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Summary

Table of Contents

Acts 2004

Regulations and other acts

Decisions

Parliamentary Committees

Index

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Table of Contents

Page

Acts 2004

47	An Act to amend the Tobacco Tax Act and the Fuel Tax Act	1815
52	An Act to amend the Act respecting the Ministère du Revenu	1819

Regulations and other acts

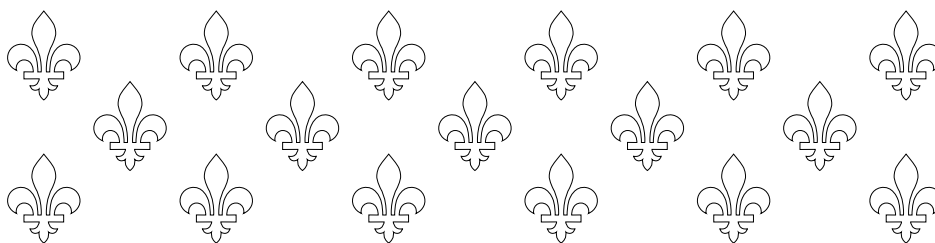
495-2004	Agence nationale d'encadrement du secteur financier, An Act respecting the... — Regulation 5 under section 746 of the Act	1823
548-2004	Legal publicity of sole proprietorships, partnerships and legal persons, An Act respecting the... — Regulation (Amend.)	1824
550-2004	Health Insurance Act — Regulation (Amend.)	1825
558-2004	Professional Code — Physicians — Procedure for the conciliation and arbitration of accounts	1826
560-2004	Professional Code — Social workers — Integration of marital and family therapists (Amend.)	1831
562-2004	Income support (Amend.)	1832

Decisions

Chief electoral officer — Decision pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, concerning the registration of legal persons qualified to vote on the referendum list of the Aylmer, Buckingham, Hull and Masson-Angers sectors ...	1835
---	------

Parliamentary Committees

Committee on Social Affairs — General consultation — Bill 57, Individual and Family Assistance Act ...	1837
--	------



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 47

(2004, chapter 9)

An Act to amend the Tobacco Tax Act and the Fuel Tax Act

Introduced 6 May 2004

Passage in principle 19 May 2004

Passage 3 June 2004

Assented to 7 June 2004

**Québec Official Publisher
2004**

EXPLANATORY NOTES

This bill abolishes the power of the Minister of Revenue to pay allowances for the colouring of fuel oil and for the collection and remittance of the fuel tax or an amount equal to it, or an amount equal to the tobacco tax.

The bill also provides that holders of a fuel oil colouring permit are required to pay fees relating to the colouring of fuel oil to the Minister.

Lastly, the bill nullifies the provisions included in agreements entered into with the Minister that provide for the payment of the allowances for the purposes mentioned above.

LEGISLATION AMENDED BY THIS BILL:

- Tobacco Tax Act (R.S.Q., chapter I-2);
- Fuel Tax Act (R.S.Q., chapter T-1).

Bill 47

AN ACT TO AMEND THE TOBACCO TAX ACT AND THE FUEL TAX ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TOBACCO TAX ACT

- 1.** Section 17.6 of the Tobacco Tax Act (R.S.Q., chapter I-2) is repealed.

FUEL TAX ACT

- 2.** Section 18 of the Fuel Tax Act (R.S.Q., chapter T-1) is amended by adding the following paragraph:

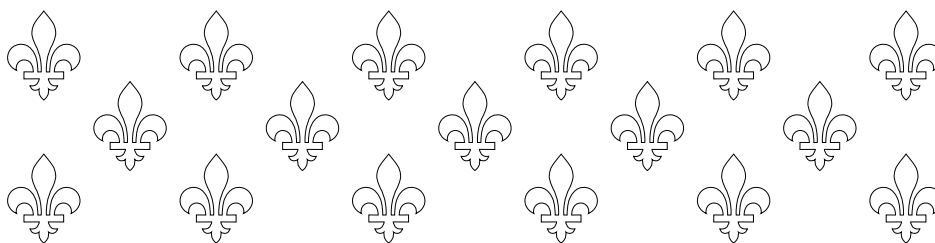
“Those persons shall pay fees relating to the colouring of fuel oil to the Minister in the amount, according to the terms and conditions and within the time prescribed by regulation.”

- 3.** Section 52.1 of the said Act is repealed.

FINAL PROVISIONS

- 4.** The provisions of the agreements entered into by the Minister of Revenue under sections 17 of the Tobacco Tax Act (R.S.Q., chapter I-2) and 51 of the Fuel Tax Act (R.S.Q., chapter T-1), providing for the payment of an allowance for the collection and remittance of the amounts due to the Minister or for the colouring of fuel oil, are without effect from 1 July 2004.

- 5.** This Act comes into force on 1 July 2004.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 52

(2004, chapter 10)

An Act to amend the Act respecting the Ministère du Revenu

Introduced 12 May 2004

Passage in principle 19 May 2004

Passage 3 June 2004

Assented to 7 June 2004

**Québec Official Publisher
2004**

EXPLANATORY NOTES

This bill amends the Act respecting the Ministère du Revenu to permit communication, to and by the Régie des rentes du Québec, of information required to determine a person's entitlement to the payment of a tax credit for child assistance.

Bill 52

AN ACT TO AMEND THE ACT RESPECTING THE MINISTÈRE DU REVENU

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Section 69.1 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31), amended by section 12 of chapter 5 of the statutes of 2002, by section 6 of chapter 8 of the statutes of 2003 and by section 250 of chapter 19 of the statutes of 2003, is again amended by inserting “to the payment of a tax credit for child assistance or” before “to benefits” in subparagraph 3 of subparagraph *n* of the second paragraph.
- 2.** Section 69.4 of the said Act is amended by replacing “is entitled” in the second paragraph by “may be entitled” and by inserting “to the payment of a tax credit for child assistance or” before “to a benefit” wherever it appears in that paragraph.
- 3.** Despite section 69.3 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31), the information obtained by the Régie des rentes du Québec under subparagraph 3 of subparagraph *n* of the second paragraph of section 69.1 of that Act to establish the entitlement of a person to a benefit under the Act respecting family benefits (R.S.Q., chapter P-19.1), may be used, without the consent of the person concerned, by the Régie des rentes du Québec to establish the entitlement of a person to the payment of a tax credit for child assistance where the information is necessary to establish that entitlement.
- 4.** This Act comes into force on 7 June 2004.

Regulations and other acts

Gouvernement du Québec

O.C. 495-2004, 26 May 2004

An Act respecting the Agence nationale d'encadrement du secteur financier
(R.S.Q., c. A-7.03)

Regulation 5 under section 746 of the Act

Regulation 5 under section 746 of the Act respecting the Agence nationale d'encadrement du secteur financier

WHEREAS the Act respecting the Agence nationale d'encadrement du secteur financier (R.S.Q., c. A-7.03) was assented to on 11 December 2002;

WHEREAS, under the first paragraph of section 746 of the Act, the Government may, by regulation made before 11 December 2004, adopt any other transitional provision or measure that is expedient for the carrying out of the Act;

WHEREAS, under the second paragraph of that section, a regulation made under the first paragraph shall not be subject to the publication requirement provided for in section 8 of the Regulations Act (R.S.Q., c. R-18.1) and shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any other later date indicated therein, and the regulation may also, if it provides therefor, apply from any date not prior to 11 December 2002;

WHEREAS it is expedient to make a regulation under section 746 to adopt certain transitional provisions and other expedient measures for the carrying out of the Act respecting the Agence nationale d'encadrement du secteur financier;

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

THAT Regulation 5 under section 746 of the Act respecting the Agence nationale d'encadrement du secteur financier, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation 5 under section 746 of the Act respecting the Agence nationale d'encadrement du secteur financier

An Act respecting the Agence nationale d'encadrement du secteur financier
(R.S.Q., c. A-7.03, s. 746)

1. The Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2) is amended by replacing the heading of Title III by the following:

“AGENCE NATIONALE D'ENCADREMENT
DU SECTEUR FINANCIER”.

2. Section 187 of the said Act is amended

(1) by replacing “The Bureau” in the first paragraph by “The Agency”;

(2) by replacing “The Bureau” in the first line of the second paragraph by “The Agency”;

(3) by replacing “il” in the second line of the second paragraph of the French text by “elle”;

(4) by replacing “The Bureau” in the first line of the third paragraph by “The Agency”;

(5) by replacing “The Bureau” in the first line of the fourth paragraph by “The Agency”;

(6) by replacing “il” in the second line of the fourth paragraph of the French text by “elle”.

3. Section 193 of the said Act is amended

(1) by replacing “The Bureau” in the first line by “The Agency” and “the Bureau” in the fifth line by “the Agency”;

(2) by replacing “by its discipline committees and the decisions made on appeal by the Commission, together with a summary of the Bureau’s report on activities and of the reports of the fund and the Chambers” in the seventh, eighth and ninth lines by “in respect of the representatives, together with a summary of the Agency’s report on activities”.

4. Section 206 of the said Act is amended by replacing “The Bureau” in the first line by “The Agency”.

5. Section 238 of the said Act is amended by replacing “the Bureau” in the second line by “the Agency”.

6. Section 307 of the Securities Act (R.S.Q., c. V-1.1), amended by section 658 of chapter 45 of the Statutes of 2002, is again amended by striking out “this Act or the regulations or” in the second and third lines.

7. Pursuant to section 445 of the Act respecting the Agence nationale d’encadrement du secteur financier, for the period from 1 June 2004 to 31 May 2005, the contribution of a representative who is a member of a Chamber, who is acting for a firm or independent partnership and who renews his or her certificate in that period continues to be borne by the firm or independent partnership until the later of the date on which the firm’s or independent partnership’s registration is maintained and the date on which the representative’s contribution is collected.

As of the date on which the contribution is no longer to be borne by a firm or independent partnership for which a representative is acting, the contribution is borne by the representative for the period remaining until the following date on which the contribution is to be collected.

The representative’s contribution, when borne by a firm or independent partnership, is the contribution determined by the Minister under section 569 of the Act respecting the distribution of financial products and services.

The date on which the representative’s contribution is collected is the renewal date of his or her certificate.

8. Sections 1 to 6 apply from 1 February 2004 and section 7 comes into force on 1 June 2004.

6334

Gouvernement du Québec

O.C. 548-2004, 9 June 2004

An Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45)

Regulation — Amendment

Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons

WHEREAS, under the third paragraph of section 97 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45), in special circumstances, the Government may also, by regulation, grant an exemption to a class of registrants as regards the requirement to declare certain information under section 10 of the Act;

WHEREAS the Government made the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons by Order in Council 1856-93 dated 15 December 1993;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons was published in the *Gazette officielle du Québec* of 18 February 2004 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons*

An Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45, s. 97, 3rd par.)

1. The Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons is amended by inserting the following paragraph after the first paragraph of section 25.2:

“The registrants referred to in the first paragraph are also exempted from declaring the domicile of the persons referred to in subparagraphs 2 and 3 of the second paragraph of section 10 of the Act.”.

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

6361

Gouvernement du Québec

O.C. 550-2004, 9 June 2004

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

Regulation — Amendments

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

WHEREAS, under subparagraph *b* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with the Régie de l'assurance maladie du Québec or upon its recommendation, make regulations to determine among

the services referred to in section 3 of the Act, those which are not to be considered insured services, and how often some of the services referred to in subparagraph *c* of the first paragraph or in the second paragraph of section 3 of the Act may be rendered in order to remain insured services;

WHEREAS, under subparagraph *d* of the first paragraph of section 69 of the Act, the Government may also, after consultation with the Board or upon its recommendation, make regulations to determine which services rendered by dentists are to be considered insured services for the purposes of the second paragraph of section 3 of the Act in respect of each class of insured persons referred to in that section;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the application of the Health Insurance Act was published in Part 2 of the *Gazette officielle du Québec* of 15 October 2003 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Régie de l'assurance maladie du Québec has been consulted on the amendments;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

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

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

* The Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons, made by Order in Council 1856-93 dated 15 December 1993 (1993, *G.O.* 2, 7022), was last amended by the regulation made by Order in Council 430-2002 dated 10 April 2002 (2002, *G.O.* 2, 2233). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

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

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

1. The Regulation respecting the application of the Health Insurance Act is amended in section 35

(1) by inserting “prefabricated” after “Recementation of” at the end of paragraph *E*;

(2) by replacing “Indirect pulp capping of permanent tooth” in paragraph *F* by “Sedative dressing”.

2. Section 36 is amended

(1) by inserting “prefabricated” after “Recementation of” at the end of paragraph *E*;

(2) by replacing “Indirect pulp capping” in paragraph *F* by “Sedative dressing”;

(3) by replacing paragraph *H* by the following:

“(H) Acrylic prosthesis:

— one complete prosthesis when inserted per 8-year period;

— one partial prosthesis with or without hooks or supports when inserted per 8-year period;

— one replacement prosthesis where it has become necessary following oral surgery and on the written prescription of a dentist;

— adding a device to a partial prosthesis;

— repair;

— one relining per 5-year period or 3 months after obtaining the prosthesis.”.

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

6362

* The Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r.1) was last amended by the regulation made by Order in Council 244-2003 dated 26 February 2003 (2003, *G.O.* 2, 1182). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

Gouvernement du Québec

O.C. 558-2004, 9 June 2004

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

Physicians — Procedure for the conciliation and arbitration of accounts

Regulation respecting the procedure for the conciliation and arbitration of accounts of physicians

WHEREAS, under section 88 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Collège des médecins du Québec must establish, by regulation, a conciliation and arbitration procedure for the accounts of the members of the order which may be used by persons having recourse to the services of the members;

WHEREAS the Bureau of the Collège des médecins du Québec made the Regulation respecting the procedure for the conciliation and arbitration of accounts of physicians;

WHEREAS, under section 95.3 of the Professional Code, a draft Regulation was sent to every member of the order at least 30 days before its adoption by the Bureau;

WHEREAS, under section 95 of the Professional Code, subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 14 January 2004 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

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

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the procedure for the conciliation and arbitration of accounts of physicians, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the procedure for the conciliation and arbitration of accounts of physicians

Professional Code
(R.S.Q., c. C-26, s. 88)

DIVISION I CONCILIATION

1. The syndic shall send a copy of this Regulation to any person who requests him it.

2. A client who has a dispute with a physician as to the amount of an account for professional services must, before seeking arbitration of the account, apply for conciliation by the syndic.

3. A physician may not institute proceedings on an account of fees before the expiry of a period of 60 days following the date of receipt of the account by the client or the date on which the client became aware that a sum had been withdrawn or withheld by the physician directly from the funds he holds or receives for or on behalf of this client.

Nor may he institute proceedings on an account of fees once the syndic has received an application for conciliation with regard to an account.

The physician may, however, request provisional measures in accordance with article 940.4 of the Code of Civil Procedure (R.S.Q., c. C-25).

4. An application for conciliation with regard to an account for professional services, which has been unpaid or partially paid, must be sent to the syndic within the 60-day period stipulated in section 3.

An application for conciliation of an account or part of an account which has not been paid may be sent to the syndic after expiry of the 60-day period stipulated in section 3, provided that it is sent before the client is notified of an action on an account of fees.

In a case where a physician has agreed with the client on a treatment plan spread out over several sessions, payable in one or several payments, the application for conciliation may be made within 60 days of the last treatment received, provided that not more than one year has elapsed since the day the account was received.

Notwithstanding the first paragraph of this section, when a decision of the Régie de l'assurance maladie du Québec or of another insurer is issued to refuse reimbursement of an account, either in whole or in part, the application for conciliation must be sent to the syndic within the 30-day period following this decision.

5. All applications for conciliation must be formulated in writing. Upon receipt of such application, the syndic shall send to the client a copy of this Regulation and a copy of Schedule I, to be completed and returned to the syndic as additional information.

6. The syndic must notify the physician of the application for conciliation as soon as possible.

7. The syndic shall proceed with the conciliation in the manner he deems most appropriate.

8. Any agreement reached during conciliation between the client and the physician shall be put in writing. This written form may consist of a letter from the syndic to the client and the physician acknowledging the agreement.

If the syndic considers it necessary, he may ask that the agreement reached between the client and the physician be acknowledged in terms similar to those in Schedule II.

9. If the conciliation has not led to an agreement within 45 days from the date of receipt of the application for conciliation, the syndic shall send a report on the dispute to the client and the physician by registered or certified mail.

This report shall contain the following information, where applicable:

1° the amount of the account in dispute;

2° the amount that the client acknowledges owing;

3° the amount that the physician acknowledges having to reimburse or is willing to accept as a settlement of the dispute;

4° the amount suggested by the syndic during the conciliation as a payment to the physician or as a reimbursement to the client.

The syndic shall also send to the client the form provided for in Schedule III and shall indicate to him the procedure and deadline for submitting the dispute to arbitration.

DIVISION II ARBITRATION

§1. Application for arbitration

10. In a case where the conciliation has not led to an agreement between the parties, the client may request arbitration of the account within thirty days of receipt of the syndic's conciliation report.

The application for arbitration shall be sent to the secretary of the Collège des médecins du Québec, by registered or certified mail, and shall reproduce the content of Schedule III.

11. The secretary must, upon receipt of an application for arbitration, notify the concerned physician of such.

12. An application for arbitration may be withdrawn in writing only and with the consent of the physician.

13. A physician who acknowledges having to reimburse an amount to a client must consign the amount to the secretary who shall then remit it to the client.

In such case, the arbitration shall proceed and shall pertain on the amount still in dispute.

14. Any agreement reached between the client and the physician after the application for arbitration has been filed shall be put in writing, in terms similar to those in Schedule II, shall be signed by them and shall be filed with the secretary.

When the agreement is reached after formation of the council of arbitration, it shall be integrated into the arbitration award, and the council shall decide on costs in the manner provided for in section 28.

§2. Formation of a council of arbitration

15. A council of arbitration shall be composed of 3 arbitrators where the amount in dispute is 5 000 \$ or more, and of a single where the amount is less than 5 000 \$.

16. The president of the Collège shall appoint from among the members of the order, the member or members of a council of arbitration and, where the latter is composed of 3 arbitrators, he shall designate the chairman thereof.

The secretary shall notify in writing the member or members of the council of arbitration and the parties, of the constitution of the council of arbitration.

17. Before acting, the arbitrators shall take the oath prescribed in Schedule II of the Professional Code (R.S.Q., c. C-26).

18. A request for recusation of an arbitrator may not be filed unless it is for one of the reasons provided for in article 234 of the Code of Civil Procedure, paragraph 7 of this article excepted. It must be sent in writing to the secretary, to the arbitration board and to the parties within 10 days of receiving the notice stipulated in the second paragraph of the section 16 or of the day on which the reason for the request becomes known.

The president of the Collège shall rule on this request and, if necessary, provide for a replacement of the recused arbitrator.

19. In the event of death, absence, or inability to act of an arbitrator, the others shall see the matter through. In a case where this arbitrator is chairperson of the arbitration board, the president of the Collège shall appoint one of the two remaining arbitrators to act as chairperson.

In the case of an arbitration board formed of one arbitrator only, the latter shall be replaced by a new arbitrator appointed by the president of the Collège, and the hearing of the dispute shall be reheard.

§3. Hearing

20. The council of arbitration shall give the parties at least 10 days written notice of the date, time and place of the hearing.

21. The parties are entitled to be represented or assisted by a lawyer.

22. The council of arbitration may ask each party to submit to it, within a specified period, a statement of their claims with supporting documents.

23. The council of arbitration shall promptly hear the parties, receive their evidence or record any failure on their part. For these purposes, it shall apply the rules of evidence of courts of civil jurisdiction, follow such procedures it considers appropriate and rule according to the rules of law.

24. The costs incurred by a party for the arbitration shall be borne by that party, and the opposing party may not recover these costs.

A party requesting that the testimony be recorded shall assume the costs thereof.

§4. Arbitration award

25. The council of arbitration shall issue its award within 30 days of the end of the hearing.

26. An award shall be a majority award of the members of the council of arbitration; failing a majority, it shall be rendered by the chairman of the council

An award shall give reasons and be signed by the single arbitrator or the arbitrators executing it. When a member refuses to sign or is unable to sign, the award must make mention of such and has the same effect as if it were signed by all. However, a dissenting member may register in the award the reasons for his refusal.

27. In the award, the council of arbitration may uphold or reduce the amount of the account under dispute; it may also determine, if applicable, the reimbursement to which a party may be entitled. For these purposes, it may take into account the quality of the services rendered.

28. In the award, the council of arbitration may decide the arbitration expenses, that is, the expenses incurred by the Collège in holding the arbitration.

The sum total of expenses may not exceed 15% of the amount to which the arbitration pertains. However, when payment is ordered, these costs shall be a minimum of 50 \$.

The council of arbitration may also, where the account in dispute is upheld in whole or in part, or where a reimbursement is granted, add thereto interest and an indemnity calculated in accordance with articles 1618 and 1619 of the Civil Code, from the date of the application for conciliation.

29. The arbitration award is final, without appeal, binds the parties and is executory in accordance with articles 946.1 to 946.6 of the Code of Civil Procedure.

30. The council of arbitration shall file its award with the secretary, who shall send a copy of such to each of the parties and to the syndic.

It shall also send to the secretary the complete arbitration file, copies of which may be sent solely to the parties and the syndic.

31. This Regulation replaces the Regulation respecting the procedure for the conciliation and arbitration of accounts of physicians, approved by Order-in-Council 1322-96 of October 16, 1996. However, this Regulation continues to govern the procedure for the conciliation and arbitration of accounts for which conciliation by the syndic or an application for arbitration was made before the date of coming into force of this Regulation.

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

SCHEDULE I

(s. 5)

APPLICATION FOR CONCILIATION

I, the undersigned _____ declare that :
(name and address of client)

1. Doctor _____ claims the sum of
(name and address of physician)

\$ _____ for professional services
rendered between _____ and _____ as attested by :
(date) (date)

the account, of which a copy is attached hereto ☐

or

the document, of which a copy is attached hereto, ☐
indicating that the sum was withdrawn or withheld.

2. I contest this account for the following reasons :

3. I acknowledge owing the sum of \$ _____
for the professional services mentioned in this account.

4. a) I have not paid this account. ☐

or

b) I have paid this account in full. ☐

or

c) I have paid this account to a limit of \$._____ ☐

or

d) The sum of \$._____ was withdrawn or ☐
withheld directly from the funds which the physician
holds or receives for or on my name.

5. I apply for conciliation by the syndic pursuant to the
Regulation respecting the procedure for the conciliation
and arbitration of accounts of physicians.

Signed on _____
(date)

(client's signature)

SCHEDULE II

(s. 8, 14)

AGREEMENT RELATIVE TO A DISPUTE
SUBMITTED TO CONCILIATION ☐
OR
TO ARBITRATION ☐

Reached between:

(client's name and address)

hereinafter called the « client »,

and

(physician's name and address)

both of whom declare and agree to the following:

Agreement has been reached between the client and the
physician as

to the dispute submitted to conciliation ☐

or

to arbitration ☐

requested on _____
(date)

This agreement sets forth the following terms and
conditions:

The client and the physician request that
conciliation ☐

or

arbitration ☐
procedures be stopped

Signed in _____ Signed in. _____
(place) (place)

on _____ on _____
(date) (date)

(client's signature)

(physician's signature)

SCHEDULE III

(s. 9, 10)

REQUEST FOR ARBITRATION OF ACCOUNT

I, the undersigned _____ ,
(client's name and address)

having duly taken an oath, declare that:

1. Doctor _____ ,
(physician's name and address)

claims (or refuses to reimburse) a sum of money relative to professional services.

2. A copy of the conciliation report is attached hereto.

3. I request arbitration of this account pursuant to the Regulation respecting the procedure for the conciliation and arbitration of accounts of physicians, a copy of which I have received and read.

4. I agree to submit to the procedure provided for in this regulation and, if applicable, to pay the physician concerned the amount fixed by the arbitration award.

Signed on _____

(client's signature)

6363

Gouvernement du Québec

O.C. 560-2004, 9 June 2004

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

Travailleurs sociaux**— Integration of marital and family therapists into the Ordre
— Amendment**

Amendment to the Schedule to the Order in Council concerning the integration of marital and family therapists into the Ordre professionnel des travailleurs sociaux du Québec

WHEREAS, under the second paragraph of section 27.2 of the Professional Code (R.S.Q., c. C-26), the Government may, by order, after consultation with the Office des professions du Québec, the Québec Interprofessional Council and the order concerned as well as with the organizations, if any, which represent the group of

persons concerned, integrate into an order referred to in Division III of Chapter IV of the Code a group of persons to whom it considers necessary, for the protection of the public, to grant a reserved title;

WHEREAS, in accordance with Order in Council 1274-2001 dated 24 October 2001, the integration of marital and family therapists into the Ordre professionnel des travailleurs sociaux du Québec became effective on 30 November 2001;

WHEREAS, in accordance with the first paragraph of section 27.3 of the Code, the Government may, by order, amend the integration order at any time before the day on which it ceases to have effect;

WHEREAS it is expedient to make an amendment to the Schedule to the above-mentioned Order in Council to adjust the conditions for the issue of a marital and family therapist's permit;

WHEREAS, in accordance with the third paragraph of section 27.2 and the second paragraph of section 27.3 of the Code, a draft Amendment to the Schedule to the Order in Council concerning the integration of marital and family therapists into the Ordre professionnel des travailleurs sociaux du Québec was published in Part 2 of the *Gazette officielle du Québec* of 28 January 2004 by the Minister responsible for the administration of legislation respecting the professions, with a notice that the amendment could be made by the Government on the expiry of 60 days following that publication;

WHEREAS the consultations required by the above-mentioned provisions have been carried out;

WHEREAS it is expedient to make amendments in form to the draft Amendment to the Schedule;

WHEREAS it is expedient to amend the Order in Council concerning the integration of marital and family therapists into the Ordre professionnel des travailleurs sociaux du Québec in accordance with the provisions in the Schedule to this Order in Council;

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

THAT the Order in Council concerning the integration of marital and family therapists into the Ordre professionnel des travailleurs sociaux du Québec be amended in accordance with the provisions in the Schedule to this Order in Council.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE**AMENDMENT TO THE SCHEDULE TO THE ORDER IN COUNCIL CONCERNING THE INTEGRATION OF MARITAL AND FAMILY THERAPISTS INTO THE ORDRE PROFESSIONNEL DES TRAVAILLEURS SOCIAUX DU QUÉBEC***

Professional Code
(R.S.Q., c. C-26, s. 27.3)

1. Section 26 of the Schedule to the Order in Council concerning the integration of marital and family therapists into the Ordre professionnel des travailleurs sociaux du Québec is amended by replacing the second paragraph by the following:

“The training and supervision referred to in the first paragraph must be completed after a master’s degree awarded by a university located in Québec, after a bachelor’s degree awarded by a university located in Québec, upon completion of a program comprising at least 135 hours or 9 credits of theoretical training in human development, in the theoretical models of personality and behaviour and in intervention models or methods. All or part of that minimum theoretical training may have been received as part of the program leading to the master’s degree.”.

2. Section 27 is amended by replacing “two” in paragraph 1 by “four”.

3. Section 28 is amended by adding the following paragraph at the end:

“A person who, at any time before the effective date of the integration, met the requirements for admission as a clinical member of the Association des psychothérapeutes conjugaux et familiaux du Québec, approved by the board of directors of the Association on 27 October 1995, may obtain a marital and family therapist’s permit provided that the person completes an application for such permit in the form prescribed by the Bureau of the Order, before the expiry of the four years following the effective date of the integration.”.

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

6364

Gouvernement du Québec

O.C. 562-2004, 9 June 2004

An Act respecting income support, employment assistance and social solidarity
(R.S.Q., c. S-32.001)

**Income support
— Amendments**

Regulation to amend the Regulation respecting income support

WHEREAS, in accordance with the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001), the Government made the Regulation respecting income support by Order in Council 1011-99 dated 1 September 1999;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting income support was published in Part 2 of the *Gazette officielle du Québec* of 15 October 2003, on page 3172, with a notice that it could be made by the Government on the expiry of a 45-day period following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment, Social Solidarity and Family Welfare:

THAT the Regulation to amend the Regulation respecting income support, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

* The Schedule to Order in Council 1274-2001 dated 24 October 2001 (2001, *G.O.* 2, 5848) concernig the integration of marital and family therapists into the Ordre professionnel des travailleurs sociaux du Québec has never been amended.

Regulation to amend the Regulation respecting income support*

An Act respecting income support, employment assistance and social solidarity
(R.S.Q., c. S-32.001, s. 156, par. 13, and s. 160)

1. Division 1 of Schedule I to the Regulation respecting income support is amended

(1) by deleting 1.1.3;

(2) by deleting 1.2.3;

(3) by replacing “one year has” in the second paragraph of 1.4 by “3 months have”;

(4) by adding the following after 1.4:

“1.5 The special benefits cover the cost of adding a structure to a partial prosthesis in accordance with the rates provided for in Division 2.”.

2. Division 2 of Schedule I is amended by replacing “9 April 1979” in 2.1 by “19 March 2003”.

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

6365

* The Regulation respecting income support, made by Order in Council 1011-99 dated 1 September 1999 (1999, *G.O.* 2, 2881), was last amended by section 14 of chapter 27 of the Statutes of 2003. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

Decisions

Decision

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

Chief electoral officer

— Registration of legal persons qualified to vote on the referendum list of the Aylmer, Buckingham, Hull and Masson-Angers sectors

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, concerning the registration of legal persons qualified to vote on the referendum list of the Aylmer, Buckingham, Hull and Masson-Angers sectors

WHEREAS following the registration process contemplated in Division II of Chapter II of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), referendum polls will be held in the sectors of Aylmer, Buckingham, Hull and Masson-Angers on June 20, 2004;

WHEREAS section 38 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities provides that the chief electoral officer is responsible for the organization and holding of the referendum poll;

WHEREAS section 33 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities provides that, for the purposes of the referendum poll, no new referendum list of the sector concerned shall be drawn up and, unless the chief electoral officer considers that the length of the period between the registration process and the poll does not justify it, the list that was used for the registration process shall again be revised;

WHEREAS the referendum list for each sector in which a referendum poll is to be held will be revised on June 3, 4 and 5, 2004;

WHEREAS, during transmission to the chief electoral officer of the referendum lists drawn up for the purposes of the registration process in the sectors of Aylmer, Buckingham, Hull and Masson-Angers, an error resulted in the exclusion from the lists of the names of 175 legal persons qualified to vote and already registered on the

referendum lists of the said sectors, with only the names of the individuals designated to represent the said legal persons appearing on the lists;

WHEREAS, as a result of this error, certain legal persons that are qualified to vote may not be able to exercise their right to vote unless remedial action is taken;

WHEREAS, pursuant to section 4 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, and by the effect of the reference in section 561 of the Act respecting elections and referendums in municipalities, the provisions of Division II of Chapter VI of Title I apply, adapted as required and provided they are consistent with Title II, to the preparation, revision and coming into force of the referendum lists of the sectors concerned;

WHEREAS the provisions of Division II of Chapter VI of Title I of the Act respecting elections and referendums in municipalities do not permit a board of revisors to correct errors in the entry of qualified voter on the referendum list unless an application to that effect is made by a qualified voter;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities states that if, subsequent to an error, a provision of Chapters V to VII.1, Division I of Chapter XII and Chapters XIII and XIV of Title I does not meet the demands of the resultant situation, the chief electoral officer may adapt the provision in order to achieve its object;

WHEREAS, by the effect of the reference in section 516.1 of the Act respecting elections and referendums in municipalities, section 90.5 applies to Title II of the said Act;

WHEREAS the chief electoral officer has first informed the Minister of Municipal Affairs, Sport and Recreation of the decision he intends to make;

The chief electoral officer, pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, has decided to adapt the said Act in order to provide that the boards of revisors in the sectors of Aylmer, Buckingham, Hull and Masson-Angers may complete the registrations of the 175 legal persons already entered on the referendum lists of their respective municipalities in the absence of applications to that effect from qualified voters.

For the purposes of this decision, the Act respecting elections and referendums in municipalities is amended by the addition of the following subparagraph to the first paragraph of section 121 :

“(3) the information transmitted by the chief electoral officer concerning the registration of legal persons qualified to vote and falling under the jurisdiction of the board of revisors.”

This decision shall come into force on June 4, 2004.

MARCEL BLANCHET,
*Chief Electoral Officer and
Chair of the Commission de la représentation
électorale*

Parliamentary Committees

Committee on Social Affairs

General consultation

Bill 57, Individual and Family Assistance Act

The Committee on Social Affairs has been instructed to hold public hearings beginning on 5 October 2004 in pursuance of a general consultation on Bill 57, Individual and Family Assistance Act.

Individuals and organizations who wish to express their views on this matter must submit a brief to the above Committee. The Committee will select the individuals and organizations it wishes to hear from among those who have submitted a brief.

Briefs must be received by the committees secretariat not later than 17 September 2004. Every brief must be accompanied by a concise summary of its contents, and both documents must be submitted in 25 copies printed on letter-size paper. Those who wish to have their brief forwarded to the press gallery must provide an additional 20 copies. You may also add an electronic version of your brief by e-mailing it to the Clerk of the Committee. However, this does not exempt you from producing a written version.

Briefs, correspondence, and requests for information should be addressed to: Mrs Denise Lamontagne, lawyer, Clerk of the Committee on Social Affairs, édifice Pamphile-LeMay, 1035, rue des Parlementaires, 3^e étage, Québec (Québec) G1A 1A3.

Telephone: (418) 643-2722; Facsimile: (418) 643-0248
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Index

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

	Page	Comments
Agence nationale d'encadrement du secteur financier, An Act respecting the... — Regulation 5 under section 746 of the Act (R.S.Q., c. A-7)	1823	N
Chief electoral officer — Registration of legal persons qualified to vote on the referendum list of the Aylmer, Buckingham, Hull and Masson-Angers sectors (An Act respecting elections and referendums in municipalities, R.S.Q., c. E-2.2)	1835	Decision
Committee on Social Affairs — General consultation — Bill 57, Individual and Family Assistance Act	1837	Parliamentary Committee
Elections and referendums in municipalities, An Act respecting... — Chief electoral officer — Registration of legal persons qualified to vote on the referendum list of the Aylmer, Buckingham, Hull and Masson-Angers sectors . . . (R.S.Q., c. E-2.2)	1835	Decision
Fuel Tax Act, amended (2004, Bill 47)	1815	
Health Insurance Act — Regulation (R.S.Q., c. C-26)	1825	M
Income support (An Act respecting income support, employment assistance and social solidarity, R.S.Q., c. S-32.001)	1832	M
Income support, employment assistance and social solidarity, An Act respecting... — Income support (R.S.Q., c. S-32.001)	1832	M
Legal publicity of sole proprietorships, partnerships and legal persons, An Act respecting the... — Regulation (R.S.Q., c. P-45)	1824	M
Ministère du Revenu, An Act to amend the Act respecting the... (2004, Bill 52)	1819	
Physicians — Procedure for the conciliation and arbitration of accounts (Professional Code, R.S.Q., c. C-26)	1826	N
Professional Code — Physicians — Procedure for the conciliation and arbitration of accounts (R.S.Q., c. C-26)	1826	N
Professional Code — Social workers — Integration of marital and family therapists (R.S.Q., c. C-26)	1831	M
Social workers — Integration of marital and family therapists (Professional Code, R.S.Q., c. C-26)	1831	M

Tobacco Tax Act and the Fuel Tax Act, An Act to amend the... (2004, Bill 47)	1815
Tobacco Tax Act, amended (2004, Bill 47)	1815