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**Summary**

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## Coming into force of Acts

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Gouvernement du Québec

### **O.C. 1005-2005, 26 October 2005**

#### **An Act to amend the Forest Act and other legislative provisions (2001, c. 6)**

##### **— Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Act to amend the Forest Act and other legislative provisions

WHEREAS the Act to amend the Forest Act and other legislative provisions (2001, c. 6) was assented to on 23 May 2001;

WHEREAS, under section 189 of the Act, as amended by section 61 of chapter 16 of the Statutes of 2003 and by section 5 of chapter 3 of the Statutes of 2005, several provisions of the Act come into force on the dates mentioned therein and the other provisions come into force not later than 1 April 2008, on the date or dates to be fixed by the Government;

WHEREAS, by Order in Council 825-2001 dated 27 June 2001, amended by Order in Council 273-2004 dated 24 March 2004 and by section 21 of chapter 3 of the Statutes of 2005, and by Order in Council 191-2002 dated 28 February 2002, the Government fixed the date of coming into force of several of those provisions;

WHEREAS it is expedient to fix 24 November 2005 as the date of coming into force of paragraph 7 of section 119 and section 122 of that Act, to the extent that it enacts section 186.9;

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

THAT paragraph 7 of section 119 and section 122, to the extent that it enacts section 186.9 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6) come into force on 24 November 2005.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*



## Regulations and other acts

Gouvernement du Québec

### **O.C. 996-2005, 26 October 2005**

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

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

#### **Physicians**

#### **— Activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians**

Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians

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

WHEREAS, in accordance with section 94.1 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may, in a regulation that it is authorized to make under that Code or under the Act constituting the professional order, make compulsory a standard established by a government or body and provide that reference to such a standard includes any subsequent amendment made to it;

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

WHEREAS, in accordance with that provision, the Government approved, by Order in Council 769-2004 dated 10 August 2004, the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be performed by classes of persons other than physicians;

WHEREAS, under section 36.1 of the Nurses Act (R.S.Q., c. I-8), nurses may, if they are so authorized by regulations made under paragraph *f* of section 14 of that Act and subparagraph *b* of the first paragraph of section 19 of the Medical Act, engage in one or more of the following activities referred to in the second paragraph of section 31 of the Medical Act:

- (1) prescribing diagnostic examinations;
- (2) using diagnostic techniques that are invasive or entail risks of injury;
- (3) prescribing medications and other substances;
- (4) prescribing medical treatment; and
- (5) using techniques or applying medical treatments that are invasive or entail risks of injury;

WHEREAS it is expedient to replace the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be performed by classes of persons other than physicians in order to allow nurses to engage in the activities referred to in section 31 of the Medical Act;

WHEREAS, in accordance with the second paragraph of section 19 of the Medical Act, the Office des professions du Québec and the Ordre des infirmières et infirmiers du Québec were consulted before the making of the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians;

WHEREAS the Bureau of the Collège made the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 25 May 2005, 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 has examined the Regulation and made its recommendation;

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 activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

### **Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians**

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

Professional Code  
(R.S.Q., c. C-26, s. 94.1)

**1.** The purpose of this Regulation is to determine, among the professional activities that may be performed by physicians, those that pursuant to the terms and conditions set out in the Regulation, may be engaged in by a nurse first surgical assistant, a specialized nurse practitioner contemplated in the Regulation respecting *Ordre des infirmières et infirmiers du Québec* classes of specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act approved by Order in Council 997-2005 dated 26 October 2005, or another person.

#### **DIVISION I NURSE FIRST SURGICAL ASSISTANT**

**2.** In order to be authorized to perform the professional activities described in section 3, a nurse first surgical assistant must have a minimum of 3 years of experience in an operating room, including at least 1 year in the concerned surgical discipline.

He or she must also hold:

(1) a baccalaureate in nursing sciences issued by a Quebec university, or have completed at least 60 credits in nursing as part of a university program other than the program leading to the certificate mentioned in subparagraph 2;

(2) a certificate in perioperative nursing care issued by the Université du Québec à Trois-Rivières;

(3) an attestation dating back less than two years, confirming the successful completion of training in cardiopulmonary resuscitation issued by a master instructor recognized by the Heart and Stroke Foundation of Quebec, according to the standards detailed in the current edition of the Handbook of Emergency Cardiovascular Care for Healthcare Providers.

**3.** A nurse first surgical assistant may, within the context of clinical and technical assistance to the surgeon and according to a medical prescription, perform complementary clinical and technical activities during the surgical procedure under the following conditions:

(1) he or she performs these activities in the presence of the surgeon responsible for the surgical procedure;

(2) he or she performs these activities in a hospital centre contemplated in the Act respecting health services and social services (R.S.Q., c. S-4.2) or the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5).

For the performance of these activities, a nurse first surgical assistant must maintain his or her skills in cardiopulmonary resuscitation by obtaining a biennial attestation issued pursuant to section 2, subparagraph 3.

At no time may he or she act simultaneously as a nurse in internal service.

**4.** A nurse may perform the activities described in section 3 if he or she abides by the conditions provided therein, and if on December 28, 2000:

(1) he or she either held a certificate in perioperative nursing care issued by the Université du Québec à Trois-Rivières or was enrolled in a program of studies leading to this certificate and was issued the certificate;

(2) he or she had been issued an attestation less than two years prior, confirming the successful completion of training in cardiopulmonary resuscitation issued pursuant to section 2, subparagraph 3.



## DIVISION II SPECIALIZED NURSE PRACTITIONER

### §1. *Authorized activities*

**5.** A nurse who holds a specialist's certificate in any of the classes of specialties stipulated in the Regulation respecting *Ordre des infirmières et infirmiers du Québec* classes of specialties related to the performance of acts contemplated in section 36.1 of the *Nurses Act* may perform the following medical activities, under the terms and conditions stipulated in subsection 2:

- (1) prescribing diagnostic examinations;
- (2) using diagnostic techniques that are invasive or entail risks of injury;
- (3) prescribing medications and other substances;
- (4) prescribing medical treatment; and
- (5) using techniques or applying medical treatments that are invasive or entail risks of injury.

### §2. *Terms and conditions for authorization*

**6.** A nurse practitioner specialized in neonatology is authorized to perform an activity stipulated in section 5, in neonatology, under the following terms and conditions:

(1) he or she engages in that activity with a newborn infant, whether premature or full-term, who presents a pathology requiring admission to intensive care or intermediate neonatal care during the infant's stay in a hospital centre within the meaning of the Act respecting health services and social services where tertiary care in neonatology is provided;

(2) this activity must be the subject of a rule governing medical care or a rule governing the use of medicines that is in force in this hospital centre, unless this involves prescribing a medication contemplated in Schedule II or III of the Regulation respecting the terms and conditions for the sale of medications approved by Order in Council 712-98 dated May 27, 1998, and is performed in accordance with the provisions of the *Règlement sur les normes relatives aux ordonnances faites par un médecin*, approved by the Office des professions du Québec on February 23, 2005 and published in the *Gazette officielle du Québec* on March 9, 2005, adapted as required;

(3) this nurse must maintain his or her skills in neonatal resuscitation by obtaining a biennial instructor's level attestation of training in neonatal resuscitation issued by a master instructor recognized by the Heart and Stroke Foundation of Quebec according to the standards detailed in the current edition of *Handbook of Emergency Cardiovascular Care for Healthcare Providers*, published by the Heart and Stroke Foundation of Canada.

**7.** A nurse practitioner specialized in nephrology is authorized to perform an activity stipulated in section 5, subparagraphs 1, 3 or 4, in nephrology, under the following terms and conditions:

(1) he or she engages in that activity with a patient suffering from renal failure who requires care and services in predialysis, hemodialysis, peritoneal dialysis or kidney transplantation in a hospital centre within the meaning of the Act respecting health services and social services where dialysis care is offered with the aid of a nephrology department;

(2) this activity must be the subject of a rule governing medical care or a rule governing the use of medicines that is in force in this hospital centre, unless this involves prescribing a medication contemplated in Schedule II or III of the Regulation respecting the terms and conditions for the sale of medications, and is performed in accordance with the provisions of the *Règlement sur les normes relatives aux ordonnances faites par un médecin*, adapted as required.

**8.** A nurse practitioner specialized in cardiology is authorized to perform an activity stipulated in section 5, in cardiology, under the following terms and conditions:

(1) he or she engages in that activity with a hospitalized or ambulatory adult clientele requiring care and services for heart failure, in secondary prevention, in post-surgery including heart transplants, in a congenital heart disease clinic, in hemodynamics, or in electrophysiology, in a hospital centre within the meaning of the Act respecting health services and social services, where cardiology care and services are dispensed by at least three cardiologists, excluding locum cardiologists;

(2) this activity must be the subject of a rule governing medical care or a rule governing the use of medicines that is in force in this hospital centre, unless this involves prescribing a medication contemplated in Schedule II or III of the Regulation respecting the terms and conditions for the sale of medications, and is performed in accordance with the *Règlement sur les normes relatives aux ordonnances faites par un médecin*, adapted as required;

(3) this nurse must maintain his or her skills in cardiovascular resuscitation by obtaining a biennial instructor's level attestation of training in cardiovascular resuscitation issued by a master instructor recognized by the Heart and Stroke Foundation of Quebec according to the standards detailed in the current edition of the Handbook of Emergency Cardiovascular Care for Healthcare Providers published by Heart and Stroke Foundation.

### §3. Other authorized persons

**9.** A specialized nurse practitioner candidate contemplated in the Regulation respecting Ordre des infirmières et infirmiers du Québec classes of specialties related to the performance of certain acts contemplated in section 36.1 of the Nurses Act may perform an activity stipulated in section 5.

Besides the terms and conditions stipulated in subdivision 2, a specialized nurse practitioner candidate performs this activity under the following terms and conditions:

(1) the activity is performed in a training site indicated on a training card issued pursuant to the Regulation respecting Ordre des infirmières et infirmiers du Québec classes of specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act under the supervision of a medical specialist with the collaboration of a specialized nurse practitioner or, failing that, a nurse who has at least three years of relevant clinical experience;

(2) the activity is performed insofar as it is required to complete the program in which he or she is enrolled and, when the latter is completed, during the period in which he or she is eligible for the examination prescribed for that speciality as contemplated in Division III of this Regulation.

**10.** A nurse or a person authorized by special authorization under Section 33 of the Professional Code (R.S.Q., c. C-26) to practise the profession of nursing in Quebec may perform an activity stipulated in section 5 if he or she is enrolled in a university training program outside Quebec that leads to a specialized nurse practitioner diploma.

Besides the terms and conditions stipulated in subdivision 2, a person contemplated in the first paragraph performs this activity under the following terms and conditions:

(1) the activity is performed in a training site indicated on the list drawn up by the program review subcommittee, pursuant to the Regulation respecting the committees on training of the Ordre des infirmières et infirmiers du Québec edicted by Order in Council 1000-2005 dated 26 October 2005, indicated in the special authorization stipulated in the first paragraph, where applicable, under the supervision of a medical specialist with the collaboration of a specialized nurse practitioner or, failing that, a nurse who has at least three years of relevant clinical experience;

(2) the activity is performed insofar as it is required to complete the program in which he or she is enrolled.

### DIVISION III

**11.** This Regulation replaces the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be performed by classes of persons other than physicians, approved by Order in Council 769-2004, August 10, 2004.

**12.** This Regulation comes into force on the fifteenth day after its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

### O.C. 997-2005, 26 October 2005

Nurses Act  
(R.S.Q., c. I-8)

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

### Infirmières et infirmiers

#### — Classes of specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act

Regulation respecting Ordre des infirmières et infirmiers du Québec classes of specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act

WHEREAS, under section 36.1 of the Nurses Act (R.S.Q., c. I-8), nurses may, if they are so authorized by regulations under subparagraph *b* of the first paragraph of section 19 of the Medical Act (R.S.Q., c. M-9) and under paragraph *f* of section 14 of the Nurses Act, engage in one or more of the following activities referred to in the second paragraph of section 31 of the Medical Act:

- (1) prescribing diagnostic examinations;
- (2) using diagnostic techniques that are invasive or entail risks of injury;
- (3) prescribing medications and other substances;
- (4) prescribing medical treatment;
- (5) using techniques or applying medical treatments that are invasive or entail risks of injury;

WHEREAS, under paragraph *f* of section 14 of the Nurses Act, the Bureau of the Ordre des infirmières et infirmiers du Québec may by regulation regulate, in accordance with paragraphs *e*, *h* and *i* of section 94 of the Professional Code (R.S.Q., c. C-26), the classes of specialization to which members of the Order must belong to engage in activities referred to in section 36.1 of the Nurses Act;

WHEREAS, in accordance with section 94.1 of the Professional Code, the Bureau of a professional order may, in a regulation that it is authorized to make under that Code or under the Act constituting the professional order, make compulsory a standard established by a government or body and provide that reference to such a standard includes any subsequent amendment made to it;

WHEREAS the Bureau of the Ordre des infirmières et infirmiers du Québec made, in accordance with paragraph *f* of section 14 of the Nurses Act and section 94.1 of the Professional Code, the Regulation respecting Ordre des infirmières et infirmiers du Québec classes of specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act;

WHEREAS, in accordance with subparagraph *b* of the first paragraph of section 19 of the Medical Act, the Bureau of the Collège des médecins made the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians;

WHEREAS, pursuant to section 95 of the Professional Code, subject to sections 95.1 and 95.2 of that Code, every regulation made by the Bureau of a professional order under that Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination and 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), a draft Regulation was published in Part 2 of the *Gazette officielle du*

*Québec* of 25 May 2005 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Chair of the Office received a comment following the publication of the Regulation;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and made its recommendation;

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 Ordre des infirmières et infirmiers du Québec classes of specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

## **Regulation respecting Ordre des infirmières et infirmiers du Québec classes of specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act**

Professional Code  
(R.S.Q., c. C-26, s. 93, par. *c*, 94, par. *e*, *h* and *i* and 94.1)

Nurses Act  
(R.S.Q., c. I-8, s. 14, par. *f*)

### **DIVISION I GENERAL PROVISIONS AND DEFINITIONS**

**1.** The purpose of this regulation is to regulate the classes of specialties for which members of the Ordre des infirmières et infirmiers du Québec must qualify in order to perform acts contemplated in section 36.1 of the Nurses Act (R.S.Q., c. I-8). It sets out other terms and conditions for the issue, by the Bureau of the Ordre des infirmières et infirmiers, of specialist's certificates, and determines the standards regarding diploma and training equivalence for the purpose of issuing such certificates, and the procedure for equivalence recognition.

Its purpose is also to regulate the issue of training cards to specialized nurse practitioner candidates and determine the professional acts she may perform under certain terms and conditions.

**2.** In this regulation:

1° “specialized nurse practitioner candidate” means a nurse:

(a) who is registered in a graduate-level training program leading to a degree granting access to a specialist’s certificate issued by the Order, and who serves a clinical training period as part of this program;

(b) who is eligible to sit the specialty examination corresponding to the specialty concerned, as set out in Division III;

2° “training site” means the centres operated by institutions, within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2), affiliated with a university that offers the clinical training specified for the purposes of obtaining a diploma qualifying candidates for an Order specialist’s certificate; a list of such sites has been drawn up by the program review subcommittee.

The fees payable under this regulation are those prescribed by the Bureau of the Order, pursuant to subparagraph 8 of section 86.0.1 of the Professional Code (R.S.Q., c. C-26).

**3.** The classes of nursing specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act are as follows:

1° nurse practitioner specializing in neonatology;

2° nurse practitioner specializing in nephrology;

3° nurse practitioner specializing in cardiology.

**4.** A specialist’s certificate related to one of the classes of specialties set out in section 3 shall be issued to a nurse who meets the following conditions:

1° she holds a diploma recognized by government regulation, pursuant to the first paragraph of section 184 of the Professional Code, granting access to a specialist’s certificate issued by the Order, or has been recognized as possessing equivalence, as set out in Division IV;

2° she holds the following:

(a) if specializing in cardiology, an attestation of training in advanced cardiac life support (ACLS) issued by a master instructor recognized by the Heart and Stroke Foundation of Quebec, in compliance with standards detailed in the current edition of the Handbook of Emergency Cardiovascular Care for Health Care Providers, published by the Heart and Stroke Foundation of Canada;

(b) if specializing in neonatology, an instructor’s level attestation of training in neonatal resuscitation issued by a master instructor recognized by the Heart and Stroke Foundation of Quebec, in accordance with the standards detailed in the current edition of the Handbook of Emergency Cardiovascular Care for Health Care Providers published by the Heart and Stroke Foundation of Canada;

3° she passes the specialty examination corresponding to the specialty concerned, as set out in Division III;

4° if she has been granted equivalence as set out in Division IV, she has successfully completed an integration program including a three-month clinical training period in a graduate training program leading to a diploma granting access to a specialist’s certificate issued by the Order;

5° she pays the required fees for the purpose of obtaining a specialist’s certificate.

## DIVISION II TRAINING CARDS

**5.** Specialized nurse practitioner candidates who hold a training card issued by the Bureau of the Order may perform professional acts contemplated in Division II of the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be performed by classes of persons other than physicians, approved by Order in Council 996-2005 dated 26 October 2005, provided that she complies with the terms and conditions set out therein.

**6.** A training card shall be issued by the Bureau of the Order to a specialized nurse practitioner candidate who meets the following conditions:

1° she is registered in a graduate-level training program leading to a diploma granting access to a specialist’s certificate issued by the Order or has been granted equivalence as set out in Division IV;

2° she pays the required fee for the purpose of obtaining a training card;

3° if specializing in cardiology or neonatology, she holds an attestation of training as set out in subparagraph 2 of section 4.

**7.** The training card shall indicate the name of the specialized nurse practitioner candidate and the site at which she is serving her clinical training period. The card is valid for the entire the period during which the specialized nurse practitioner candidate is registered in the graduate training program leading to a diploma granting access to a specialist's certificate issued by the Order and, as the case may be, for the period of her eligibility to sit the specialty examination, in the specialty concerned, as set out in Division III.

### DIVISION III SPECIALTY EXAMINATION

#### *§1. Eligibility*

**8.** Nurses who meet the conditions set out in subparagraphs 1° and 2° of section 4 shall be eligible to sit the specialty examination.

**9.** Nurses eligible to sit the specialty examination must sit the professional examination in the year following the date on which they obtain their diploma or the Bureau of the Order grants them diploma or training equivalence, as set out in Division IV.

After this year, nurses can only sit the specialty examination if they prove to the Bureau of the Order that they have kept their knowledge up to date and maintained their professional skills.

#### *§2. Specialty Examination*

**10.** The specialty examination shall cover the theoretical and clinical aspects of the specialty concerned. In particular, it shall assess, in various clinical situations, the assimilation and application of knowledge and skills acquired by the nurse, for the purpose of determining if she is able to practice independently as a specialized nurse practitioner in the specialty concerned.

**11.** For each specialty, an examination committee shall be formed, consisting of a specialized nurse practitioner in the specialty concerned, appointed by the Bureau of the Order, and two physicians in the specialty concerned, one of whom shall be appointed by the Bureau of the Collège des médecins du Québec and the other of whom shall be appointed jointly, as chair of the examination committee, by the Bureaus of both orders. The chair shall not hold the right to vote.

Should no specialized nurse practitioner in the specialty concerned be available, the Bureau of the Order shall appoint a nurse with at least three years of relevant clinical experience.

The persons appointed shall serve a term of two years. They shall remain on duty until they are reappointed or replaced.

Substitutes for each of the members sitting on the committee shall be appointed in accordance with the provisions of the first paragraph.

The Bureau of the Order may, after consulting the Bureau of the Collège des médecins, designate one or more experts to assist the examination committee.

**12.** The examination committee shall determine the orientations related to the development of the content of the specialty examination, approve the content of the specialty examination before each examination session, administer the examination and determine whether or not a nurse has passed the specialty examination.

**13.** Examination sessions shall be held at least one per year, on the date and at the time and location determined by the Bureau of the Order.

**14.** To sit the specialty examination, a nurse must register at least two months prior to the date set for the examination session and pay the required fees.

**15.** A nurse may sit the specialty examination in French or English.

**16.** The Bureau of the Order shall send the nurse her examination results in writing.

**17.** Registration under false pretenses, fraud, plagiarism, participation in fraud or plagiarism or attempted fraud or plagiarism with respect to a specialty examination shall result in failure of the specialty examination, by decision of the Bureau of the Order. Within 15 days of its decision, the Bureau must notify the nurse of this decision in writing.

A nurse who fails the specialty examination for one of the reasons set out in the first paragraph may request a review of the decision rendered by the Order Bureau, provided that she files a written request with the Order secretary within 30 days of receipt of such decision.

At its first regular meeting following the date on which the request for review was received, the Bureau of the Order must examine this request. It must, before rendering a decision, allow the nurse to submit her comments at this meeting.

A nurse who wishes to attend the meeting in order to be heard must notify the secretary of the Order at least five days before the scheduled meeting date. The nurse may, however, submit her comments in writing to the secretary at any time before the scheduled meeting date.

The decision of the Bureau of the Order shall be final and must be sent to the nurse by registered mail within 30 days following the date of the meeting.

**18.** A nurse who fails the specialty examination may resit the examination two more times.

However, she may not sit a supplemental examination more than three years after the date set out in section 9 unless she proves to the Bureau of the Order that she has kept her knowledge up to date and maintained her professional skills

The provisions of sections 10 to 17 regarding the specialty examination shall apply to the supplemental examination.

### §3. *Request for review*

**19.** A nurse who fails the specialty examination may request a review of the examination committee's decision by the review committee if she believes that the cause of her failure involved a factor related to the examination procedure.

She must submit this request within 30 days following the date on which the examination results were received, and pay the required fees.

**20.** The review committee shall be composed of two members appointed by the Bureau of the Order and one member appointed by the Bureau of the Collège des médecins.

**21.** Review committee decisions shall be rendered by a majority of members.

**22.** Within 30 days of receipt of the request for review, the review committee may render one or several of the following decisions:

1° refuse the request for review;

2° cancel the nurse's specialty examination and authorize her to sit a new specialty examination, at no additional cost, on a date set by the secretary of the Order, which will not be considered a supplemental examination within the meaning of section 18, and, as required, recommend that the composition of the examination committee for that examination be changed.

The Bureau of the Order shall notify the nurse, in writing, of the review committee's decision, and this decision shall be final.

## **DIVISION IV** **DIPLOMA EQUIVALENCE GRANTING ACCESS** **TO A SPECIALIST'S CERTIFICATE**

### §1. *Diploma equivalence standards*

**23.** A nurse holding a diploma in a specialty set out in section 3, issued by an educational institution outside Quebec, shall be granted diploma equivalence for purposes of issuing a specialist's certificate provided that she meets the following conditions:

1° she has completed, over the five years preceding her registration in a graduate program in the specialty concerned, the prerequisite number of hours, related to the training program, stipulated in Schedule I, in the care units specified;

2° the diploma she obtained after completing university studies meets the graduate-level training requirements set out in Schedule I, in the specialty concerned.

"Diploma equivalence" means recognition, by the Bureau of the Order, that a diploma issued by an educational institution located outside Quebec attests that the level of knowledge and skill of the nurse or holder of such diploma is equivalent to that acquired by the holder of a diploma recognized by government regulation, pursuant to section 184 of the Professional Code, and granting access to a specialist's certificate issued by the Order.

**24.** Notwithstanding Section 23, if the diploma that is the subject of an application for equivalence was obtained more than three years before such application and the knowledge to which it attests no longer corresponds, given the developments within the profession, to the knowledge currently taught in a graduate training program leading to a diploma granting access to a specialist's certificate issued by the Order, the nurse shall be granted training equivalence in accordance with sections 25 and 26, provided she has acquired, since she earned her diploma, the required level of knowledge and skill.

## §2. Training equivalence standards

**25.** A nurse shall obtain training equivalence for purposes of issuing a specialist's certificate if she possesses a level of knowledge and skill equivalent to that acquired by the holder of a diploma granting access to a specialist's certificate issued by the Order, acquired via a minimum of 3,360 hours of work experience, performed over the five years preceding her application for equivalence, in one of the care units stipulated in subparagraph 1° of sections 1 to 3 of Schedule I.

The term "training equivalence" means the recognition, by the Bureau of the Order, that a nurse's training proves she has acquired a level of knowledge and skill equivalent to that acquired by the holder of a diploma recognized by government regulation, pursuant to section 184 of the Professional Code, as granting access to a specialist's certificate issued by the Order.

**26.** As part of the evaluation of the training submitted in support of a training equivalence application, the Bureau of the Order shall take the following factors into consideration:

- 1° the nature and duration of the nurse's experience;
- 2° the nature and content of the courses taken;
- 3° clinical training;
- 4° total number of years of schooling;
- 5° the fact that the nurse holds one or several diplomas.

## §3. Diploma or training equivalence recognition procedure

**27.** Nurses who must have a diploma or training recognized as equivalent for purposes of obtaining a specialist's certificate issued by the Order must submit an application, pay the required fees and enclose the following documents, as the case may be:

- 1° a certified, true copy of their specialized nurse practitioner diploma or certificate issued outside Quebec, legally authorizing them to practice in the specialty concerned;
- 2° an attestation, supported by letters of reference from medical authorities and nurses concerned, indicating that they are practicing or have practiced the equivalent specialty competently;
- 3° proof that they are in good standing with the competent authority in the location where they practice the equivalent specialty;

4° an attestation indicating that they have completed their graduate nurse practitioner training in an equivalent specialty outside Quebec, including a description of the training completed, theory courses taken, clinical training periods served, duration of clinical training periods, and proof that they were completed successfully;

5° reports on clinical training periods served as part of the graduate program, which must be signed by the competent authorities of the universities with which the training sites are affiliated;

6° an attestation describing their clinical nursing experience, acquired in the specialty concerned;

7° attestations of ongoing training in the specialty concerned, received during the three years preceding their request for equivalence recognition.

8° all diplomas they hold, as well as any documents related to other factors that the Bureau may take into consideration pursuant to section 26.

Documents submitted in support of an application for diploma or training equivalence that are written in a language other than French or English must be accompanied by a French or English translation. Such translation must be certified by the certified translator who translated the document.

**28.** The record of the nurse who applies for equivalence recognition shall be forwarded to the equivalence eligibility committee, which shall study it and make recommendations to the Bureau of the Order.

**29.** The equivalence eligibility committee shall be composed of three representatives appointed by the Bureau of the Order and two representatives appointed by the Bureau of the Collège des médecins. The committee members shall sit on this committee until they are replaced.

The recommendations of the committee shall be formulated by the majority of members, including one representative appointed by the Collège des médecins.

**30.** At its first meeting after the recommendation of the equivalence eligibility committee has been issued, the Bureau of the Order shall decide whether it will grant or refuse to grant the diploma or training equivalence requested and shall notify the nurse, in writing, within 15 days following the date on which it renders its decision.

Should the Bureau of the Order refuse to grant equivalence, it must, on the same occasion, inform the nurse, in writing, of the conditions she must meet in order to obtain such equivalence.

**31.** A nurse who is notified that the Bureau of the Order has decided not to grant equivalence may request a review of the decision, provided that she submits a request in writing to the secretary of the Order within 30 days of receipt of the decision.

The Bureau of the Order must, at its first regular meeting following the date on which such request was received, examine the request for review. It must, before rendering a decision, allow the nurse to submit her comments at this meeting.

A nurse who wishes to attend the meeting in order to be heard must notify the secretary of the Order at least five days prior to the scheduled meeting date. The nurse may, however, submit comments in writing to the secretary at any time before the scheduled meeting date.

The decision of the Bureau of the Order shall be final and must be sent to the nurse by registered mail within 30 days of the date on which the meeting took place.

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

## SCHEDULE I

(s. 23 and 25)

### 1. Nurse practitioner specializing in neonatology :

1° Training program prerequisites :

3,360 hours in a neonatal intensive care unit ;

2° Graduate program including 15 shifts of clinical duty, of at least 8 hours each, supervised by a neonatologist, and 1,490 hours as follows :

(a) 510 hours of theory courses, including :

Branch: Nursing Science

- i. 45 hours in research and statistics ;
- ii. 45 hours in ethics and legal aspects ;
- iii. 45 hours in theoretical bases of nursing science ;
- iv. 45 hours in the role of the specialized nurse practitioner ;

v. 45 hours in intervention with families ;

Branch: Medical Science

i. 45 hours in advanced general physiopathology and 90 hours in the physiopathology of neonatology ;

ii. 30 hours in advanced general pharmacology and 45 hours in pharmacology related to neonatology ;

iii. 75 hours in advanced clinical assessment in neonatology and therapeutic intervention, including full physical examination, diagnostic tests and interpretation of results ;

(b) 980 hours of clinical training, including :

i. 600 hours in intensive care, including the delivery room, prenatal consultation, and transportation ;

ii. 300 hours in intermediate neonatal care ;

iii. 80 hours in an ambulatory care clinic.

### 2. Nurse practitioner specializing in nephrology :

1° Training program prerequisites :

3,360 hours in a nephrology or adult critical care unit ;

2° Graduate program of 1,465 hours as follows :

(a) 555 hours of theory courses, including :

Branch: Nursing Science

- i. 45 hours in research and statistics ;
- ii. 45 hours in ethics and legal aspects ;
- iii. 45 hours in theoretical bases of nursing science ;
- iv. 45 hours in the role of the specialized nurse practitioner ;
- v. 45 hours in intervention with families ;

Branch: Medical Science

i. 75 hours in advanced general physiopathology and 90 hours in the physiopathology of nephrology ;

ii. 45 hours in advanced general pharmacology and 45 hours in pharmacology related to nephrology ;



iii. 75 hours in advanced clinical assessment in nephrology and therapeutic intervention, including full physical examination, diagnostic tests and interpretation of results;

(b) 910 hours of clinical training, including:

- i. 105 hours in predialysis;
- ii. 105 hours in peritoneal dialysis;
- iii. 175 hours in hemodialysis;
- iv. 175 hours in kidney transplantation;
- v. 350 hours in a clinical field or fields in which the nurse practitioner specializing in nephrology practices.

3. Nurse practitioner specializing in cardiology:

1° Training program prerequisites:

3,360 hours in a cardiology or cardiac surgery unit, intensive care or emergency;

2° Graduate program of 1,535 hours as follows:

(a) 555 hours of theory courses, including:

Branch: Nursing Science

- i. 45 hours in research and statistics;
- ii. 45 hours in ethics and legal aspects;
- iii. 45 hours in theoretical bases of nursing science;
- iv. 45 hours in the role of the specialized nurse practitioner;
- v. 45 hours in intervention with families;

Branch: Medical Science

- i. 75 hours in advanced general physiopathology and 90 hours in the physiopathology of cardiology;
- ii. 45 hours in advanced general pharmacology and 45 hours in pharmacology related to cardiology;
- iii. 75 hours in advanced clinical assessment in cardiology and therapeutic intervention, including full physical examination, diagnostic tests and interpretation of results;

(b) 980 hours of clinical training:

- i. 210 hours in ambulatory care;
- ii. 70 hours in coronary or cardiac surgery intensive care;
- iii. 245 hours in a medical cardiology unit;
- iv. 105 hours in rhythmology;
- v. 140 hours performing consultations;
- vi. 140 hours in a cardiac surgical unit;
- vii. 70 hours in hemodynamics.

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Gouvernement du Québec

**O.C. 998-2005, 26 October 2005**

Pharmacy Act  
(R.S.Q., c. P-10)

**Terms and conditions for the sale of medications  
— Amendments**

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

WHEREAS, under section 37.1 of the Pharmacy Act (R.S.Q., c. P-10), the Office des professions du Québec, after consultation with the Conseil du médicament, the Ordre professionnel des médecins du Québec, the Ordre professionnel des médecins vétérinaires du Québec and the Ordre des pharmaciens du Québec, may, by regulation, establish categories of medications and determine for each category, if need be, by whom and subject to what terms and conditions the medications may be sold; the rules may vary for the same medication according to whether it is intended for human or animal consumption;

WHEREAS, under section 9 of the Veterinary Surgeons Act (R.S.Q., c. M-8), the Office des professions du Québec, after consultation with the Conseil du médicament, the Ordre des médecins vétérinaires du Québec and the Ordre des pharmaciens du Québec, shall prepare periodically, by regulation, a list of the medications which shall be sold only on prescription of a veterinary surgeon;

WHEREAS the Office des professions du Québec made, under those sections, the Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 712-98 dated 27 May 1998;

WHEREAS the Office carried out the required consultations;

WHEREAS the Office made the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications at its sitting of 26 May 2005;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 8 June 2005 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Chair of the Office des professions du Québec did not receive any comments following the publication of the Regulation;

WHEREAS, in accordance with section 13 of the Professional Code (R.S.Q., c. C-26), the Office must submit the Regulation to the Government for approval;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the terms and conditions for the sale of medications\*

Pharmacy Act  
(R.S.Q., c. P-10, s. 37.1)

**1.** The Regulation respecting the terms and conditions for the sale of medications is amended by replacing section 8 by the following:

“**8.** Despite section 7 and subject to the Controlled Drugs and Substances Act (S.C. 1996, c. 19), a medication listed in Schedule I may be sold on prescription from

(1) a pharmacist, as provided in subparagraph 6 of the second paragraph of section 17 of the Pharmacy Act (R.S.Q., c. P-10);

(2) a podiatrist, an optometrist or a midwife, provided that the medication is listed in a regulation made under the Podiatry Act (R.S.Q., c. P-12) or the Optometry Act (R.S.Q., c. O-7), or may be prescribed pursuant to the Midwives Act (R.S.Q., c. S-0.1); or

(3) a nurse who holds a specialist’s certificate in one of the classes of specialties referred to in the Regulation respecting *Ordre des infirmières et infirmiers du Québec* classes of specialties related to the performance of acts contemplated in section 36.1 of the Nurses Act, approved by Order in Council 997-2005 dated 26 October 2005, in accordance with the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians, approved by Order in Council 996-2005 dated 26 October 2005.”

**2.** Schedule III is amended by inserting “, inhalers” in the specification for “Nicotine and its salts”, after “gums”.

**3.** 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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\* The Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 712-98 dated 27 May 1998 (1998, *G.O.* 2, 2149), was last amended by the regulation approved by Order in Council 840-2003 dated 20 August 2003 (2003, *G.O.* 2, 2720). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

Gouvernement du Québec

## O.C. 999-2005, 26 October 2005

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

### Professional orders

#### — Diplomas issued by designated teaching establishments which give access to permits or specialist's certificates

#### — Amendment

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

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, namely the Ordre des infirmières et infirmiers du Québec, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Code, the Office must, before advising the Government, consult, in particular, with the educational institutions and the order concerned, the Conférence des recteurs et des principaux des universités du Québec in the case of a university-level diploma, the Fédération des cégeps in the case of a college-level diploma, and the Minister of Education, Recreation and Sports;

WHEREAS, in accordance with that provision, the Office made the required consultations;

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 diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 25 May 2005 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, no comments were received by the Chair of the Office following that publication;

WHEREAS it is expedient to correct the titles of certain diplomas referred to in the draft Regulation published in the *Gazette officielle du Québec* and to add a diploma;

WHEREAS on 30 August and 9 September 2005, the Ordre des infirmières et infirmiers du Québec agreed to the proposed amendments;

WHEREAS on 14 September 2005, the Office gave a favourable opinion on the making by the Government of the Regulation attached to this Order in Council;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

### **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. The Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders is amended in section 1.17 by adding the following after the first paragraph:

\* 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 1064-2004 dated 16 November 2004 (2004, *G.O.* 2, 3155) and 524-2005 dated 1 June 2005 (2005, *G.O.* 2, 1877). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

“The following diplomas awarded by the teaching establishments designated below give access to the specialist’s certificates mentioned below, issued by the Ordre des infirmières et infirmiers du Québec :

(1) specialist’s certificate, nurse practitioner specializing in cardiology :

(a) Maîtrise en sciences infirmières (M. Sc.) held with the Diplôme d’études supérieures (D.E.S.) d’infirmière praticienne spécialisée (cardiologie), from Université Laval ;

(b) Maîtrise en sciences infirmières (M. Sc.) held with the Diplôme complémentaire d’infirmière praticienne option cardiologie, from the Université de Montréal ;

(2) specialist’s certificate, nurse practitioner specializing in neonatology : Master of Science (Applied) Nurse Practitioner (Neonatology) or Graduate Diploma – Nurse Practitioner (Neonatology), from McGill University ;

(3) specialist’s certificate, nurse practitioner specializing in nephrology :

(a) Maîtrise en sciences infirmières (M. Sc.) held with the Diplôme d’études supérieures (D.E.S.) d’infirmière praticienne spécialisée (néphrologie), from Université Laval ;

(b) Maîtrise en sciences infirmières (M. Sc.) held with the Diplôme complémentaire d’infirmière praticienne option néphrologie, from the Université de Montréal.”

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

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Gouvernement du Québec

## O.C. 1000-2005, 26 October 2005

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

### Infirmières et infirmiers — Committees on training

Regulation respecting the committees on training of the Ordre des infirmières et infirmiers du Québec

WHEREAS, in accordance with the second paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), the Government may, by regulation and after consultation, fix the terms and conditions of cooperation between the order concerned and the authorities of the educational institutions that issue a diploma giving access to a permit or specialist’s certificate ;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting the committees on training of the Ordre des infirmières et infirmiers du Québec was published in Part 2 of the *Gazette officielle du Québec* of 25 May 2005 with a notice that it could be made by the Government on the expiry of 45 days following that publication ;

WHEREAS, in accordance with the second paragraph of section 184 of the Professional Code, the Office des professions du Québec, the educational institutions concerned, the orders concerned, the Minister of Education, Recreation and Sports, the Conférence des recteurs et des principaux des universités du Québec and the Fédération des cégeps have been consulted ;

WHEREAS it is expedient to make the Regulation without amendment ;

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

THAT the Regulation respecting the committees on training of the Ordre des infirmières et infirmiers du Québec, the text of which is attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

## Regulation respecting the committees on training of the Ordre des infirmières et infirmiers du Québec

Professional Code  
(R.S.Q., c. C-26, s. 184, 2nd par.)

### DIVISION I NURSES COMMITTEE ON TRAINING

**1.** A nurses committee on training is hereby established within the Ordre des infirmières et infirmiers du Québec.

**2.** The committee is an advisory committee whose mandate is to examine matters relating to the quality of the training of nurses, in keeping with the respective and complementary jurisdictions of the Ordre des infirmières et infirmiers du Québec, the universities and colleges and the Minister of Education, Recreation and Sports.

Quality of training means the appropriateness of the professional skills training required for the practice of the profession of nurse.

As regards training, the committee is to consider

(1) the objectives of the training programs offered by educational institutions leading to a diploma that gives access to a permit;

(2) the objectives of the other terms and conditions for the issuance of permits that may be imposed by a regulation of the Bureau of the Ordre des infirmières et infirmiers du Québec, such as professional training periods or professional examinations; and

(3) the standards for a diploma or training equivalence, prescribed by regulation of the Bureau of the Ordre des infirmières et infirmiers du Québec, that gives access to a permit.

**3.** The committee is composed of nine members chosen for their knowledge and responsibilities in relation to the matters referred to in section 2.

The Fédération des cégeps appoints two members.

The Conférence des recteurs et des principaux des universités du Québec appoints two members.

The Minister of Education, Recreation and Sports or the Minister's representative appoints one member and, if necessary, one alternate.

The Bureau of the Ordre des infirmières et infirmiers du Québec appoints two members of the Order and the committee selects one of those two members as its chair.

The committee appoints two members from among the directors of nursing care whose names appear on a list provided by the Bureau of the Ordre des infirmières et infirmiers du Québec.

The committee may also authorize persons or representatives of organizations concerned to attend its meetings.

**4.** The members of the committee are appointed for a term of three years and remain in office until they are reappointed or replaced.

**5.** The functions of the committee are

(1) to review each year the situation as regards the quality of training in the light of developments in knowledge and practice, particularly as regards protection of the public and, where appropriate, to report its observations to the Bureau of the Ordre des infirmières et infirmiers du Québec; and

(2) to give its opinion to the Bureau of the Ordre des infirmières et infirmiers du Québec, as regards the quality of training,

(a) on projects involving the review or preparation of the objectives or standards referred to in the third paragraph of section 2; and

(b) on ways to enhance the quality of training, in particular by proposing solutions to the problems observed including those that concern professional training in a clinical setting.

The committee must indicate in its report and in any opinion the viewpoint of each of its members.

**6.** The members of the committee are to endeavour to gather information relevant to the exercise of the committee's functions from the organizations that appointed them and from any other organization or person concerned.

**7.** The committee must hold at least two meetings per year.

**8.** The chair sets the date, time and place of the committee's meetings. Despite the foregoing, the chair must call a meeting of the committee whenever at least five of its members so request.

**9.** The quorum of the committee is five members, including one member appointed each by the Bureau of the Ordre des infirmières et infirmiers du Québec, the Conference, the Federation and the Minister of Education, Recreation and Sports, and one director of nursing care appointed by the committee.

**10.** Clerical support for the committee is the responsibility of the Ordre des infirmières et infirmiers du Québec.

The secretary designated by the Ordre des infirmières et infirmiers du Québec sees to preparing and keeping the minutes, reports and opinions of the committee.

**11.** The Bureau of the Ordre des infirmières et infirmiers du Québec is to transmit a copy of the committee's reports and opinions to the Conference, the Federation, the Minister of Education, Recreation and Sports, and the Office des professions du Québec.

**12.** The annual report of the Ordre des infirmières et infirmiers du Québec must contain the findings of the committee's reports and opinions.

## DIVISION II SPECIALTY NURSE PRACTITIONERS TRAINING

### *§1. Specialty nurse practitioners committee on training*

**13.** As a consequence of the medical activities that specialty nurse practitioners are authorized to engage in, a specialty nurse practitioners committee on training is hereby established.

**14.** The committee is an advisory committee whose mandate is to examine matters relating to the quality of the training of specialty nurse practitioners, in keeping with the respective and complementary jurisdictions of the Ordre des infirmières et infirmiers du Québec, the Collège des médecins du Québec, the educational institutions and the Minister of Education, Recreation and Sports.

As regards training, the committee is to consider

(1) the objectives of the training programs offered by educational institutions leading to a diploma that gives access to a specialist's certificate;

(2) the objectives of the other terms and conditions for the issuance of specialists' certificates that may be imposed by a regulation of the Bureau of the Ordre des infirmières et infirmiers du Québec, such as professional training periods or professional examinations; and

(3) the standards for a specialist's certificate equivalence, prescribed by regulation of the Bureau of the Ordre des infirmières et infirmiers du Québec, that gives access to a specialist's certificate.

**15.** The members of the committee are chosen for their knowledge and responsibilities in relation to the matters referred to in section 14.

**16.** The committee is composed of nine members, of whom

the Conference appoints two;

the Minister of Education, Recreation and Sports or the Minister's representative appoints one and, if necessary, one alternate;

the Bureau of the Ordre des infirmières et infirmiers du Québec appoints three; and

the Bureau of the Collège des médecins du Québec appoints three.

The committee may also authorize persons or representatives of organizations concerned to attend its meetings.

**17.** The members of the committee are appointed for a term of three years and remain in office until they are reappointed or replaced.

**18.** The functions of the committee are

(1) to examine the situation as regards the quality of training in the light of developments in knowledge and practice and the opinions and reports of the program review subcommittee, particularly as regards protection of the public and, where appropriate, to report its observations to the Bureau of the Ordre des infirmières et infirmiers du Québec and to the Bureau of the Collège des médecins du Québec; and

(2) to give its opinion to the Bureau of the Ordre des infirmières et infirmiers du Québec and to the Bureau of the Collège des médecins du Québec, as regards the quality of training,

(a) on projects involving the review or preparation of the objectives or standards referred to in the second paragraph of section 14; and

(b) on ways to enhance the quality of training, in particular by proposing solutions to the problems observed.

**19.** The members of the committee are to endeavour to gather information relevant to the exercise of the committee's functions from the organizations that appointed them and from any other organization or person concerned.

**20.** The chair of the committee is chosen by the Bureau of the Ordre des infirmières et infirmiers du Québec from among the members appointed by the Ordre des infirmières et infirmiers du Québec.

**21.** The chair sets the date, time and place of the committee's meetings.

Despite the foregoing, the chair must call a meeting of the committee whenever at least five of its members so request.

**22.** The committee must hold at least two meetings per year.

**23.** The quorum of the committee is six members, including two members appointed each by the Bureau of the Ordre des infirmières et infirmiers du Québec and the Bureau of the Collège des médecins du Québec, and one member appointed each by the Conference and the Minister of Education, Recreation and Sports.

#### *§2. Program review subcommittee*

**24.** A program review subcommittee composed of members of the committee appointed by the Collège des médecins du Québec and by the Ordre des infirmières et infirmiers du Québec is also established.

**25.** If and when the subcommittee considers it appropriate, the subcommittee is to give its opinion along with any recommendations to the educational institution concerned on any training program offered that gives access to a specialty nurse practitioner's certificate, particularly as regards conditions of admission, structure, management, resources and educational criteria. The subcommittee is to transmit a copy of the opinion to the committee.

The subcommittee is also to prepare and maintain a list of recognized training environments where a program leading to a diploma that gives access to a specialty nurse practitioner's certificate may be completed, and so report to the educational institutions and training environments concerned, the Bureau of the Ordre des infirmières et infirmiers du Québec and the Bureau of the Collège des médecins du Québec.

**26.** On or before the expiry of a period of two years from the date of its establishment, and thereafter not later than every five years, the subcommittee must give its opinion to the committee, the Bureau of the Ordre des infirmières et infirmiers du Québec and the Bureau of the Collège des médecins du Québec, for each diploma that gives access to a specialty nurse practitioner's certificate, on the expediency of maintaining the diploma on the list established by regulation under section 184 of the Professional Code or of removing it.

The subcommittee is to base its decision on

(1) a comprehensive visit of the faculty, school or department offering the program by evaluators chosen from among the members of the Ordre des infirmières et infirmiers du Québec and the Collège des médecins du Québec, on the recommendation of the Bureau of each Order; and

(2) the follow-up on any opinion given pursuant to section 25.

**27.** The chair of the committee is by virtue of office the chair of the subcommittee. The chair is not entitled to vote at meetings of the subcommittee on a matter referred to in the second paragraph of section 25 or on any other matter referred to in that section or in section 26 as regards requisite medical training.

**28.** The chair sets the date, time and place of the subcommittee's meetings.

Despite the foregoing, the chair must call a meeting of the subcommittee whenever at least four of its members so request.

**29.** The subcommittee must hold at least two meetings per year.

**30.** The quorum of the subcommittee is four members, including two members appointed by the Bureau of the Ordre des infirmières et infirmiers du Québec and two members appointed by the Bureau of the Collège des médecins du Québec.

#### *§3. Obligations of the Bureau of the Ordre des infirmières et infirmiers du Québec*

**31.** Clerical support for the subcommittee is the responsibility of the Ordre des infirmières et infirmiers du Québec.

The secretary designated by the Ordre des infirmières et infirmiers du Québec sees to preparing and keeping the minutes, reports and opinions of the committee and subcommittee.

**32.** The Bureau of the Ordre des infirmières et infirmiers du Québec is to transmit a copy of the committee's and subcommittee's reports and opinions to the Conference, the Minister of Education, Recreation and Sports, and the Office des professions du Québec.

**33.** The annual report of the Ordre des infirmières et infirmiers du Québec must contain the findings of the committee's and subcommittee's reports and opinions.

### DIVISION III TRANSITIONAL AND FINAL

**34.** Despite sections 4 and 17, for the establishment of the first committees following the date of coming into force of this Regulation, the following members are appointed for a term of two years:

(1) one of the members appointed by the Bureau of the Ordre des infirmières et infirmiers du Québec, one of the members appointed by the Conference, one of the members appointed by the Federation and one of the members appointed by the committee to the nurses committee on training; and

(2) one of the members appointed by the Bureau of the Ordre des infirmières et infirmiers du Québec, two of the members appointed by the Bureau of the Collège des médecins du Québec and one of the members appointed by the Conference to the specialty nurse practitioners committee on training.

**35.** At the first meeting of the nurses committee on training, the committee must appoint, in accordance with the sixth paragraph of section 3, two directors of nursing care from among the directors whose names appear on a list provided by the Bureau of the Ordre des infirmières et infirmiers du Québec. The quorum of the committee is then four members, including one member appointed each by the Bureau of the Ordre des infirmières et infirmiers du Québec, the Conference, the Federation and the Minister of Education, Recreation and Sports.

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

Gouvernement du Québec

## O.C. 1006-2005, 26 October 2005

Forest Act  
(R.S.Q., c. F-4.1 ; 2001, c. 6)

### Operating permits for wood processing plants and various regulatory provisions in penal matters made under the Act — Amendments

Regulation to amend the Regulation respecting operating permits for wood processing plants and various regulatory provisions in penal matters made under the Forest Act

WHEREAS, under subparagraph 17 of the first paragraph of section 172 of the Forest Act (R.S.Q., c. F-4.1), the Government may, by regulation, prescribe the conditions to be met by an applicant for the issue or renewal of a wood processing plant operating permit, the dues payable by the applicant for the issue or renewal of the permit, the classes of annual timber consumption authorized and the form and content of the register the applicant must keep pursuant to section 168, and the time at which the register must be transmitted;

WHEREAS, under subparagraph 19 of the first paragraph of that section, replaced by paragraph 7 of section 119 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), the Government may, by regulation, determine, among the provisions of a regulation for which no penal sanction is otherwise provided, those the contravention of which constitutes an offence and determine, among the fines provided for in section 186.9 of the Forest Act, the fine to which the offender is liable;

WHEREAS, under section 186.9 of the Forest Act, enacted by section 122 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6), every person who contravenes a regulatory provision the contravention of which constitutes an offence pursuant to a regulation made under section 172 of the Forest Act is liable, as specified in the regulation, to a fine of

- (1) \$200 to \$1,000;
- (2) \$500 to \$2,000; or
- (3) \$1,000 to \$5,000;



WHEREAS, by Orders in Council 908-88 dated 8 June 1988, 201-88 dated 10 February 1998, 1266-99 dated 17 November 1999, 732-2004 dated 28 July 2004 and 418-89 dated 22 March 1989, the Government made the Regulation respecting operating permits for wood processing plants, the Regulation respecting the inventory of tree plants for non-ornamental purposes, the Regulation respecting the scaling of timber harvested in forests in the domain of the State, the Regulation respecting sugar bush management in forests in the domain of the State and the Regulation respecting forest management plans and reports;

WHEREAS it is expedient to amend those Regulations, in particular to amend the fines prescribed therein and to fix them according to the seriousness of the contravention;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 29 December 2004 with a notice that it could be made by the Government on the expiry of 45 days following that notice;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting operating permits for wood processing plants and various regulatory provisions in penal matters made under the Forest Act, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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## **Regulation to amend the Regulation respecting operating permits for wood processing plants and various regulatory provisions in penal matters made under the Forest Act**

Forest Act  
(R.S.Q., c. F-4.1, s. 172, 1st par., subpars. 17 and 19, s. 186.9; 2001, c. 6, s. 119)

**1.** The Regulation respecting operating permits for wood processing plants<sup>1</sup> is amended by replacing section 3 by the following:

“**3.** The holder of an operating permit for a wood processing plant may renew the permit on 1 April of the year it expires on the following conditions:

(1) the plant covered by the permit renewal application has installations capable of processing wood;

(2) the conditions appearing on the permit for which the renewal application is made have been complied with;

(3) a certified copy of the part of the register referred to in section 5 for the period referred to in the second paragraph of that section has been sent to the Minister, together with the information referred to in section 169 of the Forest Act, where applicable, not later than 1 February preceding the permit expiry date; and

(4) the fees determined in section 4 have been sent to the Minister not later than 1 February preceding the permit expiry date.”.

**2.** Section 5 is amended by adding the following after the first paragraph:

“The holder must send to the Minister, not later than 1 February of each year, a certified copy of the part of the register covering the period provided for in the second paragraph of section 168 of the Forest Act.”.

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<sup>1</sup> The Regulation respecting operating permits for wood processing plants, made by Order in Council 908-88 dated 8 June 1988 (1988, *G.O.* 2, 2351), was last amended by the regulation made by Order in Council 1073-2004 dated 16 November 2004 (2004, *G.O.* 2, 3262). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

**3.** Section 6 is replaced by the following :

“6. Every holder of an operating permit for a wood processing plant who contravenes any provision of section 5 is guilty of an offence and is liable to the fine provided for in paragraph 3 of section 186.9 of the Forest Act.”.

**4.** Section 7 is revoked.

**Regulation respecting the inventory of tree plants for non-ornamental purposes<sup>2</sup>**

**5.** The Regulation respecting the inventory of tree plants for non-ornamental purposes is amended by replacing section 3 by the following :

“3. Every producer of tree plants for non-ornamental purposes who contravenes any provision of section 2 is guilty of an offence and is liable to the fine provided for in paragraph 2 of section 186.9 of the Forest Act (R.S.Q., c. F-4.1).”.

**Regulation respecting the scaling of timber harvested in forests in the domain of the State<sup>3</sup>**

**6.** The Regulation respecting the scaling of timber harvested in forests in the domain of the State is amended in section 19,

(1) by replacing “Any” and “punishable under section 181” in the first paragraph respectively by “Every” and “and is liable to the fine provided for in paragraph 3 of section 186.9”;

(2) by replacing “Any” and “punishable under section 181 of the Forest Act” in the second paragraph respectively by “Every” and “and is liable to the same fine.”.

<sup>2</sup> The Regulation respecting the inventory of tree plants for non-ornamental purposes was made by Order in Council 201-88 dated 10 February 1988 (1988, *G.O.* 2, 1276). It has not been amended since.

<sup>3</sup> The Regulation respecting the scaling of timber harvested in forests in the domain of the State was made by Order in Council 1266-99 dated 17 November 1999 (1999, *G.O.* 2, 4392). It was amended once by Order in Council 862-2003 dated 20 August 2003 (2003, *G.O.* 2, 2726).

**7.** Section 20 is amended by replacing “Any” and “punishable under section 181” respectively by “Every” and “and is liable to the fine provided for in paragraph 3 of section 186.9”.

**8.** Section 21 is amended

(1) by replacing “Any” and “punishable under section 181” in the first paragraph respectively by “Every” and “and is liable to the fine provided for in paragraph 3 of section 186.9”;

(2) by replacing “any” and “punishable under section 181 of the Forest Act” in the second paragraph respectively by “every” and “and is liable to the fine provided for in that paragraph”.

**Regulation respecting sugar bush management in forests in the domain of the State<sup>4</sup>**

**9.** The Regulation respecting sugar bush management in forests in the domain of the State is amended by replacing section 6 by the following :

“6. Every holder of a sugar bush management permit who contravenes any provision of sections 2 to 4 is guilty of an offence and is liable to the fine provided for in paragraph 3 of section 186.9 of the Forest Act.”.

**Regulation respecting forest management plans and reports<sup>5</sup>**

**10.** The Regulation respecting forest management plans and reports is amended by replacing section 16 by the following :

“16. Every agreement holder who contravenes any provision of sections 2, 4 to 6, 8, 11, 14 or 15 is guilty of an offence and is liable to the fine provided for in paragraph 3 of section 186.9 of the Forest Act.”.

<sup>4</sup> The Regulation respecting sugar bush management in forests in the domain of the State was made by Order in Council 732-2004 dated 28 July 2004 (2004, *G.O.* 2, 2466) and has not been amended since.

<sup>5</sup> The Regulation respecting forest management plans and reports, made by Order in Council 418-89 dated 22 March 1989 (1989, *G.O.* 2, 1553), was last amended by the regulation made by Order in Council 543-2005 dated 8 June 2005 (2005, *G.O.* 2, 1972). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

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

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Gouvernement du Québec

## **O.C. 1008-2005, 26 October 2005**

An Act respecting retirement plans for the mayors and councillors of municipalities  
(R.S.Q., c. R-16)

### **Determination of the rate of interest applicable to the retirement plan**

Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities

WHEREAS, under subparagraph *a* of the first paragraph of section 42 of the Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16), amended by section 128 of chapter 28 of the Statutes of 2005, the Government may make a regulation to determine the rates of interest for which the Act provides for the fixing by regulation and, as the case may be, the rules governing the computing of the interest;

WHEREAS the Government made the Regulation on the setting of the interest rate by Order in Council 2507-83 dated 6 December 1983;

WHEREAS it is expedient to replace the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2005 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Commission administrative des régimes de retraite et d'assurances received no comment on the draft Regulation within that period;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

### **Regulation respecting the determination of the rate of interest applicable to the retirement plan for the mayors and councillors of municipalities**

An Act respecting retirement plans for the mayors and councillors of municipalities  
(R.S.Q., c. R-16, s. 42, 1st par., subpar. *a*, and 2nd par.; 2005, c. 28, s.128)

**1.** For the purposes of the Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., c. R-16), the annual rate of interest is determined by computing the geometric mean of the annual rates of return for the three-year period ending on 31 December of the year preceding the reference year, according to the formula in Schedule I. The first rate of interest determined applies from the first day of the month following the date of its publication in the *Gazette officielle du Québec* and, thereafter, as of 1 June of each year.

The annual rate of return is the rate determined by the Caisse de dépôt et placement du Québec on 31 December of each year for the specific fund of the retirement plan established by the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), after deduction of the management expenses.

**2.** This Regulation replaces the Regulation on the setting of the interest rate, made by Order in Council 2507-83 dated 6 December 1983.

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

**SCHEDULE I****COMPUTATION OF THE RATE OF INTEREST**

The formula for the computation of the rate of interest for the reference year is the following :

$$i_y = ((1 + T_{y-1}) (1 + T_{y-2}) (1 + T_{y-3}))^{1/3} - 1$$

where

$T_{y-1}$  is the rate of return for the year preceding the reference year

$T_{y-2}$  is the rate of return for the year preceding the reference year by two years

$T_{y-3}$  is the rate of return for the year preceding the reference year by three years.

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Gouvernement du Québec

**O.C. 1009-2005, 26 October 2005**

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

**Regulation  
— Amendments**

Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers

WHEREAS, under subparagraph 1 of the first paragraph of section 75 of Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), the Government may make a regulation to determine the rates of interest which must be fixed by regulation pursuant to the Act and, where that is the case, the rules governing the computation of the interest;

WHEREAS, under subparagraph 6 of the first paragraph of section 75 of the Act, the Government may make a regulation to determine the procedure for the establishment of any redemption cost referred to in section 63.0.3 or 63.0.8 of the Act;

WHEREAS the Government made the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers by Order in Council 1742-89 dated 15 November 1989, which was last amended by the regulation made by Order in Council 577-2004 dated 30 June 2004;

WHEREAS it is expedient to again amend the Regulation to modify the rules governing the computation of the interest applicable under the Act respecting the Pension Plan of Elected Municipal Officers to contribution refunds and to modify, in connection with the establishment of the procedure for computing a redemption referred to in section 63.0.3 or 63.0.8 of the Act, the rate of interest specifically applicable to redemption costs paid by instalments;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2005 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Commission administrative des régimes de retraite et d'assurances received no comment on the draft Regulation within that period;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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## Regulation to amend the Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers\*

An Act respecting the Pension Plan of Elected Municipal Officers  
(R.S.Q., c. R-9.3, s. 75, 1st par., subpars. 1 and 6 and 2nd par.)

**1.** The Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers is amended by replacing section 1 by the following:

“**1.** For the purposes of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., c. R-9.3), the annual rate of interest is determined by computing the geometric mean of the annual rates of return for the three-year period ending on 31 December of the year preceding the reference year, according to the formula in Schedule I. The first rate of interest determined applies from 1 August 2004 and, thereafter, as of 1 June of each year.

The annual rate of return is the rate determined by the Caisse de dépôt et placement du Québec on 31 December of each year for the specific fund of the Pension Plan of Elected Municipal Officers, after deduction of the management expenses.”

**2.** Section 9.2 is amended by replacing the fifth paragraph by the following:

“If the amount is paid by instalments, interest compounded annually is added that corresponds to the rate in force on the date of receipt of the notice, computed from the date of expiry of the redemption proposal made by the Commission. The rate of interest applicable as of 1 June of each year is determined by computing the arithmetical mean of the monthly rates, for the 12-month period ending on 31 December of the preceding year, that corresponds to the nominal rates on Government of Canada marketable bonds (3-5 years) published in the Bank of Canada Review (CANSIM Series B14010 (V122485)).”

**3.** Schedule I is replaced by the following:

### “SCHEDULE I

#### COMPUTATION OF THE RATE OF INTEREST

The formula for the computation of the rate of interest for the reference year is the following:

$$i_y = ((1 + T_{y-1}) (1 + T_{y-2}) (1 + T_{y-3}))^{1/3} - 1$$

where

$T_{y-1}$  is the rate of return for the year preceding the reference year

$T_{y-2}$  is the rate of return for the year preceding the reference year by two years

$T_{y-3}$  is the rate of return for the year preceding the reference year by three years”.

**4.** Sections 1 and 3 have effect from 1 August 2004.

**5.** Section 2 has effect from the first day of the month following the date of coming into force of this Regulation.

**6.** 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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\* The Regulation respecting the application of the Act respecting the Pension Plan of Elected Municipal Officers, made by Order in Council 1742-89 dated 15 November 1989 (1989, *G.O.* 2, 4153), was last amended by the regulation made by Order in Council 577-2004 dated 16 June 2004 (2004, *G.O.* 2, 2023). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.



## Draft Regulations

### Draft Regulation

Police Act  
(R.S.Q., c. P-13.1)

#### Minimum qualifications required to exercise investigative functions within a police force

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the minimum qualifications required to exercise investigative functions within a police force, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The Regulation prescribes new training standards for police officers who exercise an investigative function within a police force. A police officer may acquire the training during employment, subject to certain conditions.

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

Further information may be obtained by contacting Anne Delisle, Direction de l'organisation et des pratiques policières, Ministère de la Sécurité publique, 2525, boulevard Laurier, 4<sup>e</sup> étage, Sainte-Foy (Québec) G1V 2L2; telephone: 418 528-0502; fax: 418 646-3564.

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 Jacques P. Dupuis, Minister of Public Security, 2525, boulevard Laurier, 5<sup>e</sup> étage, Sainte-Foy (Québec) G1V 2L2.

JACQUES P. DUPUIS,  
*Minister of Public Security*

### Regulation respecting the minimum qualifications required to exercise investigative functions within a police force

Police Act  
(R.S.Q., c. P-13.1, s. 116)

**1.** A police officer who exercises an investigative function must have successfully completed the basic training program in police investigation offered by the École nationale de police du Québec.

A police officer who holds a full-time position and whose main duty is to conduct criminal investigations exercises an investigative function.

**2.** Despite section 1, a police officer who, while acquiring the required training, has successfully completed the course entitled *Droit pénal appliqué à l'enquête policière* given by the School may exercise an investigative function under the supervision of a police investigator provided the police officer begins the training within six months after the date on which the officer's investigative function commences and completes the training no later than 30 months after that date.

The director of the police force may, for valid reason, grant an extension of the training period. The director of the police force shall submit to the Minister an annual report explaining any extension.

**3.** A police officer who, on 9 November 2005, is exercising an investigative function or is on an eligibility list for such employment is not required to successfully complete the training as provided in sections 1 and 2 so long as the police officer remains employed with the same municipal police force or the police force that succeeds the municipal police force following the creation of a board or an amalgamation of municipalities, or following integration of the police force into the Sûreté du Québec.

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





## Decisions

### Decision MPTC05-00478, 18 October 2005

An Act respecting transportation services by taxi (R.S.Q., c. S-6.01)

#### Commission des transports du Québec — General fixation of rates for private transportation by taxi

Please note that the Commission des transports du Québec, by its decision MPTC05-00478 of October 18, 2005 and in accordance with section 60 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01), has fixed the rates for private transportation services by taxi and their conditions of application, in force on November 12, 2005, as contained in the Compendium of tariffs of private transportation by taxi the text of which follows.

Please note that the Compendium of tariffs of private transportation by taxi established by this decision replaces Tariffs of private transportation by taxi established by decision QPTC03-00441 rendered by the Commission on October 14, 2003.

*The Chair of the Commission  
des transports du Québec,*  
LISE LAMBERT

### Compendium of tariffs of private transportation by taxi

An Act respecting transportation services by taxi (R.S.Q., c. S-6.01)

#### DIVISION I GENERAL PROVISIONS

**1.** This tariff is applicable to private transportation by taxi except for transportation provided under a specialized taxi permit.

**2.** When the vehicle used by the holder of a taxi permit is not equipped with a taximeter, the distance covered with a customer is measured with an odometer.

**3.** A taxi driver cannot claim for the price of a trip a price higher than the one calculated in accordance with this tariff.

**4.** For the purpose of this tariff, the term “hour or fractions of an hour wait” designates the time during which the taxi is not running or is running at less than 22.759 km per hour during a trip.

The number 22.759 is calculated from the hourly tariff divided by the tariff per km specified in section 6.

#### DIVISION II GENERAL TARIFFS

**5.** General tariffs are applicable to private transportation provided by holders of taxi owner’s permits throughout Québec, subject to the application of special tariffs.

**6.** The price of a trip calculated by the taximeter is as follows :

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$2.74	\$1.26	\$28.70
7% GST	\$0.19	\$0.09	\$2.00
Price including GST	\$2.93	\$1.35	\$30.70
7.5% QST	\$0.22	\$0.10	\$2.30
Taximeter rate	\$3.15	\$1.45	\$33.00

**7.** The price of a trip calculated by the odometer is as follows :

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$0.00	\$1.26	\$28.70
7% GST	\$0.00	\$0.09	\$2.00
Price including GST	\$0.00	\$1.35	\$30.70
7.5% QST	\$0.00	\$0.10	\$2.30
Odometer rate	\$0.00	\$1.45	\$33.00

### DIVISION III SPECIAL TARIFFS

**§1.** *Tariffs applicable to transportation for which the starting point or destination is Montréal-Trudeau Airport*

**8.** The price of a trip between the airport and downtown Montréal, whatever the number of passengers, is as follows:

Basic flat rate	\$33.43
7% GST	<u>\$2.13</u>
Rate including GST	\$32.56
7.5% QST	<u>\$2.44</u>
Total flat rate	\$35.00

This price applies when the trip has only one pick-up point and one drop-off point.

For the purpose of this section, downtown Montréal is bounded as follows:

— westward: avenue Atwater to the Lachine Canal; the Lachine Canal to the foot of rue de Condé; rue de Condé to rue Saint-Patrick; rue Saint-Patrick eastward to rue Bridge; rue Bridge to the Victoria Bridge;

— eastward: avenue Papineau;

— southward: the Saint Lawrence River;

— northward: avenue des Pins; rue Saint-Denis, from avenue des Pins to rue Cherrier; rue Cherrier, from rue Saint-Denis to rue Sherbrooke; rue Sherbrooke, from rue Cherrier to avenue Papineau.

Houses and buildings on either side of bordering streets are part of downtown Montréal.

**9.** When picking up customers at more than one location, and after having stopped a first time to drop off a customer, a taxi driver must calculate the price of a trip with the taximeter.

**10.** The minimum price for a trip starting at Montréal-Trudeau Airport is \$15.00, including GST and QST.

Any lower taximeter reading is assumed to be \$15.00.

### §2. *Tariffs applicable to Québec Jean-Lesage Airport*

**11.** The price of a trip between the main terminal of Jean-Lesage Airport and downtown Québec, whatever the number of passengers, is as follows:

Basic flat rate	\$26.08
7% GST	<u>\$1.83</u>
Rate including GST	\$27.91
7.5% QST	<u>\$2.09</u>
Total flat rate	\$30.00

For the purpose of this section, downtown Québec is bounded as follows:

— northward: autoroute de la Capitale;

— eastward: avenue D'Estimauville and its extension to the Saint Lawrence River;

— southward: Saint Lawrence River;

— westward: autoroute Laurentienne; rue Saint-Anselme to rue des Commissaires; rue des Commissaires; boulevard Langelier; côte De Salaberry; avenue de Salaberry and its extension to the Saint Lawrence River.

Houses and buildings on either side of bordering streets are part of downtown Québec.

**12.** The price of a trip from the main terminal of Jean-Lesage Airport to the Sainte-Foy area, whatever the number of passengers, is as follows:

Basic flat rate	\$11.30
7% GST	<u>\$0.79</u>
Rate including GST	\$12.09
7.5% QST	<u>\$0.91</u>
Total flat rate	\$13.00

These tariffs are applicable when there are only one pick-up point and one drop-off point.

For the purpose of this section, the Sainte-Foy area is bounded as follows:

— northward: rang Sainte-Anne; route de l'Aéroport; avenue Sainte-Geneviève;

— eastward: autoroute Henri-IV;

— southward: autoroute Charest;

— westward : avenue Jean-Gauvin ; boulevard Wilfrid-Hamel ; rue de Jouvence and rue des Champs-Élysées and their extension between boulevard Wilfrid-Hamel and autoroute Charest.

Houses and buildings on either side of bordering streets are part of the Sainte-Foy area.

**13.** When picking up customers at several locations, and after having stopped a first time to drop off a customer, a taxi driver must calculate the price of the trip with the taximeter.

*§3. Tariffs applicable to the Fermont 297201 and James Bay (Radisson) 299101 servicing areas*

**14.** The price of a trip calculated by the odometer is as follows :

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$0.00	\$1.78	\$28.70
7% GST	\$0.00	\$0.13	\$2.00
Rate including GST	\$0.00	\$1.91	\$30.70
7.5% QST	\$0.00	\$0.14	\$2.30
Odometer rate	\$0.00	\$2.05	\$33.00

**15.** The minimum price of a trip with an origin or destination in one of these servicing areas is \$5.60, including GST and QST.

Any lower reading is assumed to be \$5.60.

*§4. Tariffs applicable to the Saint-Augustin 298206 (Lower North Shore) servicing area*

**16.** The price of a trip between Saint-Augustin Airport or pier and the Saint-Augustin servicing area as well as between Saint-Augustin Airport and Pakuashipi Reservation is \$7.00, including GST and QST, per customer per trip.

#### DIVISION IV FINAL PROVISIONS

**17.** This tariff replaces Tariffs of private transportation by taxi set by decision QPTC03-00441 rendered by the Commission on October 14, 2003, considering decision MPTC05-00478 rendered by the Commission on October 18, 2005.



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## Parliamentary Committees

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### Committee on Social Affairs

#### General consultation

#### **Bill 125, An Act to amend the Youth Protection Act and other legislative provisions**

The Committee on Social Affairs has been instructed to hold public hearings beginning on 24 January 2006 in pursuance of a general consultation on the Bill 125, An Act to amend the Youth Protection Act and other legislative provisions.

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 9 December 2005. 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-Le May, 1035, rue des Parlementaires, 3<sup>e</sup> étage, Québec (Québec) G1A 1A3.

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

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