, modification, repair and maintenance of refrigeration systems having a capacity of at least 1/4 h.p. including piping, units, accessories and other fittings needed for the distribution of fluids and the production of cold by these systems ; • the installation of machines for air conditioning and refrigeration systems. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • the insulation of refrigeration and air conditioning systems ; • the testing, adjustment and stabilizing of air circulation and distribution systems ; • the installation of metal ducts for air conditioning systems ; • the installation, alteration, modification, repair and maintenance of instrumentation and control systems related to heating, air conditioning and ventilation. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80230	Landscaping work	10.30	9.72
	<p>This unit refers to :</p> <ul style="list-style-type: none"> • landscaping work such as : <ul style="list-style-type: none"> • the installation of interlocking blocks or interlocking stones ; • the installation of sod ; • site preparation work ; • the planting of trees and shrubs ; • light earthwork ; • the erection of low walls, stairs, etc. ; • the maintenance of slopes alongside roads ; • the installation of outdoor underground pipes to water the lawn or for decorative lighting systems. 		

Unit Number	Unit Title	General Rate	Special Rate
	<p>This unit does not refer to :</p> <ul style="list-style-type: none"> • excavation and earthwork done with heavy machinery ; • paving work ; • snow removal ; • the installation of septic tanks and septic beds. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>		
80240	<p>Cleaning using sandblasting, steam jet or pressurized water</p> <p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • the cleaning, preparation, restoration or finishing of a building surface, a civil engineering work, a tank, machinery or industrial equipment using sandblasting, steam jet, pressurized water, soda water or recoverable abrasive beads ; • the whitewashing of buildings using a jet. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • work involving sandblasting, steam jet or pressurized water done at the employer's workshop. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>	29.26	28.16
80250	<p>Ornamental building metal work</p> <p>This unit refers to work related to :</p> <ul style="list-style-type: none"> • building metal work such as the tracing out, cutting, preparation and assembly of any metal part, including outdoor and indoor stairs, handrails, fences, gates, canopies, cellar doors and inspection holes, all types of wire fencing ; coal chutes, vault doors, fire doors, industrial doors, partitions, rails and balconies. <p>This unit does not refer to :</p> <ul style="list-style-type: none"> • preparatory and manufacturing work done in workshops other than on the work site or on the job ; • installation of all other types of fences. <p>An employer classified under this unit can also be classified under exceptional units 80020 and 90010.</p>	16.97	16.20
80260	<p>Installation of scaffolds</p> <p>This unit refers to work related to the installation and dismantling of all types of scaffolds.</p>	15.35	14.63

Unit Number	Unit Title	General Rate	Special Rate
	This unit does not refer to:		
	<ul style="list-style-type: none"> the installation of a freight elevator; work related to the installation, dismantling and maintenance of permanent swing scaffolds. 		
	An employer classified under this unit can also be classified under the exceptional units 80020 and 90010.		
SCHEDULE 2		SCHEDULE 3	
RATES PERTAINING TO THE FINANCING OF JOINT SECTOR-BASED ASSOCIATIONS FOR THE YEAR 2004		LUMP SUM OF PARAGRAPH 3° OF SECTION 310 OF THE ACT, AMOUNT OF SECTION 313 OF THE ACT AND THE RATE APPLICABLE FOR PROTECTING THE DIRECTOR FOR THE YEAR 2004	
	Rate		
The social affairs sector	0,03	The lump sum for the purposes of establishing the assessment of the employer of a student referred to in section 10 of the Act, pursuant to paragraph 3° of Section 310 of this Act, is set, for 2004 at \$6.00 per trainee.	
The textile and knitting sector	0,09		
The automobile service sector	0,07		
The transportation and storage sectors	0,06	The amount provided under section 313 of the Act is fixed for the year 2004 at \$65.00.	
The metal fabricating industries sector and the electrical products industries sectors	0,05	The rate applicable for purposes of establishing the amount payable by the person who registers as a director in accordance with section 18 of the Act is the one under unit 71040.	
The provincial administration sector	0,04		
The printing and allied industries sector	0,07	SCHEDULE 4	
The transportation equipment and machinery industries sector	0,06	RULES GOVERNING THE DRAWING UP OF DOCUMENTS CONCERNING WORKERS AND CONTRACTS	
The mining and mining services sector	0,13	(s. 12.1)	
The municipal affairs sector	0,04	1. An employer classified under more than one unit must draw up, before he transmits the statement of wages stipulated in section 292 of the Act and not later than March 14th of the year that follows the assessment year, a document that contains the name and the duties of each of the workers in his employ during the assessment year and that indicates for each of them the information concerning the wages that is required at the time of the filing of the statement of wages, on the form prescribed by the Commission under section 295 of the Act.	
The clothing industries sector	0,08		
The construction sector	0,04		

2. An employer classified under more than one unit among units 69960 or 80030 to 80260 must draw up, before he transmits the statement of wages stipulated in section 292 of the Act and not later than March 14th of the year that follows the assessment year, a document concerning the contracts to which he is a party, for the work contemplated by these units and carried out in whole or in part in this assessment year, and containing the following information :

1° the number of each of these contracts or any other means of identifying them used by the employer ;

2° a description of the work done by his workers during the assessment year in respect of each of these contracts ;

3° the dates when work began and ended for each of these contracts ;

4° the amount of each of these contracts ;

5° for each of these contracts, the number of the classification units that refer to the work carried out during the assessment year by his workers.

This employer must also indicate, in the document referred to in section 1 and for each of the workers assigned to activities contemplated by these units, verifiable data making it possible to relate the wages reported in respect of these units with the work that the workers carried out under the contracts contemplated by the document drawn up under this section.

An employer contemplated in the first paragraph is exempted from distributing, in the document referred to in section 1, the insurable wages of each of his workers between units 69960 and 80030 to 80260 if he distributes therein the insurable wages pertaining to the activities contemplated by these units for each of the contracts referred to in the first paragraph. This distribution must be based on a system for periodically monitoring the time worked by his workers in respect of the activities contemplated by these units making it possible to relate this distribution to the work done by each of these workers during the assessment year.

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Notice

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Experience ratios for 2004

Notice is hereby given that the Commission de la santé et de la sécurité du travail, at its meeting of 19 September 2003, adopted the Regulation respecting the experience ratios for 2004.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation was published on page 2086 in the *Gazette officielle du Québec* of 2 July 2003 with a notice that it would be adopted by the Commission, with or without amendments, upon the expiry of 45 days following the publication of that notice.

JACQUES LAMONDE,
*Chairman of the board and
chief executive officer
of the Commission de la santé
et de la sécurité du travail*

Regulation respecting the experience ratios for 2004

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 454, 1st par., subpar. 8)

1. The first- and second-level experience ratios for each unit of classification for 1999, 2000, 2001 and 2002 applicable for the purposes of fixing personalized rates for the assessment year 2004 are those appearing in Schedule 1.

2. This Regulation comes into force as of 1 January 2004.

SCHEDULE 1

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
10010	Operating a dairy cattle herd; raising cattle, buffalo, horses, wild boar; horse boarding service	0.6057	0.4866	0.4301	1.8432	1.8432	1.8432
10020	Raising hog, sheep, goat, grain-fed and milk-fed heavy calves	0.5516	0.5092	0.3670	1.2659	1.2659	1.2659
10030	Raising, catching and caging poultry; raising fur-bearing animals; raising earthworms; raising rabbits; pisciculture; apiculture	0.3947	0.4386	0.4326	1.0554	1.0554	1.0554
10040	Field-crop farming; fruit or vegetable farming; ornamental plant cultivation; mushroom production; Christmas tree farming; maple syrup production; tobacco production; reforestation plant cultivation; operating a peat bog	0.5419	0.5172	0.3754	1.7426	1.7426	1.7426
11010	Inshore or offshore fishing; underwater diving services	0.2569	0.3799	0.2604	2.3492	2.3492	2.3492
13110	Operating a ferrous metal mine	0.1342	0.2212	0.1085	0.3086	0.3086	0.3086
13120	Operating a non-ferrous metal mine; operating a salt or diamond mine	0.6094	0.5384	0.4314	1.9394	1.9394	1.9394
13130	Operating an asbestos mine	0.3335	0.2764	0.1872	1.3454	1.3454	1.3454
13140	Operating a crushed or freestone quarry; operating a sandpit or a gravel pit; operating an industrial or structural mineral mine	0.6386	0.5113	0.4956	1.4915	1.4915	1.4915
13150	Core drilling for ore prospecting	0.3422	0.6775	0.5215	2.2433	2.2433	2.2433
13160	Sinking mine shafts; drilling declines, drilling mining roads or raising; drifting ore	0.5953	0.4657	0.5459	2.5050	2.5050	2.5050
14010	Forestry operations	0.7734	0.7421	0.6044	3.0344	3.0344	3.0344
14020	Forestry development	0.8480	0.8760	0.6963	2.3955	2.3955	2.3955
14030	Tree work	1.5855	1.2952	1.1881	4.8259	4.8259	4.8259
20010	Slaughtering livestock; preparing, processing, drysalting or canning meat; manufacturing mineral or animal oil or shortening	1.4029	1.4565	1.1903	2.2459	2.2459	2.2459
20020	Slaughtering poultry or rabbits; dressing, processing or canning poultry or rabbits	1.2734	1.3379	1.0987	2.3498	2.3498	2.3498
20030	Preparing or processing fish, including canning	0.6687	0.5351	0.4543	2.3364	2.3364	2.3364
20040	Processing, canning or freezing fruits or vegetables; preparing natural casings for delicatessen	0.8560	0.6564	0.6287	1.7301	1.7301	1.7301
20050	Operating a dairy work; water bottling, with or without distribution; manufacturing and delivering blocks of natural or artificial ice	0.3817	0.3907	0.3303	0.6581	0.6581	0.6581
20060	Flour mill	0.4987	0.5440	0.4424	1.3650	1.3650	1.3650
20070	Processing meat unfit for human consumption or abattoir waste	0.3949	0.4156	0.4474	0.5834	0.5834	0.5834
20080	Grain milling	0.4076	0.3163	0.3256	0.8119	0.8119	0.8119
20090	Manufacturing bakery, pastry or biscuit products, with or without distribution	0.6917	0.6962	0.5687	1.3956	1.3956	1.3956
20100	Processing cane or beet sugar; manufacturing confectionery	0.3722	0.4041	0.3037	0.8340	0.8340	0.8340
20110	Roasting and blending coffee; packing tea; roasting almonds	0.2905	0.3985	0.3375	1.0039	1.0039	1.0039

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
20120	Manufacturing potato chips	0.3935	0.3802	0.3584	0.8114	0.8114	0.8114
20130	Manufacturing margarine, vegetable oil or shortening; manufacturing convenience foods; manufacturing yeast or condiments; grinding and preparing spices; manufacturing or processing food products, not specified in other units	0.5175	0.5005	0.4225	1.0912	1.0912	1.0912
20140	Manufacturing soft drinks, with or without distribution	0.2742	0.4062	0.2914	0.4898	0.4898	0.4898
20150	Distillery; manufacturing wine or cider	0.1963	0.1887	0.1523	0.2415	0.2415	0.2415
20160	Brewing beer, with or without distribution; manufacturing malt	0.3010	0.3569	0.2387	0.4810	0.4810	0.4810
20170	Manufacturing tobacco products	0.1111	0.0878	0.0859	0.1991	0.1991	0.1991
21010	Manufacturing tires or rubber treads for tires	0.4723	0.6024	0.5524	1.4268	1.4268	1.4268
21020	Manufacturing adhesive tape or damper mats and rug underlays; manufacturing clothing or industrial parts or cellular products made of rubber	0.4589	0.6230	0.5017	1.0429	1.0429	1.0429
21030	Manufacturing foamed or expanded plastic products; wholesaling foam rubber	0.4926	0.4415	0.3689	0.8434	0.8434	0.8434
21040	Manufacturing plastic pipes or pipe fittings	0.5945	0.3722	0.4515	1.1796	1.1796	1.1796
21050	Manufacturing plastic film and sheeting; manufacturing plastic bags	0.5200	0.4521	0.3633	1.0205	1.0205	1.0205
21060	Manufacturing stratified or reinforced plastic products, except boats; manufacturing plastic products, not specified in other units	0.5639	0.5063	0.4417	1.0849	1.0849	1.0849
22010	Leather tanning; custom-dressing furs; wholesaling raw hides or skins	0.8297	0.8878	0.6625	2.8315	2.8315	2.8315
22020	Manufacturing footwear; shoe repairing; manufacturing footwear parts except rubber parts	0.3070	0.4069	0.3390	0.8975	0.8975	0.8975
22040	Manufacturing handbags or purses; manufacturing leather or imitation-leather goods, not specified in other units; manufacturing luggage, other than in wood and in metal	0.2348	0.2564	0.2371	0.8352	0.8352	0.8352
22050	Manufacturing fibres or yarn from artificial or synthetic material; texturizing yarn	0.3579	0.4198	0.3260	0.8912	0.8912	0.8912
22060	Manufacturing thread or yarn, without weaving	0.3853	0.4397	0.3349	0.8308	0.8308	0.8308
22070	Weaving textiles other than carpets; recycling textile waste; preparing cotton-wool or flock	0.3247	0.3239	0.2283	0.5359	0.5359	0.5359
22080	Manufacturing knitted fabrics	0.3519	0.3162	0.2898	0.9035	0.9035	0.9035
22090	Manufacturing carpets	0.4704	0.4885	0.4012	0.9863	0.9863	0.9863
22100	Manufacturing textile products, not specified in other units; manufacturing zippers or umbrellas	0.4456	0.3942	0.3491	1.1422	1.1422	1.1422
22110	Finishing textiles; steam shrinking of fabrics	0.3730	0.3861	0.3074	0.7738	0.7738	0.7738
22120	Manufacturing first-aid products	0.1892	0.2491	0.2241	0.3877	0.3877	0.3877
22140	Manufacturing clothing or clothing accessories, not specified in other units	0.2230	0.2171	0.1677	0.7387	0.7387	0.7387
22150	Knitting clothing or accessories, including assembling	0.3166	0.2399	0.2605	0.5658	0.5658	0.5658
22160	Manufacturing ladies undergarments and swimsuits	0.2016	0.2395	0.1477	0.6923	0.6923	0.6923

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
23050	Manufacturing in a shop custom woodwork to be attached to a structure ; mass production of wooden cabinets	0.6482	0.6369	0.5388	1.4512	1.4512	1.4512
23060	Manufacturing wooden doors or windows	0.6293	0.5882	0.5109	1.0926	1.0926	1.0926
23070	Manufacturing wooden roof trusses or laminated wood framework	1.0640	1.0101	0.8558	2.0542	2.0542	2.0542
23090	Manufacturing wooden or metal coffins or frames ; manufacturing pipe organs, pianos or other musical instruments	0.6049	0.6441	0.5658	1.4568	1.4568	1.4568
23120	Manufacturing miscellaneous wooden goods, not specified in other units	0.9345	0.7818	0.6686	1.7844	1.7844	1.7844
24010	Manufacturing metal furniture or fixtures	0.6048	0.5468	0.4386	1.1198	1.1198	1.1198
24020	Manufacturing custom wooden furniture in a workshop ; manufacturing wooden furniture for electronic equipment or wooden cases for musical instruments	0.6748	0.7763	0.5392	2.6640	2.6640	2.6640
24030	Mass assembling of wooden furniture or furniture frames, with or without upholstering ; upholstering custom furniture in a workshop ; repairing wooden or upholstered furniture ; manufacturing upholstered mattresses or bed springs	0.4288	0.3641	0.3329	0.9453	0.9453	0.9453
24040	Mass production of wooden furniture or furniture frames, with or without upholstering	0.7612	0.7338	0.6062	1.3623	1.3623	1.3623
25410	Manufacturing prefabricated wooden houses, house panels or mobile homes	1.0653	1.1731	1.2942	2.1622	2.1622	2.1622
26050	Printing ; reprography ; binding ; manufacturing paper or paperboard office supplies	0.2456	0.2568	0.2120	0.5956	0.5956	0.5956
27020	Manufacturing steel castings (steel foundry) ; lead or lead alloys rolling, casting or extruding	0.9295	0.8724	0.9584	1.7848	1.7848	1.7848
27030	Manufacturing steel ; processing steel by rolling and forging using ferrous metal produced in the same building	0.3648	0.3737	0.3239	0.6824	0.6824	0.6824
27040	Manufacturing titanium slag and pig iron ; manufacturing metal powder, steel pipe or tubing ; manufacturing ferro-alloys	0.3830	0.3833	0.3078	0.7530	0.7530	0.7530
27050	Manufacturing iron castings (cast-iron foundry)	0.5164	0.7308	0.4765	0.9502	0.9502	0.9502
27060	Primary manufacturing of aluminum	0.1311	0.1343	0.0928	0.2397	0.2397	0.2397
27070	Electrolytic refining of copper or zinc and processing of their by-products	0.1712	0.2309	0.2487	0.4037	0.4037	0.4037
27080	Aluminum and aluminum alloys rolling	0.1226	0.1690	0.1067	0.2550	0.2550	0.2550
27090	Extruding aluminum, copper or their alloys	0.3116	0.3741	0.2856	0.4763	0.4763	0.4763
27110	Non-ferrous metal pressurized casting ; non-ferrous metal casting ; manufacturing aluminum or light alloy automobile parts	0.6825	0.6704	0.4497	1.1568	1.1568	1.1568
28090	Hot drawing of metals ; extruding of ferrous metals ; manufacturing of products made from wire or metal rods produced in the same building	0.6088	0.2585	0.0000	1.0522	1.0522	1.0522
30030	Manufacturing aircraft parts by microfusion with casting	0.2707	0.2063	0.2481	0.6954	0.6954	0.6954

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
31110	Refining crude petroleum; manufacturing petroleum and coal products, not specified in other units	0.0653	0.0713	0.0643	0.1445	0.1445	0.1445
32010	Manufacturing industrial inorganic chemical products, not specified in other units	0.1624	0.1828	0.1890	0.2728	0.2728	0.2728
32020	Manufacturing industrial organic chemical products or other chemical products, not specified in other units	0.1562	0.1835	0.1572	0.4361	0.4361	0.4361
32030	Manufacturing plastics or synthetic resins	0.4941	0.4324	0.3190	0.8674	0.8674	0.8674
32040	Manufacturing pharmaceutical products or drugs	0.0969	0.1037	0.0896	0.1524	0.1524	0.1524
32050	Manufacturing paint, varnish, printing ink, adhesives or coatings	0.2988	0.3327	0.2584	0.5466	0.5466	0.5466
32060	Manufacturing soap or cleaning products	0.2727	0.3775	0.3403	0.8171	0.8171	0.8171
32070	Manufacturing toiletries	0.1775	0.2427	0.1700	0.6056	0.6056	0.6056
32080	Manufacturing ammunition	0.0837	0.1131	0.0988	0.0957	0.0957	0.0957
32090	Manufacturing explosives	0.2865	0.3360	0.1977	0.9579	0.9579	0.9579
33010	Assembling watches or clocks; operating an optical laboratory; manufacturing gold, silver or plated jewellery or ware; manufacturing orthopedic devices; assembling cartridges or cassettes	0.1185	0.1136	0.1266	0.3931	0.3931	0.3931
33020	Manufacturing wooden or metal sporting goods or gymnasium equipment; assembling plastic or metal toys; manufacturing and repairing bicycles	0.4392	0.4985	0.3585	0.9182	0.9182	0.9182
33030	Manufacturing, installing or repairing commercial signs	0.6312	0.6369	0.4720	1.7179	1.7179	1.7179
33040	Assembling trophies or miscellaneous wooden, plastic, fiberglass or concrete products; manufacturing rubber pads, plaster goods, wax products, trophy parts or foundry models; handicrafts	0.4712	0.3887	0.2515	0.8515	0.8515	0.8515
33050	Manufacturing buttons, snap fasteners, needles, emblems, medals, pencils or pens	0.2226	0.2811	0.2328	0.7145	0.7145	0.7145
33060	Manufacturing vinyl tiles and vinyl linoleum; manufacturing heat-insulating products for piping	0.1338	0.0522	0.0967	0.2554	0.2554	0.2554
34010	Sawmill	0.8410	0.8295	0.6485	1.8247	1.8247	1.8247
34030	Manufacturing wooden pallets or containers used to handle or transport merchandise; manufacturing wooden fences	1.2453	1.3490	1.1207	2.7593	2.7593	2.7593
34050	Drying wood; treating wood	0.7366	0.6756	0.6664	1.7192	1.7192	1.7192
34060	Manufacturing solid wood panels	0.7703	0.7052	0.4634	2.0154	2.0154	2.0154
34200	Manufacturing of paper pulp; manufacturing of paper and paperboard; manufacturing of wood fibre boards	0.2468	0.2270	0.1800	0.4598	0.4598	0.4598
34210	Transformation of paper and paperboard; treatment of paper and paperboard; manufacture of particle board; coating of boards	0.4961	0.4972	0.4244	0.8979	0.8979	0.8979
34410	Bulk transport	0.4260	0.4063	0.3186	1.5267	1.5267	1.5267
34420	Transport other than bulk	0.4411	0.4459	0.3755	1.5093	1.5093	1.5093
35010	Manufacturing freestone products	0.7732	0.8273	0.5171	1.9322	1.9322	1.9322

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
35020	Manufacturing ready-mixed concrete ; manufacturing asphalt	0.4841	0.4476	0.3597	1.1637	1.1637	1.1637
35030	Manufacturing concrete products	0.9447	0.9705	0.8351	2.1263	2.1263	2.1263
35040	Transforming and finishing glass	0.7918	0.7273	0.5411	1.4947	1.4947	1.4947
35050	Manufacturing clay-based products ; manufacturing glass ; manufacturing cement ; manufacturing lime ; manufacturing refractory products ; manufacturing gypsum panels	0.4115	0.3585	0.2469	0.7342	0.7342	0.7342
36050	Manufacturing metal products by stamping, machining or forging	0.4596	0.4137	0.3489	0.8856	0.8856	0.8856
36060	Manufacturing metal wire products	0.4275	0.4322	0.4287	0.7151	0.7151	0.7151
36070	Manufacturing doors and windows made out of metal, shopwindows, hothouses made out of metal, metal garage doors ; manufacturing architectural products by cutting and assembling metal extrusions and tubular metal ; manufacturing doors and panels of refrigerated rooms ; manufacturing banisters, fences and railings made out of aluminum	0.5044	0.4881	0.4078	1.1625	1.1625	1.1625
36080	Painting in the workshop of metal products ; plating and heat treatment of metals in the workshop	0.6599	0.7125	0.4626	1.5327	1.5327	1.5327
36090	Manufacturing metal framing elements ; manufacturing ornamental iron products ; operating a stationary welding workshop ; manufacturing scaffolding	0.9727	0.9898	0.7676	1.9894	1.9894	1.9894
36100	Manufacturing farm machines and equipment ; manufacturing heavy equipment ; manufacturing trucks without the assembly of the power train ; manufacturing trailers	0.6147	0.5485	0.4606	1.1180	1.1180	1.1180
36110	Manufacturing boilers and metal tanks ; manufacturing machines and heavy industrial equipment	0.6731	0.5676	0.4720	1.2139	1.2139	1.2139
36120	Manufacturing heating, ventilation, air conditioning and refrigeration equipment ; manufacturing home appliances ; manufacturing or assembling electric lighting fittings ; manufacturing pumps and compressors	0.4477	0.4173	0.3518	0.8553	0.8553	0.8553
36130	Manufacturing commercial kitchen appliances and equipment ; manufacturing machines and equipment for the food, pharmaceutical and cosmetics industry ; manufacturing machines and equipment for the maple products industry ; manufacturing machine-tools for working metal and woodworking ; manufacturing machines and equipment for the rubber, plastic, furniture and lumber industry	0.4141	0.3456	0.3045	0.7408	0.7408	0.7408
36140	Manufacturing and refurbishing transformers ; manufacturing electric motors, generators, alternators, generating sets ; rewiring of electric motors, alternators and starters	0.4020	0.4100	0.3520	0.7460	0.7460	0.7460

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
36150	Manufacturing computer hardware and peripherals, telephone and communication hardware, audio-video hardware, electric switching and connection devices, electric and electronic parts and components, control and measurement instruments panels, measurement instruments, electric and electronic controls	0.0959	0.0846	0.0751	0.2118	0.2118	0.2118
36160	Manufacturing aircraft	0.0918	0.1098	0.0898	0.1492	0.1492	0.1492
36170	Shipbuilding in a shipyard	0.9637	0.7438	0.7319	2.7073	2.7073	2.7073
36180	Manufacturing boats outside shipyards	0.8481	0.7020	0.6188	1.6467	1.6467	1.6467
36190	Manufacturing snowmobiles, personal watercraft, recreational all-terrain vehicles, motorcycles and motorized golf carts; manufacturing tricycle scooters; manufacturing and refurbishing passenger coaches for rail and subway transportation	0.1567	0.2120	0.1443	0.2822	0.2822	0.2822
36200	Manufacturing buses, ambulances, trucks with the assembly of the power train, trailers, camping tent trailers, caravans and motorized trailers	0.5372	0.4776	0.3418	0.7873	0.7873	0.7873
36210	Manufacturing on an assembly line of automobiles and light trucks with the assembly of the power train	0.2732	0.1890	0.1485	0.3438	0.3438	0.3438
53020	Wrapping or packing service with or without marketing	0.6706	0.6029	0.4140	1.6359	1.6359	1.6359
55010	Air transportation; services related to air transportation	0.2246	0.2040	0.1650	0.4954	0.4954	0.4954
55020	Maritime and rail transport; services related to maritime and rail transport	0.3490	0.3113	0.3566	0.9608	0.9608	0.9608
55030	Loading or unloading boats	0.7130	0.7079	0.5664	1.5162	1.5162	1.5162
55040	Transportation of passengers by road	0.3257	0.3200	0.2968	0.6138	0.6138	0.6138
55050	Transport of merchandise by road	0.4411	0.4459	0.3755	1.5093	1.5093	1.5093
55060	Moving services	1.4583	1.4208	1.0029	4.9833	4.9833	4.9833
55070	Transport by dump truck; snow removal	0.4260	0.4063	0.3186	1.5267	1.5267	1.5267
55080	Storage services	0.4530	0.4667	0.4132	1.0412	1.0412	1.0412
55090	Messenger or delivery services	0.6259	0.5789	0.5047	1.1108	1.1108	1.1108
60010	Operating a radio station; operating telephone lines or telephone exchanges; intercommunication services; recovering or repairing telephones; splicing telephone cables	0.0518	0.0528	0.0460	0.1104	0.1104	0.1104
60020	Operating a television station; producing or distributing motion pictures or other audio and video material; operating a motion picture or a drive-in theater; operating an orchestra, a discomobile, a singing group, a theater company or a theatrical agency; leasing or renting halls; installing equipment for social dances	0.0732	0.0772	0.0760	0.1795	0.1795	0.1795
60030	Cable television service; installing radio or television antennas; radio, television or cable connection work	0.2194	0.1802	0.1696	0.4366	0.4366	0.4366

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
60050	Operating a recreational centre; operating a professional sports club; operating a curling club; operating a bowling alley or a billiard parlour; operating a roller skating rink; operating a race track; operating a racket sports centre	0.1884	0.1587	0.1536	0.4180	0.4180	0.4180
60060	Operating a golf course	0.2089	0.2234	0.2086	0.5107	0.5107	0.5107
60070	Operating a ski centre; operating a snowmobile club	0.5272	0.4934	0.3669	1.3229	1.3229	1.3229
60080	Operating an amusement park or rides, an amateur sports club, a pleasure-boating club, a shooting club, or amusement and recreational services, not specified in other units; operating a Turkish bath, a massage parlour, a bodybuilding studio, a tanning salon, a shoeshine service or a checkroom service; organizing a public festival	0.1396	0.1962	0.1365	0.3503	0.3503	0.3503
61010	Generating and distributing electric power	0.0567	0.0610	0.0408	0.1112	0.1112	0.1112
61020	Operating a water distribution centre, a steam distribution centre or a natural gas distribution centre; operating and maintaining a gas or an oil pipeline	0.0977	0.0992	0.0485	0.1816	0.1816	0.1816
61030	Maintaining a garbage dump; disposal of industrial waste; cleaning tanks, sewers, cesspools, septic tanks or industrial facilities; renting or leasing, with maintenance, portable chemical toilets	0.5198	0.5226	0.4117	1.1601	1.1601	1.1601
61040	Garbage collection	1.1814	1.1566	1.1408	3.0154	3.0154	3.0154
62010	Transporting milk and cream; wholesaling dairy products; wholesale or retail distribution of dairy products	0.2518	0.3007	0.2638	0.9022	0.9022	0.9022
62020	Wholesaling fruit, vegetables or fish	0.3734	0.4199	0.3599	0.8029	0.8029	0.8029
62030	Wholesaling meat and meat products	0.6860	0.7825	0.5553	1.2937	1.2937	1.2937
62040	Wholesaling meat, including cutting up and carving	0.9246	1.0001	0.6890	2.0977	2.0977	2.0977
62050	Wholesaling bakery or pastry products or distributing those products, wholesale or retail; retailing imported specialties, dietetic or natural food, delicatessen, pastries or seafood products	0.3523	0.3927	0.2370	1.0315	1.0315	1.0315
62060	Wholesaling food, not specified in other units	0.4945	0.4774	0.4651	0.9103	0.9103	0.9103
62070	Wholesaling carbonated beverages or water; distributing carbonated beverages or water, wholesale or retail; wholesaling beer	0.4096	0.3346	0.2656	0.7007	0.7007	0.7007
62090	Wholesaling toiletries or drug sundries	0.1328	0.1064	0.0863	0.1944	0.1944	0.1944
62110	Operating a grocery store	0.2326	0.2187	0.2417	0.4800	0.4800	0.4800
62120	Operating a convenience store with or without gasoline sales	0.1968	0.1986	0.1763	0.6386	0.6386	0.6386
62130	Operating a grocery-butcher shop	0.3937	0.3820	0.3097	0.7141	0.7141	0.7141
62140	Operating a butcher shop	0.4845	0.4290	0.4805	1.5687	1.5687	1.5687
62150	Making and retailing bakery or pastry products	0.3508	0.3015	0.2336	1.0860	1.0860	1.0860
62160	Fruit and vegetables retail business	0.2940	0.3092	0.2060	0.5624	0.5624	0.5624
62170	Alcoholic beverages retail business	0.2732	0.2470	0.2414	0.3699	0.3699	0.3699

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
62180	Operating a drugstore; operating a tobacco store; herbalist's shop; chocolate, delicacies or cookies shop, beauty products or cosmetics shop, or selling lottery tickets; operating a bus terminal or a contract post office	0.0901	0.0850	0.0687	0.2251	0.2251	0.2251
63010	Wholesaling household, commercial or service industry furniture, or electrical household appliances; wholesaling floor coverings; leasing, wholesaling or retailing office equipment or furniture; leasing electrical household appliances or electronic household equipment	0.1853	0.1590	0.1606	0.4333	0.4333	0.4333
63020	Wholesaling household dishware, pottery, glassware or similar household goods; wholesaling electronic household appliances	0.0905	0.1538	0.0991	0.3398	0.3398	0.3398
63030	Wholesaling metals or alloys, including handling	0.5553	0.4741	0.4118	1.0680	1.0680	1.0680
63040	Wholesaling hardware, plumbing or heating equipment and supplies, not specified in other units; wholesaling and installing safes, with or without repair; wholesaling sanitation equipment	0.1231	0.1066	0.1102	0.2634	0.2634	0.2634
63050	Wholesaling or retailing lumber or building supplies; wholesaling or retailing firewood, coal or charcoal	0.5590	0.4016	0.3414	1.4678	1.4678	1.4678
63060	Wholesaling doors, windows, exterior siding or garage equipment	0.3258	0.2657	0.2229	1.0379	1.0379	1.0379
63070	Wholesaling or repairing farm or garden implements or equipment	0.2731	0.2869	0.2108	0.5440	0.5440	0.5440
63080	Wholesaling, leasing or repairing heavy equipment; leasing materials handling equipment, trailers or containers	0.3974	0.3304	0.2903	0.9256	0.9256	0.9256
63090	Wholesaling industrial handling equipment, with or without repair; wholesaling or repairing welding equipment	0.1346	0.2242	0.2288	0.5612	0.5612	0.5612
63100	Wholesaling, renting or leasing manufacturing machinery; wholesaling, renting or leasing commercial or industrial ovens or kilns	0.0963	0.0867	0.0458	0.2595	0.2595	0.2595
63110	Wholesaling, renting, leasing, installing or repairing stage or discotheque lighting equipment; wholesaling, renting, leasing, installing or repairing swimming pool accessories; wholesaling, renting, leasing of electric or diesel engines, electric generation equipment, pumping facilities or equipment for water treatment	0.1575	0.1615	0.1417	0.4232	0.4232	0.4232
63120	Wholesaling, renting or leasing analytic and laboratory apparatus or medical or scientific equipment, with or without repair or installation; wholesaling of electronic parts or electrical supplies; wholesaling, renting or leasing measuring, calibrating or control instruments or communication equipment other than for automobiles	0.0607	0.0577	0.0515	0.1521	0.1521	0.1521

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
63130	Wholesaling industrial or commercial scales ; wholesaling or retailing kitchen cabinets ; retailing doors or windows	0.1714	0.1071	0.1086	0.6256	0.6256	0.6256
64020	Vulcanizing ; wholesaling and retailing tires or tubes, with or without repair or installation	0.5073	0.5569	0.3794	1.4090	1.4090	1.4090
64030	Wholesaling transportation equipment or equipment parts ; wholesaling or retailing new, reconditioned or used automobile parts or accessories	0.1623	0.1576	0.1408	0.3988	0.3988	0.3988
64040	Wholesaling or retailing automobiles, trucks or busses with or without repair ; renting or leasing automobiles with or without repair ; retailing and installing automobile windows or radios ; upholstering and repairing of motor vehicle seats	0.1983	0.1962	0.1683	0.4577	0.4577	0.4577
64050	Retailing, renting or leasing mobile homes, snowmobiles, motorcycles, travel trailers, tent trailers, including repair or service ; retailing boats, outboard motors or boating accessories ; renting or leasing, including service, small craft or recreational vehicles, not specified in other units ; wholesaling snowmobiles, motorcycles, boats, outboard motors, boating accessories, ship's supplies, trailers or containers ; wholesaling, without repair, semitrailers, travel trailers or tent trailers	0.2188	0.2664	0.1714	0.7646	0.7646	0.7646
64060	Operating a service station with or without self-service ; operating an automatic car wash ; washing and cleaning motor vehicles and trucks	0.3046	0.3066	0.2535	0.8832	0.8832	0.8832
64070	Retailing gasoline, with or without service	0.1699	0.1378	0.1677	0.5357	0.5357	0.5357
64090	Repairing motor vehicles, motor vehicle parts or industrial machinery parts, not specified in other units ; motor vehicle towing service	0.4399	0.4430	0.3596	1.2439	1.2439	1.2439
64100	Operating an automobile bodywork repair shop ; application of rust-proofing and paint sealants to automobile vehicles	0.4612	0.4471	0.3245	1.9012	1.9012	1.9012
64110	Retailing and installing motor vehicle mufflers ; repairing and installing motor vehicle suspension parts	0.6263	0.6190	0.4614	1.7215	1.7215	1.7215
64120	Reclaiming and wholesaling used automobile parts and accessories	0.4068	0.4463	0.3500	1.2324	1.2324	1.2324
65010	Retailing furniture, with or without household furnishings ; retailing household electrical appliances, with or without electronic appliances or household electrical furnishings ; repairing electrical home appliances ; retailing antique objects or furniture	0.3254	0.3399	0.2790	1.0178	1.0178	1.0178
65020	Retailing or repairing sound or video equipment, electronic appliances, electrical furnishings, small (portable) electrical household appliances or electrical personal care appliances ; retailing sewing machines	0.0648	0.0863	0.0543	0.2488	0.2488	0.2488
65030	Retailing floor coverings	0.2148	0.3227	0.2892	0.9942	0.9942	0.9942

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
65040	Retailing household furnishings or interior decoration accessories, not specified in other units; wholesaling piece goods, notions and other dry goods, draperies, household linen or other textile household furnishings; retailing lighting fixtures	0.1680	0.1721	0.1146	0.5690	0.5690	0.5690
66020	Wholesaling and distributing petroleum products, with or without maintenance or installation of related facilities	0.2054	0.2090	0.1612	0.6907	0.6907	0.6907
66030	Wrecking automobiles; wholesaling metal waste	0.7464	0.7007	0.5745	1.7229	1.7229	1.7229
66040	Selling non-metallic waste	1.0530	0.9321	0.9903	2.3683	2.3683	2.3683
66050	Wholesaling or distributing newspapers, magazines, books or handbills; wholesaling paper or paper products	0.1661	0.1797	0.1536	0.5011	0.5011	0.5011
66060	Wholesaling animal feeds, fertilizers, grain or cereals; wholesaling tobacco products; grain elevator service	0.2920	0.3042	0.1266	0.8729	0.8729	0.8729
66070	Wholesaling games, toys, sporting goods and equipment; retailing, renting or leasing sporting goods and equipment, with or without service	0.0938	0.1076	0.0842	0.2505	0.2505	0.2505
66080	Wholesaling chemical products or cleaning products; wholesaling or maintaining chemical fire extinguishers	0.0958	0.1301	0.0799	0.4352	0.4352	0.4352
66100	Wholesaling leather or imitation-leather products not specified in other units; wholesaling footwear or garment products; retailing footwear, garments, underwear, knitting products, fabrics, yarn, sewing products, handbags, luggage or other leather or imitation-leather products; manufacturing or storing fur garments or articles; linen rental service without washing equipment; costume or ceremonial apparel rental service	0.1120	0.1209	0.1027	0.3758	0.3758	0.3758
66110	Operating a department store; operating a general merchandise store; operating a general store; operating a direct consumer distributing warehouse; display services; interior decoration design service; retailing home and automobile supplies	0.2874	0.2986	0.2428	0.4716	0.4716	0.4716
66120	Retailing small goods, not specified in other units; retailing paint or wallpaper; retailing or repairing musical instruments or accessories or photography equipment; retailing domestic animals; photography, development and printing of films; wholesaling jewellery items or photography equipment and supplies	0.1061	0.1092	0.1008	0.3452	0.3452	0.3452
66130	Retailing hardware products or garden supplies; retailing lawn mowers, snow blowers, chain saws or similar equipment, with repair; wholesaling or retailing trees, shrubs, plants, flowers, supplies for lawn or garden or other nursery products	0.2634	0.2975	0.2485	0.6508	0.6508	0.6508
66150	Retailing lumber and building supplies with hardware	0.3888	0.4142	0.3804	0.9379	0.9379	0.9379

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
66160	Monuments and tombstones dealer; undertaking services, with or without ambulance services; operating a cemetery	0.1958	0.1274	0.1289	0.4140	0.4140	0.4140
66170	Wholesaling or retailing, installing or cleaning swimming pools; constructing and installing in-ground pools	0.3507	0.2915	0.2304	0.8226	0.8226	0.8226
69960	Repairing, installing or maintaining production machinery; operating a mobile welding unit	0.5340	0.4957	0.3874	1.5990	1.5990	1.5990
70010	Insurance brokerage; operating a collection agency or a credit bureau; currency or securities brokerage, consulting or negotiation services; commodities exchanges or securities exchanges; financial institutions and financial intermediaries not specified in other units	0.0178	0.0147	0.0127	0.0493	0.0493	0.0493
70020	Operating an insurance business; insurance services of the provincial administration	0.0198	0.0174	0.0167	0.0596	0.0596	0.0596
70030	Operating residential or other buildings, including parking lots or parking garages; municipal housing bureau; disinfection, fumigation or extermination work	0.2210	0.1893	0.1797	0.6830	0.6830	0.6830
70040	Claims adjuster or assessor services; operating a real estate agency; information, survey or research services; bailiff services; typing services or other office services provided to businesses or individuals	0.0436	0.0468	0.0346	0.1617	0.1617	0.1617
71010	Operating a forwarding agency; freight inspection service; sales agent services; broker services not specified in other units	0.0328	0.0288	0.0287	0.1240	0.1240	0.1240
71020	Operating a manpower agency; leasing the services of professional or technical personnel or other scientific or technical professionals such as draftsmen, biologists, biochemists, botanists, chemists, engineers, graphic designers and laboratory technicians, with the exception of aeronautics production or maintenance technicians; auctioneering or organizing auctions or merchandise liquidation services	0.0647	0.0725	0.0497	0.1761	0.1761	0.1761
71030	Leasing truckers services, driver-delivery persons, assistant delivery persons or movers	1.0242	1.0268	0.8648	2.5930	2.5930	2.5930

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
71040	Operating a marine agency ; International Air Transport or International aeronautical telecommunications association ; operating a press agency or advertising agency ; rental of advertising space on billboards, display boards and commercial signs ; drafting or practicing architecture ; urban planning services or business or management consulting services ; law practice (advocate's or notary's office) ; accounting services (accountant's office) ; actuarial practice ; operating a travel agency or wholesale tour business ; wholesaling, renting or repairing computer systems ; computer services, excluding the leasing of services of computer personnel ; trustee in bankruptcy ; taxation services, income tax return preparation services ; graphic design services ; editing ; preparation of plates for printing	0.0155	0.0137	0.0115	0.0476	0.0476	0.0476
71050	Consulting engineer's services ; energy consulting services ; operating a pure or applied research laboratory ; operating a laboratory for analysis and testing ; agricultural research services ; geotechnical studies prior to construction work ; land surveyor services ; interpretation of aerial photographs ; archaeological research ; forestry technician services ; prospecting ; geology work ; geophysical survey services ; manufacturing optical fibre	0.0502	0.0420	0.0338	0.1401	0.1401	0.1401
71060	Operating a security or an investigation agency	0.1928	0.2078	0.1618	0.5767	0.5767	0.5767
71070	Managing subsidiaries or branches outside Québec (head office)	0.0238	0.0212	0.0184	0.0737	0.0737	0.0737
71080	Leasing the services of handling laborer, wrappers, merchandise reception or expedition employees, warehouse employees, solderers or automobile mechanics or industrial machinery employees, technical installation or machinery maintenance personnel	1.5758	1.3983	1.1908	3.2980	3.2980	3.2980
71090	Leasing the services of manufacturing industries' workers or commerce or catering or maintenance chores personnel with the exception of those mentioned in another unit	0.5691	0.4650	0.4398	0.9531	0.9531	0.9531
72010	Sûreté du Québec services ; detention services	0.3634	0.3972	0.2760	0.9470	0.9470	0.9470
72020	Provincial administrative services not specified in other units ; administration of a regional county municipality ; administration of a metropolitan community	0.0262	0.0249	0.0221	0.0553	0.0553	0.0553
72030	Job creation programs	0.2329	0.1953	0.0615	0.4825	0.4825	0.4825
72040	Provincial farm territory protection, agriculture, fisheries, feeding, natural resources services ; services relating to construction workers	0.0648	0.0671	0.0511	0.1244	0.1244	0.1244
72060	Provincial recreation and sports program management services	0.1026	0.2091	0.0712	0.3724	0.3724	0.3724
72070	Transportation program management services	0.1240	0.1220	0.0870	0.2773	0.2773	0.2773

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
72080	Managing, with service, a municipality or a municipal or an intermunicipal commission, a band council	0.2205	0.2283	0.1897	0.4111	0.4111	0.4111
73010	Teaching services (except universities or general and vocational colleges, and except all level student trainees); operating a private museum; operating a historic site; library services	0.0642	0.0665	0.0620	0.1374	0.1374	0.1374
73030	Operating a general hospital	0.1332	0.1448	0.1347	0.1972	0.1972	0.1972
73040	Operating a psychiatric hospital	0.2146	0.2252	0.1947	0.4157	0.4157	0.4157
73050	Operating a home-care and extended care centre; nursing services; leasing the services of nurses or auxiliary of nurses care and therapeutics	0.4198	0.4369	0.3836	0.7643	0.7643	0.7643
73060	Operating a drop-in centre; operating a rehabilitation centre for alcoholics or drug addicts; operating a social or community service agency; operating a health or social services promotion body	0.1828	0.1756	0.1620	0.5912	0.5912	0.5912
73070	Operating a rehabilitation centre for the physically handicapped or the socially maladjusted	0.2123	0.1997	0.1691	0.4348	0.4348	0.4348
73080	Operating a rehabilitation centre for the mentally handicapped	0.2520	0.2777	0.2271	0.5444	0.5444	0.5444
73100	Operating a local community service centre	0.1139	0.1255	0.1045	0.2692	0.2692	0.2692
73110	Child day-care centre	0.2256	0.2576	0.2126	0.6518	0.6518	0.6518
73120	Operating a sheltered workshop; operating a work rehabilitation centre	0.4357	0.4764	0.3647	0.6578	0.6578	0.6578
73130	Practising medicine and other specialties in the health-care field, not specified in other units; health or social services not specified in other units; hearing aid specialist's services; optometrist's services; prescription optician's services; manufacturing dentures and braces (dental laboratories); retailing orthopedic aids, wigs or hair pieces	0.0575	0.0617	0.0454	0.2445	0.2445	0.2445
73140	Ambulance service	0.6625	0.6683	0.6203	1.2458	1.2458	1.2458
73150	University or vocational teaching services (except student trainees)	0.0285	0.0303	0.0276	0.0680	0.0680	0.0680
74010	Operating a hotel, a motel, a hotel-motel, a youth hostel, a student residence or a rooming house	0.3442	0.3337	0.2613	0.9608	0.9608	0.9608
74020	Operating a hunting or fishing outfitting operation; operating or managing a hunting or fishing area; operating a camping ground, a trailer park, a vacation camp or a recreation area	0.2870	0.2426	0.1937	0.6343	0.6343	0.6343
74030	Operating a brasserie or a restaurant serving meals, without delivery	0.2223	0.2236	0.1726	0.6445	0.6445	0.6445
74040	Operating a brasserie or a restaurant serving meals, with delivery	0.2627	0.2415	0.2091	0.6541	0.6541	0.6541
74050	Operating a cafeteria	0.4013	0.3948	0.3108	0.9811	0.9811	0.9811
74060	Take-out food services	0.3660	0.3426	0.2662	0.8340	0.8340	0.8340
74070	Operating a mobile canteen; catering services	0.4508	0.4582	0.2956	1.1170	1.1170	1.1170
74080	Operating a tavern, a bar, a discotheque or a night club	0.1386	0.1099	0.1027	0.6273	0.6273	0.6273

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
75010	Operating a barber shop or a hairdressing salon ; operating a beauty salon	0.1223	0.1122	0.1024	0.5873	0.5873	0.5873
75020	Domestic-use laundry or dry-cleaning service ; clothing maintenance, pressing or repair service	0.2651	0.2225	0.2091	1.0189	1.0189	1.0189
75030	Operating an industrial laundry with or without linen rental service ; linen supply service, including washing	0.5047	0.5680	0.4717	1.4898	1.4898	1.4898
75040	Commercial, industrial or residential building maintenance ; carpet, rug, upholstery or fabric furniture cleaning service ; lawn or shrub maintenance service ; green areas fertilization services ; window washing services	0.4870	0.5049	0.4301	1.4932	1.4932	1.4932
76010	Veterinary services ; artificial insemination services ; egg candling or grading service ; poultry sexing or debeaking ; operating a hatchery ; raising animals in laboratories	0.1431	0.1630	0.1215	0.5572	0.5572	0.5572
76020	Wholesaling or operating vending machines ; renting, leasing or operating coin-operated amusement machines, with or without service	0.2463	0.2275	0.1807	0.6768	0.6768	0.6768
76030	Operating animal-drawn vehicles ; wholesaling or auctioneering animals ; operating a racing or horse-rental stable ; operating a horseback-riding centre ; operating a zoo ; animal protection services ; raising or training pets ; animal lodging and care services not specified in other units	0.4918	0.4689	0.4179	1.4654	1.4654	1.4654
76040	Religious community	0.2937	0.3020	0.2585	0.6582	0.6582	0.6582
76050	Managing, with service, a parish fabric, a church or a diocese ; religious association or organization	0.1250	0.1051	0.0754	0.3602	0.3602	0.3602
76060	Joint sector-based occupational health and safety association ; association or organism, not specified in other units	0.0403	0.0337	0.0286	0.1259	0.1259	0.1259
76070	Renting or leasing bleachers or podiums for special events, portable equipment or tools for industry, construction, hobbies or household activities, including service ; rental or leasing of scaffolds	0.4833	0.4174	0.4352	1.0561	1.0561	1.0561
76080	Oil burner and furnace maintenance service ; chimney sweeping	0.4925	0.5291	0.4185	1.5304	1.5304	1.5304
80020	Work done both inside and outside offices	0.0214	0.0360	0.0306	0.1118	0.1118	0.1118
80030	Excavation work ; paving work ; assembly of fences ; installation of guardrails ; rental of cranes with operators	0.4346	0.4012	0.3477	1.6863	1.6863	1.6863
80040	Blasting ; drilling ; soil mechanics ; pile-driving and special foundations	0.9356	0.8615	0.5668	2.8368	2.8368	2.8368
80060	Construction of energy transmission or distribution lines ; construction of energy transforming stations	0.3531	0.4910	0.4482	1.7120	1.7120	1.7120
80080	Erecting metal frame structures and tanks	0.9603	1.1123	0.9407	4.5688	4.5688	4.5688
80100	Cement work, concrete work	0.7180	0.7285	0.6568	3.0289	3.0289	3.0289

Unit	Description	First-level experience ratios			Second-level experience ratios		
		2000	2001	2002	1999	2000	2001
80110	Carpentry work ; joinery work ; work related to indoor systems ; painting work ; installation of flexible coverings, installation of marble, granite, ceramics and terrazzo ; plastering and jointing work ; insulation work	0.6931	0.6497	0.5635	2.8268	2.8268	2.8268
80130	Roofing work ; exterior cladding work on buildings ; installation of gutters	0.9047	0.8673	0.7532	4.0586	4.0586	4.0586
80140	Masonry work	0.7668	0.8205	0.7280	4.8340	4.8340	4.8340
80150	Glass work ; glazing work	0.5903	0.7318	0.6274	2.6531	2.6531	2.6531
80160	Millwright works ; boilermaking work ; plumbing and pipefitting work ; pipe insulation work ; work related to mechanized transit systems	0.5340	0.4957	0.3874	1.5990	1.5990	1.5990
80170	Electrical work	0.4314	0.4245	0.3399	1.4799	1.4799	1.4799
80180	Sheet metal work	0.6788	0.6739	0.5724	2.1241	2.1241	2.1241
80190	Installation of electronic equipment, alarm or control systems	0.1352	0.1278	0.1464	0.3409	0.3409	0.3409
80200	Refrigeration work, air conditioning work	0.4517	0.4496	0.3656	1.0765	1.0765	1.0765
80230	Landscaping work	0.8958	0.7432	0.7085	2.7876	2.7876	2.7876
80240	Cleaning using sandblasting, steam jet or pressurized water	1.2794	0.6540	1.0922	4.8918	4.8918	4.8918
80250	Ornamental building metal work	0.8164	0.6944	0.7212	2.4117	2.4117	2.4117
80260	Installation of scaffolds	0.8950	0.5548	0.6245	3.2803	3.2803	3.2803
90010	Work done exclusively in offices	0.0155	0.0137	0.0115	0.0476	0.0476	0.0476
90020	Salespersons or sales representatives	0.0328	0.0288	0.0287	0.1240	0.1240	0.1240

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Notice

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Insurance premiums for 2004

Notice is hereby given that the Commission de la santé et de la sécurité du travail, at its meeting of 19 September 2003, adopted the Regulation respecting the insurance premiums for 2004.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation was published on page 2100 in the *Gazette officielle du*

Québec of 2 July 2003 with a notice that it would be adopted by the Commission, with or without amendments, upon the expiry of 45 days following the publication of that notice.

JACQUES LAMONDE,
*Chairman of the board and
chief executive officer
of the Commission de la santé
et de la sécurité du travail*

Regulation respecting the insurance premiums for 2004

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 454, 1st par., subpar. 10)

1. The insurance premiums necessary for the retrospective adjustment of the annual assessment for the assessment year 2004 shall be calculated in accordance with the table in Schedule I.

2. The premiums shall be determined by applying the percentage calculated to the part of the assessment calculated in terms of the risk, taking into account the limit applicable to the employer with respect to the assumption of the cost of benefits.

3. The percentages appearing in the table are applicable to the precise amounts of assessment distributed in terms of the risk corresponding to those percentages. Where the amount of assessment falls between two levels of assessment in the table, the percentage shall be calculated by linear interpolation, and the result shall be rounded to the nearest hundredth of a per cent.

4. This Regulation comes into force as of 1 January 2004.

SCHEDULE I

TABLE OF PREMIUMS
(in percentage)

Part of the assessment in terms of the risk	Limit of the assumption (in multiple of the maximum annual insurable amount)									
	1½	2	2½	3	4	5	6	7	8	9
13,000 or less	72.8	72.8	72.8	72.8	72.8	72.8	72.8	72.8	72.8	72.8
17,850	68.9	68.9	68.9	68.9	68.9	68.9	68.9	68.9	68.9	68.9
24,400	65.0	65.0	65.0	65.0	65.0	65.0	65.0	65.0	65.0	65.0
33,350	61.0	61.0	61.0	61.0	61.0	61.0	61.0	61.0	61.0	61.0
45,200	57.0	57.0	57.0	57.0	57.0	57.0	57.0	57.0	57.0	57.0
61,550	53.0	53.0	53.0	53.0	53.0	53.0	53.0	53.0	53.0	53.0
83,250	49.1	49.1	49.1	49.1	49.1	49.1	49.1	49.1	49.1	49.1
112,750	47.5	45.1	45.0	45.0	45.0	45.0	45.0	45.0	45.0	45.0
152,600	46.9	44.2	42.0	40.8	40.8	40.8	40.8	40.8	40.8	40.8
207,350	46.6	43.5	40.6	37.9	36.2	36.2	36.2	36.2	36.2	36.2
283,800	46.2	42.6	39.3	36.3	32.3	31.3	31.2	31.2	31.2	31.2
393,500	45.7	42.0	38.5	35.1	29.5	27.2	25.8	25.4	25.2	25.1
554,450	45.1	41.1	37.6	34.1	27.2	23.6	21.5	20.3	19.3	19.0
799,350	44.6	40.3	36.5	32.7	25.4	20.6	18.2	16.6	15.2	14.9
1,185,950	44.2	39.7	35.6	31.7	23.9	18.5	15.6	13.8	12.1	11.4
1,824,050	43.9	39.3	35.0	30.8	22.7	16.9	13.7	11.5	9.7	8.9
2,927,950	43.6	38.9	34.5	30.1	21.7	15.7	12.3	9.9	8.0	7.2
4,937,150	43.5	38.7	34.1	29.5	20.8	14.7	11.3	8.9	6.8	5.9
8,955,300	43.4	38.5	33.7	29.0	20.1	13.9	10.4	8.0	5.9	5.0
16,991,900	43.3	38.3	33.4	28.6	19.5	13.3	9.7	7.3	5.2	4.3
33,064,600 or more	43.2	38.2	33.2	28.2	19.0	12.8	9.2	6.8	4.7	3.8

Notice

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Personalized rates — Amendment

Notice is hereby given that the Commission de la santé et de la sécurité du travail, at its meeting of 19 September 2003, adopted the Regulation amending the Regulation respecting personalized rates.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation was published on page 2102 in the *Gazette officielle du Québec* of 2 July 2003 with a notice that it would be adopted by the Commission, with or without amendments, upon the expiry of 45 days following the publication of that notice.

JACQUES LAMONDE,
*Chairman of the board and
chief executive officer
of the Commission de la santé
et de la sécurité du travail*

Regulation amending the Regulation respecting personalized rates*

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 454, paragraph 1, subparagraph 7)

1. The Regulation respecting personalized rates is hereby amended by replacing Schedule 1 with the following:

“SCHEDULE 1

(s. 7, 20, 21)

The qualification threshold for the year 2004 is \$1,070.

For the year 2004, the amount used in respect of the calculation in section 20 is \$3,210.

For the year 2004, the amount used in respect of the calculation in section 21 is \$149,800.”.

2. This Regulation applies for the 2004 year of assessment.

5926

* The latest amendments to the Regulation respecting personalized rates, adopted by the Commission de la santé et de la sécurité du travail by Resolution A-86-98 of September 17, 1998 (1998, *G.O.* 2, 3997) were made by the Regulation amending the Regulation respecting personalized rates adopted by the Commission by its resolution A-47-02 of September 19, 2002 (2002, *G.O.* 2, 5346); for the previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003 up-to-date as at March 1, 2003.

Draft Regulations

Draft Regulation

An Act respecting labour relations, vocational training and manpower management in the construction industry
(R.S.Q., c. R-20)

Commission de la construction du Québec

— Levy

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Levy Regulation of the Commission de la construction du Québec, the text of which appears below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to levy upon the employer alone or upon both the employer and the employee or upon the employee alone or, where applicable, upon the independent contractor, the amounts required for its administration and fix a minimum amount which an employer is bound to pay per monthly period. Such levy, similar to that of the year 2003, constitutes the main source of financing of the Commission.

Further information may be obtained by contacting André Ménard, Chair and Chief Executive Officer, Commission de la construction du Québec, 3530, Jean-Talon Ouest, Montréal (H3R 2G3); tél. (514) 341-7740, poste 6296.

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 André Ménard, Chair and Chief Executive Officer, Commission de la construction du Québec, 3530, Jean-Talon Ouest, Montréal (H3R 2G3); tél. (514) 341-7740, poste 6296.

MICHEL DESPRÉS,
Minister of Labour

Levy Regulation of the Commission de la construction du Québec

An Act respecting labour relations, vocational training and manpower management in the construction industry
(R.S.Q., c. R-20, s. 82, 1st par. subpar. c)

1. The levy imposed by the Commission de la construction du Québec for the year 2004 is:

(1) in the case of an employer, 0.75 of 1% of the total remuneration paid to his employees;

(2) in the case of an independent contractor, 0.75 of 1% of his remuneration as an independent contractor;

(3) in the case of an employee, 0.75 of 1% of his remuneration.

Notwithstanding the first paragraph, the minimum amount that an employer or an independent contractor is bound to pay the Commission per monthly period is \$10.

2. The employer shall collect, on behalf of the Commission, the amount levied upon his employees by means of a weekly deduction on their wages.

3. The independent contractor shall deduct weekly, out of the remuneration he received as an independent contractor, the amount levied upon him.

4. The employer and the independent contractor shall remit to the Commission the amount levied for a monthly period in pursuance of this Regulation, not later than the 15th of the following month.

5. This Regulation comes into force on 1 January 2004.

5953

Draft Regulation

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

Hunting

— Wearing of a fluorescent orange-coloured garment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to remove the list of hunting zones and the obligation to wear a safety vest when hunting rock doves.

To that end, the Regulation proposes to replace the list of zones with a general text. It also adds rock dove hunting to the exemptions from the obligation to wear a safety vest, as it takes place in open areas and in the same context as American crow and migratory game bird hunting.

To date, study of the matter has not revealed any impact on the public or on businesses, particularly small and medium-sized businesses.

Further information may be obtained by contacting

Serge Bergeron
Société de la faune et des parcs du Québec
Direction des territoires fauniques et de la réglementation
675, boulevard René-Lévesque Est, 11^e étage, boîte 96
Québec (Québec)
G1R 5V7

Telephone: (418) 521-3880, extension 4078
Fax: (418) 646-5179
E-mail: serge.bergeron@fapaq.gouv.qc.ca

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Pierre Corbeil, Minister for Forests, Wildlife and Parks, 5700, 4^e Avenue Ouest, bureau A-308, Charlesbourg (Québec) G1H 6R1.

SAM HAMAD,
*Minister of Natural Resources,
Wildlife and Parks*

PIERRE CORBEIL,
*Minister for Forests,
Wildlife and Parks*

Regulation to amend the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61, s. 82, 1st par., subpar. w)

1. The Regulation respecting the wearing of a fluorescent orange-coloured garment for hunting is amended by replacing “zones 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24,” in section 2 by “the zones described in the Fishing and Hunting Areas Regulation made by Order in Council 27-90 dated 10 January 1990”.

2. Section 3 is amended by inserting “rock dove,” after “American crow,” in paragraph *a*.

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

5944

* The Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting (R.R.Q., 1981, c. C-61, r. 26) was amended by the regulation made by Order in Council 955-2001 dated 23 August 2001 (2001, *G.O.* 2, 4860). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

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

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Labour relations, vocational training and manpower management in the construction industry, An Act respecting... — Register, monthly report, notices from employers and designation of a representative (R.S.Q., c. R-20)	3004	M
Mediation of small claims (Code of Civil Procedure, R.S.Q., c. C-25)	2977	N
Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail, An Act respecting the... — Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands — Ratification and enactment of the Regulation respecting the implementation of that agreement . . . (R.S.Q. c. M-15.001)	2984	N
Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail, An Act respecting... — Agreement on Social Security between the Gouvernement du Québec and the Czech Republic, signed at Québec on February 2002 — Ratification and enactment of the Regulation respecting the implementation of that agreement (R.S.Q., c. M-15.001)	2995	N
Ministère du Revenu, An Act respecting the... — Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands — Ratification and enactment of the Regulation respecting the implementation of that agreement (R.S.Q. c. M-31)	2984	N
Ministère du Revenu, An Act respecting... — Agreement on Social Security between the Gouvernement du Québec and the Czech Republic, signed at Québec on February 2002 — Ratification and enactment of the Regulation respecting the implementation of that agreement (R.S.Q. c. M-31)	2995	N
Pension Plan of Elected Municipal Officers, An Act respecting... — Comité de retraite du régime de retraite des élus municipaux — Exercise of powers and internal management (R.S.Q., c. R-9)	2975	
Pension Plan of Management Personnel, An Act respecting the... — Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act (R.S.Q., c. R-12.1)	2972	N
Pension Plan of Management Personnel, An Act respecting the... — Special provisions in respect of classes of employees designated under section 23 of the Act (R.S.Q., c. R-12.1)	2963	N

Personalized rates	3112	M
(An Act respecting industrial accidents and occupational diseases, R.S.Q., c. 3.001)		
Provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act	2972	N
(An Act respecting the Pension Plan of Management Personnel, R.S.Q., c. R-12.1)		
Pursuit of activities as a representative	3005	M
(An Act respecting the distribution of financial products and services, R.S.Q., c. D-9.2)		
Québec Pension Plan, An Act respecting the... — Agreement on Social Security between the Gouvernement du Québec and the Government of the Kingdom of the Netherlands — Ratification and enactment of the Regulation respecting the implementation of that agreement	2984	N
(R.S.Q. c. R-9)		
Québec Pension Plan, An Act respecting the... — Agreement on Social Security between the Gouvernement du Québec and the Czech Republic, signed at Québec on February 2002 — Ratification and enactment of the Regulation respecting the implementation of that agreement	2995	N
(R.S.Q. c. R-9)		
Register, monthly report, notices from employers and designation of a representative	3004	M
(An Act respecting labour relations, vocational training and manpower management in the construction industry, R.S.Q., c. R-20)		
Special provisions in respect of classes of employees designated under section 23 of the Act	2963	N
(An Act respecting the Pension Plan of Management Personnel, R.S.Q., c. R-12.1)		
Wearing of a fluorescent orange-coloured garment when hunting	3114	Draft
(An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)		