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Coming into force of Acts

Gouvernement du Québec

O.C. 154-2006, 15 March 2006

An Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions (2005, c. 10)

— Coming into force

COMING INTO FORCE of the Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions

WHEREAS the Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions (2005, c. 10) was assented to on 8 June 2005;

WHEREAS, under section 84 of the Act, it comes into force on 1 April 2006 or on any later date to be set by the Government;

WHEREAS it is expedient to set 1 April 2007 as the date of coming into force of the Act;

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

THAT the Act to amend the Act respecting petroleum products and other equipment, the Building Act and other legislative provisions (2005, c. 10) come into force on 1 April 2007.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

7503

Regulations and other acts

Gouvernement du Québec

O.C. 147-2006, 15 March 2006

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

Acupuncturists — Standards for equivalence of diplomas and training for the issue of a permit

Regulation respecting the standards for equivalence of diplomas and training for the issue of a permit by the Ordre des acupuncteurs du Québec

WHEREAS, under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist's certificate, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

WHEREAS the Bureau of the Ordre des acupuncteurs du Québec made the Regulation respecting the standards for equivalence of diplomas and training for the issue of a permit by the Ordre des acupuncteurs du Québec;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 1 June 2005 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS no comments were received by the Office des professions du Québec following that publication;

WHEREAS in accordance with section 95 of the Professional Code, the Office des professions du Québec has examined the Regulation and made its 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 standards for equivalence of diplomas and training for the issue of a permit by the Ordre des acupuncteurs du Québec, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des acupuncteurs du Québec

Professional Code
(R.S.Q., c. C-26, s. 93, par. *c*)

DIVISION I GENERAL

1. The secretary of the Ordre des acupuncteurs du Québec must forward a copy of this Regulation to a candidate who, for the purpose of obtaining a permit from the Order, applies to have a diploma issued by an educational institution outside Québec or training recognized as equivalent.

2. In this Regulation,

(1) “diploma equivalence” means recognition by the Bureau of the Order, in accordance with subparagraph *g* of the first paragraph of section 86 of the Professional Code (R.S.Q., c. C-26), that a diploma awarded by an educational institution outside Québec certifies that the candidate's level of knowledge and skills is equivalent to the level attained by the holder of a diploma, recognized by a regulation of the Government made under the first paragraph of section 184 of the Code, giving access to the permit issued by the Order;

(2) “training equivalence” means recognition by the Bureau of the Order, in accordance with subparagraph *g* of the first paragraph of section 86 of the Code, that a candidate's training has enabled the candidate to attain a

level of knowledge and skills equivalent to the level attained by the holder of a diploma, recognized by a regulation of the Government made under the first paragraph of section 184 of the Code, giving access to the permit issued by the Order.

DIVISION II STANDARDS FOR A DIPLOMA EQUIVALENCE

3. A candidate is granted a diploma equivalence if the diploma was obtained on completion of studies equivalent to at least 2,640 hours of study at the college level, including 1,980 hours of training specific to the field of acupuncture, apportioned as follows:

(1) at least 510 hours in subjects dealing with anatomy, surface anatomy, physiology, pathology, microbiology, hygiene and asepsis, first aid and clinical assessment;

(2) at least 885 theory and laboratory hours in subjects dealing with the clinical assessment of the energetic state of a person according to the traditional oriental method, including:

(a) at least 240 hours on the basic theories of the traditional oriental method including thought processes, concepts, vocabulary, functioning, physiology and etiopathology;

(b) at least 150 hours on the meridians and acupuncture points, including the fundamentals of palpation;

(c) at least 90 hours in instrument handling techniques;

(d) at least 285 hours on clinical assessment of the energetic state of a person according to the traditional oriental method;

(e) at least 45 hours in communication and support assistance; and

(f) at least 75 hours in treatment methods and semiology;

(3) at least 90 hours on the aspects of practising acupuncture in Québec and on managing an acupuncture office; and

(4) at least 480 hours of clinical training.

4. Despite section 3, where the diploma in respect of which an application for equivalence has been filed was issued 3 years or more before the application and the knowledge to which the candidate attests no longer corresponds to the knowledge currently being taught, having regard to the developments in the profession, the candidate is granted a training equivalence pursuant to

section 5 only if the candidate has attained the required level of knowledge and skills since being awarded the diploma.

DIVISION III STANDARDS FOR TRAINING EQUIVALENCE

5. A candidate is granted a training equivalence if the candidate demonstrates a level of knowledge and skills equivalent to the level of the holder of a diploma, recognized by a regulation of the Government made under section 184 of the Code, giving access to the permit issued by the Order.

In assessing the training equivalence of a candidate, the Bureau must take into account the following factors:

(1) total years of education;

(2) diplomas obtained in relevant or related fields;

(3) the type of courses taken, course content and marks obtained;

(4) training periods and other learning activities completed; and

(5) the type and length of relevant clinical experience.

DIVISION IV DIPLOMA OR TRAINING EQUIVALENCE RECOGNITION PROCEDURE

6. A candidate wishing to have a diploma or training equivalence recognized must provide the secretary with the following documents, together with the fees for the examination of the application required under paragraph 8 of section 86.0.1 of the Code:

(1) a certified true copy of all diplomas held;

(2) his or her academic record, with a detailed description of the courses taken, the number of hours for each course and the marks obtained;

(3) where applicable, a document attesting to relevant clinical experience; and

(4) where applicable, a document attesting to participation in training periods and other training activities.

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

7. A committee set up for the purpose by the Bureau is to examine the applications for diploma or training equivalence and make the appropriate recommendations to the Bureau.

In order to make an appropriate recommendation, the committee may require the applicant to come to an interview, to pass an examination or to complete a training period, or to do all of those.

8. At its first meeting following receipt of a recommendation referred to in section 9, the Bureau must decide whether to

(1) recognize the candidate's diploma or training equivalence;

(2) recognize the candidate's training equivalence in part; or

(3) refuse to recognize the candidate's diploma or training equivalence.

The Bureau must inform the candidate of its decision by registered mail within 30 days of its decision.

If the Bureau refuses to recognize the diploma or training equivalence or recognizes the training equivalence in part, the Bureau must at the same time inform the candidate in writing of any programs of study, additional training, training periods or examinations that the candidate could successfully complete within the time it specifies to enable the candidate to be granted a training equivalence.

9. A candidate who is informed of the Bureau's decision to refuse to recognize the diploma or training equivalence applied for or to recognize the training equivalence in part may apply to the Bureau for a review, provided the candidate applies to the secretary in writing within 30 days of receiving the decision.

The Bureau must examine the application for review at the first regular meeting following its receipt and, before disposing of the application, allow the candidate to present observations.

A candidate who wishes to present observations must inform the secretary at least five days before the date set for the meeting. The candidate may, however, submit written observations at any time before the date set for the meeting.

The decision of the Bureau is final and must be sent to the candidate by registered mail within 30 days of the date on which it is made.

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

7504

Gouvernement du Québec

O.C. 150-2006, 15 March 2006

Mining Act
(R.S.Q., c. M-13.1)

Mineral substances other than petroleum, natural gas and brine — Amendments

Regulation to amend the Regulation respecting mineral substances other than petroleum, natural gas and brine

WHEREAS, under paragraphs 1, 14 and 26.2 of section 306 and sections 306.1 and 313.3 of the Mining Act (R.S.Q., c. M-13.1), the Government may, by regulation, prescribe standards pertaining to mineral substances other than petroleum, natural gas and brine;

WHEREAS the Government made the Regulation respecting mineral substances other than petroleum, natural gas and brine by Order in Council 1042-2000 dated 30 August 2000, amended by Orders in Council 1336-2000 dated 15 November 2000 and 74-2005 dated 2 February 2005;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting mineral substances other than petroleum, natural gas and brine was published in Part 2 of the *Gazette officielle du Québec* of 2 November 2005, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Minister of Natural Resources and Wildlife did not receive any comments following that publication;

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 mineral substances other than petroleum, natural gas and brine, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting mineral substances other than petroleum, natural gas and brine *

Mining Act
(R.S.Q., c. M-13.1, s. 306, pars. 1, 14 and 26.2, ss. 306.1 and 313.3)

- 1.** Section 61 of the Regulation respecting mineral substances other than petroleum, natural gas and brine is amended by replacing “\$0.21/m.t.”, which is the amount relating to crushed stone and any stone used for construction purposes appearing in the table in the column entitled “Amount of royalty”, by “\$0.26/m.t.”.
- 2.** Section 113 is amended by deleting paragraphs 3 and 4.
- 3.** Section 128 is amended by deleting the second paragraph.
- 4.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

7502

Gouvernement du Québec

O.C. 152-2006, 15 March 2006

An Act respecting the Ministère du Développement économique et régional et de la Recherche (R.S.Q., c. M-30.01)

Amendment to the Schedule to the Act respecting the Ministère du Développement économique et régional et de la Recherche

WHEREAS, under the second paragraph of section 97 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (R.S.Q., c. M-30.01), amended by section 73 of chapter 50 of the Statutes of 2005), a regional conference of elected officers was established for the territories of the regional county municipalities of Beauharnois-Salaberry, Haut-Saint-Laurent, Jardins-de-Napierville, Roussillon and Vaudreuil-Soulanges;

WHEREAS, in accordance with the first paragraph of section 100 of the Act, the board of directors of that conference shall be composed, in particular, of the wardens of the regional county municipalities, the mayors of local municipalities with a population of 5,000 or more and the mayors of two of the municipalities listed in the Schedule;

WHEREAS, under the tenth paragraph of that section, the Government may, on the request of a regional conference of elected officers, amend, by Order, the Schedule to add one or more rural local municipalities;

WHEREAS that regional conference of elected officers requested that the composition of its board of directors be amended to include the mayor of Municipalité d’Ormstown;

WHEREAS it is expedient to grant that request and accordingly to amend the Schedule to the Act respecting the Ministère du Développement économique et régional et de la Recherche;

WHEREAS, by Order in Council 125-2005 dated 18 February 2005, amended by Order in Council 174-2005 dated 9 March 2005, the Minister of Municipal Affairs and Regions is responsible for the administration of the provisions of the Act respecting the Ministère du Développement économique et régional et de la Recherche that relate to the regional conferences of elected officers;

* The Regulation respecting mineral substances other than petroleum, natural gas and brine, made by Order in Council 1042-2000 dated 30 August 2000 (2000, *G.O.* 2, 4512), was last amended by the regulation made by Order in Council 74-2005 dated 2 February 2005 (2005, *G.O.* 2, 539). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

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

THAT the Schedule to the Act respecting the Ministère du Développement économique et régional et de la Recherche (R.S.Q., c. M-30.01), amended by Order in Council 732-2005 dated 9 August 2005 and by section 76 of chapter 50 of the Statutes of 2005, be further amended by inserting “Municipalité d’Ormstown” after “Ville de New Richmond”.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

7505

Gouvernement du Québec

O.C. 194-2006, 22 March 2006

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

Fiscal administration — Amendment

Regulation to amend the Regulation respecting fiscal administration

WHEREAS the Regulation respecting fiscal administration (R.R.Q., 1981, c. M-31, r.1) was made under the Act respecting the Ministère du Revenu (R.S.Q., c. M-31);

WHEREAS, under the first paragraph of section 96 of the Act respecting the Ministère du Revenu, the Government may make regulations, in particular to prescribe the measures required to carry out that Act;

WHEREAS, under the first paragraph of section 7 of that Act, no deed, document or writing binds the Ministère du Revenu or is attributed to the Minister unless it is signed by the Minister, by the Deputy Minister or by a public servant authorized by regulation;

WHEREAS, under the second paragraph of section 7 of that Act, the regulation may allow that a facsimile of the signature of the Minister, Deputy Minister or that public servant be affixed on the documents determined therein; such a facsimile is to have the same force as the signature itself;

WHEREAS, under the third paragraph of section 12 of the Public Curator Act (R.S.Q., c. C-81), amended by section 36 of chapter 44 of the Statutes of 2005, certain powers set out in that Act will be exercised, as of 1 April 2006, by the Minister of Revenue, in particular with regard to the provisional administration of property under Division V of Chapter II of that Act;

WHEREAS, as of 1 April 2006, the Direction générale des biens non réclamés is created at the Ministère du Revenu;

WHEREAS it is expedient to provide for delegations of the Minister of Revenue’s signature as a consequence of the new powers and administrative structure of the Ministère du Revenu;

WHEREAS, under section 97 of the Act respecting the Ministère du Revenu, every regulation made under that Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein; such a regulation may also, if it so provides, apply to a period prior to its publication;

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

THAT the Regulation to amend the Regulation respecting fiscal administration, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fiscal administration *

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, s. 7, 1st par. and 2nd par., s. 96, 1st par. and s. 97)

1. (1) The Regulation respecting fiscal administration is amended by inserting the following before the heading preceding section 7R80:

* The Regulation respecting fiscal administration (R.R.Q., 1981, c. M-31, r.1) was last amended by the regulations made by Orders in Council 1223-2005 dated 7 December 2005 (2005, *G.O.* 2, 5410) and 1249-2005 dated 14 December 2005 (2005, *G.O.* 2, 5533). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

“§1.1. Documents relating to the administration of unclaimed property

§§1.1.1. Direction générale des biens non réclamés

§§§1.1.1.1. Direction principale des biens non réclamés

7R79.1. A public servant who holds the position of Senior Director, Unclaimed Property, within the Direction générale des biens non réclamés is authorized to sign, in place of the Minister of Revenue but within the limits of the public servant’s duties, all documents that the Minister is authorized to sign, up to a value not in excess of \$500,000.

7R79.2. A public servant holding one of the positions mentioned in sections 7R79.3 to 7R79.14 is authorized to sign, in place of the Minister of Revenue but within the limits of the public servant’s respective duties, the documents mentioned in this subdivision.

7R79.3. A public servant governed by the collective labour agreement for professionals who holds a position of socio-economic research and planning officer or a position of computer and administrative processes analyst at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is, to the extent that the public servant is under the immediate authority of the Senior Director, Unclaimed Property, authorized to sign any document in connection with

- (1) the obtaining of documents in order to take jurisdiction;
- (2) general disbursements, up to \$5,000;
- (3) the redirection of mail or the termination of service by the postmaster; and
- (4) the rendering of accounts and the handing over of property of a value not in excess of \$5,000 to persons entitled to it on termination of the administration of the Minister of Revenue.

7R79.4. A public servant governed by the collective labour agreement for public servants who holds a position of administration technician at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is, to the extent that the public servant is under the immediate authority of the Senior Director, Unclaimed Property, authorized to sign any document in connection with

- (1) the obtaining of documents in order to take jurisdiction;

(2) the redirection of mail or the termination of service by the postmaster; and

(3) the rendering of accounts and the handing over of property of a value not in excess of \$2,000 to persons entitled to it on termination of the administration of the Minister of Revenue.

7R79.5. A public servant governed by the collective labour agreement for public servants who holds a position of office clerk at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is, to the extent that the public servant is under the immediate authority of the Senior Director, Unclaimed Property, authorized to sign any document in connection with

- (1) the obtaining of documents in order to take jurisdiction; and
- (2) the redirection of mail or the termination of service by the postmaster.

§§§§1.1.1.1.1. Direction des produits financiers non réclamés

7R79.6. A public servant who holds the position of Director, Unclaimed Financial Products at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is authorized to sign any document in connection with

- (1) the obtaining of documents in order to take jurisdiction;
- (2) general disbursements, up to \$100,000;
- (3) the notice of quality referred to in article 699 of the Civil Code or in section 32 of the Public Curator Act (R.S.Q., c. C-81);
- (4) the discharge of any sum relating to a debt, release of security or approval of any claim against unclaimed property and their payment if the patrimony so allows;
- (5) the discharge of any sum relating to a succession;
- (6) a settlement and partition or a transaction referred to in section 36 of the Public Curator Act, up to a value not in excess of \$100,000;
- (7) the approval of a claim against unclaimed property, up to \$100,000;
- (8) the sale, expropriation, creation of a servitude or hypothec or any other alienation concerning an immovable;

- (9) the renewal of a debt secured by a hypothec;
- (10) the correction or ratification of the title to an immovable;
- (11) the sale of any movable property at auction, by agreement or through a third person, the disposition of such property by other means in accordance with the procedures in force and the moving and storage of such property;
- (12) the receipt, audit, recovery or liquidation of financial products;
- (13) the receipt, management or liquidation of the content of a safety deposit box;
- (14) the valuation and safekeeping of unclaimed financial products;
- (15) authorization to transfer a retirement savings plan to a registered retirement savings fund;
- (16) authorization to convert an annuity contract or a pension plan into a locked-in retirement account or to convert that account into a life income fund;
- (17) the opening, transfer or closing of an account with a broker or another third person;
- (18) the management, conversion or transfer of a personal or joint portfolio from one broker to another;
- (19) the security deed in relation to securities, for the purpose of obtaining a duplicate of a lost or destroyed certificate;
- (20) transactions relating to the management or liquidation of securities in registered form;
- (21) the inspection conducted or ordered for unclaimed property, in accordance with section 27.1 of the Public Curator Act;
- (22) the imposition or cancellation of the penal sanctions under section 69 of the Public Curator Act, related to a time period, non-compliance or non-transfer of financial products;
- (23) the sitting on a board of directors of a legal person and the administration or dissolution of a legal person, including the signing of legal notices and any document relating to the rights attached to securities administered by the Minister of Revenue;
- (24) fiscal laws;
- (25) the redirection of mail or the termination of service by the postmaster; and
- (26) the rendering of accounts and the handing over of property to persons entitled to it on termination of the administration of the Minister of Revenue.
- 7R79.7.** A public servant governed by the collective labour agreement for advocates and notaries or a public servant governed by the collective labour agreement for professionals who holds a position of financial management officer, socio-economic research and planning officer or a position of computer and administrative processes analyst in the Direction des produits financiers non réclamés at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is authorized to sign any document in connection with
- (1) the obtaining of documents in order to take jurisdiction;
- (2) general disbursements, up to \$5,000;
- (3) the notice of quality referred to in section 32 of the Public Curator Act (R.S.Q., c. C-81);
- (4) the recovery of financial products;
- (5) the valuation and safekeeping of unclaimed financial products;
- (6) the sale of any security in registered form, up to a value not in excess of \$5,000, and the opening, transfer or closing of an account with a broker;
- (7) the sale of any movable property at auction, their abandonment or destruction in accordance with the procedures in force;
- (8) the redirection of mail or the termination of service by the postmaster; and
- (9) the rendering of accounts and the handing over of property of a value not in excess of \$5,000 to persons entitled to it on termination of the administration of the Minister of Revenue.
- 7R79.8.** A public servant governed by the collective labour agreement for public servants who holds a position of administration technician in the Direction des produits financiers non réclamés at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is authorized to sign any document in connection with

- (1) the obtaining of documents in order to take jurisdiction;
- (2) general disbursements, up to \$2,000;
- (3) the valuation and safekeeping of unclaimed financial products;
- (4) the sale of any security in registered form, up to a value not in excess of \$2,000, and the opening, transfer or closing of an account with a broker;
- (5) the sale of any movable property at auction;
- (6) the redirection of mail or the termination of service by the postmaster; and
- (7) the rendering of accounts and the handing over of property of a value not in excess of \$2,000 to persons entitled to it on termination of the administration of the Minister of Revenue.

7R79.9. A public servant governed by the collective labour agreement for public servants who holds a position of office clerk in the Direction des produits financiers non réclamés at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is authorized to sign any document in connection with

- (1) the obtaining of documents in order to take jurisdiction;
- (2) general disbursements, up to \$500;
- (3) the valuation and safekeeping of unclaimed financial products;
- (4) the sale of any movable property at auction; and
- (5) the redirection of mail or the termination of service by the postmaster.

§§§§1.1.1.2. *Direction des successions non réclamées*

7R79.10. A public servant who holds the position of Director, Unclaimed Successions, at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is authorized to sign any document in connection with

- (1) the obtaining of documents in order to take jurisdiction;
- (2) general disbursements, up to \$100,000;

(3) the inventory for unclaimed property prescribed under section 29 of the Public Curator Act (R.S.Q., c. C-81);

(4) the notice setting out the Minister of Revenue's capacity as administrator of every immovable entrusted to the Minister of Revenue's administration in the manner provided for in section 31 of the Public Curator Act, and cancellation of the notice in the manner provided for in section 31 of that Act;

(5) the notice of quality referred to in article 699 of the Civil Code or in section 32 of the Public Curator Act;

(6) the notice of closure of inventory referred to in article 795 of the Civil Code, the notice of closure of account referred to in article 822 of the Code or the notice of end of liquidation referred to in article 700 of the Code;

(7) management of an advance of funds or a credit margin, up to \$10,000 per file;

(8) the discharge of any sum relating to a debt, release of security or approval of any claim against unclaimed property and their payment if the patrimony so allows;

(9) the discharge of any sum relating to a succession;

(10) a settlement and partition or a transaction referred to in section 36 of the Public Curator Act, up to a value not in excess of \$100,000;

(11) the approval of a claim against unclaimed property, up to \$100,000;

(12) the sale, expropriation of an immovable, creation of a servitude or hypothec or any other alienation concerning an immovable;

(13) the renewal of a debt secured by a hypothec;

(14) the correction or ratification of the title to an immovable;

(15) the sale of any movable property at auction, by agreement or through a third person, the disposition of such property by other means in accordance with the procedures in force, and the moving and storage of such property;

(16) a lease, as lessor;

(17) insurance;

(18) the deed of assignment of property or any other document incidental to the application of bankruptcy rules;

(19) the valuation and safekeeping of unclaimed financial products;

(20) authorization to transfer a retirement savings plan to a registered retirement savings fund;

(21) authorization to convert an annuity contract or a pension plan into a locked-in retirement account or to convert that account into a life income fund;

(22) the opening, transfer or closing of an account with a broker or another third person;

(23) the management, conversion or transfer of a personal or joint portfolio from one broker to another;

(24) the security deed in relation to securities, for the purpose of obtaining a duplicate of a lost or destroyed certificate;

(25) transactions relating to the management or liquidation of securities in registered form;

(26) the sitting on a board of directors of a legal person and the administration or dissolution of a legal person, including the signing of legal notices and any document relating to the rights attached to securities administered by the Minister of Revenue;

(27) fiscal laws;

(28) the redirection of mail or the termination of service by the postmaster; and

(29) the rendering of accounts and the handing over of property to persons entitled to it on termination of the administration of the Minister of Revenue.

7R79.11. A public servant governed by the collective labour agreement for advocates and notaries or a public servant governed by the collective labour agreement for professionals who holds a position of socio-economic research and planning officer, a position of computer and administrative processes analyst or a position of administrative attaché in the Direction des successions non réclamées at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is authorized to sign any document in connection with

(1) the obtaining of documents in order to take jurisdiction;

(2) general disbursements and advances of funds, up to \$5,000;

(3) the notice of quality referred to in article 699 of the Civil Code or in section 32 of the Public Curator Act (R.S.Q., c. C-81);

(4) the notice of closure of inventory referred to in article 795 of the Civil Code, the notice of closure of account referred to in article 822 of the Code or the notice of end of liquidation referred to in article 700 of the Code;

(5) the notice setting out the Minister of Revenue's capacity as administrator of every immovable entrusted to the Minister of Revenue's administration in the manner provided for in section 31 of the Public Curator Act, and cancellation of the notice in the manner provided for in section 31 of that Act;

(6) the valuation and safekeeping of unclaimed property;

(7) the sale of any movable property at auction or through a third person;

(8) the abandonment or destruction of any movable property in accordance with the procedures in force;

(9) a lease, as lessor;

(10) an offer to purchase immovable property in accordance with the conditions of the sale determined by the Director, Unclaimed Successions;

(11) renewal of a hypothec on an immovable, up to \$50,000;

(12) a claim, acceptance of an indemnity or discharge in matters of insurance, up to \$50,000;

(13) the discharge of any sum relating to a debt or the release of security, up to \$5,000;

(14) the approval of a claim against unclaimed property, up to \$5,000;

(15) the sale of any security in registered form and the opening, transfer or closing of an account with a broker, in case of unclaimed successions, up to a value not in excess of \$5,000;

(16) the security deed in relation to securities, for the purpose of obtaining a duplicate of a lost or destroyed certificate;

(17) the filing of fiscal returns;

(18) the redirection of mail or the termination of service by the postmaster; and

(19) the rendering of accounts and the handing over of property of a value not in excess of \$5,000 to persons entitled to it on termination of the administration of the Minister of Revenue.

7R79.12. A public servant governed by the collective labour agreement for public servants who holds a position of audit officer or administration technician in the Direction des successions non réclamées at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is authorized to sign any document in connection with

(1) the obtaining of documents in order to take jurisdiction;

(2) general disbursements and advances of funds, up to \$2,000;

(3) the discharge of any sum relating to a debt or the release of security, up to \$2,000;

(4) the valuation and safekeeping of unclaimed property;

(5) the abandonment or destruction of any movable property in accordance with the procedures in force;

(6) the sale of any movable property at auction or through a third person;

(7) an insurance claim;

(8) the approval of a claim against unclaimed property, up to \$2,000;

(9) the redirection of mail or the termination of service by the postmaster; and

(10) the rendering of accounts and the handing over of property of a value not in excess of \$2,000 to persons entitled to it on termination of the administration of the Minister of Revenue.

7R79.13. A public servant governed by the collective labour agreement for public servants who holds a position of public curatorship investigator in the Direction des successions non réclamées at the Direction principale

des biens non réclamés within the Direction générale des biens non réclamés is authorized to sign any document in connection with

(1) general disbursements, up to \$500 and advances of funds, up to \$2,000;

(2) the sale of any movable property at auction or by agreement; and

(3) the abandonment or destruction of any movable property in accordance with the procedures in force.

7R79.14. A public servant governed by the collective labour agreement for public servants who holds a position of office clerk in the Direction des successions non réclamées at the Direction principale des biens non réclamés within the Direction générale des biens non réclamés is authorized to sign any document in connection with

(1) the obtaining of documents in order to take jurisdiction;

(2) general disbursements, up to \$500 and advances of funds, up to \$2,000;

(3) the valuation and safekeeping of unclaimed property; and

(4) the redirection of mail or the termination of service by the postmaster.

§§1.1.2. Signature of the Deputy Minister of Revenue

7R79.15. A facsimile of the signature of the deputy minister may be affixed on the cheques drawn on an account held by the Minister of Revenue in a financial institution for the purposes of provisional administration of unclaimed property.”.

(2) Subsection 1 has effect from 1 April 2006.

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

7509

M.O., 2006**Order number 2006-008 of the Minister of Health and Social Services for the designation of a breast cancer detection centre dated 15 March 2006**

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

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING subparagraph *b.3* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29);

CONSIDERING subparagraph *ii* of paragraph *o* of section 22 of the Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r.1);

ORDERS AS FOLLOWS :

The following breast cancer detection centre is hereby designated for the Gaspésie–Îles-de-la-Madeleine region :

“Centre hospitalier Baie-des-Chaleurs, a facility maintained by the Centre de santé et des services sociaux Baie-des-Chaleurs and situated at the following address :

419, boulevard Perron
Maria (Québec)
G0C 1Y0”

Québec, 15 March 2006

PHILIPPE COUILLARD,
Minister of Health and Social Services

7500

M.O., 2006**Order of the Minister of Education, Recreation and Sports dated 14 March 2006**

Education Act
(R.S.Q., c. I-13.3; 2004, c. 38)

CONCERNING the Regulation respecting departures from the list of subjects of the Basic school regulation for preschool, elementary and secondary education

THE MINISTER OF EDUCATION, RECREATION AND SPORTS,

CONSIDERING section 457.2 of the Education Act (R.S.Q., c. I-13.3), as amended by the Act to amend the Education Act and the Act respecting private education (2004, c. 38), which provides that the Minister of Educa-

tion, Recreation and Sports may determine by regulation the cases in which and the conditions on which a school board may permit a departure from the provisions of a basic regulation that relate to the list of subjects so that a special school project may be carried out and that the regulation must prescribe that a report be made to the Minister, at intervals determined by the Minister, on departures from those provisions granted to carry out special school projects ;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 28 September 2005, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 6 of the Act to amend the Education Act and the Act respecting private education, of a draft Regulation respecting departures from the list of subjects of the Basic school regulation for preschool, elementary and secondary education, with a notice that it could be made on the expiry of 60 days following that publication ;

CONSIDERING the expiry of the statutory 60-day period ;

CONSIDERING that it is expedient to make the above-cited draft Regulation with amendments ;

ORDERS AS FOLLOWS :

The Regulation respecting departures from the list of subjects of the Basic school regulation for preschool, elementary and secondary education, attached to this Order, is hereby made.

Québec, 14 March 2006

JEAN-MARC FOURNIER,
Minister of Education, Recreation and Sports

Regulation respecting departures from the list of subjects of the Basic school regulation for preschool, elementary and secondary education

Education Act
(R.S.Q., c. I-13.3, s. 457.2; 2004, c. 38, s. 4)

**DIVISION 1
CASES AND CONDITIONS**

1. A school board may permit the removal of the following subjects provided for in the Basic school regulation for preschool, elementary and secondary education so that a special school project may be carried out :

- (1) Secondary II Home Economics;
- (2) Secondary III Introduction to Technology;
- (3) Secondary III, IV or V Personal and Social Education;
- (4) Secondary III, IV or V Career Choice Education; and
- (5) Secondary V Economics.

The school board may also permit the replacement of a subject by an equivalent subject if that subject is compulsory at the time the project ends, according to the approach for gradual implementation of the provisions of the Basic regulation established by the Minister pursuant to section 459 of the Education Act (R.S.Q., c. I-13.3).

If the school project is to facilitate a change to vocational training, the school board may permit the removal of any subject in the second cycle of the secondary level other than the subjects required in the Basic vocational training regulation for admission to a vocational training program leading to a diploma of vocational studies.

2. The school project referred to in section 1 must respect the following parameters:

- (1) the project must identify the group of students concerned and the school where the project is to be carried out;
- (2) the project must have eligibility rules that establish the abilities and needs of the students who will participate in the project so as to foster their school success;
- (3) the duration is not more than three school years;
- (4) in the case of a project referred to in the first paragraph of section 1, the project is in keeping with the compulsory objectives of the program of studies of the subject removed;
- (5) it is shown that the project cannot be carried out using the time allocated for elective subjects or apportioning the time allocated to each subject pursuant to section 86 of the Act;
- (6) in the case of a project to facilitate a change to vocational training, the project applies only to students who are at least 16 years of age on 30 September of the

school year in which the project begins and attend school in accordance with the requirements of section 18 of the Basic school regulation for preschool, elementary and secondary education; and

(7) the project has been submitted for consultation to the teachers of the school where the project is to be carried out and has been accepted by the governing board.

3. Within three months of the implementation of the project referred to in section 1, the school board must send the following information in writing to the Minister:

- (1) a description of the project, the needs it meets, its objectives and duration;
- (2) the number of students the project concerns;
- (3) the cycle or, if applicable, the year of the cycle in which the project is to apply; and
- (4) the subject covered by the departure.

4. Despite section 1, a departure for the purpose of carrying out a special school project pursuant to an agreement with a department or body may be permitted by the school board only with the authorization of the Minister given in accordance with section 459 of the Act.

DIVISION II PROJECT EVALUATION AND REPORTING

5. The school board must report on any departure permitted for a project referred to in section 1, after consulting the principal of the school concerned, in an evaluation report submitted to the Minister within six months after the end of the project.

DIVISION III PROJECT RENEWAL

6. A special school project may be renewed for maximum periods of three school years.

The renewal is subject to paragraph 7 of section 2 and to section 3.

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

M.O., 2006**Order number MO 2006-008 of the Minister of Natural Resources and Wildlife dated 20 March 2006**

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

CONCERNING the replacement of Schedule 11 to Order in Council 573-87 dated 8 April 1987 concerning the designation and delimitation of land in the domain of the State

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE,

CONSIDERING that the Government, by Order in Council 573-87 dated 8 April 1987, amended by Orders in Council 497-91 dated 10 April 1991, 534-93 dated 7 April 1993, 904-95 dated 28 June 1995, 25-96 dated 10 January 1996, 952-97 dated 30 July 1997, 1439-97 dated 5 November 1997, 98-98 dated 28 January 1998, 245-98 dated 4 March 1998 and 739-98 dated 3 June 1998, designated and delimited the areas on land in the domain of the State described in Schedules 1 to 201 to that Order in Council in view to increasing utilization of wildlife resources;

CONSIDERING that under section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Minister may delimit areas on land in the domain of the State in view of increased utilization of wildlife resources and the carrying on of recreational activities incidental there to;

CONSIDERING section 33 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29) which provides that orders made by the Government under section 85 of the Act respecting the conservation and development of wildlife before 17 June 1998 remain in force until they are replaced by an order of the Minister;

CONSIDERING that it is expedient to replace schedule 11 of Order in Council 573-87 dated 8 April 1987;

ORDERS THAT:

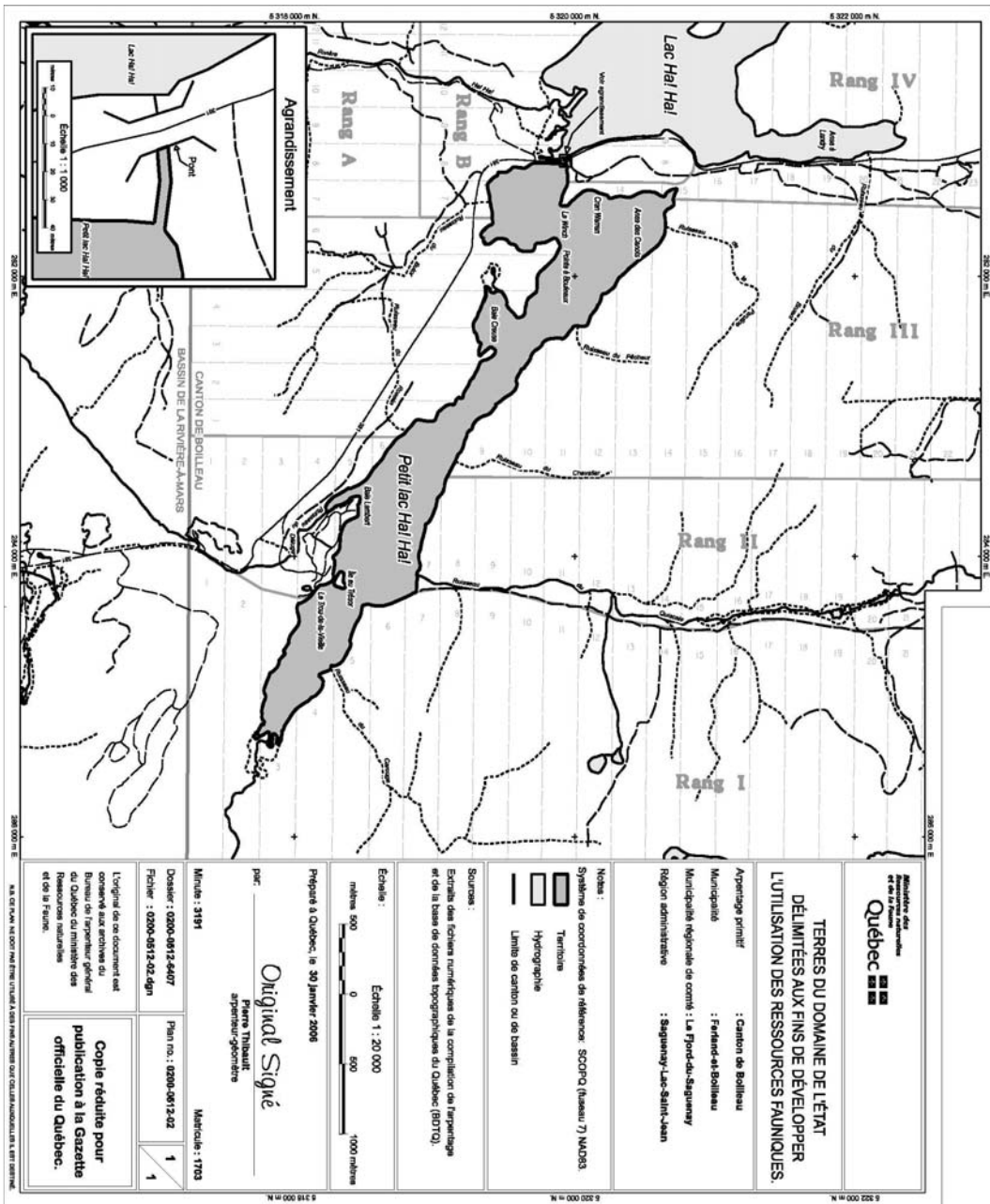
Schedule 11, attached hereto be substituted for Schedule 11 to Order in Council 573-87 dated 8 April 1987.

This Minister's Order comes into force on the date of its publication in the *Gazette officielle du Québec*.

Québec, 20 March 2006

PIERRE CORBEIL,
*Minister of Natural Resources
and Wildlife*

SCHEDULE 11



Draft Regulations

Draft Regulation

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

An Act respecting off-highway vehicles
(R.S.Q., c. V-1.2)

Protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to clarify the provision concerning the label that must be affixed to the protective helmet worn by motorcycle, moped or snowmobile riders and their passengers to indicate that it meets one of the standards of manufacture recognized by the Regulation. It also proposes to add to the list of standards of manufacture already recognized the new European protective helmet manufacturing standard that has minimal requirements meeting our standards.

The draft Regulation proposes to maintain the requirement for a person riding an off-road vehicle or who is in a sleigh or trailer being towed by such a vehicle to wear a protective helmet that complies with the prescribed standards.

The Highway Safety Code provides that any person riding a power-assisted bicycle must wear a protective helmet that complies with the standards set by regulation. The draft Regulation prescribes standards concerning the manufacture and use of protective helmets for power-assisted bicycle riders.

To date, study of the matter shows little impact on the public. However, motorcycle riders will no longer receive statements of offence because their helmets do not bear the label with the complete reference to the standard required by the Regulation, even though their helmets are in compliance with one of the recognized standards

of manufacture. Also, the few power-assisted bicycle riders who do not already have a protective helmet will be required to purchase one.

The proposed amendments will have no impact on enterprises since the manufacturers of protective helmets will not be subject to any additional standard of manufacture.

Further information may be obtained by contacting Jean-Claude Bégin, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-3-21, C. P. 19600, Québec (Québec) G1K 8J6; telephone: 418 528-3597.

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

MICHEL DESPRÉS,
*Minister of Transport and Minister responsible
for the Capitale-Nationale region*

Regulation to amend the Regulation respecting protective helmets for riding motorcycles, mopeds or snowmobiles and for their passengers¹

Highway Safety Code
(R.S.Q., c. C-24.2, s. 621, 1st par., subpar. 2)

An Act respecting off-highway vehicles
(R.S.Q., c. V-1.2, s. 46, 1st par., subpar. 14)

1. The Regulation respecting protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers is amended by replacing its title by

“Protective Helmets Regulation”.

¹ The Regulation respecting protective helmets for persons riding motorcycles, mopeds or snowmobiles and for their passengers has never been amended since it was made by Order in Council 1015-95 dated 19 July 1995 (1995, *G.O.* 2, 2348).

2. Section 2 is amended

(1) by striking out “, snowmobile” in the part preceding paragraph 1 and by replacing “or in a sidecar” in that part by “, in a sidecar, on an off-road vehicle covered by the Act respecting off-highway vehicles (R.S.Q., c. V-1.2) or in a sleigh or trailer being towed by such a vehicle”;

(2) by replacing “290.1” in paragraph 3 by “Z90.1”;

(3) by adding the following paragraph after paragraph 5:

“(6) ECE Regulation 22, United Nations Economic Commission for Europe standard.”;

(4) by adding the following paragraph after the first paragraph:

“A protective helmet must bear, at all times, the label affixed by the manufacturer in compliance with the requirements of the standard of manufacture.”.

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

“**2.1.** Every person riding a power-assisted bicycle on a public highway must wear a protective helmet that complies with the following standards of manufacture:

(1) be made of a rigid shell with a padded interior; and

(2) be equipped with a chin strap.”.

4. Section 3 is amended by deleting paragraph 1.

5. The Regulation respecting snowmobiles² is amended by replacing “Regulation respecting protective helmets for motorcyclists and snowmobilsts (c. C-24, r.7) and amendments thereto” in section 31 by “Protective Helmets Regulation made by Order in Council 1015-95 dated 19 July 1995”.

6. The Regulation respecting all-terrain vehicles³ is amended by replacing “Regulation respecting protective helmets for motorcyclists and snowmobilsts (c. C-24, r.7)” in section 3 by “Protective Helmets Regulation made by Order in Council 1015-95 dated 19 July 1995”.

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

7501

Draft Regulation

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

Dental hygienists — Standards for equivalence of diplomas or training for the issue of a permit

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 standards for equivalence of diplomas or training for the issue of a permit by the Ordre des hygiénistes dentaires du Québec, made by the Bureau of the Ordre des hygiénistes dentaires du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to update the standards for equivalence of diplomas issued by educational institutions outside Québec for the purpose of permit issuance by the Ordre des hygiénistes dentaires du Québec, and to introduce the standards for equivalence of the training of a person who does not hold a diploma required for such purposes pursuant to paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26).

The Order foresees no financial impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting the Secretary of the Order, Dominique Derome, FCMA, Ordre des hygiénistes dentaires du Québec, 1290, rue Saint-Denis, 3^e étage, Montréal (Québec) H2X 3J7; telephone: 514 284-7639; fax: 514 284-3147; e-mail: dderome@ohdq.com

² The Regulation respecting snowmobiles (R.R.Q., 1981, c. C-24, r. 21) was last amended by the regulation made by Order in Council 1222-2004 dated 21 December 2004 (2004, *G.O.* 2, 3627A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

³ The Regulation respecting all-terrain vehicles, made by Order in Council 58-88 dated 13 January 1988 (1988, *G.O.* 2, 681) has been amended once, by the regulation made by Order in Council 1222-2004 dated 21 December 2004 (2004, *G.O.* 2, 3627A).

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

GAÉTAN LEMOYNE,
*Chairman of the Office des
professions du Québec*

Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des hygiénistes dentaires du Québec

Professional Code
(R.S.Q., c. C-26, s. 93, par. c)

DIVISION I GENERAL

1. The secretary of the Ordre des hygiénistes dentaires du Québec must forward a copy of this Regulation to a candidate who, for the purpose of obtaining a permit from the Order, wishes to have a diploma or training recognized as equivalent.

2. In this Regulation,

(1) “diploma giving access to the permit” means a diploma recognized by a regulation of the Government made under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26) as giving access to the permit issued by the Order;

(2) “diploma equivalence” means recognition by the Bureau of the Order, pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code, that a diploma issued by an educational institution outside Québec certifies that the candidate’s level of knowledge and skills is equivalent to the level attained by the holder of a diploma giving access to the permit issued by the Order;

(3) “training equivalence” means recognition by the Bureau of the Order, pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code, that a candidate’s training has enabled the candidate to attain a level of knowledge and skills equivalent to the level attained by the holder of a diploma giving access to the permit issued by the Order.

DIVISION II STANDARDS FOR A DIPLOMA EQUIVALENCE

3. A candidate who holds a diploma issued by an educational institution outside Québec is granted a diploma equivalence if the diploma was obtained on completion of studies equivalent to at least 2,460 hours of study at the college level, including 1,800 hours of training specific to dental hygiene. At least 1,145 hours out of those 1,800 hours must be apportioned as follows:

(1) at least 740 hours in the following subjects, excluding training hours, including:

(a) at least 60 hours in oral radiology;

(b) at least 60 hours in orthodontics;

(c) at least 45 hours in operative dentistry;

(d) at least 45 hours in prosthodontics;

(e) at least 45 hours in making connections between nutrition and oral health;

(f) at least 80 hours in occupational health and safety and in the implementation of universal protection measures to prevent infections, including the use of various means to clean, disinfect and sterilize equipment;

(g) at least 60 hours in scaling;

(h) at least 90 hours in subjects related to the analysis of the structures and normal functions of the head and neck;

(i) at least 60 hours in the screening of oral diseases and the connections between health history and dental hygiene treatments, including knowledge of the effect of pharmaceutical products on preventive and curative interventions;

(j) at least 195 hours in teaching and intervention in the field of preventive dental health; and

(2) at least 405 hours of training in dental hygiene including at least 30 hours in operative dentistry.

4. Despite section 3, where the diploma in respect of which an application for equivalence has been filed was issued 5 years or more before the application and the knowledge to which the diploma attests no longer corresponds, having regard to the developments in the profession, to the knowledge being taught at the time of the application in a program of study leading to a diploma giving access to the permit, the candidate is granted a

training equivalence pursuant to section 5 if the candidate has attained the required level of knowledge and skills since being awarded the diploma.

DIVISION III STANDARDS FOR TRAINING EQUIVALENCE

5. A candidate is granted a training equivalence if the candidate demonstrates a level of knowledge and skills equivalent to the level of the holder of a diploma giving access to the permit at the time of the application.

In assessing the training equivalence of a candidate, the Bureau must take into account the following factors:

- (1) the fact that the candidate holds one or more diplomas awarded in Québec or elsewhere and the year in which they were awarded;
- (2) the type of courses taken, course content and duration and marks obtained;
- (3) training periods, their duration and the related evaluation reports; and
- (4) the nature and length of relevant work experience.

DIVISION IV EQUIVALENCE RECOGNITION PROCEDURE

6. A candidate wishing to have a diploma or training equivalence recognized must provide the secretary or the person designated by the Bureau for that purpose with the following documents required in support of the candidate's written application, together with the fees for the examination of the application required under paragraph 8 of section 86.0.1 of the Professional Code:

- (1) the candidate's academic record, with a description of the courses taken, the number of hours for each course and the marks obtained;
- (2) a certified true copy of all diplomas held;
- (3) a document attesting to participation in a training period including its duration and the evaluation report and, where applicable, in ongoing or upgrading training activities related to the professional activities described in paragraph *k* of section 37 of the Professional Code;
- (4) a document attesting to the candidate's work experience and a description thereof; and
- (5) where applicable, any information related to the factors that the Bureau of the Order may take into account pursuant to section 5.

Documents written in a language other than French or English that are submitted in support of an application for diploma or training equivalence must be accompanied by a French or English translation. The translation must be certified as true to the original by a member of the Ordre professionnel des traducteurs, terminologues et interprètes agréés du Québec.

7. The secretary or the person designated by the Bureau for that purpose must send the documents prescribed by section 6 to the committee set up by the Bureau to examine applications for equivalence and to make appropriate recommendations to the Bureau.

In order to make an appropriate recommendation, the committee may require a candidate who applied for a training equivalence to be interviewed, to write an examination or to serve a training period, or all three.

8. At its first meeting following receipt of a recommendation from the committee, the Bureau must decide whether to recognize or to deny the equivalence applied for and inform the candidate of its decision in writing within 15 days of its decision.

If the Bureau refuses to recognize the equivalence applied for, the Bureau must at the same time inform the candidate in writing of the programs of study or, where applicable, of the training periods or examinations that the candidate could successfully complete in order to be granted a training equivalence.

9. A candidate who is informed of the Bureau's decision not to recognize the equivalence applied for may apply to the Bureau for a review, provided the candidate applies to the secretary in writing within 30 days of receiving the decision.

The Bureau must examine the application for review at the first regular meeting following its receipt. Before disposing of the application, the Bureau must allow the candidate to present observations at the meeting.

For that purpose, the secretary of the Order must inform the candidate of the date, time and place of the meeting where the application will be examined, by means of a written notice sent by registered mail at least 10 days before the date set for the meeting.

A candidate who wishes to present observations in person must inform the secretary in writing at least 15 days before the date set for the meeting. The candidate may also submit written observations to the secretary at any time before the date set for the meeting.

10. The decision of the Bureau made pursuant to section 9 is final and must be sent to the candidate by registered mail within 30 days of the meeting date.

11. This Regulation replaces the Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des hygiénistes dentaires du Québec, approved by Order in Council 674-96 dated 5 June 1996.

However, an application for a diploma or training equivalence must be decided on the basis of the replaced Regulation if the committee referred to in section 7 of that Regulation has sent a recommendation to the Bureau of the Order in respect of that application before the date of coming into force of this Regulation.

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

Decisions

Decision

An Act respecting school elections
(R.S.Q., c. E-2.3)

Chief electoral officer

— Holding of a by-election in the Navigateurs School Board

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, concerning the holding of a by-election in the Navigateurs School Board

WHEREAS a by-election is to be held on April 9, 2006, in electoral division number 16 of the Navigateurs School Board in accordance with sections 191 and 200 of the Act respecting school elections (R.S.Q., c. E-2.3);

WHEREAS the second paragraph of section 200 of the Act respecting school elections provides that the provisions of Chapters IV to XII of the said Act shall apply to by-elections;

WHEREAS some of the said provisions have been adapted by means of special decisions of the chief electoral officer made on October 3, 2003, pursuant to section 30.8 of the Act respecting school elections, concerning the power to swear in election staff, acceptance of nominations by an assistant to the returning officer, the ballot, the poll book and the statement of votes;

WHEREAS it is necessary for these special decisions to apply to the by-election in the Navigateurs School Board;

WHEREAS section 30.8 of the Act respecting school elections allows the chief electoral officer to adapt a provision of the Act where it comes to his attention that, subsequent to an error or an exceptional circumstance, the provision does not meet the demands of the resultant situation;

WHEREAS the chief electoral officer has first informed the Minister of Education, Recreation and Sports of the decision he intends to make;

The chief electoral officer, pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, has decided to adapt the provisions of the Act respecting school elections as follows:

— The following decisions made by the chief electoral officer during the election period ending on November 16, 2003, shall apply, adapted as required, to the by-election in the Navigateurs School Board:

– Decision of October 3, 2003 concerning the power of election officers to administer oaths;

– Decision of October 3, 2003 concerning the ballot paper, the poll book and the statement of votes.

This decision has been in force from the time the returning officer of the Navigateurs School Board first took action in respect of the by-election to which it applies.

Québec, 13 March 2006

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

7506

Decision

Election Act
(R.S.Q., c. E-3.3)

Chief electoral officer

— By-election in the electoral division of Sainte-Marie–Saint-Jacques

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 490 of the Election Act regarding the application of the second paragraph of section 306 during the by-election in the electoral division of Sainte-Marie–Saint-Jacques

WHEREAS order in council n° 124-2006 of March 6, 2006, enjoins the chief electoral officer to hold by-election on Monday, April 10, 2006, in the electoral division of Sainte-Marie–Saint-Jacques;

WHEREAS the second paragraph of section 306 of the Election Act (R.S.Q., c. E-3.3) stipulates that every educational institution shall, on polling day, grant leave to those pupils and students who are electors;

WHEREAS April 10, 2006, will be an examination day for many pupils and students who are qualified electors in the electoral division of Sainte-Marie–Saint-Jacques;

WHEREAS pupils and students who are qualified electors in the electoral division of Sainte-Marie–Saint-Jacques attend educational institutions that are scheduled to hold exams on April 10, 2006;

WHEREAS the holding of these exams can not be postponed without causing major difficulties to the educational institutions and to the pupils and students concerned;

WHEREAS section 490 of the Election Act enables the chief electoral officer to adapt a provisions of the Act under exceptional circumstances;

WHEREAS the chief electoral officer has informed the authorized parties represented at the National Assembly of his intention to apply the provisions of this section and has taken necessary measures to also inform the other authorized parties, candidates and the electors concerned;

The chief electoral officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to replace the second paragraph of section 306 of this Act with the following:

“Every educational institution has to ensure that pupils and students who are qualified electors have four consecutive hours to enable them vote on polling day.”.

This decision takes effect on March 10, 2006.

Québec, 10 March 2006

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

7508

Decision

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

Chief electoral officer — Issuing of an authorization to vote to certain electors in the City of Sainte-Luce

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, concerning the issuing of an authorization to vote to certain electors in the City of Sainte-Luce

WHEREAS a by-election will be held in the City of Sainte-Luce on March 19, 2006;

WHEREAS, on January 30, 2006 and in accordance with section 100 of the Act respecting elections and referendums in municipalities, the chief electoral officer provided the list of electors whose names are entered on the permanent list of electors and who are entitled to have their names entered on the municipal list to be used in the election;

WHEREAS, following a technical error during the preparation of the list of electors, 21 electors domiciled on des Rosiers street are not entered on the list of electors;

WHEREAS the revision period of the list of electors ended on March 2, 2006;

WHEREAS, due to this technical error, certain electors are not entered on the revised list of electors for the City of Sainte-Luce, even though they were entered on the list of electors provided by the chief electoral officer on January 30, 2006;

WHEREAS the said electors were not informed that they were not entered on the list of electors;

WHEREAS the said electors will be unable to exercise their right to vote;

WHEREAS it is pertinent to permit the said electors to vote;

WHEREAS section 219 of the Act respecting elections and referendums in municipalities allows certain electors to obtain an authorization to vote from the returning officer, under certain conditions;

WHEREAS the said section, as currently worded, does not allow the returning officer to grant such authorization to an elector whose name does not appear on the revised list of electors or on any document of a board of revisors;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities states that if, subsequent to an error, a provision of the Act does not meet the demands of the resultant situation, the chief electoral officer may adapt the provision in order to achieve its object;

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

The chief electoral officer, pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, has decided to adapt the Act respecting elections and referendums in municipalities in order to authorize the returning officer of the City of Sainte-Luce to take the following steps:

1. The preamble forms an integral part of this decision.
2. The returning officer of the City of Saint-Gabriel is authorized to issue an authorization to vote to the 21 electors domiciled on des Rosiers street who go to the polling station, whose name appears on the list of electors provided by the chief electoral officer in January 2006, and whose name does not appear on the revised list of electors.
3. An elector who obtains an authorization to vote shall be admitted to vote after producing identification, presenting the said authorization to the deputy returning officer and after declaring under oath that he or she is the person who obtained it. An indication thereof shall be entered in the poll book.
4. The returning officer shall take the steps required to notify the deputy returning officers and poll secretaries working in the polling stations of the content of this decision and the measures required to apply it.

5. The returning officer shall, at the earliest opportunity, notify every independent candidate concerned by this decision.

6. This decision shall take effect on March 15, 2006.

Québec, 15 March 2006

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

7514

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

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