

**Gazette**  
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<sup>DU</sup>**Québec**

Part

**2**

**No. 17**

26 April 2006

**Laws and Regulations**

Volume 138

**Summary**

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**PROVINCE OF QUÉBEC**

2nd SESSION

37th LEGISLATURE

QUÉBEC, 29 MARCH 2006

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OFFICE OF THE LIEUTENANT-GOVERNOR

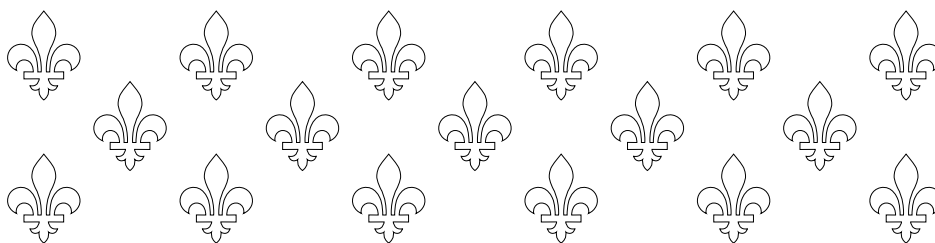
*Québec, 29 March 2006*

This day, at thirteen minutes past one o'clock in the afternoon, Her Excellency the Lieutenant-Governor was pleased to sanction the following bill:

3 Appropriation Act No. 1, 2006-2007

To this bill the Royal assent was affixed by Her Excellency the Lieutenant-Governor.





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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 3

(2006, chapter 1)

## **Appropriation Act No. 1, 2006-2007**

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**Introduced 28 March 2006**

**Passage in principle 28 March 2006**

**Passage 28 March 2006**

**Assented to 29 March 2006**

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**Québec Official Publisher  
2006**

**EXPLANATORY NOTES**

*This bill authorises the Government to pay out of the consolidated revenue fund, for the 2006-2007 fiscal year, a sum not exceeding \$12,615,358,600.00 representing some 30.7% of the estimates for each of the portfolios programs listed in the Schedule.*

*Moreover, the bill establishes to what extent the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.*



## Bill 3

### APPROPRIATION ACT NO. 1, 2006-2007

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** The Government may draw out of the consolidated revenue fund a sum not exceeding \$12,615,358,600.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2006-2007 fiscal year. This sum is constituted as follows:

(1) a first portion of \$10,280,366,800.00, in appropriations allocated according to the appended programs, representing 25.0% of appropriations to be voted in the 2006-2007 Expenditure Budget;

(2) an additional portion of \$2,334,991,800.00, in appropriations allocated according to the appended programs, representing some 5.7% of appropriations to be voted in the 2006-2007 Expenditure Budget.

**2.** In the case of programs in respect of which a provision has been made to this effect, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs or portfolios, for the reasons and, if need be, under the conditions described in the Expenditure Budget.

**3.** Except for the programs covered by section 2, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs in a given portfolio, provided that such a transfer does not increase or reduce by more than 10% the amount of the appropriation authorized by statute.

**4.** The special mandate No. 1-2005-2006, for the amount of \$12,118,575,000.00, delivered on 8 March 2006 is annulled.

**5.** This Act comes into force on 29 March 2006.

## SCHEDULE

## AFFAIRES MUNICIPALES ET RÉGIONS

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Greater Montréal Promotion and Development	17,608,300.00	9,594,700.00
PROGRAM 2		
Upgrading Infrastructure and Urban Renewal	145,700,600.00	103,000,000.00
PROGRAM 3		
Compensation in lieu of Taxes and Financial Assistance to Municipalities	178,565,600.00	263,086,900.00
PROGRAM 4		
General Administration	15,923,500.00	
PROGRAM 5		
Regional Development and Rurality	17,256,200.00	25,529,100.00
PROGRAM 6		
Commission municipale du Québec	567,300.00	
PROGRAM 7		
Housing	84,475,100.00	
PROGRAM 8		
Régie du logement	3,671,900.00	
	463,768,500.00	401,210,700.00

## AGRICULTURE, PÊCHERIES ET ALIMENTATION

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Bio-food Company Development, Training and Food Quality	91,573,200.00	
PROGRAM 2		
Government Agencies	79,212,300.00	228,750,000.00
	<u>170,785,500.00</u>	<u>228,750,000.00</u>

## CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Secrétariat du Conseil du trésor	29,496,400.00	5,100,000.00
PROGRAM 2		
Commission de la fonction publique	877,000.00	
PROGRAM 3		
Retirement and Insurance Plans	1,104,500.00	
PROGRAM 4		
Contingency Fund	188,395,600.00	
	<hr/>	<hr/>
	219,873,500.00	5,100,000.00

## CONSEIL EXÉCUTIF

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Lieutenant-Governor's Office	214,400.00	
PROGRAM 2		
Support Services for the Premier and the Conseil exécutif	17,347,800.00	4,075,000.00
PROGRAM 3		
Canadian Intergovernmental Affairs	3,007,400.00	
PROGRAM 4		
Native Affairs	41,758,200.00	3,270,700.00
PROGRAM 5		
Youth	2,316,700.00	1,370,000.00
PROGRAM 6		
Reform of Democratic Institutions and Access to Information	1,408,300.00	
	<u>66,052,800.00</u>	<u>8,715,700.00</u>

## CULTURE ET COMMUNICATIONS

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Internal Management, National Institutions and Commission des biens culturels	16,257,100.00	
PROGRAM 2		
Support for Culture, Communications and Government Corporations	123,905,900.00	16,967,200.00
PROGRAM 3		
Charter of the French Language	5,695,500.00	
	<u>145,858,500.00</u>	<u>16,967,200.00</u>

## DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET PARCS

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Environmental Protection and Parks Management	49,943,000.00	9,549,700.00
PROGRAM 2		
Bureau d'audiences publiques sur l'environnement	1,322,300.00	
	<u>51,265,300.00</u>	<u>9,549,700.00</u>

## DÉVELOPPEMENT ÉCONOMIQUE, INNOVATION ET EXPORTATION

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Department Administration	9,789,100.00	
PROGRAM 2		
Economic Development and Assistance to Enterprises	79,693,700.00	18,774,700.00
PROGRAM 3		
Research, Science and Technology	65,776,100.00	
PROGRAM 4		
Provision Concerning Financial Interventions Guaranteed by the Government	88,000,000.00	
	<hr/>	<hr/>
	243,258,900.00	18,774,700.00



## ÉDUCATION, LOISIR ET SPORT

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Administration and Consulting	37,692,700.00	
PROGRAM 2		
Tourism and Hotel Industry Training	5,153,200.00	
PROGRAM 3		
Financial Assistance for Education	124,126,700.00	
PROGRAM 4		
Pre-school, Primary and Secondary Education	1,872,302,100.00	559,286,100.00
PROGRAM 5		
Higher Education	996,153,300.00	636,088,000.00
PROGRAM 6		
Development of Recreation and Sport	16,804,200.00	24,393,000.00
	<u>3,052,232,200.00</u>	<u>1,219,767,100.00</u>

## EMPLOI ET SOLIDARITÉ SOCIALE

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Employment Assistance Measures	198,823,000.00	26,041,800.00
PROGRAM 2		
Financial Assistance Measures	618,502,000.00	67,699,900.00
PROGRAM 3		
Administration	120,162,800.00	18,906,000.00
	<u>937,487,800.00</u>	<u>112,647,700.00</u>

## FAMILLE, AÎNÉS ET CONDITION FÉMININE

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Planning, Research and Administration	7,410,500.00	
PROGRAM 2		
Assistance Measures for Families	379,322,100.00	36,215,000.00
PROGRAM 3		
Condition of the elderly	716,800.00	
PROGRAM 4		
Status of Women	1,713,900.00	793,900.00
PROGRAM 5		
Public Curator	11,076,100.00	677,900.00
	<u>400,239,400.00</u>	<u>37,686,800.00</u>

## FINANCES

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Department Administration	11,006,800.00	
PROGRAM 2		
Budget and Taxation Policy, Economic Analysis and Administration of Government Financial and Accounting Activities	26,737,300.00	
	<hr style="width: 100%; border: 0.5px solid black;"/>	
	37,744,100.00	

## IMMIGRATION ET COMMUNAUTÉS CULTURELLES

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Immigration, Integration and Cultural Communities	27,046,000.00	
PROGRAM 2		
Organization Reporting to the Minister	180,300.00	
	<hr/>	
	27,226,300.00	

## JUSTICE

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Judicial Activity	6,526,600.00	
PROGRAM 2		
Administration of Justice	64,678,900.00	8,946,100.00
PROGRAM 3		
Administrative Justice	2,541,300.00	
PROGRAM 4		
Assistance to Persons Brought before the Courts	37,029,400.00	
PROGRAM 5		
Protection Organizations Reporting to the Minister	1,906,800.00	
PROGRAM 6		
Criminal and Penal Prosecutions	14,730,700.00	
	<u>127,413,700.00</u>	<u>8,946,100.00</u>

## PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
The Public Protector	3,133,300.00	
PROGRAM 2		
The Auditor General	5,353,000.00	
PROGRAM 4		
The Lobbyists Commissioner	631,900.00	
	<hr/>	
	9,118,200.00	

## RELATIONS INTERNATIONALES

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
International Affairs	25,086,400.00	5,285,600.00
	<hr/>	<hr/>
	25,086,400.00	5,285,600.00



## RESSOURCES NATURELLES ET FAUNE

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Management of Natural Resources and Wildlife	97,266,800.00	67,777,700.00
	<u>97,266,800.00</u>	<u>67,777,700.00</u>

## REVENU

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Tax Administration	121,929,300.00	14,442,600.00
PROGRAM 2		
Enterprise Registrar	5,013,300.00	
	<hr/>	<hr/>
	126,942,600.00	14,442,600.00

## SANTÉ ET SERVICES SOCIAUX

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
National Operations	72,916,700.00	
PROGRAM 2		
Regional Operations	3,243,573,300.00	
PROGRAM 3		
Office des personnes handicapées du Québec	<u>2,929,200.00</u>	
	3,319,419,200.00	

## SÉCURITÉ PUBLIQUE

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Security, Prevention and Internal Management	104,313,300.00	3,835,100.00
PROGRAM 2		
Sûreté du Québec	119,970,200.00	115,683,100.00
PROGRAM 3		
Agencies Reporting to the Minister	7,309,200.00	
	<hr/>	<hr/>
	231,592,700.00	119,518,200.00

## SERVICES GOUVERNEMENTAUX

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Government Services	15,556,400.00	
	<hr/>	
	15,556,400.00	

## TOURISME

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Promotion and Development of Tourism	34,814,800.00	9,292,500.00
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	34,814,800.00	9,292,500.00

## TRANSPORTS

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Transportation Infrastructures	335,648,700.00	29,750,000.00
PROGRAM 2		
Transportation Systems	103,995,300.00	18,500,000.00
PROGRAM 3		
Administration and Corporate Services	22,148,700.00	
PROGRAM 4		
Promotion and Development of the Capitale-Nationale Region	9,868,100.00	2,309,500.00
	<u>471,660,800.00</u>	<u>50,559,500.00</u>

## TRAVAIL

	<b>First portion</b>	<b>Additional portion</b>
PROGRAM 1		
Labour	5,702,400.00	
	<hr/> 5,702,400.00	



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## Regulations and other acts

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Gouvernement du Québec

### O.C. 319-2006, 13 April 2006

Pesticides Act  
(R.S.Q., c. P-9.3)

#### Pesticides Management Code — Amendments

##### Regulation to amend the Pesticides Management Code

WHEREAS, under sections 101, 104, 105, 107 and paragraphs 11.1 to 13 of section 109 of the Pesticides Act (R.S.Q., c. P-9.3), the Government may make regulations on the matters set forth therein;

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 Pesticides Management Code was published in Part 2 of the *Gazette officielle du Québec* of 1 June 2005 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, although no comments were received following that publication in the *Gazette officielle du Québec*, it is expedient to make the Regulation with a terminology-related amendment to the English text;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation to amend the Pesticides Management Code, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

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### Regulation to amend the Pesticides Management Code\*

(R.S.Q., c. P-9.3, ss. 101, 104, 105, 107 and 109, pars. 11.1 to 13)

**1.** The Pesticides Management Code is amended by replacing “normal high water mark as defined in the Politique de protection des rives, du littoral et des plaines inondables made by Décret 103-96 dated 24 January 1996” in the second paragraph of section 1 by “natural high-water mark as defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005”.

**2.** The English text is amended by replacing “normal high water mark” in paragraph 2 of section 30 and the second paragraph of section 86 by “natural high-water mark”.

**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 Pesticides Management Code, made by Order in Council 331-2003 dated 5 March 2003 (2003, *G.O.* 2, 1255), was last amended by Order in Council 464-2003 dated 31 March 2003 (2003, *G.O.* 2, 1367).

Gouvernement du Québec

## O.C. 320-2006, 13 April 2006

Environment Quality Act  
(R.S.Q., c. Q-2)

**Application of the Act**  
**Motor vehicle traffic in certain fragile environments**  
**Environmental impact assessment and review**  
**Pulp and paper mills**  
**Snow elimination sites**  
 — Amendments

Regulation to amend the Regulation respecting the application of the Environment Quality Act, the Regulation respecting motor vehicle traffic in certain fragile environments, the Regulation respecting environmental impact assessment and review, the Regulation respecting pulp and paper mills and the Regulation respecting snow elimination sites

WHEREAS, under sections 23, 31, 31.1, 31.3, subparagraph *a* of the first paragraph of section 31.9, paragraphs *a* to *g* and *l* of section 46, subparagraphs 1, 2 and 4 of the first paragraph of section 53.30, section 66, paragraphs 1, 2, 5 and 6 of section 70 and sections 109.1 and 124.1 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may make regulations on the matters set forth therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, the draft Regulation to amend the Regulation respecting the application of the Environment Quality Act, the Regulation respecting motor vehicle traffic in certain fragile environments, the Regulation respecting environmental impact assessment and review, the Regulation respecting pulp and paper mills and the Regulation respecting snow elimination sites was published in Part 2 of the *Gazette officielle du Québec* of 1 June 2005 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments to take into account the comments received following that publication in the *Gazette officielle du Québec* and to add certain details;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation to amend the Regulation respecting the application of the Environment Quality Act, the Regulation respecting motor vehicle traffic in certain

fragile environments, the Regulation respecting environmental impact assessment and review, the Regulation respecting pulp and paper mills and the Regulation respecting snow elimination sites, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting the application of the Environment Quality Act, the Regulation respecting motor vehicle traffic in certain fragile environments, the Regulation respecting environmental impact assessment and review, the Regulation respecting pulp and paper mills and the Regulation respecting snow elimination sites**

Environment Quality Act  
(R.S.Q., c. Q-2, ss. 23, 31, 31.1, 31.3 and 31.9, 1st par., subpar. *a*, s. 46, pars. *a* to *g* and *l*, s. 53.30, 1st par., subpars. 1, 2 and 4, s. 66, s. 70, pars. 1, 2, 5 and 6, and ss. 109.1 and 124.1)

1. The Regulation respecting the application of the Environment Quality Act<sup>1</sup> is amended

(1) by replacing “, where permitted under the *Politique de protection des rives, du littoral et des plaines inondables* (Order in Council 103-96 dated 24 January 1996)” in paragraph 3 of section 1 by “within the meaning of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005;”;

(2) in section 2

(*a*) by replacing “on the strip of land along the edge of a watercourse or a lake, the limits of such strip of land being defined in the *Politique de protection des rives, du littoral et des plaines inondables*” in the part preceding paragraph 1 by “on a bank or shore or in a floodplain within the meaning of the Protection Policy for

<sup>1</sup> The Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993 (1993, *G.O.* 2, 5996), was last amended by the regulation made by Order in Council 451-2005 dated 11 May 2005 (2005, *G.O.* 2, 1182). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005”;

(b) by replacing “the Regulation respecting the prevention of water pollution in livestock operations (R.R.Q., 1981, c. Q-2, r.18)” in paragraph 1 by “the regulations on farm operations made under the Environment Quality Act”;

(c) by adding the following at the end of paragraph 2:

“Despite the introductory provision, even if it is carried out on a bank or shore or in a floodplain, work to maintain, rebuild, repair or demolish the components of aerial transmission or distribution systems for electricity, telecommunications or cable-television, including the lines of those systems and their rights-of-way are also governed by this paragraph, if such work does not entail

(a) the use of pesticides on the bank or shore, or if it is carried out in a floodplain, the use of pesticides referred to in subparagraphs *b* to *d* of paragraph 10; or

(b) backfilling, trench digging, excavation, removal of topsoil or any other type of intervention likely to disturb the soil, the air or the hydraulic regime;”;

(d) by replacing “the Regulation respecting the prevention of pollution in livestock operations” in paragraph 12 by “the regulations on farm operations made under the Environment Quality Act”;

(3) by inserting the following after section 2:

“2.1. Despite the provisions of sections 1 and 2, the laying out of penstocks or by-pass canals for agricultural purposes remains subject to section 22 of the Environment Quality Act.”;

(4) by adding the following at the end of the first paragraph of section 8:

“In addition, if the project concerns the territory of a regional park or watercourse under the jurisdiction of a regional county municipality, the applicant must submit to the Minister a certificate from the secretary-treasurer of the regional county municipality concerned attesting to the project’s compliance with the applicable regional municipal by-laws.”.

**2.** The Regulation respecting motor vehicle traffic in certain fragile environments<sup>2</sup> is amended by replacing “same meaning as the word littoral in the Politique de protection des rives, du littoral et des plaines inondables, made by Décret 103-96 dated 24 January 1996” in section 4 by “meaning assigned by the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005”.

**3.** The Regulation respecting environmental impact assessment and review<sup>3</sup> is amended in subparagraph *b* of the first paragraph of section 2

(1) by replacing “average spring high water line” by “2-year flood line”;

(2) by adding the following sentence at the end: “. If the 2-year flood line cannot be established using the available information, it is to be determined using any relevant element, but giving preference to the botanical criteria referred to in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005 to establish the natural high-water mark”.

**4.** The Regulation respecting pulp and paper mills<sup>4</sup> is amended

(1) by replacing “natural high water mark of the sea, a watercourse or a lake within the meaning of the Politique de protection des rives, du littoral et des plaines inondables, made by Order in Council 1980-87 dated 22 December 1987, as amended” in paragraph 1 of section 53 by “natural high-water mark of the sea, a watercourse or a lake within the meaning of the Protec-

<sup>2</sup> The Regulation respecting motor vehicle traffic in certain fragile environments was made by Order in Council 1143-97 dated 3 September 1997 (1997, *G.O.* 2, 4595) and has not been amended since.

<sup>3</sup> The Regulation respecting environmental impact assessment and review (R.R.Q., 1981, c. Q-2, r. 9) was last amended by the regulations made by Orders in Council 451-2005 dated 11 May 2005 (2005, *G.O.* 2, 1182) and 1252-2005 dated 20 December 2005 (2006, *G.O.* 2, 139). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

<sup>4</sup> The Regulation respecting pulp and paper mills, made by Order in Council 1353-92 dated 16 September 1992 (1992, *G.O.* 2, 4453), was last amended by the regulation made by Order in Council 451-2005 dated 11 May 2005 (2005, *G.O.* 2, 1182). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

tion Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005”;

(2) by replacing paragraph 1 of section 112 by the following :

“(1) in a floodplain within the meaning of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005;”.

**5.** The Regulation respecting snow elimination sites<sup>5</sup> is amended by replacing “assigned to the word “rive” in the Politique de protection des rives, du littoral et des plaines inondables, made by Order in Council 103-96 dated 24 January 1996” in the fourth paragraph of section 1 by “assigned by the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005”.

**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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## M.O., 2006

### Order number 2006-010 of the Minister of Health and Social Services dated 12 April 2006

An Act respecting bargaining units in the social affairs sector (R.S.Q., c. U-0.1)

Date of effect of sections 72 to 92 of the Act respecting bargaining units in the social affairs sector (R.S.Q., c. U-0.1)

CONSIDERING that the Act respecting bargaining units in the social affairs sector and amending the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (2003, c. 25) was assented to on 18 December 2003 and is now consolidated under the alphanumeric nomenclature U-0.1;

CONSIDERING that the Act respecting bargaining units in the social affairs sector introduces a union representation system applicable to associations of employees and institutions in the social affairs sector whose negotiation process is governed by the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., c. R-8.2);

CONSIDERING that, under section 71 of the Act respecting bargaining units in the social affairs sector, the Minister determines by order the date on which sections 72 to 92 of that Act take effect for each institution indicated by the Minister;

CONSIDERING that, by Orders 2004-004 dated 25 February 2004, 2004-009 dated 20 July 2004, 2004-011 dated 20 August 2004, 2004-014 dated 19 October 2004, 2004-017 dated 30 November 2004, 2004-018 dated 7 December 2004, 2005-004 dated 1 March 2005 and 2005-008 dated 14 July 2005 made by the Minister of Health and Social Services, sections 72 to 92 of that Act took effect for the institutions indicated therein;

CONSIDERING that it is expedient to determine the date of effect of sections 72 to 92 of that Act for another institution;

THEREFORE, the Minister of Health and Social Services determines 30 April 2006 to be the date on which sections 72 to 92 of the Act respecting bargaining units in the social affairs sector take effect for the following institution :

### Region 12 – Chaudière-Appalaches

Centre de santé et de services sociaux de Beauce

Québec, 12 April 2006

PHILIPPE COUILLARD,  
*Minister of Health and Social Services*

7567

<sup>5</sup> The Regulation respecting snow elimination sites, made by Order in Council 1063-97 dated 20 August 1997 (1997, *G.O.* 2, 4522), was amended by the regulation made by Order in Council 488-98 dated 8 April 1998 (1998, *G.O.* 2, 1602).

## Draft Regulations

### Draft Regulation

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

#### Form of statements of offence — 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 the form of statements of offence, appearing below, may be made by the Government on the expiry of 45 days from the date of this publication.

The draft Regulation contains provisions for the implementation of the above-cited Act to amend the Code of Penal Procedure and the Courts of Justice Act, which was assented to on 17 June 2005. The Act introduces a new regime for default proceedings for traffic and parking violations under the Code of Penal Procedure.

The coming into force of the Act must await regulatory amendments adapting statement of offence forms to the new procedure. Article 367 of the Code of Penal Procedure allows the Government to prescribe the form of statements of offence, which may vary depending on the offence.

The main changes introduced by the draft Regulation are to the statement of offence form used for Highway Safety Code offences and municipal traffic and parking by-law violations. The aim is to apply the statement of offence form to both the current default proceedings and the new default proceedings. To that end, the new form includes a warning to the defendant of the consequences of failure to act, in other words, failure to enter a plea or to pay the amount owed; the defendant will be deemed not to contest the proceedings and could be convicted by default (in the defendant's absence), without an opportunity to be heard.

The draft Regulation also modifies the statement of offence form used specifically for parking violations to adapt it to the new default proceedings. Other consequential amendments are made to the statement of offence form used exclusively for electronically issued statements of offence.

Study of the matter to date has shown little impact on the public or on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Pierre Reid, Bureau de la sous-ministre, Ministère de la Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1; telephone: 418 643-4090; fax: 418 643-3877; e-mail: preid@justice.gouv.qc.ca

Any interested person having comments to submit on this draft Regulation is asked to send them in writing before the expiry of the 45-day period to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1.

YVON MARCOUX,  
*Minister of Justice*

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

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

1. Section 23 of the Regulation respecting the form of statements of offence is amended

(1) by inserting “, except offences to which Division II of Chapter VI of the Code of Penal Procedure applies,” after “applies to all offences” in subparagraph 1 of the first paragraph;

(2) by inserting “, except offences to which Division II of Chapter VI of the Code of Penal Procedure applies,” after “applies to all offences” in subparagraph 2 of the first paragraph;

\* The Regulation respecting the form of statements of offence, made by Order in Council 1211-97 dated 17 September 1997 (1997, *G.O.* 2, 5074), was last amended by the regulation made by Order in Council 973-2003 dated 17 September 2003 (2003, *G.O.* 2, 2980). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

(3) by inserting “whether or not Division II of Chapter VI of the Code of Penal Procedure applies to those offences,” after “responsible for prosecuting,” in subparagraph 3 of the first paragraph;

(4) by inserting “whether or not Division II of Chapter VI of the Code of Penal Procedure applies to the offence,” after “parking violation,” in subparagraph 4 of the first paragraph;

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

“A statement of offence converted into hard copy within the meaning of Division V of Chapter I of this Regulation must include an attestation of hard copy conversion. A model for the front and back of the type of statement of offence provided for in subparagraph 3 of the first paragraph bearing an attestation of hard copy conversion is set out in Schedule V.”

**2.** Section 24 is amended by adding “the prosecutor’s address may appear on the back of the statement of offence rather than on the front;” at the end of paragraph 4.

**3.** Section 29 is amended by adding “the prosecutor’s address may appear on the back of the statement of offence rather than on the front;” at the end of subparagraph *d* of paragraph 1.

**4.** Section 33 is revoked.

**5.** Section 34 is amended

(1) by striking out subparagraph *b* of paragraph 1;

(2) by adding “the prosecutor’s address may appear on the back of the statement of offence rather than on the front;” at the end of subparagraph *e* of paragraph 1;

(3) by replacing “his or its name and address” in paragraph 2 by “the defendant’s name and address or, if the offence is a parking violation, an indication that the vehicle owner is identified as the defendant;”

(4) by replacing paragraph 8 by the following:

“(8) in the section concerning the attestation of the facts and the service of the statement of offence, or in separate sections relating to the attestation and service:

(*a*) an attestation of the facts by the peace officer or, as the case may be, the person entrusted with the enforcement of the Act who witnessed the offence or issued the statement of offence;

(*b*) if applicable, an attestation by the peace officer who issued the statement of offence that the facts constituting the offence were witnessed in part by that peace officer and in part by another peace officer;

(*c*) the name and capacity of the person attesting to the facts and badge number if the person is a police officer;

(*d*) an attestation that the statement of offence was served at the time of the offence or subsequent to the commission of the offence, or mention of the fact that the duplicate of the statement of offence was not delivered;

(*e*) the manner in which service was made;

(*f*) the name and capacity of the person who served the statement of offence or mention of the fact that the person who attested to the facts also served the statement of offence;

(*g*) the date and time of service or a reference to the document showing the date and time of service; and

(*h*) the signature of the person attesting to the facts and of the person serving the statement of offence or, as the case may be, their respective signatures in electronic form or their electronic signature validation codes; if the same person attests to the facts and serves the statement of offence, an indication to that effect and the person’s signature for the attestation of the facts and the service or, as the case may be, the person’s signature in electronic form or the person’s electronic signature validation code;

(8.1) in a section concerning warnings to the defendant, immediately after the section referred to in paragraph 8, the following boxed text in bold capital letters, in nine-point print or larger:

<b>IMPORTANT</b>
<b>PLEASE READ WARNING NO. 1 ON THE BACK. HOWEVER, IF YOU ARE UNDER 18 YEARS OF AGE OR IF THIS BOX IS CHECKED <input type="checkbox"/> PLEASE READ WARNING NO. 2 ON THE BACK.</b>

This section is used by the issuer of the statement of offence to notify the defendant of the default proceedings that apply.”

**6.** Section 35 is replaced by the following :

“**35.** The back of the pages in the statement of offence form, or the data on the corresponding page screens, must contain at least the headings, keywords, texts and spaces allowing the following to be entered :

(1) a description of the general purpose of a statement of offence ;

(2) a description of the procedure that follows the entering of a plea or a failure to enter a plea ;

(3) the address to which the defendant must send the plea and, if the defendant enters a plea of guilty, the address to which the total amount of the fine, costs and, if applicable, contribution, must be sent ;

(4) the time within which the defendant must enter a plea and the time within which the total amount of the fine, costs and, if applicable, contribution, must be paid if the defendant enters a plea of guilty ;

(5) the procedure for payment of the total amount of the fine, costs and, if applicable, contribution ;

(6) the following warnings, under a heading on the failure to enter a plea, in bold capital letters, in nine-point print or larger :

**“FAILURE TO ENTER A PLEA AND PAY TOTAL AMOUNT OF THE FINE AND COSTS**

**WARNING NO. 1**

**IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OR A PART OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE “SERVICE” SECTION OF THE STATEMENT OF OFFENCE, YOU WILL BE DEEMED NOT TO CONTEST THE PROCEEDINGS AND MAY BE CONVICTED BY DEFAULT (IN YOUR ABSENCE) WITHOUT AN OPPORTUNITY TO BE HEARD.**

**WARNING NO. 2**

**IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE “SERVICE” SECTION OF THE STATEMENT OF OFFENCE OR IN THE DOCUMENT REFERRED TO, YOU WILL BE DEEMED TO HAVE ENTERED A PLEA OF NOT GUILTY. PROCEEDINGS WILL THEN BE TRIED IN YOUR ABSENCE AND JUDGMENT WILL BE RENDERED WITHOUT FURTHER NOTICE.**

**IF YOU ARE CONVICTED BY DEFAULT, ADDITIONAL COSTS MAY BE IMPOSED.”;**

(7) general information on demerit points ;

(8) a notice that preliminary applications may be filed with a plea of not guilty ; and

(9) the defendant’s right to seek legal counsel.

The back of the pages in the statement of offence form, or the data on the corresponding page screens, must state the place or the telephone number at which the defendant may obtain additional information concerning the statement of offence.

The back of the pages or the corresponding page screen data may also contain a section for an explanation of codes or initialisms and, depending on the type of payment, may contain one or more of the following :

(1) a boxed space where a cashier’s stamp may be affixed attesting that a payment has been received ;

(2) a payment receipt form ;

(3) a record or an attestation of an electronic transaction ; and

(4) reference to the document attesting the receipt of a payment.

The back may also contain a section for the prosecutor’s address, if applicable.”.

**7.** Section 36 is replaced by the following :

“**36.** The front of the plea form on the statement of offence, or the data on the corresponding page screens, must consist of two sections which contain at least the headings, keywords, pre-printed or pre-programmed texts and spaces allowing the following to be entered :

(1) in the section concerning the plea :

(a) the statement of offence number ;

(b) the defendant’s plea ; and

(c) the defendant’s signature or, as the case may be, the defendant’s signature in electronic form or the electronic signature validation code, and the date of signature ; and

(2) in the section concerning the penalty and the payment:

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

(b) other amounts that may be imposed by law;

(c) the address to which the defendant must send the plea and, if the defendant enters a plea of guilty, the address to which the total amount of the fine, costs and, if applicable, contribution, must be sent;

(d) a repetition of the date of service of the statement of offence; and

(e) any amount that has been paid.”.

**8.** Section 38 is amended

(1) by adding “the prosecutor’s address may appear on the back of the statement of offence rather than on the front;” after “name and address;” in subparagraph *c* of paragraph 1;

(2) by replacing paragraph 6 by the following:

“(6) in the section concerning the attestation of the facts and the service of the statement of offence, or in separate sections relating to the attestation and service:

(a) an attestation of the facts by the person who witnessed the offence or issued the statement of offence;

(b) the name and capacity of the person attesting to the facts and badge number if the person is a police officer;

(c) an attestation that the statement of offence was served at the time of the offence or subsequent to the commission of the offence, or mention of the fact that the defendant was not given a duplicate of the statement of offence;

(d) the manner in which service was made;

(e) the name and capacity of the person who served the statement of offence or mention of the fact that the person who attested to the facts also served the statement of offence;

(f) the date and time of service or a reference to the document showing the date and time of service; and

(g) the signature of the person attesting to the facts and of the person serving the statement of offence or, as the case may be, their respective signatures in electronic form or their electronic signature validation codes; if the same person attests to the facts and serves the statement of offence, an indication to that effect and the person’s signature for the attestation of the facts and the service or, as the case may be, the person’s signature in electronic form or the person’s electronic signature validation code;

(6.1) in a section concerning warnings to the defendant, immediately after the section referred to in paragraph 6, the following boxed text in bold capital letters, in nine-point print or larger:

<b>IMPORTANT</b>
<b>PLEASE READ WARNING NO. 1 ON THE BACK. HOWEVER, IF YOU ARE UNDER 18 YEARS OF AGE OR IF THIS BOX IS CHECKED <input type="checkbox"/> PLEASE READ WARNING NO. 2 ON THE BACK.</b>

This section is used by the issuer of the statement of offence to notify the defendant of the default proceedings that apply.”.

**9.** Section 39 is replaced by the following:

“**39.** The back of the pages in the statement of offence, or the data on the corresponding page screens, must contain at least the headings, keywords, texts and spaces allowing the information set out in section 35 to be entered, except the information in subparagraph 7 of the first paragraph of that section.”.

**10.** Section 40 is amended by striking out subparagraph *c* of paragraph 1.

**11.** Section 41 is amended

(1) by replacing “shall contain” in the introductory part by “must contain at least”;

(2) by striking out paragraph 6.

**12.** Section 42 is revoked.

**13.** The statement of offence models in Schedules III, IV and V to the Regulation are replaced by the models in the schedules to this Regulation.



**14.** Section 5 of the Regulation to amend the Regulation respecting the form of statements of offence, made by Order in Council 140-2000 dated 16 February 2000, is revoked.

**15.** Statement of offence forms that have been pre-printed in accordance with Divisions IV and V of Chapter II of the Regulation respecting the form of statements of offence in use before (*insert the date of coming into force of this Regulation*) may continue to be used until no later than (*insert the date that occurs one year after the date of coming into force of this Regulation*) for proceedings to which Division I of Chapter VI of the Code of Penal Procedure applies. This also applies to the statement of offence forms referred to in section 42 of this Regulation.

**16.** This Regulation comes into force on 15 September 2006.

**SCHEDULE III**  
(s. 23, 1st par., subpar. 3)

**000000 0000000000**

**STATEMENT OF OFFENCE**

Judicial district										
Court office record number										
Prosecutor										
<b>DEFENDANT</b>	1. Mr. <input type="checkbox"/>		Surname		Given name					
	2. Ms. <input type="checkbox"/>		Address		Apt.					
	3. Legal person <input type="checkbox"/>		Locality		Prov/State		Postal code			
	4. Owner to be identified <input type="checkbox"/>		Confirmation of identity		Prov/State		<input type="checkbox"/> Non resident <input type="checkbox"/> Under 18 years of age			
<b>VEH</b>	Licence plate No. <input type="checkbox"/> Temporary registration certificate		Expiry		Prov/State		Vehicle make			
	Model		Year		Number of axles declared		Net weight declared			
<b>OFFENCE</b>	<input type="checkbox"/> Highway Safety Code		<input type="checkbox"/> Municipal traffic or parking by-law		<input type="checkbox"/> Other law or regulation					
	Title of the law or regulation:									
	Section or article			Code		Defendant code		Vehicle code		
	DESCRIPTION OF THE OFFENCE									
	Speed recorded km/h		Speed limit km/h		By <input type="checkbox"/> 1. Radar <input type="checkbox"/> 2. Vehicle <input type="checkbox"/> 3. Air		Weight/dimension recorded <input type="checkbox"/> kg <input type="checkbox"/> m		Allowable weight/dimension <input type="checkbox"/> kg <input type="checkbox"/> m	
Date of offence (Y-M-D)			Time from to		Dement points		Thaw period <input type="checkbox"/>			
<b>PLACE</b>	Location				1-Facing <input type="checkbox"/>		Side 1-North <input type="checkbox"/>		2-South <input type="checkbox"/>	
	Route		Direction		Location		3-Opposite <input type="checkbox"/>		4-East <input type="checkbox"/>	
<b>OPERATOR</b>	1-Driver <input type="checkbox"/>		Surname		Given name					
	2-Operator <input type="checkbox"/>		Confirmation of identity		Prov/State		O.O.H.V. <input type="checkbox"/>			
3-Driver=Operator <input type="checkbox"/>										
<b>PENALTY</b>	<b>PENALTY</b>				Minimum fine		Costs		Contribution	
	\$				+		\$		+	
										TOTAL AMOUNT
<b>ATTESTATION / SERVICE</b>	<b>ATTESTATION</b>					<b>SERVICE</b>				
	I, the undersigned, certify that I personally witnessed the facts set out in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E and (if applicable) certify that _____ peace officer, badge number _____, witnessed the facts set out in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E and I have reasonable grounds to believe that the offence described in C has been committed.					I certify that I delivered a duplicate of the statement of offence <input type="checkbox"/> at the time of the offence <input type="checkbox"/> subsequent to the commission of the offence <input type="checkbox"/> to the defendant <input type="checkbox"/> to the driver <input type="checkbox"/> by leaving it in a conspicuous place on the vehicle <input type="checkbox"/> in another manner (specify):				
	<input type="checkbox"/> I did not deliver a duplicate of the statement of offence.					Name (in block letters) <input type="checkbox"/> same as attestation				
	Name (in block letters)					<input type="checkbox"/> Peace officer		Badge number		Unit
	<input type="checkbox"/> Peace officer		Badge number		Unit		<input type="checkbox"/> Person entrusted with the enforcement of the Act		Capacity	
	<input type="checkbox"/> Person entrusted with the enforcement of the Act		Capacity		Time (H-M)		Date of service (Y-M-D)			
	Signature					Signature				
	<b>IMPORTANT</b>									
	<b>H</b>									
	PLEASE READ WARNING NO. 1 ON THE BACK. HOWEVER, IF YOU ARE UNDER 18 YEARS OF AGE OR IF THIS BOX IS CHECKED <input type="checkbox"/> PLEASE READ WARNING NO. 2 ON THE BACK.									

**STATEMENT OF OFFENCE**

Penal proceedings are instituted by means of a statement of offence and commence on the date of service of the statement of offence.

**PLEA**

You are required to enter a plea of guilty or not guilty within 30 days after the date of service indicated in the "SERVICE" section of the statement of offence.

If the defendant is a legal person, a director or officer of the defendant must sign the plea and indicate his or her capacity.

**PLEA OF GUILTY AND PAYMENT**

If you plead guilty to the offence, please use the attached plea form to:

- enter your plea; and
- pay (in Canadian funds) the total amount of the fine, costs and contribution indicated on the statement of offence.

The contribution is used to assist victims of crime, as provided in article 8.1 of the Code of Penal Procedure.

The plea and the payment may be sent to the address indicated on the plea form or .....

Payment may be made (*indicate method of payment*).

A defendant who enters a plea of guilty is deemed to have been convicted of the offence.

Additional costs may be imposed if the total amount of the fine, costs and contribution is not transmitted with the plea of guilty.

**PLEA OF NOT GUILTY**

If you plead not guilty to the offence, please enter your plea on the attached plea form. Your plea must be sent to the address indicated on the plea form.

You will be notified by the clerk of the competent court of the place, date and time set for the trial.

**PRELIMINARY APPLICATIONS**

To prepare your defence, you may file with your plea of not guilty a preliminary application as provided in articles 168 to 186 of the Code of Penal Procedure.

**FAILURE TO ENTER A PLEA AND PAY THE TOTAL AMOUNT OF THE FINE AND COSTS****WARNING NO. 1**

**IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OR A PART OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE, YOU WILL BE DEEMED NOT TO CONTEST THE PROCEEDINGS AND MAY BE CONVICTED BY DEFAULT (IN YOUR ABSENCE) WITHOUT AN OPPORTUNITY TO BE HEARD.**

**WARNING NO. 2**

**IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE OR IN THE DOCUMENT REFERRED TO, YOU WILL BE DEEMED TO HAVE ENTERED A PLEA OF NOT GUILTY. PROCEEDINGS WILL THEN BE TRIED IN YOUR ABSENCE AND JUDGMENT WILL BE RENDERED WITHOUT FURTHER NOTICE.**

**IF YOU ARE CONVICTED BY DEFAULT, ADDITIONAL COSTS MAY BE IMPOSED.**

**DEMERIT POINTS**

The demerit points entered on the statement of offence serve only as a guideline. The Société de l'assurance automobile du Québec is responsible for registering demerit points in a defendant's record.

**RIGHT TO LEGAL COUNSEL**

You have the right to seek legal counsel before entering a plea or making a preliminary application.

**INFORMATION**

**PROSECUTOR'S ADDRESS (IF APPLICABLE)**

**DEFENDANT**

**PLEA FORM**

PLEA	
<b>IMPORTANT: SEE THE BACK OF THE STATEMENT OF OFFENCE FOR INFORMATION ON THE CONSEQUENCES OF YOUR PLEA</b>	
<p style="text-align: center;">TO THE OFFENCE DESCRIBED IN SECTION C OF STATEMENT No. _____, I PLEAD:</p> <p> <input type="checkbox"/> GUILTY                      <input type="checkbox"/> NOT GUILTY                 </p> <p>Signature _____ Date _____</p> <p>Please enter any change of address</p> <p>_____</p> <p>_____</p> <p style="text-align: right;">_____ POSTAL CODE</p>	

***Address where plea  
and (if applicable) payment must be sent***

NOTICE OF PENALTY					
Minimum fine		Costs	Contribution		amount
\$	+	\$	\$	\$	

Amount paid  
\$

Date of service  
Y - M - D

**CASHIER'S STAMP**

**SCHEDULE IV**  
(s. 23, 1st par., subpar. 4)

**000000 000000000**

**CANADA  
PROVINCE OF QUÉBEC**

**STATEMENT  
OF OFFENCE  
(PARKING)**

Judicial district
Prosecutor
Defendant
Vehicle owner

PAYMENT: SEE PLEA FORM

<b>VEHICLE</b>	Licence plate number	Prov/State	Vehicle make	Model
	Temporary registration certificate		Towing/Vehicle towed to	
	Surname		Given name	
	Address			Apt.
<b>Place</b>	Town/City		Province/State	Postal code
	Time of the offence From		to	Date of the offence (Y-M-D)
	District	Parking sign	Parking meter number	
	Location			<input type="checkbox"/> 1-Facing <input type="checkbox"/> 2-Near <input type="checkbox"/> 3-Opposite <input type="checkbox"/> 4-Inters. <input type="checkbox"/> 5-Rear
Highway/Road		Direction	Location	Unit

Description of the offence				

<b>PENALTY</b>	Minimum fine	Costs	Contribution	Total amount		
	\$	+	\$	+	\$	+
<input type="checkbox"/> If this box is checked, towing fees of \$ _____ have been added.						

<b>ATTESTATION / SERVICE</b>	<b>ATTESTATION</b>		<b>SERVICE</b>	
	I, the undersigned, certify that I personally witnessed the facts set out in this statement of offence and have reasonable grounds to believe that the above-described offence has been committed.		I certify that I delivered a duplicate of the statement of offence <input type="checkbox"/> at the time of the offence <input type="checkbox"/> subsequent to the commission of the offence <input type="checkbox"/> by leaving it in a conspicuous place on the vehicle <input type="checkbox"/> in another manner (specify): _____	
	Name (in block letters)		Name (in block letters) <input type="checkbox"/> same as attestation	
	Person entrusted with the enforcement of the Act	Capacity	Person entrusted with the enforcement of the Act	Capacity
	<input type="checkbox"/> I did not deliver the duplicate of the statement <input type="checkbox"/> I witnessed the facts and served the duplicate of the statement (only one signature required)		Date of service (Y-M-D)	Time (H-M)
	Signature		Signature	

**IMPORTANT**  
**PLEASE READ WARNING NO. 1 ON THE BACK.**  
**HOWEVER, IF YOU ARE UNDER 18 YEARS OF AGE**  
**OR IF THIS BOX IS CHECKED**   
**PLEASE READ WARNING NO. 2 ON THE BACK.**

DEFENDANT

**STATEMENT OF OFFENCE**

Penal proceedings are instituted by means of a statement of offence and commence on the date of service of the statement of offence.

**PLEA**

You are required to enter a plea of guilty or not guilty within 30 days after the date of service indicated in the "SERVICE" section of the statement of offence.

If the defendant is a legal person, a director or officer of the defendant must sign the plea and indicate his or her capacity.

**PLEA OF GUILTY AND PAYMENT**

If you plead guilty to the offence charged, please use the attached plea form to:

- enter your plea, and
- pay (in Canadian funds) the total amount of the fine, costs and contribution indicated on the statement of offence.

The contribution is used to assist victims of crime, as provided in article 8.1 of the Code of Penal Procedure.

The plea and the payment may be sent to the address indicated on the plea form or .....

Payment may be made (*indicate method of payment*).

A defendant who enters a plea of guilty is deemed to have been convicted of the offence.

Additional costs may be imposed if the total amount of the fine, costs and contribution is not transmitted with the plea of guilty.

**PLEA OF NOT GUILTY**

If you plead not guilty to the offence, please enter your plea on the back of the attached plea form. Your plea must be sent to the address indicated on the plea form.

You will be notified by the clerk of the competent court of the place, date and time set for the trial.

**PRELIMINARY APPLICATIONS**

To prepare your defence, you may file with your plea of not guilty a preliminary application as provided in articles 168 to 186 of the Code of Penal Procedure.

**FAILURE TO ENTER A PLEA AND PAY THE TOTAL AMOUNT OF THE FINE AND COSTS****WARNING NO. 1**

**IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OR A PART OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE, YOU WILL BE DEEMED NOT TO CONTEST THE PROCEEDINGS AND MAY BE CONVICTED BY DEFAULT (IN YOUR ABSENCE) WITHOUT AN OPPORTUNITY TO BE HEARD.**

**WARNING NO. 2**

**IF YOU DO NOT ENTER A PLEA OR DO NOT PAY THE TOTAL AMOUNT OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE OR IN THE DOCUMENT REFERRED TO, YOU WILL BE DEEMED TO HAVE ENTERED A PLEA OF NOT GUILTY. PROCEEDINGS WILL THEN BE TRIED IN YOUR ABSENCE AND JUDGMENT WILL BE RENDERED WITHOUT FURTHER NOTICE.**

**IF YOU ARE CONVICTED BY DEFAULT, ADDITIONAL COSTS MAY BE IMPOSED.**

**RIGHT TO LEGAL COUNSEL**

You have the right to seek legal counsel before entering a plea or making a preliminary application.

**INFORMATION**

**PROSECUTOR'S ADDRESS (IF APPLICABLE)**

**DEFENDANT**

**CANADA  
PROVINCE OF QUÉBEC**

**PLEA FORM**

Judicial district

Licence plate number	Province/State	Vehicle make	Model
----------------------	----------------	--------------	-------

Date of offence (Y-M-D)

**Plea of guilty**

<input type="checkbox"/> I plead guilty	Signature:
_____	_____
Capacity (title)	Date

**PAYMENT**

If you plead guilty to the offence charged, you must pay the Total Amount indicated, or your may be required to pay an additional amount as costs.

Your plea and your payment must be sent no later than 30 days after the date of service appearing at the bottom of this form or, if service was made by mail, the date on the notice of receipt or delivery or on the envelope.

Your plea and payment must be sent to:

**RETURN THIS FORM WITH YOUR PAYMENT**

PENALTY	Minimum	Costs	Contribution	=	\$	Total amount
	\$	\$	\$			
	<input type="checkbox"/> If this box is checked, towing fees of \$_____ have been added.					

Amount paid

\$

\$

Date of service (Y-M-D)      Time (H-M)

Plea of not guilty			
To enter a plea of not guilty, you must complete this form.			
<input type="checkbox"/> I plead not guilty		Signature:	
Surname (in block letters)		Given name	
No. and street			Apt.
Town/City			
Province		Postal code	Date (Y-M-D)
Licence plate number	Province/State	Vehicle make	Model
<p>If this statement of offence is maintained, you will be notified by the clerk of the competent court of the place, date and time set for the trial of the proceedings.</p>			
<p>This plea of not guilty must be sent to the following address, no later than 30 days after the date of service:</p> <p><b><i>Address where plea form must be sent</i></b></p>			

**CASHIER'S STAMP**



**SCHEDULE V**  
(s. 23, 2nd par.)

**00000 000000000**

**STATEMENT OF OFFENCE**

Judicial district												
Court office record number												
Prosecutor												
<b>DEFENDANT</b>	<b>A</b>	1. Mr. Surname		Given name								
		2. Ms. Address		Apt.								
	3. Legal person		Address									
	4. Owner to be identified <input type="checkbox"/>											
Locality				Prov/State				Postal code				
Confirmation of identity						Prov/State		<input type="checkbox"/> Non resident <input type="checkbox"/> Under 18 years of age				
<b>VEH</b>	<b>B</b> Licence plate No. <input type="checkbox"/> Temporary registration		Expiry		Prov/State		Vehicle make					
	Model		Year		No. of axes declared		Net weight declared					
<b>OFFENCE</b>	<input type="checkbox"/> Highway Safety Code <input type="checkbox"/> Municipal traffic or parking by-law <input type="checkbox"/> Other law or regulation											
	Title of the law or regulation											
	Section or article			Code			Defendant code			Vehicle code		
	<b>DESCRIPTION OF THE OFFENCE</b>											
Speed recorded		Speed limit		By		Weight/dimension recorded		Allowable weight/dimension				
km/h		km/h		<input type="checkbox"/> 1. Radar <input type="checkbox"/> 2. Vehicle <input type="checkbox"/> 3. Air		<input type="checkbox"/> kg <input type="checkbox"/> m		<input type="checkbox"/> kg <input type="checkbox"/> m				
Date of offence (Y-M-D)			Time		Demerit points		Thaw period					
from			to				<input type="checkbox"/>					
<b>PLACE</b>	Location					1-Facing 2-Near 3-Opposite 4-Inters. 5-Rear			Side 1-North 2-South 3-East 4-West			
	Highway/Road		Direction		Location		Unit					
<b>OPERATOR</b>	<b>E</b> 1-Driver 2-Operator 3-Driver = Operator		Surname		Given name							
	<input type="checkbox"/>		Confirmation of identity				Prov/State		O.O.H.V.			
<input type="checkbox"/>												
<b>PENALTY</b>					Minimum fine							
					Costs							
					Contribution							
					\$ + \$ + \$ = \$ ar							
<b>ATTESTATION / SERVICE</b>	<b>ATTESTATION</b>					<b>SERVICE</b>						
	I, the undersigned, certify that I personally witnessed the facts set out in <input type="checkbox"/> A <input type="checkbox"/> B (if applicable) <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E certify that _____, peace officer, badge number _____ witnessed the facts set out in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E and I have reasonable grounds to believe that the offence described in C was committed.					I certify that I delivered a duplicate of the statement of offence: <input type="checkbox"/> at the time of the offence <input type="checkbox"/> subsequent to the commission of the offence <input type="checkbox"/> to the defendant <input type="checkbox"/> to the driver <input type="checkbox"/> by leaving it in a conspicuous place on the vehicle <input type="checkbox"/> in another manner (specify)						
	<input type="checkbox"/> I did not deliver a duplicate of the statement					Name (in block letters) <input type="checkbox"/> same as attestation						
	Name (in block letters)					<input type="checkbox"/> Peace officer		Badge number		Unit		
	<input type="checkbox"/> Peace officer		Badge number		Unit		<input type="checkbox"/> Person entrusted with the enforcement of the Act		Capacity			
	<input type="checkbox"/> Person entrusted with the enforcement of the Act		Capacity		Time (H-M)			Date of service (Y-M-D)				
Signature or validation code					Signature or validation code							
<b>IMPORTANT</b>												
<b>H</b> <b>PLEASE READ WARNING NO. 1 ON THE BACK.</b> <b>HOWEVER, IF YOU ARE UNDER 18 YEARS OF AGE</b> <b>OR IF THIS BOX IS CHECKED <input type="checkbox"/></b> <b>PLEASE READ WARNING NO. 2 ON THE BACK.</b>												
<b>HARD-COPY CONVERSION</b>												
I CERTIFY THAT THIS DOCUMENT IS TRUE TO ITS DUPLICATE IN ELECTRONIC FORM.						Date (Y-M-D)		Time (H-M-S)				
Authorized person		Name		Capacity		Validation code						

**STATEMENT OF OFFENCE**

Penal proceedings are instituted by means of a statement of offence and commence on the date of service of the statement of offence.

**PLEA**

You are required to enter a plea of guilty or not guilty within 30 days after the date of service indicated in the "SERVICE" section of the statement of offence.

If the defendant is a legal person, a director or officer of the defendant must sign the plea and indicate his or her capacity.

**PLEA OF GUILTY AND PAYMENT**

If you plead guilty to the offence charged, please use the attached plea form to:

- enter your plea; and
- pay (in Canadian funds) the total amount of the fine, costs and contribution indicated on the statement of offence.

The contribution is used to assist victims of crime, as provided in article 8.1 of the Code of Penal Procedure.

The plea and the payment may be sent to the address indicated on the plea form or .....

Payment may be made (*indicate method of payment*).

A defendant who enters a plea of guilty is deemed to have been convicted of the offence.

Additional costs may be imposed if the total amount of the fine, costs and contribution is not transmitted with the plea of guilty.

**PLEA OF NOT GUILTY**

If you plead not guilty to the offence, please enter your plea on the attached plea form. Your plea must be sent to the address indicated on the plea form.

You will be notified by the clerk of the competent court of the place, date and time set for the trial.

**PRELIMINARY APPLICATIONS**

To prepare your defence, you may file with your plea of not guilty a preliminary application as provided in articles 168 to 186 of the Code of Penal Procedure.

**FAILURE TO ENTER A PLEA AND PAY THE TOTAL AMOUNT OF THE FINE AND COSTS****WARNING NO. 1**

**IF YOU DO NOT ENTER A PLEA OR PAY THE TOTAL AMOUNT OR A PART OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE, YOU WILL BE DEEMED NOT TO CONTEST THE PROCEEDINGS AND MAY BE CONVICTED BY DEFAULT (IN YOUR ABSENCE) WITHOUT AN OPPORTUNITY TO BE HEARD.**

**WARNING NO. 2**

**IF YOU DO NOT ENTER A PLEA OR PAY THE TOTAL AMOUNT OF THE FINE AND COSTS WITHIN 30 DAYS AFTER THE DATE OF SERVICE INDICATED IN THE "SERVICE" SECTION OF THE STATEMENT OF OFFENCE OR THE DOCUMENT REFERRED TO, YOU WILL BE DEEMED TO HAVE ENTERED A PLEA OF NOT GUILTY. PROCEEDINGS WILL THEN BE TRIED IN YOUR ABSENCE AND JUDGMENT WILL BE RENDERED WITHOUT FURTHER NOTICE.**

**IF YOU ARE CONVICTED BY DEFAULT, ADDITIONAL COSTS MAY BE IMPOSED.**

**DEMERIT POINTS**

The demerit points indicated on the statement of offence serve only as a guideline. The Société de l'assurance automobile du Québec is responsible for registering demerit points in a defendant's record.

**RIGHT TO LEGAL COUNSEL**

You have the right to seek legal counsel before entering a plea or making a preliminary application.

**INFORMATION**

**PROSECUTOR'S ADDRESS (IF APPLICABLE)**

**DEFENDANT**

## Draft Regulation

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

### Radiology technologists — Professional activities that may be engaged in by persons other than radiology technologists

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 professional activities that may be engaged in by persons other than radiology technologists, made by the Bureau of the Ordre des technologues en radiologie du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to

(1) determine, from among the professional activities that may be engaged in by radiology technologists, those that may be engaged in by students enrolled in a program of studies leading to a diploma giving access to the permit and by candidates wishing to practise the profession with a view to obtaining a diploma or training equivalence; and

(2) specify the terms and conditions under which the professional activities may be engaged in by those persons.

According to the Order, the Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Alain Crompt, Director General and Secretary, Ordre des technologues en radiologie du Québec, 6455, rue Jean-Talon Est, bureau 401, Saint-Léonard (Québec) H1S 3E8; telephone: 514 351-0052; fax: 514 355-2396.

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<sup>e</sup> 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.

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

## Regulation respecting the professional activities that may be engaged in by persons other than radiology technologists

Professional Code  
(R.S.Q., c. C-26, s. 94, par. h)

**1.** A student enrolled in a program of studies leading to a diploma giving access to the permit issued by the Ordre des technologues en radiologie du Québec, may, among the professional activities that may be engaged in by radiology technologists, engage in the activities required to complete the program, on the condition that:

(1) the student is listed in the Order's student register;

(2) the student engages in the activities within the framework of training establishments offering the program of studies that leads to a diploma giving access to the permit issued by the Order, and does so in compliance with the rules applicable to radiology technologists, including those relating to the code of ethics and the rules of practice of the profession of radiology technologist; and

(3) the activities are engaged in under the supervision of a clinical teacher, a clinical instructor or a radiology technologist who is available to intervene on short notice.

**2.** A candidate referred to in the third paragraph of section 9 of the Regulation respecting the standards for diploma or training equivalence for the issue of a permit by the Ordre des technologues en radiologie du Québec, approved by Order in Council 523-2005 dated 1 June 2005, may, among the professional activities that may be engaged in by radiology technologists, engage in the activities required to complete the training that would allow the candidate to be granted a training equivalence, on the condition that the activities are engaged in under the supervision of a radiology technologist who is available to intervene on short notice.

**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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## Decisions

### Decision

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

#### Chief Electoral Officer — Entry of electors on the list of electors of the Sainte-Marie–Saint-Jacques electoral division

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act concerning the entry of electors on the list of electors of the Sainte-Marie–Saint-Jacques electoral division

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

WHEREAS under section 145 of the Election Act (R.S.Q., c. E-3.3), the Chief Electoral Officer has sent the list of electors of the electoral division to the returning officer of the Sainte-Marie–Saint-Jacques electoral division;

WHEREAS pursuant to section 195 of the Election Act, the revision of the list of electors shall take place from March 20 to 30, 2006;

WHEREAS following an application for entry by an elector, it was discovered that ten electors domiciled on boulevard de Maisonneuve, in the Sainte-Marie–Saint-Jacques electoral division, were erroneously entered on the permanent list of electors of the neighbouring electoral division of Hochelaga-Maisonneuve following an error in drawing up the boundary;

WHEREAS as a result of this error, these electors are not entered on the list of electors of the Sainte-Marie–Saint-Jacques electoral division;

WHEREAS during the revision period, the provisions of the Election Act do not allow a board of revisors to correct errors in the entry of an elector on the list unless the elector requests such a correction;

WHEREAS the electors concerned may not be able to exercise their right to vote during the by-election in the Sainte-Marie–Saint-Jacques electoral division if remedial action is not taken;

WHEREAS section 490 of the Election Act allows the Chief Electoral Officer to adapt a provision of the Act where it comes to his attention that, subsequent to an error, the provision does not meet the demands of the resultant situation;

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 adapt the Election Act to provide that the board of revisors of the polling subdivision concerned may correct erroneous entries on the list of electors presented to it by the Chief Electoral Officer in the absence of applications for correction from electors.

For the purposes of this decision, the Election Act is amended by inserting the following after section 208:

“**208.1.** At the request of the returning officer and upon provision of the relevant documents, the board of revisors of the polling subdivision concerned is authorized to analyze the files and make necessary corrections to the list of electors in cases where electors are entered in the wrong electoral division.

In such cases, the board of revisors exercises the same powers and functions as those conferred on it for examining applications from electors.

For the purposes of the third paragraph of section 208, the documents in question may be presented to any revising officer who is designated by the board to collect any relevant information.”.

The returning officer of the Sainte-Marie–Saint-Jacques electoral division shall take necessary measures to inform the electors concerned of the location where they have to vote, if necessary.

This decision takes effect on March 28, 2006.

Québec, 28 March 2006

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

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## Decision

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

### Chief Electoral Officer

#### — Exercise of the duties of officers assigned to the list of electors during the 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, concerning the exercise of the duties of officers assigned to the list of electors during the by-election in the electoral division of Sainte-Marie–Saint-Jacques

WHEREAS order-in-council number 124-2006, issued on March 6, 2006, enjoins the Chief Electoral Officer to hold a by-election on Monday, April 10, 2006, in the electoral division of Sainte-Marie–Saint-Jacques;

WHEREAS section 310.1 of the Election Act (R.S.Q., c. E-3.3) provides that the returning officer shall appoint, in every polling station, two persons to act as officers assigned to the list of electors, recommended by the candidates of the authorized parties whose candidates came first and second at the last election;

WHEREAS section 315.1 of the Election Act provides that the officers assigned to the list of electors shall have the duty of informing the poll runners as to the electors who have exercised their right to vote;

WHEREAS the number of officers assigned to the list of electors on polling day in the electoral division of Sainte-Marie–Saint-Jacques will be insufficient to comply with the provisions of section 310.1 of the Election Act;

WHEREAS special provisions must be made by returning officer on polling day in situations where it is impossible for them to have two officers assigned to the list of electors in every polling station;

WHEREAS section 490 of the Election Act allows the Chief Electoral Officer to adapt a provision of the Act where he observes that, subsequent to an exceptional circumstance, it does not meet the demands of the situation;

WHEREAS the Chief Electoral Officer has informed the authorized parties represented in the National Assembly of his intention to use the provisions of the said section, and has taken the steps required to also inform the other authorized parties, the candidates and the electors in question;

The Chief Electoral Officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to adapt sections 310.1, 314 and 315 in order to authorize returning officer of the electoral division of Sainte-Marie–Saint-Jacques to take one of the following steps if they observe that the number of officers assigned to the list of electors is insufficient:

— appoint a single officer for each polling station;

— where it is impossible to ensure the presence of at least one officer in a polling station, have the duties of the officer performed by the deputy returning officer and the poll clerk.

This decision shall take effect on April 5, 2006.

Québec, 5 April 2006

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

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## Decision

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

### **Chief Electoral Officer — Exercise of voting rights by election officers during the 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, concerning the exercise of voting rights by election officers during the by-election in the electoral division of Sainte-Marie–Saint-Jacques

WHEREAS order-in-council number 124-2006, issued on March 6, 2006, enjoins the Chief Electoral Officer to hold a by-election on Monday, April 10, 2006, in the electoral division of Sainte-Marie–Saint-Jacques;

WHEREAS significant difficulties were encountered in this electoral division with regard to the recruitment of the election officers required to hold the poll;

WHEREAS the recruitment of election officers is underway on the date of this decision, and will continue until the day preceding polling day;

WHEREAS a number of the election officers recruited will not have exercised their right to vote in the advance poll;

WHEREAS these election officers cannot leave their positions on polling day to exercise their right to vote in the polling subdivision in which their domicile is located;

WHEREAS provisions are required to enable these election officers to exercise their right to vote;

WHEREAS section 490 of the Election Act (R.S.Q., c. E-3.3) allows the Chief Electoral Officer to adapt a provision of the Act where he observes that, subsequent to an exceptional circumstance, it does not meet the demands of the situation;

WHEREAS the Chief Electoral Officer has informed the authorized parties represented in the National Assembly of his intention to use the provisions of the said section, and has taken the steps required to also inform the other authorized parties, the candidates and the electors in question;

The Chief Electoral Officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to adapt section 340 of the Act and the Voting Regulation as follows:

1. The returning officer or his assistant shall issue an authorization to vote to every election officer entered on the list of electors in the electoral division in which he performs his duties who has not exercised his right to vote in the advance poll;

2. The authorization to vote shall be issued to the election officers concerned on the day of the poll, by the officer in charge of information and order.

3. An election officer who has obtained an authorization shall present it to the deputy returning officer and declare under oath:

(a) that he is indeed the person who obtained it;

(b) that he did not exercise his right to vote in the advance poll because he intended to vote on polling day;

(c) that he was unaware, prior to closure of the advance polling station, that he would be performing the duties of election officer on polling day in the polling station to which he is assigned.

This decision shall take effect on April 5, 2006.

Québec, 5 April 2006

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

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

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