

Laws and Regulations

Volume 136

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Legal deposit—1st Quarter 1968
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Regulations and other acts

Gouvernement du Québec

O.C. 816-2004, 1 September 2004

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

Regulation

— Amendments

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 first paragraph of section 97 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons, the Government may, by regulation, determine the standards relating to the composition of names for the application of subparagraph 4 of the first paragraph of section 13 and the elements which must be contained in the statement of information;

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 19 May 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, 1st par., subpars. 1 and 7)

1. Section 1 of the English text of the Regulation respecting the application of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons is amended by replacing the last sentence of the second paragraph by the following:

“If it has a limited liability, a limited liability partnership indicates its juridical form properly if it uses the words “limited liability partnership” in or after its name or if it uses the abbreviation “L.L.P.” only after its name.”.

2. Section 25 of the English text is amended by replacing “general partnership with limited liability” in subparagraph 21 of the first paragraph by “limited liability partnership”.

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

6482

* 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 regulations made by Order in Council 430-2002 dated 10 April 2002 (2002, *G.O.* 2, 2233) and Order in Council 548-2004 dated 9 June 2004 (2004, *G.O.* 1824). 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. 824-2004, 1 September 2004

An Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities
(2003, c. 14)

End of the mandate of the transition committee for Ville de Gatineau

WHEREAS, following the counting and addition of the votes cast in the referendum poll held on 20 June 2004 on the de-amalgamation of Ville de Gatineau, the answer given by the qualified voters of the Masson-Angers sector was deemed to be affirmative pursuant to section 43 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14);

WHEREAS, pursuant to section 51 of the Act, the Government established a transition committee in respect of Ville de Gatineau by Order in Council 596-2004 dated 21 June 2004;

WHEREAS section 4 of the Act provides among other things that the referendum poll held under Division IV of the Act is governed by the provisions of Title II of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) and by any other related provision of that Act;

WHEREAS section 567 of the Act respecting elections and referendums in municipalities provides that the provisions respecting a recount or re-addition of the votes apply to a referendum;

WHEREAS, pursuant to section 266 of the Act respecting elections and referendums in municipalities, a recount and re-addition of the votes took place on 28 June 2004 in respect of the referendum poll held in the Masson-Angers sector;

WHEREAS, following that recount and re-addition of votes, the answer to the referendum question is now deemed to be negative for that sector;

WHEREAS that sector was the only sector in the territory of Ville de Gatineau in which the answer given by the qualified voters was deemed to be affirmative;

WHEREAS section 64 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities provides that the mandate of the transition committee ends on the date that precedes

the date of the reorganization, unless another date is set by the Government, and that at the end of its mandate, the transition committee shall be dissolved;

WHEREAS it is expedient to terminate the mandate of the transition committee for Ville de Gatineau;

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

THAT the mandate of the transition committee for Ville de Gatineau end on the day on which this Order in Council is made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

6483

Gouvernement du Québec

O.C. 825-2004, 1 September 2004

An Act to amend the Charter of Ville de Montréal
(2003, c. 28)

Taking of effect of paragraph 2 of section 31 and sections 40 to 43 of the Act to amend the Charter of Ville de Montréal

WHEREAS the Act to amend the Charter of Ville de Montréal (2003, c. 28) was assented to on 18 December 2003;

WHEREAS, under section 55 of that Act, paragraph 2 of section 31 and sections 40 to 43 have effect for the purposes of any municipal fiscal year as of the municipal year fixed by the Government;

WHEREAS it is expedient that the 2005 municipal fiscal year be fixed for the taking of effect of those provisions;

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

THAT the 2005 municipal fiscal year be fixed for the taking of effect of paragraph 2 of section 31 and sections 40 to 43 of the Act to amend the Charter of Ville de Montréal (2003, c. 28).

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

6484

Gouvernement du Québec

O.C. 830-2004, 1 September 2004

An Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs
(R.S.Q., c. M-25.2)

Amendment to Order in Council 1515-2002 dated 18 December 2002 respecting the Program for the delegation of the land and forest management of intramunicipal lands in the domain of the State to the regional county municipalities in the administrative region of Laurentides

WHEREAS the Government, by Order in Council 1515-2002 dated 18 December 2002 under sections 17.13 to 17.16 of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., c. M-25.2), approved the Program for the delegation of the land and forest management of intramunicipal lands in the domain of the State to the regional county municipalities in the administrative region of Laurentides;

WHEREAS the management delegation program contains an error in relation to the requirement for the delegate regional county municipalities (RCMs) to pay assessments to forest protection organizations, given the provisions of the Forest Act (R.S.Q., c. F-4.1);

WHEREAS it is expedient to amend the Program for the delegation of the land and forest management of intramunicipal lands in the domain of the State to the regional county municipalities in the administrative region of Laurentides to ensure consistency with the provisions of the Forest Act;

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

THAT the Program for the delegation of the land and forest management of intramunicipal lands in the domain of the State to the regional county municipalities in the administrative region of Laurentides, approved by Order in Council 1515-2002 dated 18 December 2002, be amended by replacing subparagraph 2 of the third paragraph of section 5.3 by the following subparagraph:

“(2) join the forest protection organizations recognized by the Minister and assume their share of the protection costs. The RCM’s assessments to the organizations are applicable to the territory for which the RCM has not made a forest management contract. In making such a contract, the RCM must require the holder to join the forest protection organizations and to pay its share of the protection costs;”;

THAT Order in Council 1515-2002 dated 18 December 2002 be amended accordingly.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

6485

Gouvernement du Québec

O.C. 831-2004, 1 September 2004

An Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs
(R.S.Q., c. M-25.2)

Amendment to Order in Council 355-2003 dated 5 March 2003 respecting the Program to delegate land and forest management on intramunicipal public lands to regional county municipalities in the Centre-du-Québec administrative region

WHEREAS the Government, by Order in Council 355-2003 dated 5 March 2003 under sections 17.13 to 17.16 of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., c. M-25.2), approved the Program to delegate land and forest management on intramunicipal public lands to regional county municipalities in the Centre-du-Québec administrative region;

WHEREAS the management delegation program contains an error in relation to the requirement for the delegate regional county municipalities (RCMs) to pay assessments to forest protection organizations, given the provisions of the Forest Act (R.S.Q., c. F-4.1);

WHEREAS it is expedient to amend the Program to delegate land and forest management on intramunicipal public lands to regional county municipalities in the Centre-du-Québec administrative region to ensure consistency with the provisions of the Forest Act;

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

THAT the Program to delegate land and forest management on intramunicipal public lands to regional county municipalities in the Centre-du-Québec administrative region, approved by Order in Council 355-2003 dated 5 March 2003, be amended by replacing subparagraph 2 of the third paragraph of section 5.3 by the following subparagraph:

“(2) join the forest protection organizations recognized by the Minister and assume their share of the protection costs. The RCM’s assessments to the organizations are applicable to the territory for which the RCM has not made a forest management contract. In making such a contract, the RCM must require the holder to join the forest protection organizations and to pay its share of the protection costs;”;

THAT Order in Council 355-2003 dated 5 March 2003 be amended accordingly.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

6486

M.O., 2004

Order number AM 2004-034 of the Minister of Natural Resources, Wildlife and Parks and the Minister for Forests, Wildlife and Parks dated 3 September 2004

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

CONCERNING the delegation of certain powers of the Minister of Natural Resources, Wildlife and Parks

THE MINISTER OF NATURAL RESOURCES, WILDLIFE AND PARKS AND THE MINISTER FOR FORESTS, WILDLIFE AND PARKS,

GIVEN that under section 110.6 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), presented in section 17 of chapter 11 of the statutes of 2004, the Minister may, in writing, generally or specially delegate the powers conferred by the second paragraph of section 106 and sections 106.0.2 and 110.2 to a personnel member of the department or a position holder;

ORDER THE FOLLOWING :

The Deputy Minister of Natural Resources, Wildlife and Parks, the Associate Deputy Minister of Wildlife Québec, the Director General of Wildlife Management and Development, the Director of Wildlife Habitats and Regulation and a regional wildlife management director are authorized, within the limits of their respective responsibilities :

— In accordance with paragraph two of section 106, amended by chapter 11 of the statutes of 2004, to amend or replace the by-laws of an agency party to a memorandum of agreement duly approved in accordance with section 110.1 ;

— In accordance with section 106.0.2, amended by chapter 11 of the statutes of 2004, to approve a plan for recreational activities as mentioned in section 106.0.1 of the act ;

— In accordance with section 110.2, amended by chapter 11 of the statutes of 2004, to amend or replace a by-law of an agency that is party to a memorandum of agreement if it does not comply with the conditions prescribed by regulation of the government or if the rules provided for its adoption have not been complied with.

The present Order come into force on the date of its publication in the *Gazette officielle du Québec*.

Québec, 3 September 2004

PIERRE CORBEIL,	SAM HAMAD,
<i>Minister for Forests,</i>	<i>Minister of Natural Resources,</i>
<i>Wildlife and Parks</i>	<i>Wildlife and Parks</i>

6491

M.O., 2004

Order of the Minister of Municipal Affairs, Sports and Recreation, dated 1 September 2004

An Act respecting public transit authorities
(R.S.Q., c. S-30.01)

CONCERNING the general authorization given to public transit authorities governed by section 103 of the Act respecting public transit authorities allowing them to award their insurance contracts without calling for tenders

WHEREAS according to section 103 of the Act respecting public transit authorities (R.S.Q., c. S-30.01), the Minister of Municipal Affairs, Sports and Recreation may authorize a public transit authority to award a contract without calling for tenders and may, on his own initiative, exercise said power in respect of all the transit authorities or a category of them as regards a contract or a class of contracts ;

WHEREAS according to the second paragraph of section 103, the Minister may not exercise the power where calls for tenders are required to be public under an intergovernmental trade liberalisation agreement applicable to the municipality;

WHEREAS the Agreement on the Opening of Public Procurement for Ontario and Québec and the Agreement on Internal Trade do not apply to insurance contracts;

WHEREAS public transit authorities have encountered difficulties in their calls for public tenders with regard to insurance contracts during recent years due notably to their large number of goods to be insured and the limited competition for this type of insurance;

CONSIDERING the interest public transit authorities may have to award freely negotiate their insurance contracts;

NOW THEREFORE, the Minister of Municipal Affairs, Sports and Recreation enacts the following:

1° THAT the public transit authorities governed by section 103 of the Act respecting public transit authorities be authorized to award insurance contracts without calling for tenders;

2° THAT the aforementioned public transit authorities shall publish in a newspaper circulating in their territory a notice announcing the awarding of such contracts.

The present order shall come into force the day of its publication in the *Gazette officielle du Québec*.

Québec, 1 September 2004

*The Minister of Municipal Affairs,
Sports and Recreation,*
JEAN-MARC FOURNIER

6487

M.O., 2004

Order number AM 2004-033 of the Minister of Natural Resources, Wildlife and Parks and the Minister for Forests, Wildlife and Parks dated 3 September 2004

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

CONCERNING Regulation to amend the Regulation respecting hunting

THE MINISTER OF NATURAL RESOURCES, WILDLIFE AND PARKS AND THE MINISTER FOR FORESTS, WILDLIFE AND PARKS

CONSIDERING sections 54.1 and 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) amended by chapter 11 of the statutes of 2004, which provides that the Minister may make regulations on the matters set forth therein;

CONSIDERING section 164 of the Act amended by chapter 11 of the statutes of 2004, which provides in particular, that a regulation made under sections 54.1 and 56 is not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING that the Regulation respecting hunting was made by Minister's Order 99021 dated 27 July 1999;

CONSIDERING that it is expedient to replace certain provisions of the Regulation respecting hunting;

ORDER THE FOLLOWING:

THAT the Regulation to amend the Regulation respecting hunting, attached hereto, is hereby made.

Québec, 3 September 2004

PIERRE CORBEIL,
*Minister for Forests,
Wildlife and Parks*

SAM HAMAD
*Minister of Natural Resources,
Wildlife and Parks*

Regulation to amend the Regulation respecting hunting*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, ss. 54.1 and 56, 2nd and 3rd pars.)

1. The Regulation respecting hunting is amended in section 13 by adding the following paragraphs at the end:

“The number of “Caribou valid for the part of Area 22 shown on the plan in Schedule XVII (from 15 November to 15 December)” hunting licences is limited per year to 4008 as regards the place shown on the plan in Schedule CXCI;

The number of “Caribou valid for the part of Area 22 shown on the plan in Schedule XVII (from 16 December to 15 February)” hunting licences is limited per year to 8016 as regards the place shown on the plan in Schedule CXCI;

The number of “Caribou valid for the part of Area 22 shown on the plan in Schedule XVII” hunting licences that an outfitting operation is authorized to issue is limited per year to the numbers shown in Schedule II.1”.

2. Section 14 is amended by replacing “the territory shown on the plan in Schedule XXXIII” in the sixth paragraph by “the territories shown on the plans in Schedules XXXIII and CXCI”.

3. Section 17 is amended by replacing the third paragraph by the following:

“The provisions of the first and second paragraphs do not apply to the Batiscan-Neilson, Petawaga, Rivière-Blanche and Wessonneau controlled zones, or to the part of the territory shown on the plan in Schedule XLV. In the Rivière-Blanche, Wessonneau and York-Baillargeon controlled zones, only moose with antlers and female moose more than one year old may be hunted.”.

4. Schedule I is amended

i. by inserting “(from 15 November to 15 December)” after “XVII” in Column I of paragraph g of section 1;

ii. by adding the following after paragraph g of that section:

“(h) Caribou valid for the part of Area 22 shown on the plan in Schedule XVII (from 16 December to 15 February)

- i. resident 2
- ii. non-resident 2”.

5. Schedule II is amended

(1) by replacing paragraphs *i*, *ii* and *iii* in section 1 by the following:

“i. in the area

Area	Number of licences
the western part of Area 3 shown on the plan in Schedule X	1,200
4	2,400
the western part of Area 5 shown on the plan in Schedule XXXVIII	4,000
6 except the northern part shown on the plan in Schedule XXXIX	400
the northern part of Area 6 shown on the plan in Schedule XXXIX	2,600
the southern part of Area 7 shown on the plan in Schedule CXXXIV	2,200
the southern part of Area 8 shown on the plan in Schedule XIII	2,500
the western part of Area 9 shown on the plan in Schedule CXXXII	550
10 except the western part shown on the plan in Schedule XVI	4,700
the western part of Area 10 shown on the plan in Schedule XVI and 12	9,700
11 and the western part of Area 15 shown on the plan in Schedule CXXXIII	0

* The Regulation respecting hunting made by Minister's Order 99021 dated 27 July 1999 (1999, *G.O.* 2, 2451) was last amended by the regulations approved by Minister's Orders 2003-026F dated 3 January 2004 (2004, *G.O.* 2, 515) and 2004-003F dated 14 April 2004 (2004, *G.O.* 2, 1361). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.

ii. in the wildlife sanctuary

Wildlife sanctuary	Number of licences
La Vérendrye	18
Papineau-Labelle	400
iii. in the controlled zone	
Controlled zone	Number of licences
Bras-Coupé-Désert	25
Jaro	60
Pontiac	85
Rapides-des-Joachims	20
Saint-Patrice	20

”;

(2) by replacing “1750” in paragraph i of section 3 by “2300”.

6. The Regulation is amended by replacing Schedule II.1 by Schedule II.1 attached hereto.

7. The Regulation is amended by replacing Schedule XXX by Schedule XXX attached hereto.

8. The Regulation is amended by inserting Schedules CXCI and CXCII attached hereto before Schedule CXCI.

9. Sections 1 and 4 of this Regulation and section 2 of Schedule II.1 introduced by section 6 of this Regulation cease to apply on 1 April 2006.

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

SCHEDULE II.1

(s. 13)

**NUMBER OF HUNTING LICENCES PER
OUTFITTING OPERATION**

1. Number of black bear hunting licences for non-residents per outfitting operation without exclusive rights

i. Area 13

Reference number of outfitting operation	Number of licences
08-500	19
08-501	5
08-506	14
08-509	21
08-516	19
08-528	28
08-534	48
08-539	29
08-540	36
08-549	5
08-551	5
08-554	10
08-564	5
08-568	6
08-578	19
08-581	8
08-584	6
08-586	56
08-599	55
08-603	8
08-604	10
08-605	12
08-617	28
08-632	6
08-633	5

Reference number of outfitting operation	Number of licences
08-635	35
08-639	5
08-661	19
08-675	5
08-681	32
08-703	5
08-704	10
08-715	17
08-723	13
08-727	16
08-742	10
08-743	5
08-747	45
08-748	5
08-750	19
08-751	11
08-753	10
08-754	13
08-756	10
08-760	10
08-761	5
08-763	5
08-717	3

ii. Area 16

Reference number of outfitting operation	Number of licences
08-599	16
08-751	24
08-757	21

2. Number of caribou hunting licences

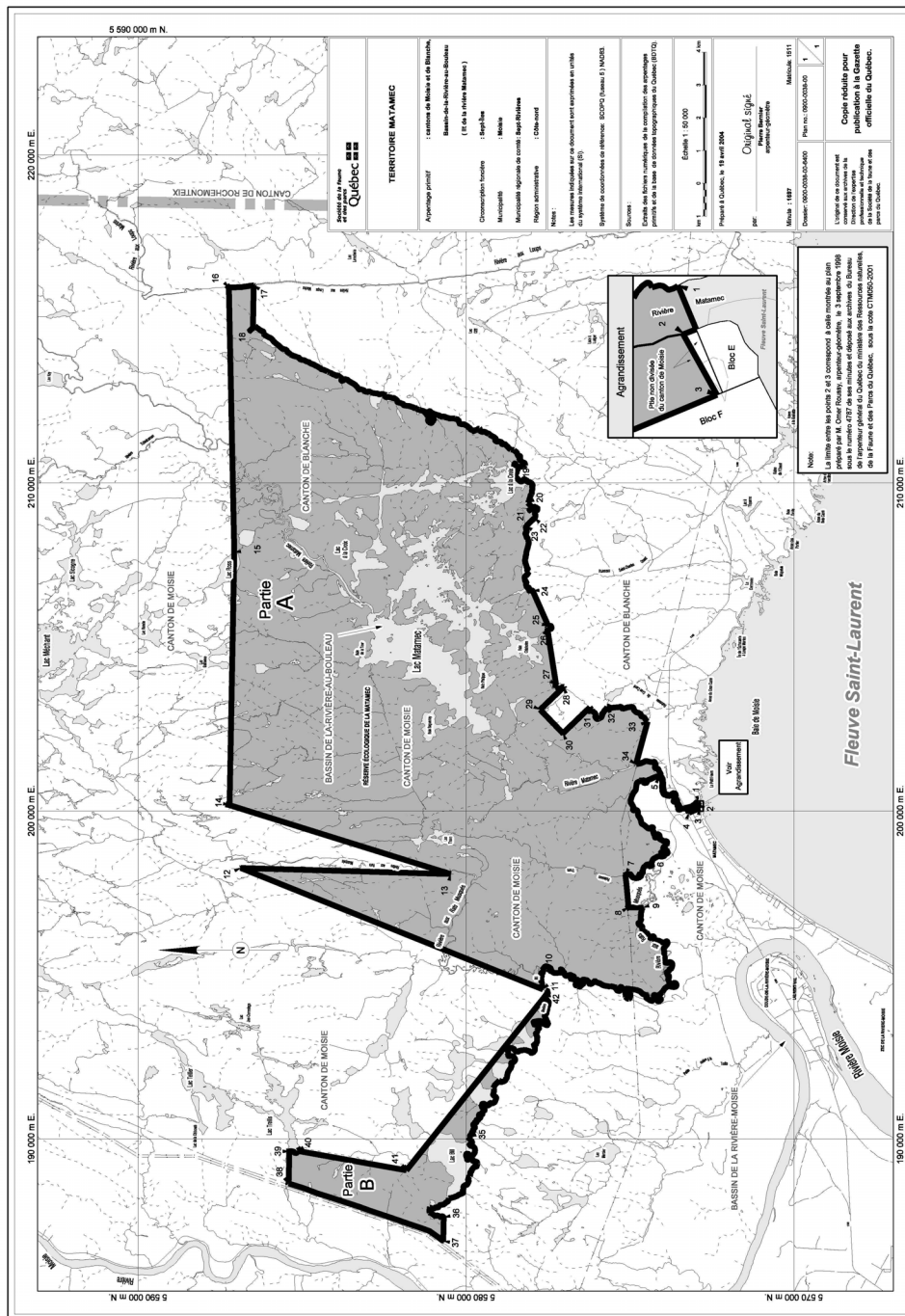
i. Caribou hunting licences valid for the part of Area 22 shown on the plan in Schedule XVII (from 15 November to 15 December)

Reference number of outfitting operation	Number of licences
10-526	1280
10-536	240
10-537	240
10-605	800
10-609	1280
10-611	168

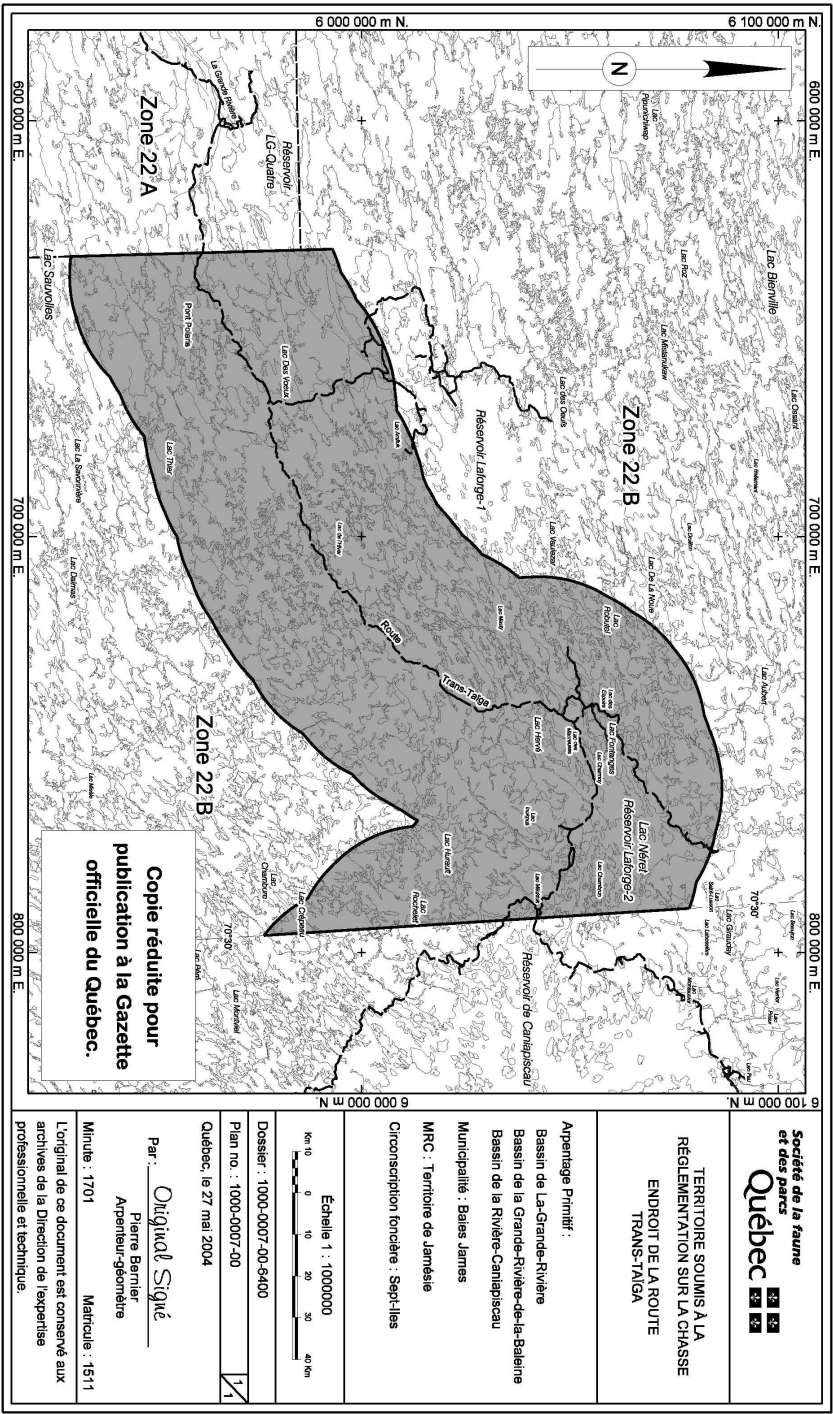
ii. Caribou hunting licences valid for the part of Area 22 shown on the plan in Schedule XVII (from 16 December to 15 February)

Reference number of outfitting operation	Number of licences
10-526	2560
10-536	480
10-537	480
10-605	1600
10-609	2560
10-611	336

SCHEDULE XXX



SCHEDULE CXCI



Société de la faune
et des parcs
Québec

TERRITOIRE SOUMIS À LA
RÉGLEMENTATION SUR LA CHASSE
ENDROIT DE LA ROUTE
TRANS-TAIGA

Appentage Primaire :

Bassin de La-Grande-Rivière
Bassin de la Grande-Rivière-de-la-Ballée
Bassin de la Rivière-Cantapiscou

Municipalité : Baies James

MRC : Territoire de James

Circoscription foncière : Sept-Îles

Echelle 1 : 1000000
Km 10 0 10 20 30 40 Km

Dossier : 1000-0007-00-6400

Plan no : 1000-0007-00

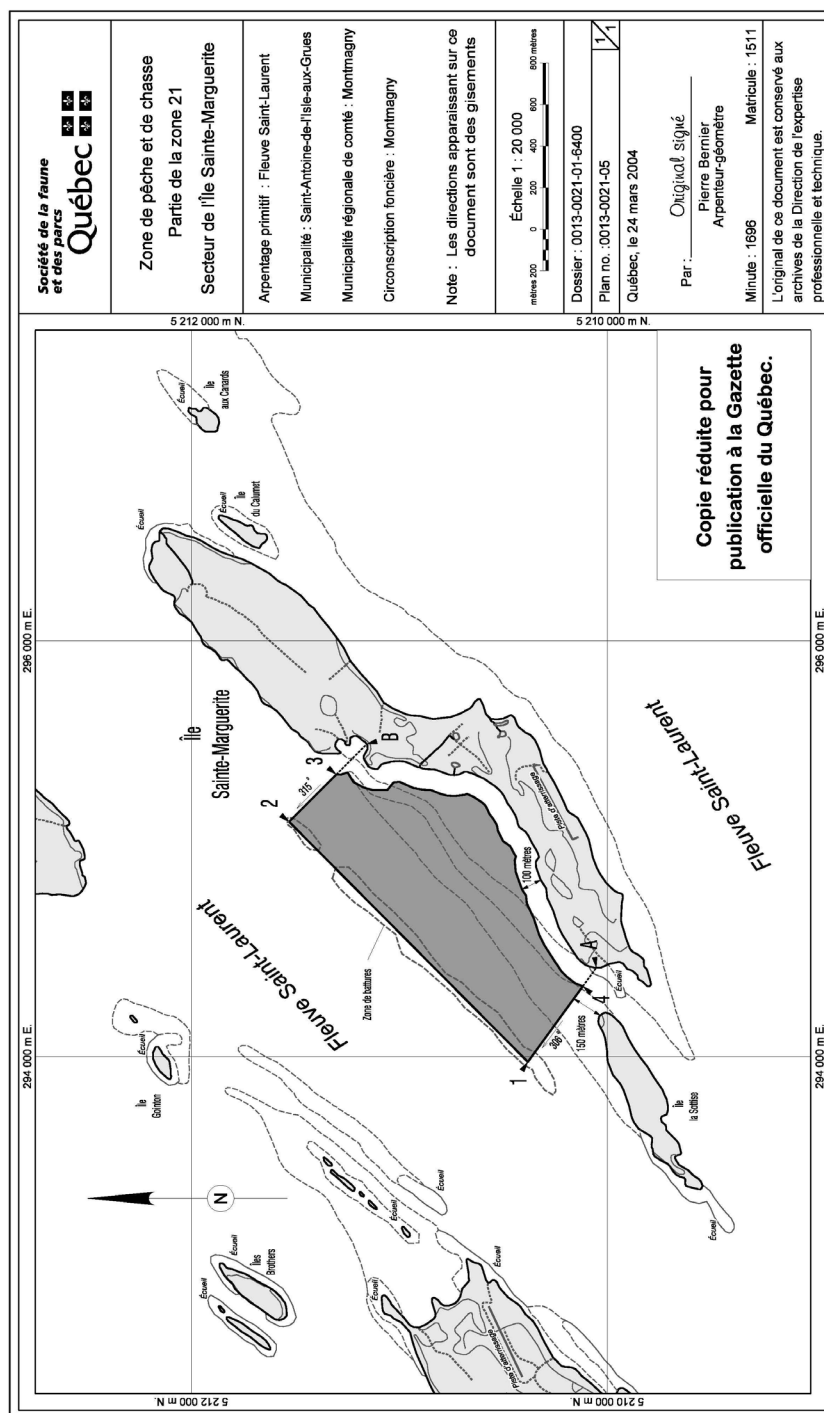
Québec, le 27 mai 2004

Par : Original Signé
Pierre Bernier
Arpentier-géomètre

Matricule : 1701 Matricule : 1511

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archives de la Direction de l'expertise
professionnelle et technique.

SCHEDULE CXCII



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 2004, 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, rue 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, rue 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

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 2005 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 2005.

Draft Regulation

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

Nursing assistants

— Diplomas giving access to permits

— Amendment

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 diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders, 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 amend section 3.01 of the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders in order to add to the diploma giving access to the permit of the Ordre des infirmières et infirmiers auxiliaires du Québec, the diploma awarded following studies in two private educational institutions. In addition, the English designation of the diploma is added. Lastly, the name of the school boards appearing in section 3.01 is updated.

To date, study of the matter has shown no impact on businesses, including small and medium-sized businesses.

The draft Regulation will be submitted for the advice of the Office des professions du Québec and the Ordre des infirmières et infirmiers auxiliaires du Québec. The advice received from the Order will be sent by the Office to the Minister responsible for the administration of legislation respecting the professions, along with the advice of the Office, following the results of its consultation with the departments, educational institutions and other bodies concerned.

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

Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by

the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order concerned and to the persons, departments, educational institutions and other bodies concerned.

JACQUES P. DUPUIS,

*Minister responsible for the administration
of legislation respecting the professions*

Regulation to amend the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders*

Professional Code

(R.S.Q., c. C-26, s. 184, 1st par.)

1. Section 3.01 of the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders is replaced by the following:

“3.01. The secondary school vocational diplomas in “Santé, assistance et soins infirmiers” and in “Health, Assistance and Nursing”, awarded by the Minister of Education following studies completed at the following school boards: L'Amiante, Baie-James, Beauce-Etchemin, Bois-Francs, Charlevoix, Chemin-du-Roy, Chic-Chocs, Crie, Eastern Shores, Eastern Townships, Estuaire, Fer, Harricana, Hautes-Rivières, Îles, Kamouraska-Rivière-du-Loup, Lac-Saint-Jean, Laurentides, Laval, Lester B. Pearson, Montréal, Navigateurs, Phares, Pierre-Neveu, Portages-de-l'Outaouais, Portneuf, Premières-Seigneuries, Région-de-Sherbrooke, René-Lévesque, Rives-du-Saguenay, Rivière-du-Nord, Saint-Hyacinthe, Samares, Sorel-Tracy, Val-des-Cerfs and Vallée-des-Tisserands, CDI College Business, Technology, Health Care, and Institut de formation Santé Régie, give access to the permit issued by the Ordre des infirmières et infirmiers auxiliaires du Québec.”

* The Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulations made by Orders in Council 19-2004 dated 14 January 2004 (2004, *G.O.* 2, 805) and 211-2004 dated 17 March 2004 (2004, *G.O.* 2, 1148). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

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

6489

Draft Regulation

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

Transportation of dangerous substances — Amendments

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 Transportation of Dangerous Substances Regulation, 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 facilitate the application of the regulation pertaining to the transportation of dangerous substances by taking into consideration the multitude of goods transported and the requirements of the Transportation of Dangerous Goods Regulations made by the federal government under the Transportation of Dangerous Goods Act (Statutes of Canada, 1992, chapter 34) and amended on 28 August 2002 and 13 August 2003. It also proposes to incorporate the amendments to the federal regulation for reasons of harmonization and will thereby enable Québec carriers and consigners to remain competitive with their counterparts in the other Canadian jurisdictions.

The amendments proposed in the draft Regulation, other than a few minor restrictions pertaining to the installation and transportation of liquefied gas cylinders, have been expected by the industry and for the most part concern amendments to harmonize with the federal regulation, relax certain rules or clarify certain provisions so as to facilitate the application of the Transportation of Dangerous Substances Regulation. The changes will involve very few new constraints for small and medium-sized businesses and any additional costs will be minor. The amendments seek specifically to update certain safety standards and will have no impact on citizens.

Impact studies were conducted by the federal government in connection with the making of the Dangerous Goods Regulations and subsequent amendments. Since the amendments proposed in the draft of the Transportation of Dangerous Goods Regulations are consequential

amendments in relation to the federal regulation, no impact study has been conducted by the Minister of Transport because many interprovincial carriers are already required to comply with the federal regulatory requirements.

The main regulatory amendments proposed in the draft of the Transportation of Dangerous Goods Regulation

— adopt by reference the regulatory amendments that apply to the transportation of dangerous goods made by the federal government and brought into force on 28 August 2002 and 13 August 2003;

— give the owners of vehicles used for farming purposes a 4 1/2-month extension before requiring their means of containment for petroleum products with a capacity of more than 450 litres to be standardized;

— require a specific extinguisher to be installed on board a vehicle when a means of containment with a capacity of more than 450 litres is used to transport petroleum products, rather than require an extinguisher as soon as small means of containment are transported;

— require a 40BC extinguisher instead of a 20BC extinguisher to be installed on tank trucks transporting petroleum products and liquefied petroleum gas;

— ensure that safety valves cannot be opened when tank trucks carrying petroleum products are left unattended;

— integrate the requirements of CSA Standard CSA-B149.2-00 in the Propane Storage and Handling Code directly into the Regulation rather than adopt them by reference;

— enable peace officers and highway controllers to more easily verify the validity of emergency response assistance plans accepted by Transport Canada;

— harmonize the Québec requirements that apply to the transport of propane gas cylinders with those of the other Canadian jurisdictions;

— specify that means of containment of dangerous substances, objects or non-dangerous goods in the vehicle must be secured;

— prohibit the installation of means of containment of dangerous substances on or in front of the front bumper of a motor vehicle;

— specify that a double train transporting dangerous substances requiring the display of warning placards must be a Type B double train;

— extend for 2 years the time period within which owners of tank trucks must equip their vehicles with a speed recording system capable of recording the date and the time at which the speed was recorded;

— prohibit, in the regulated tunnels, the total capacity of all means of containment of inflammable liquids from exceeding 25 litres;

— prohibit, in the regulated tunnels, the carrying of tanks for equipment secured to the vehicle that contain more than 75 litres of inflammable liquids; and

— permit, in the regulated tunnels, two 46-litre cylinders on cranes, as is permitted for any other vehicle.

Further information may be obtained by contacting

Raynald Boies
Ministère des Transports du Québec
Direction du transport routier des marchandises
700, boulevard René-Lévesque Est, 2^e étage
Québec (Québec) G1R 5H1
Telephone: (418) 528-8640 - Fax: (418) 528-5670
E-mail: rboies@mtq.gouv.qc.ca

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

YVON MARCOUX,
Minister of Transport

Regulation to amend the Transportation of Dangerous Substances Regulation*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 622, first par., subpars. 3, 4, 6 and 8)

1. The Transportation of Dangerous Substances Regulation is amended in section 1

(1) by striking out “, or to be transported,” in the definition of “handling”;

(2) by replacing in the French text of the definition of “Transportation of Dangerous Goods Regulations”, “2001-1336” by “2001-1366” and by adding at the end of the English text “, and amended by the regulation made by Order in Council P.C. 2002-1404 dated 8 August 2002, SOR/2002-306, dated 8 August 2002 and published in the Canada Gazette, Part II, on 28 August 2002 and by the regulation made by Order in Council P.C. 2003-123 dated 14 July 2003, SOR/2003-273, dated 24 July 2003, published in the Canada Gazette, Part II on 13 August 2003;”.

2. Section 2 is amended by striking out “, or to be transported,”.

3. Section 5 is revoked.

4. Section 15 is replaced by the following:

“15. The standards applicable to means of containment provided for in Part 5 of the Transportation of Dangerous Goods Regulations apply to this Regulation.

Those standards do not apply if the means of containment of dangerous substances are exempted from the application of Part 5 by Part 1 of the Transportation of Dangerous Goods Regulations.

Despite the second paragraph, large means of containment intended for the transportation of petroleum products and exempted from the application of the provisions of sections 1.21 and 1.22 of the Transportation of Dangerous Goods Regulations must comply with the standards referred to in the first paragraph as of 1 January 2005.”.

5. Section 20 is amended by replacing “21” by “23”.

6. Section 21 is amended by striking out “CAN/CGSB Standard 43.150-97 or”.

7. Section 22 is revoked.

8. Section 27 is amended

(1) by replacing “the tank” in the first paragraph by “each tank”;

(2) by replacing “20 BC” in the first paragraph by “40BC”;

(3) by inserting “with a capacity of more than 450 litres” after “means of containment” in the second paragraph;

(4) by striking out “truck’s” in the second paragraph;

* The Transportation of Dangerous Substances Regulation, made by Order in Council 866-2002 dated 10 July 2002 (2002, *G.O.* 2, 4073), has not been amended since it was made.

(5) by striking out “An inspection sticker must be placed on the extinguisher.” in the third paragraph.

9. Section 29 is replaced by the following:

“**29.** Where a tank truck is not supervised by a person holding a training certificate in accordance with Part 6 of the Transportation of Dangerous Goods Regulations, the driver must ensure that the safety valve cannot be opened.”.

10. Section 31 is replaced by the following:

“**31.** This Division applies to the handling and transportation of the Class 2 liquefied petroleum gases listed below:

Shipping Name	UN Number
Butane	UN1011
Butylene	UN1012
Isobutane	UN1969
Isobutylene	UN1055
Propane	UN1978
Propylene	UN1077

The handling and transportation of liquefied petroleum gas must be carried out in compliance with the standards referred to in sections 31.1 to 31.5 of the Transportation of Dangerous Substances Regulation in addition to complying with the standards prescribed in Part 5 of the Transportation of Dangerous Goods Regulations.”.

11. The Regulation is amended by inserting the following after section 31:

“**31.1.** It is prohibited to transport liquefied petroleum gas cylinders in a vehicle unless the space intended to hold the cylinders is vented to the outside.

31.2. It is prohibited to transport liquefied petroleum gas in a tank truck unless the tank truck has two wheel chocks on board or is equipped with a parking brake.

31.3. The driver of a tank truck must use the parking brake or set two wheel chocks to ensure that the truck does not move during the unloading of a liquefied petroleum gas.

31.4. The owner of a tank truck used to transport liquefied petroleum gas must have a dry chemical fire extinguisher with an effective total rating of at least 40BC installed near each tank.

The owner of a tank truck must have fire extinguishers immediately recharged after each use and have them inspected each year in accordance with the North American Standard NFPA 10: Standard for Portable Fire Extinguishers.

31.5. A liquefied petroleum gas cylinder installed on the outside of a vehicle must be protected, if installed at the rear of the vehicle, by extending the bumper beyond the cylinder using materials having a resistance at least equal to that of the bumper.

A liquefied petroleum gas cylinder may not be installed on the roof of a vehicle, in front of the front axle of a motor vehicle or on a door of the vehicle and it may not exceed the sides of the vehicle.”.

12. Section 33 is replaced by the following:

“**33.** A consignor who offers for transport a quantity of dangerous substances whose index is higher than the index in column 7 of Schedule 1 to the Transportation of Dangerous Goods Regulations must comply with the standards in section 7.1 of those Regulations.”.

13. The Regulation is amended by replacing the heading of Division VIII by the following:

“ACCIDENTAL RELEASE”.

14. Section 37 is revoked.

15. Section 38 is amended

(1) by replacing “secured to the vehicle” in the first paragraph by “secured”;

(2) by inserting “or objects” after “goods” in the second sentence of the first paragraph;

(3) by replacing “arrimées” in the first paragraph of the French text by “arrimés”;

(4) by inserting “, retenus ou immobilisés” after “arrimés” in the second sentence of the first paragraph of the French text;

(5) by adding the following paragraph at the end:

“It is also prohibited to install a means of containment of dangerous substances on or in front of the front bumper of a motor vehicle.”.

16. Section 39 is replaced by the following:

“**39.** It is prohibited to transport dangerous substances requiring the display of placards required by Part 4 of the Transportation of Dangerous Goods Regulations in a double train unless it is a Type B double train within the meaning of subparagraph 8 of the first paragraph of section 4 of the Vehicle Load and Size Limits Regulation, made by Order in Council 1299-91 dated 18 September 1991.

It is also prohibited to transport dangerous substances in a road train of more than 25 metres in overall length.”.

17. Section 40 is amended by replacing “2004” by “2006”.

18. Section 43 is amended

(1) by replacing “total of more than 25 litres of a Class 3 flammable liquid” in subparagraph 2 of the first paragraph by “Class 3 flammable liquid if the total capacity of the means of containment exceeds 25 litres;”;

(2) by replacing “Class 2.1 flammable gas cylinders or Class 2.3 (2.1), 2.2 (5.1) or 2.3 (5.1) oxidizing gas” in subparagraph 3 of the first paragraph by “Class 2.1, 2.3 (2.1), 2.2 (5.1) and 2.3 (5.1) gas cylinders”;

(3) by inserting “secured to the vehicle” after “operation of equipment” in subparagraph 3 of the second paragraph;

(4) by striking out “however, only one propane cylinder with a maximum capacity of 46 litres may be used for the air conditioning of the crane’s cab and the cylinder must be located above the level of the wheels;” in subparagraph 5 of the second paragraph.

19. Section 44 is amended by replacing “28, 29 and 30” by “26, 28 to 30, 31.1 and 31.3”.

20. Section 45 is amended

- (1) by inserting “12,” before “14”;
- (2) by striking out “31,”;
- (3) by inserting “3.7,” before “4.9”.

21. Section 46 is amended by replacing “sections 3.7 and” by “section”.

22. Section 47 is amended

(1) by replacing “and 27” by “, 27, 31.1, 31.2, 31.4 and 31.5”;

(2) by adding “or carrier of dangerous substances” after “owner”.

23. Section 49 is amended by adding “or carrier of dangerous substances” after “operator”.

24. Section 50 is amended

(1) by striking out “5,”;

(2) by replacing “,14, 15, “ by “to”;

(3) by replacing “37 to 39” by “38, 39”;

(4) by replacing “3.7,” by “3.5 (5) “;

(5) by adding “or carrier of dangerous substances” after “operator”.

25. Section 52 is amended

(1) by striking out “5,”;

(2) by replacing “3.4 to 3.6,” by “3.4,”;

(3) by striking out “4.22,”;

(4) by replacing “5.4” by “5.5”.

26. Section 53 is amended

(1) by replacing “of sections 21, 22, 26, 31 to 32” by “of sections 26 and 32”;

(2) by striking out “5.1, 5.2, 5.4 to 5.6, 5.12 to 5.15,”;

(3) by replacing “or operator” by “, operator or carrier of dangerous substances”.

27. Schedule I is amended by replacing the table “Small Means of Containment Equivalents (s. 21)” by the following:

Small means of containment volume	Types of small means of containment compliant with CAN/CGSB Standard 43.150-97	Equivalent standard for petroleum products
0 to 45 litres (plastic)	3H1 3H2	NFPA 30-1996 ASTM F 852 (gasoline) ANSI /UL 1313 CSA B376-M 1980 (R1998)
0 to 45 litres (metal)	3A1 3B1 3A2 3B2	CSA B376-M 1980 (R1998)
46 to 227 litres (plastic)	1H1 1H2	NFPA 30-1996
46 to 227 litres (metal)	1A1 1B1 1A2 1B2	NFPA 30-1996
228 to 450 litres	1A1 1B1 1A2 1B2	NFPA 30-1996 NFPA 386 ULC/ORD-C142.13-M1997

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

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